



City of Eugene

POLICE COMMISSION

The Police Commission recommends to the City Council, City Manager, police department, and the people, the resources, preferred policing alternatives, policies, and citizen responsibilities needed to achieve a safe community. We strive to create a climate of mutual respect and partnership between the community and the police department that helps to achieve safety, justice and freedom for all people in Eugene.

Police Commissioners: Bob Walker, Chair; Bill Whalen, Vice-Chair; Mike Clark; Jim Garner; Edward Goehring; Raquel Hecht; Steve McIntire; Scott Nowicki; Terry Robertson; Claire Syrett; Joe Tyndall; Marshall Wilde

DRAFT Police Commission Meeting
February 11, 2016
5:30 – 8:00 pm

Item	Starting – Ending	Minutes
Review Agenda	5:30 – 5:35	5 min
Public Comments	5:35 – 5:45	10 min
Commissioner Comments / Responses	5:45 – 5:55	10 min
Review December Minutes	5:55 – 6:00	5 min
Recruitment Team	6:00– 6:45	45 min
BREAK	6:45– 6:55	10 min
Chief’s Presentation	6:55 – 7:10	15 min
Legitimacy Discussion	7:10 – 7:50	40 min
Commissioner Closing Comments	7:50 – 8:00	10 min

UPCOMING Police Commission Meeting:

March 10, 2016
April 14, 2016
May - TBD
June 9, 2016
July 14, 2016
September 8, 2016
October 13, 2016
November 10, 2016
December 8, 2016

Police Commission Meeting

January 14, 2016

5:30 – 8:00 pm

The official record is contained in the video recording, at the Police Commission meeting archive web page, at <http://www.eugene-or.gov/index.aspx?NID=1344>.

The City of Eugene Police Commission meeting was convened by Mr. Bob Walker, Chair, at 05:30 P.M.

Members in attendance: Mr. Bob Walker, Chair; Mr. Bill Whalen, Vice Chair; Mr. Edward Goehring; Mr. Jim Garner; Rachel Hecht; Steve McIntire; Ms. Terry Robertson; Claire Syrett; Mr. Joe Tyndall; Mr. Marshall Wilde

Members absent: Mr. Scott Nowicki; Mike Clark.

EPD Staff in attendance: Chief Pete Kerns, Lt. Carolyn Mason; Sgt. Kyle Williams; Carter Hawley

Review Agenda

Mr. Walker reviewed the agenda.

Hello and Farewell

The Commission said farewell to Mr. Jesse Lohrke, who is resigning due to his relocation out of the City of Eugene. The Commission welcomed Ms. Terry Robertson, a new commissioner who has taken the place of Mr. Jesse Lohrke.

Public Comments

Jim Peterson, Bicycle and Pedestrian Advisory Committee – Spoke in support of Vision Zero, a City goal to eliminate pedestrian fatalities and serious injuries, and expressed concern about the high number of bicycle thefts at the Library and South Eugene High School.

Commissioner Comments

Commissioners spoke in support and appreciation of the work of the Bicycle Pedestrian Advisory Committee.

Commissioners spoke in appreciation of the work of Jesse Lohrke, and welcomed Ms. Robertson.

Commissioner McIntire shared concerns from the Civilian Review Board, including the muting of microphones on body-worn cameras, the process used when an Attempt to Locate (ATL) is issued, and instances where interactions with officers appear to be escalating. He inquired whether there was information collected on the incidence of officer interference cases.

Minutes corrections

Correct the spelling of Steve McIntire and Raquel Hecht. For the motion to approve the working agreement at the December 2015 meeting, there was no second. To correct that, Mr. Walker moved and Mr. Whalen seconded the approval of the working agreements and the amended minutes. The motion was approved unanimously.

Recruitment

Ms. Hawley reviewed the material in the packet regarding the four upcoming Police Commission vacancies. The Commission focused its discussion on additional populations and venues for outreach, including finding someone with a mental health background, someone from the Latino community, and outreach to Lane County Human Services Commission, University of Oregon, and Office of Neighborhoods.

BREAK

Chief's Presentation

Chief Pete Kerns presented his report, and responded to questions.

Appearance and Uniform

Lt. David Natt modeled and provided information about load bearing vests.

Mr. Wilde – Gun should be placed in a location where accidental shootings are minimized.

Mr. McIntire – Considerations should be made for religious beliefs

Mr. Whalen – Appreciates the identification as police officer. Looking for language that would identify police officers.

Ms. Syrett – We need to be careful about bias standards. Doesn't think load bearing vests are militaristic. Religious exceptions should be spelled out, vs. discretion

Policy and manual will come back to the Commission.

Closing Comments

Commissioners offered closing comments.

Several members stated they could not attend May Saturday retreat.

The meeting adjourned at 7:30.

Notes take by Carter Hawley

Protect. Serve. Care.

Chief Kerns' Report to the Police Commission



January 2016

Chief's Activities

- City of Eugene State of the City 2016
- Executive Leadership Training Seminar—Seaside, OR
- Career Night (Police Officer and Call taker/Dispatcher)
- NAACP Annual MLK March
- Human Rights Commission Meeting (Discussion of HB 2002)
- Race, Police, the Supreme Court, and Democracy Panel Discussion at the UO School of Law
- LECC Monthly meeting in Salem
- PERF Work Session, Washington, D.C.
- Blacks In Government Annual dinner

In the News



★ **Missing Person Located—Nicole Marie Dieckhoff**

★ **Now hiring for police officers!**

★ **Woman found deceased Saturday in the parking lot of 555 Tyler**

★ **Police Looking for Suspect in Assault**

★ **Suspect Arrested for Robbery Conspiracy and Multiple Burglaries**

★ **Eugene Police K9 finds Hit and Run Driver**

★ **Eugene Police Investigating Possible Abduction Downtown**

Looking Ahead

- CSO A—one candidate in background process
- **CSO B & C—testing in process**
- Police Officer—seven applicants in medical phase. Expected hire date is February 22nd.
- **Recruit Police Officer—currently posted. Written and physical abilities testing will be February 19-21.**
- Lateral Police Officer—continuous posting.
- **Call-taker—15 backgrounds completed. Hire date is April 4th**
- Entry call-taker—applicants completed Critical testing phase
- **Lateral call-taker—continuous posting**
- VIP Senior Administrative Specialist—new process being created
- **Executive Assistant to Chief Kerns—new process being created**
- Eugene Police Award Ceremony—May 4th, 3 p.m. to 5 p.m.

February 02, 2016

DLP Report:

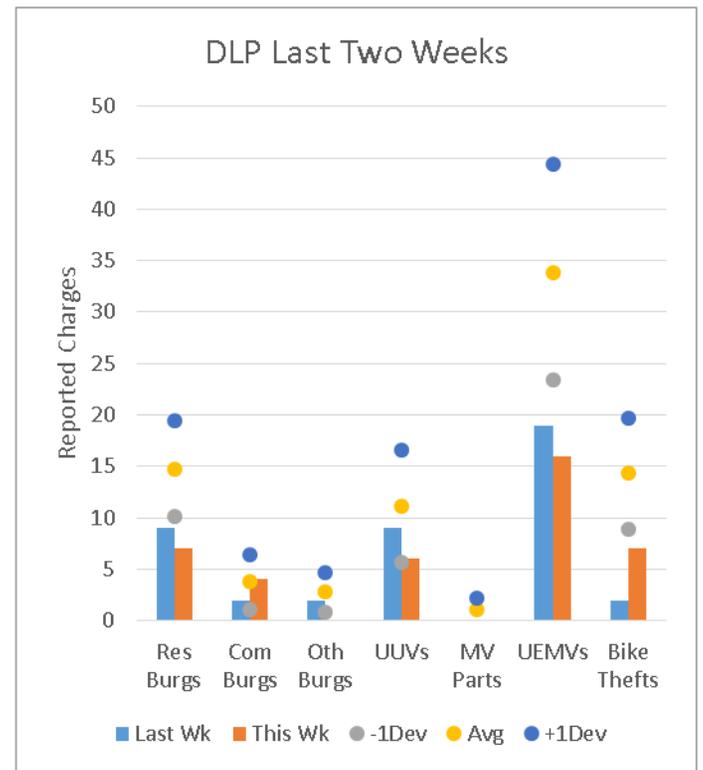
- DLP City-Wide Slides
- DLP Controls
- CFS Locations
- Downtown Controls
- MVA Activity
- Topics for Discussion

One Week City Wide

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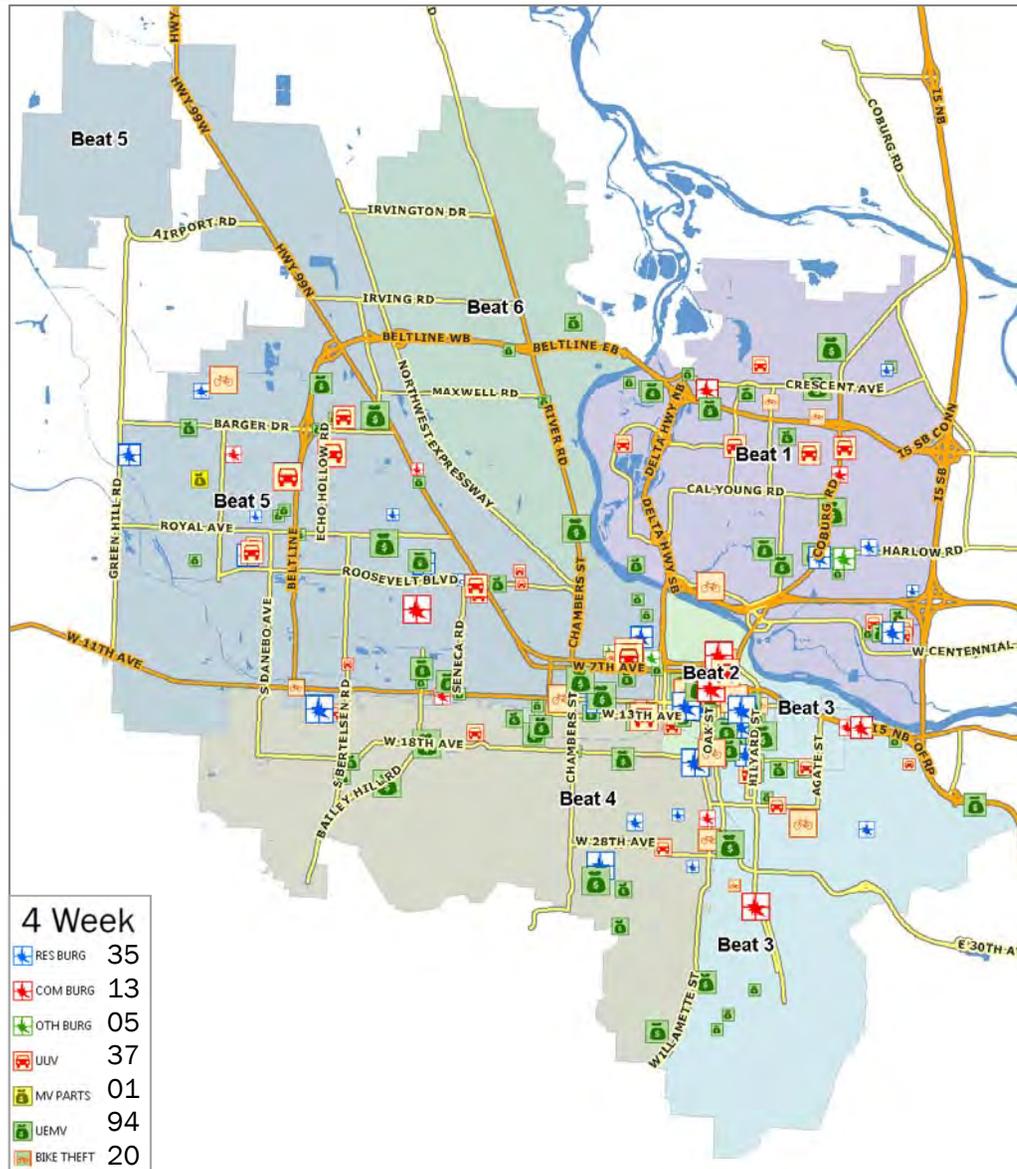


Offense	Last Wk	This Wk	-1Dev	Avg	+1Dev
Res Burgs	9	7	10	15	19
Com Burgs	2	4	1	4	6
Oth Burgs	2	0	1	3	5
UUVs	9	6	6	11	17
MV Parts	0	0	0	1	2
UEMVs	19	16	23	34	44
Bike Thefts	2	7	9	14	20
Total	43	40	65	82	98

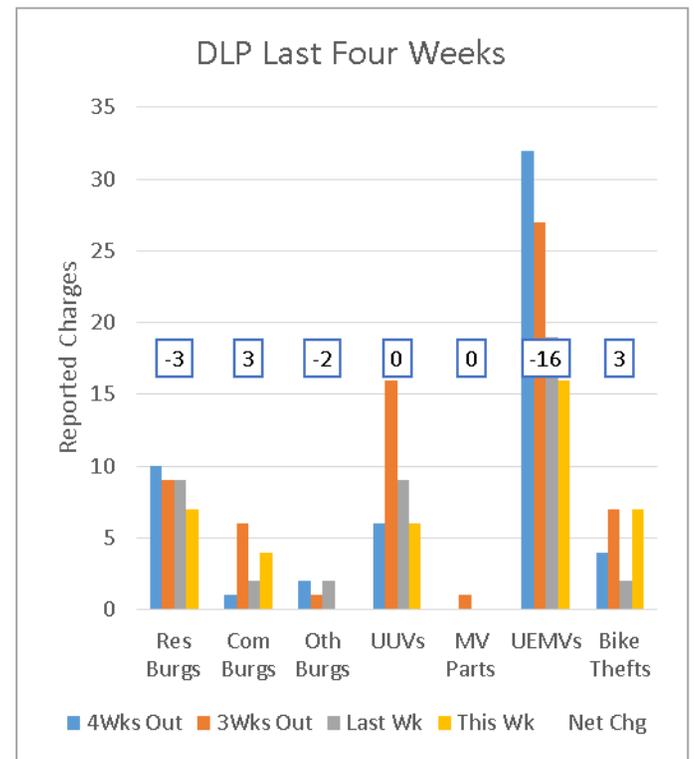


Four Week City Wide

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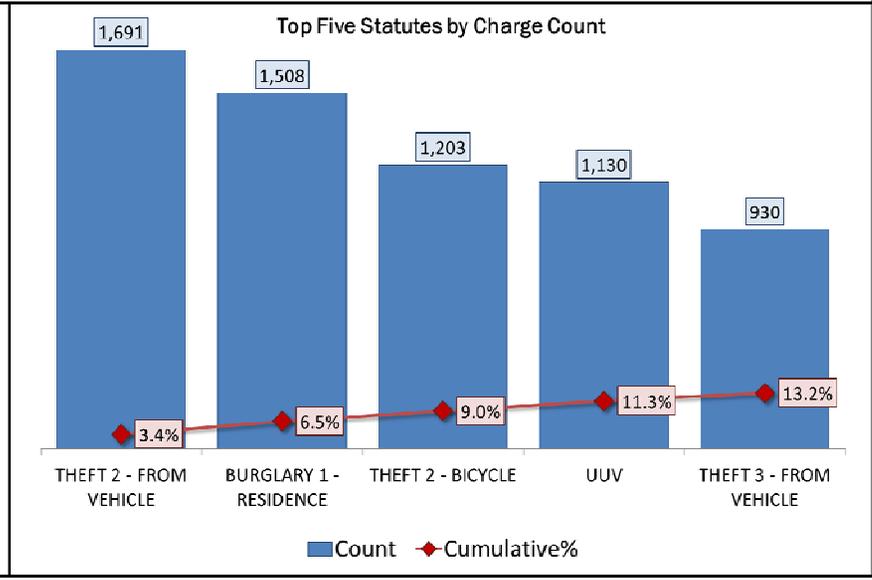
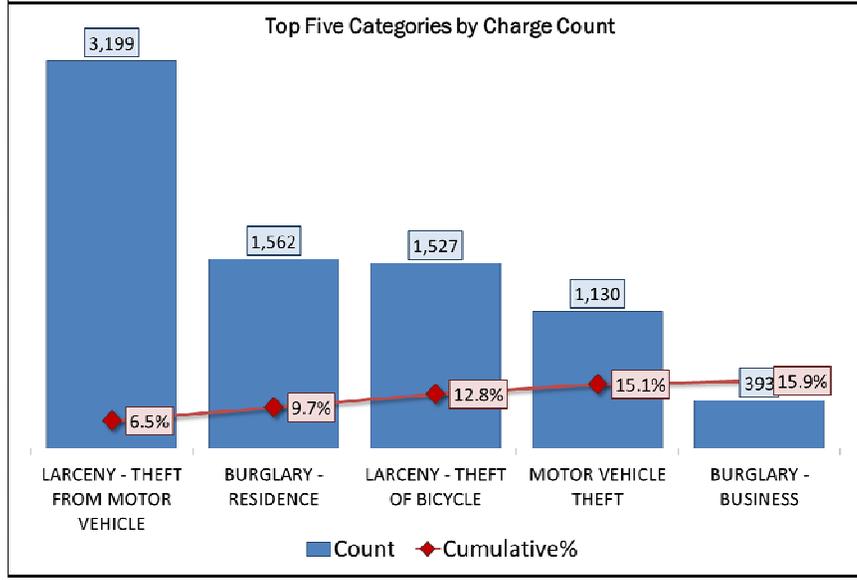
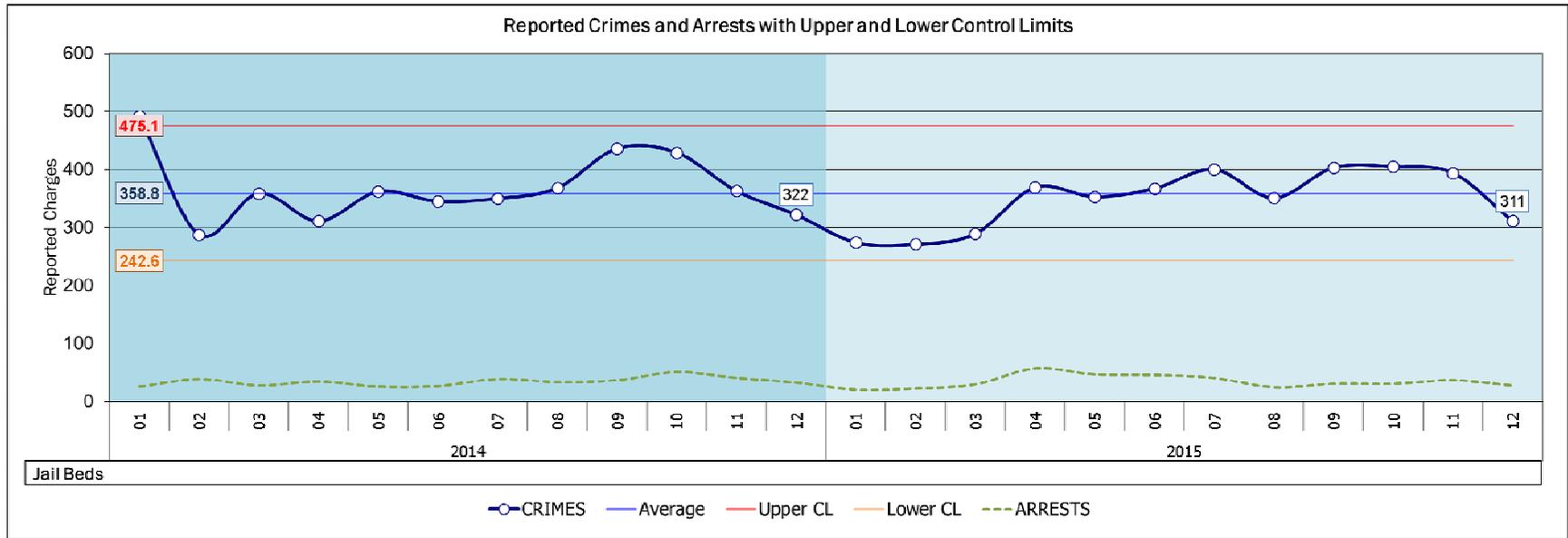


Offense	YTD 2014	YTD 2015	'14-'15 %Chg	YTD 2016	'15-'16 %Chg
Res Burgs	66	46	-30%	35	-24%
Com Burgs	15	10	-33%	13	30%
Oth Burgs	15	4	-73%	5	25%
UUVs	91	44	-52%	37	-16%
MV Parts	12	0	-100%	1	NC*
UEMVs	202	99	-51%	94	-5%
Bike Thefts	38	51	34%	20	-61%
Total	439	254	-42%	205	-19%



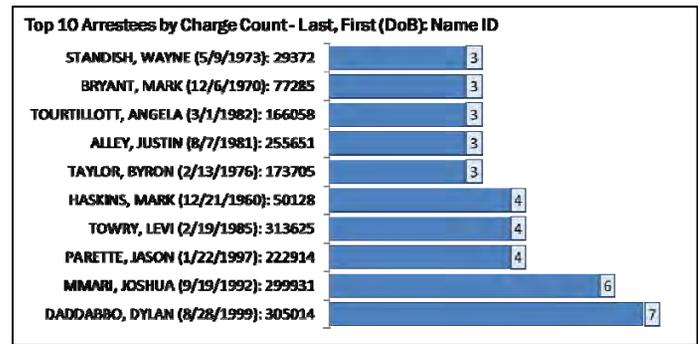
DLP Controls: Chart and Top Five

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Controls: Burglaries

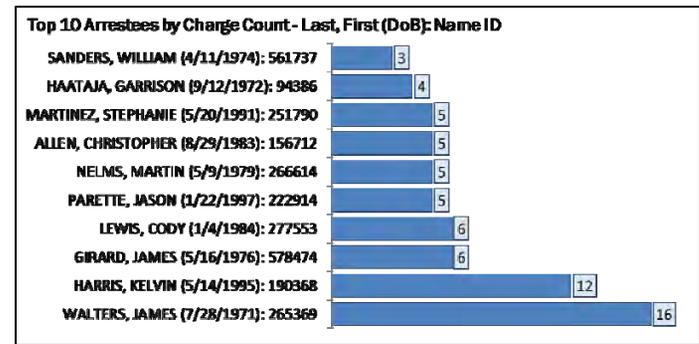
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	00	01	02	03	04	05	06	07	08	09	10	11	12	13	14	15	16	17	18	19	20	21	22	23	Total
Sunday	27	29	37	29	29	24	9	8	3	11	9	16	20	8	10	18	4	7	3	7	13	7	10	7	345
Monday	19	20	20	13	20	10	9	6	3	10	15	10	16	13	11	14	10	12	6	7	10	5	6	10	275
Tuesday	17	18	28	15	17	16	10	8	8	8	12	8	20	12	10	7	15	9	13	6	7	4	11	17	296
Wednesday	27	28	32	26	16	17	8	4	3	10	14	17	18	19	9	10	11	10	4	7	6	7	12	13	328
Thursday	19	18	32	28	12	22	9	5	12	9	10	16	13	12	17	11	14	11	11	11	10	6	12	11	331
Friday	23	26	25	23	28	11	8	8	9	14	6	12	10	9	15	10	7	8	14	12	5	9	12	10	314
Saturday	35	30	24	37	22	25	10	6	6	6	10	15	15	8	10	9	11	7	17	10	12	12	10	17	364
Total	167	169	198	171	144	125	63	45	44	68	76	94	112	81	82	79	72	64	68	60	63	50	73	85	2,253

Controls: Motor Vehicle Theft

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Sunday	10	14	19	28	16	19	7	7	3	6	7	10	6	4	8	8	5	7	3	6	4	5	7	10	219
Monday	10	23	25	23	14	12	7	10	7	4	7	11	10	7	10	6	10	6	6	3	5	7	8	4	235
Tuesday	15	22	26	19	18	13	5	6	9	8	7	8	8	7	10	7	1	1	10	5	3	5	5	6	224
Wednesday	15	18	27	13	13	11	7	9	5	6	5	7	8	7	4	6	6	5	1	8	2	3	6	9	201
Thursday	19	13	24	17	21	10	7	8	2	9	6	5	9	5	11	12	6	4	3	7	2	5	2	6	213
Friday	6	13	21	18	16	13	5	7	10	7	2	4	9	12	6	8	1	3	7	5	2	3	11	7	196
Saturday	13	14	14	26	27	15	14	5	3	4	5	3	6	7	9	9	5	7	5	9	8	4	14	7	233
Total	88	117	156	144	125	93	52	52	39	44	39	48	56	49	58	56	34	33	35	43	26	32	53	49	1,521

Top Dispatched CFS: Crimes Dec 2015

*CAD Activity: Rolling 12 Months

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4550 W 11TH AVE: (WALMART)	EPD
THEFT	126
SHOPLIFT 3050 PROGRAM	84
CRIMINAL TRESPASS	33
ANIMAL CRUELTY	25
DISPUTE	21
ALL OTHER	295
Total	584

145 E 18TH AVE: (SAFEWAY)	EPD
THEFT	80
SHOPLIFT 3050 PROGRAM	31
CRIMINAL TRESPASS	25
SHOPLIFT	15
TRANSPORT	14
ALL OTHER	137
Total	302

240 WASHINGTON ST: (WASHINGTON JEFFERSON PARK)	EPD
DISORDERLY SUBJECT	35
BEAT INFORMATION	33
ILLEGAL CAMPING	28
DISPUTE	26
THEFT	20
ALL OTHER	216
Total	358

1080 WILLAMETTE ST: (LTD EUGENE STATION)	EPD
CRIMINAL TRESPASS	56
TRANSPORT	29
ASSIST PUBLIC-POLICE	26
DISORDERLY SUBJECT	21
INCOMPLETE CALL	19
ALL OTHER	140
Total	291

3333 W 11TH AVE: (FRED MEYER)	EPD
THEFT	52
SHOPLIFT 3050 PROGRAM	42
HIT AND RUN	23
CRIMINAL TRESPASS	17
ANIMAL CRUELTY	15
ALL OTHER	165
Total	314

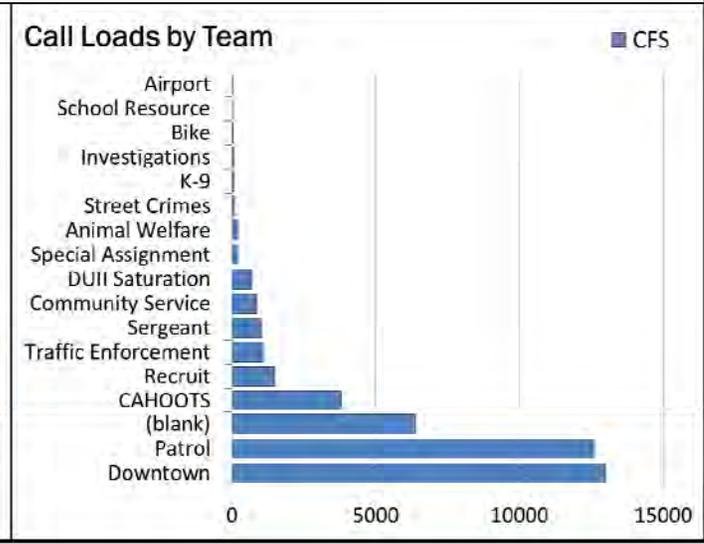
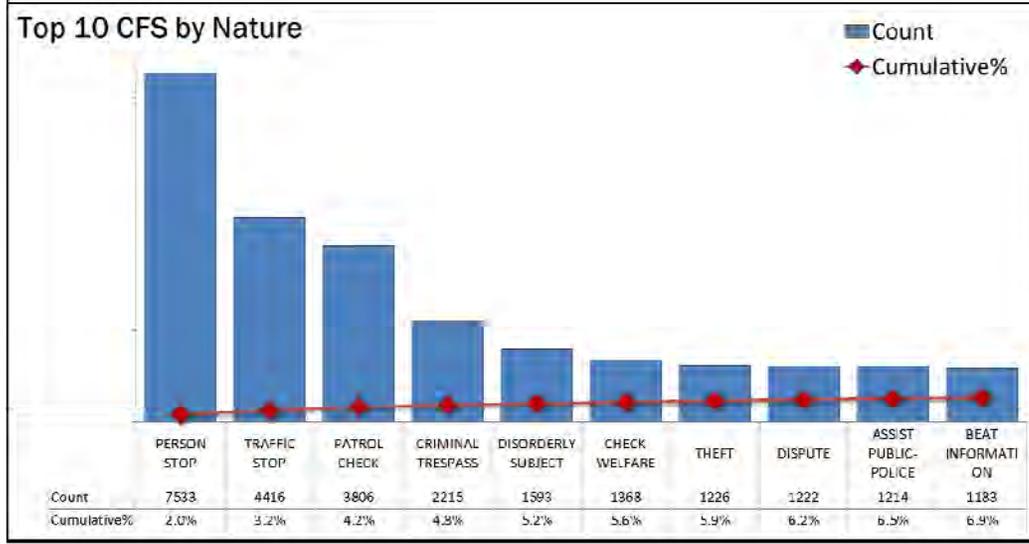
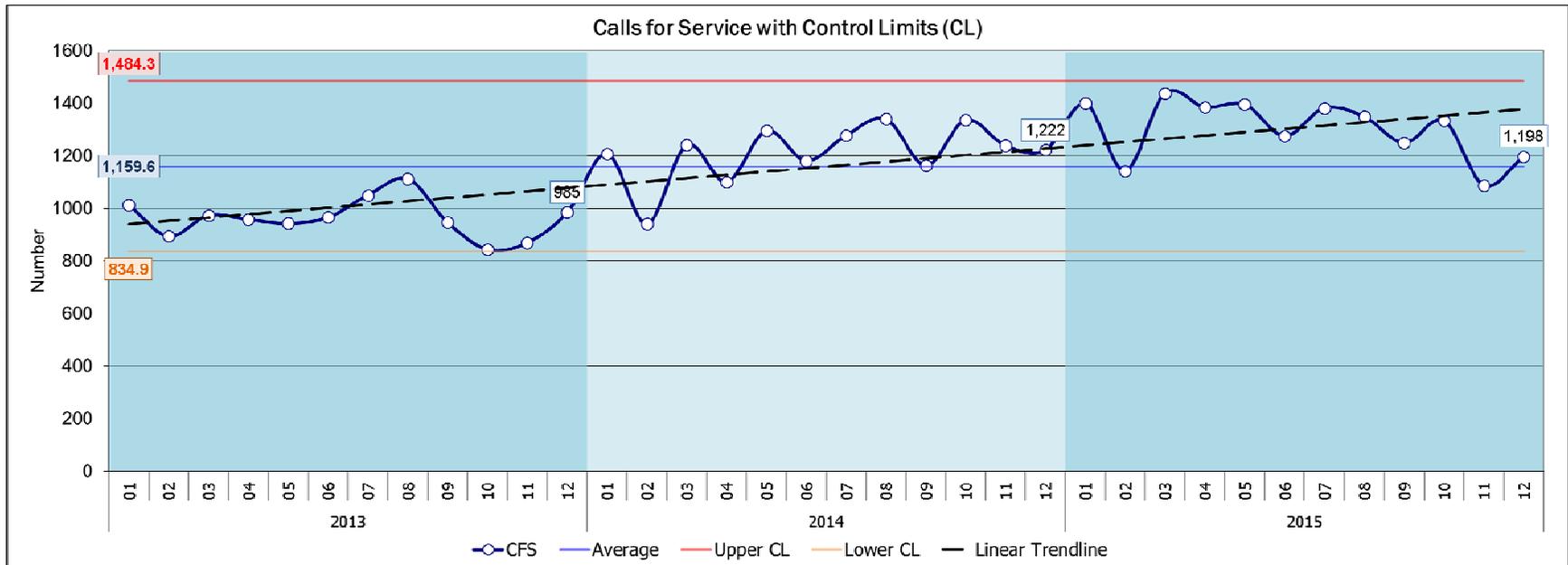
293 VALLEY RIVER CENTER: (VALLEY RIVER CENTER)	EPD
HIT AND RUN	31
ANIMAL CRUELTY	24
THEFT	22
THEFT OF BICYCLE	15
ANIMAL COMPLAINT	13
ALL OTHER	181
Total	286

100 W 10TH AVE: (EUGENE LIBRARY)	EPD
CRIMINAL TRESPASS	84
THEFT	27
TRANSPORT	26
ASSIST PUBLIC-POLICE	24
THEFT OF BICYCLE	16
ALL OTHER	134
Total	311

4275 BARGER DR: (WINCO FOODS)	EPD
SHOPLIFT 3050 PROGRAM	50
THEFT	23
CRIMINAL TRESPASS	20
HIT AND RUN	19
DISPUTE	13
ALL OTHER	108
Total	233

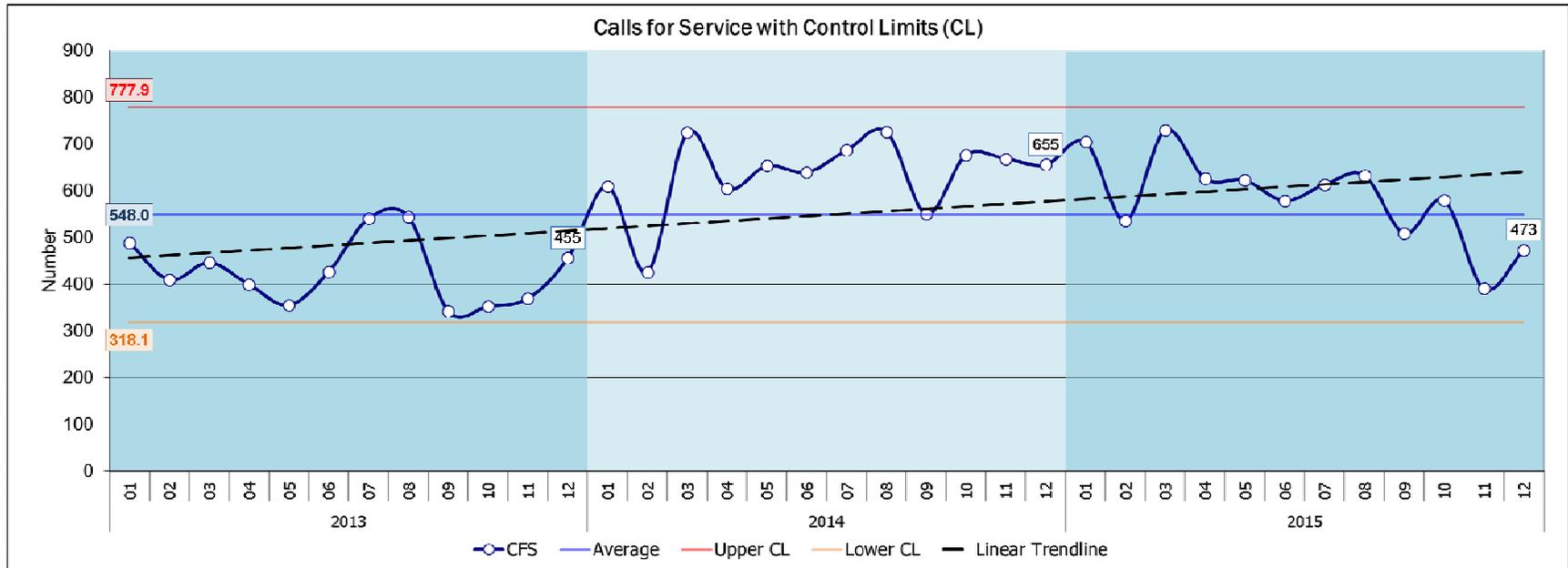
Downtown Controls: All Calls for Service

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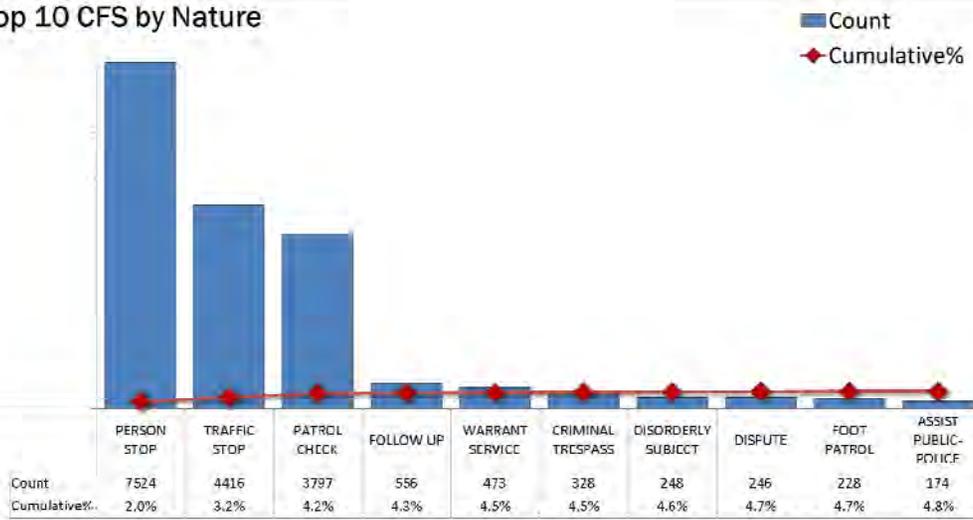


Downtown Controls: Self-Initiated CFS

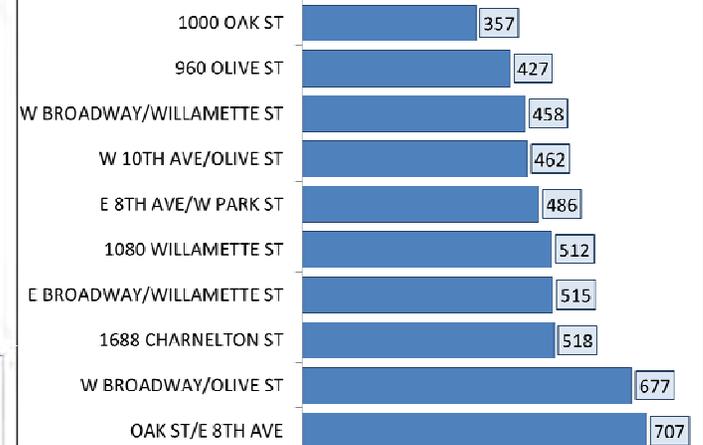
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Top 10 CFS by Nature

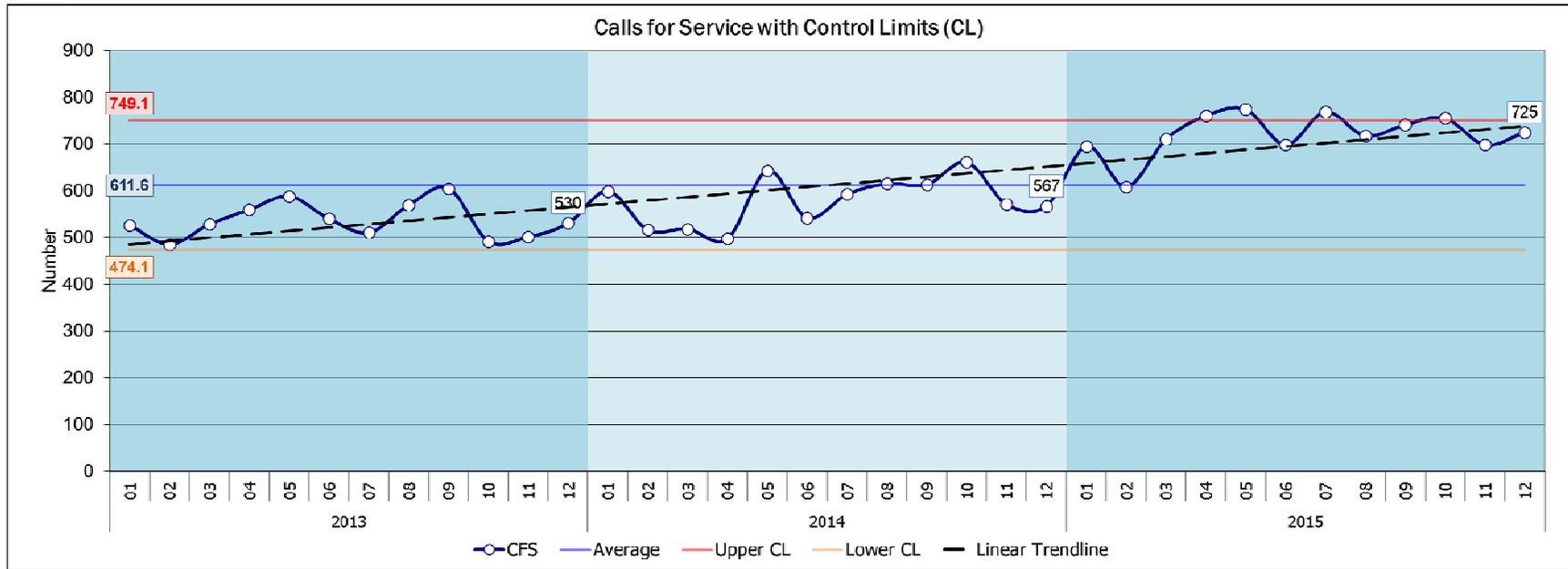


Downtown Top 10 CFS Locations

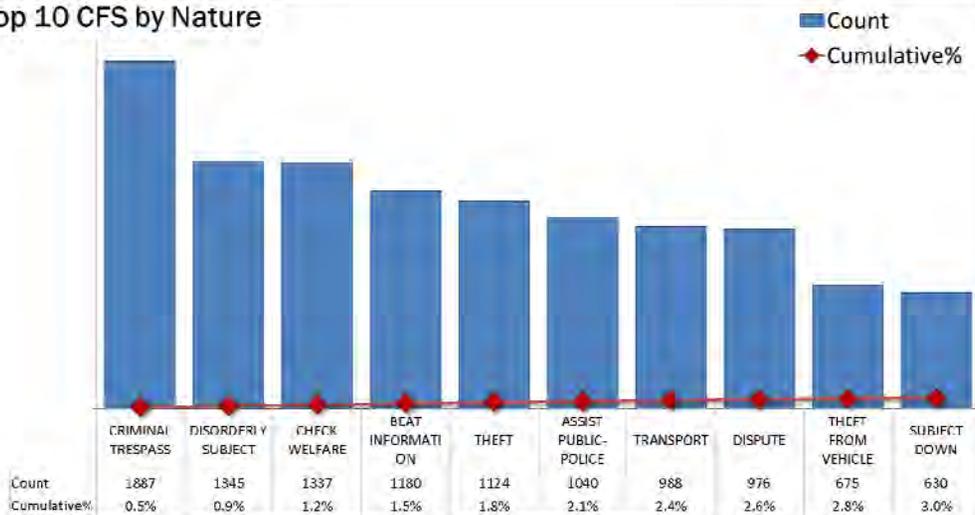


Downtown Controls: Dispatched CFS

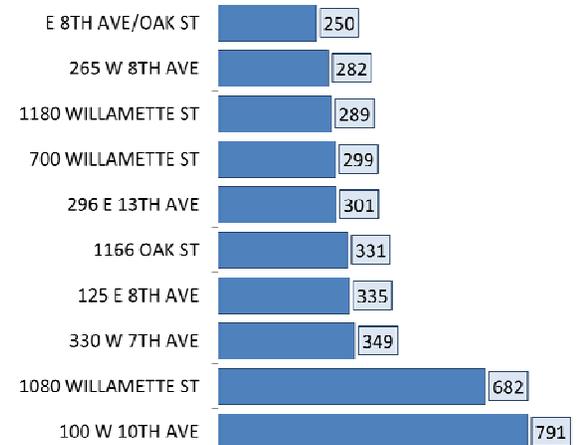
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Top 10 CFS by Nature

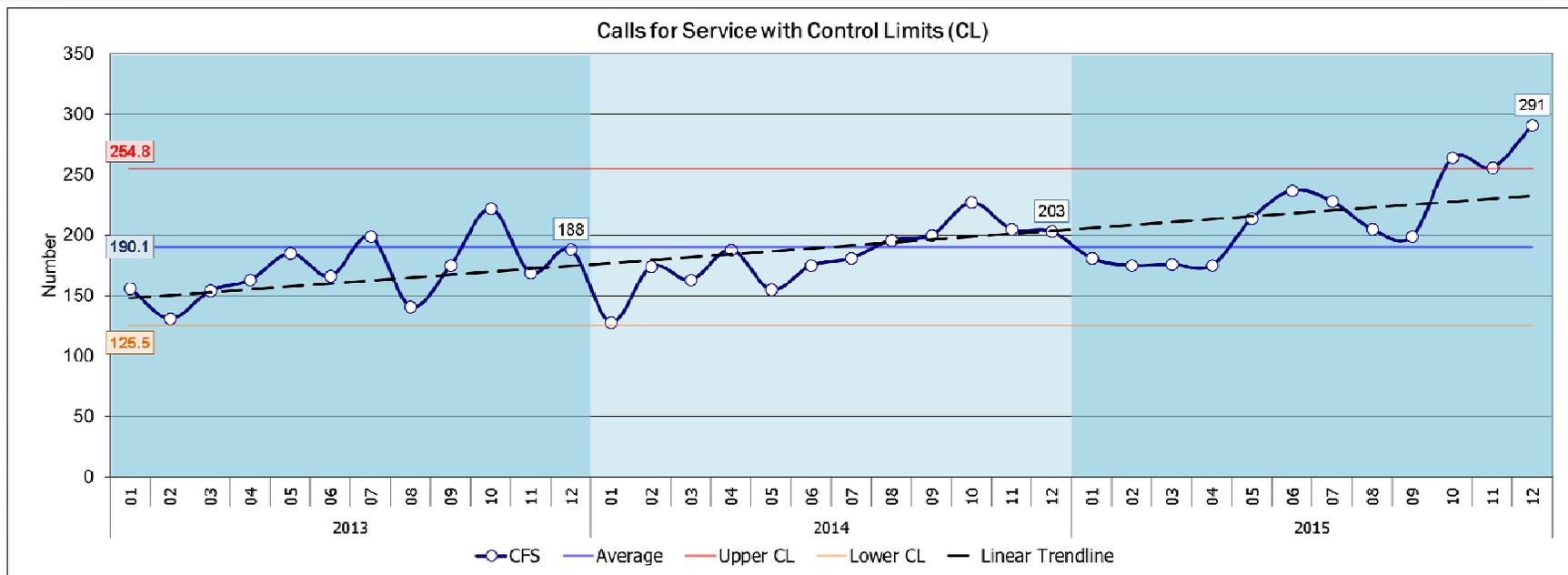


Downtown Top 10 CFS Locations



MVA Controls: 1 of 2

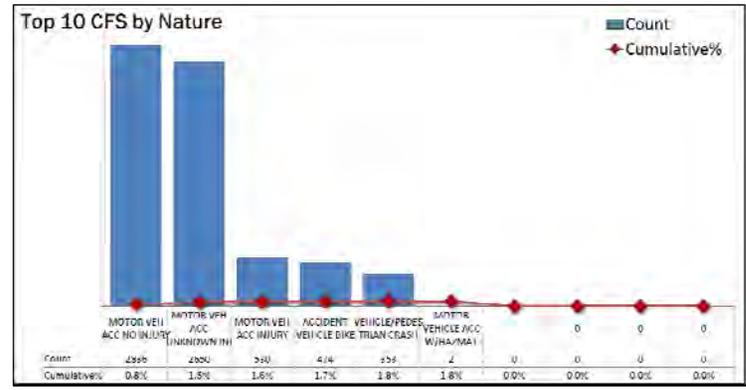
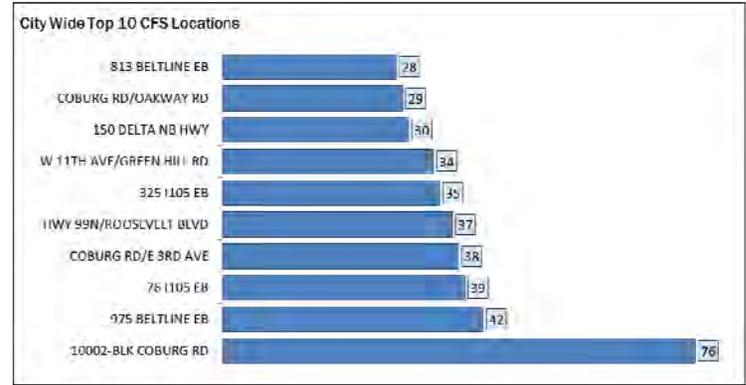
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Sunday	22	19	22	13	7	7	7	6	12	25	30	29	49	48	43	54	50	49	45	47	20	33	15	10	662
Monday	5	7	10	2	2	10	15	36	56	32	32	53	70	65	79	88	107	129	59	40	29	23	11	12	972
Tuesday	7	6	3	3	3	7	12	39	50	38	42	64	92	76	59	84	102	132	74	37	38	21	18	19	1,026
Wednesday	8	6	5	7	3	6	11	38	41	36	44	71	66	101	97	83	99	137	64	40	39	26	18	12	1,058
Thursday	6	7	15	4	3	7	14	41	40	37	54	59	82	74	88	114	114	150	73	43	26	32	22	15	1,120
Friday	5	6	6	6	3	16	9	37	51	40	50	74	105	90	118	130	131	115	75	38	45	42	23	24	1,239
Saturday	25	17	20	12	8	4	8	9	17	30	38	45	51	55	60	59	63	41	36	41	31	32	34	32	768
Total	78	68	81	47	29	57	76	206	267	238	290	395	515	509	544	612	666	753	426	286	228	209	141	124	6,845

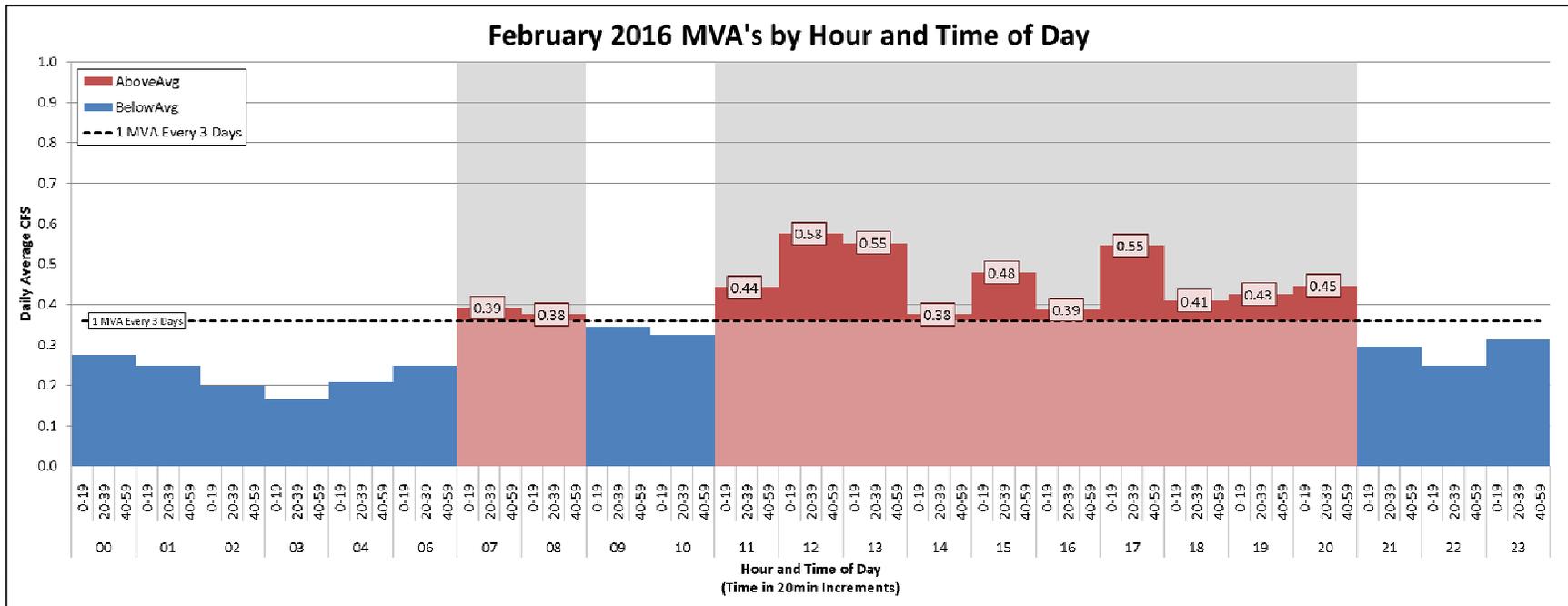
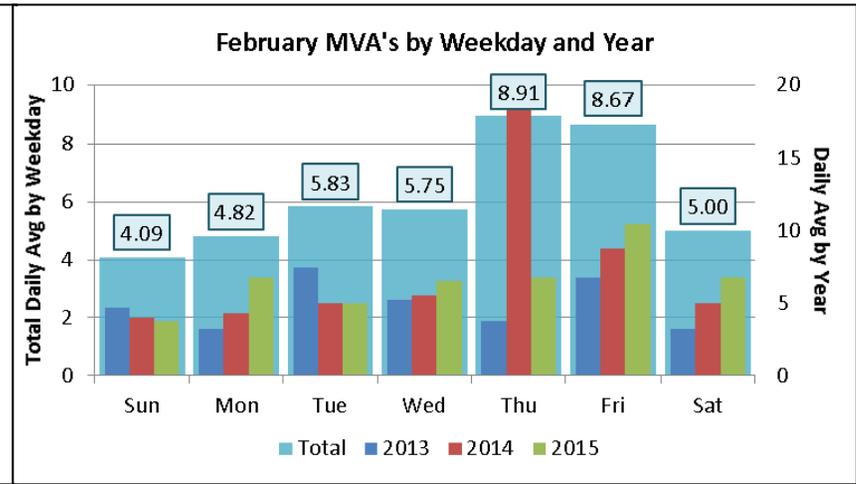
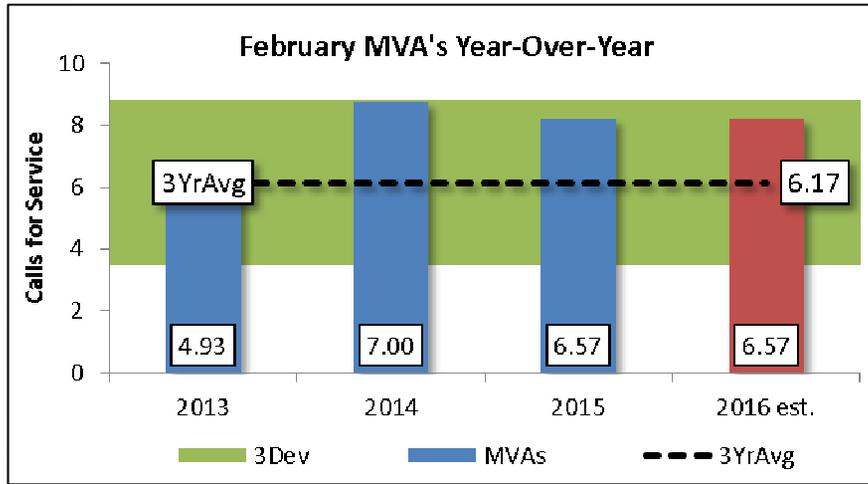
MVA Controls: 2 of 2

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MVA's February 2016 Forecast:

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Downtown Teams:

Portland Police Bureau & Eugene Police Downtown Team



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How We Got Here



Center for Problem-Oriented Policing

25th Annual Problem-Oriented Policing Conference

October 19-21, 2015 – Portland, Oregon

- Introduction to POP
- Policing Crowds in Las Vegas, NV
- Stratified Model of Policing
- Reducing Neighborhood Crime and Disorder in Portland
- Tracking Alcohol Related Anti-Social Behavior by Metropolitan Police London
- Reducing Violence and Disorder in Entertainment District – Portland Police Bureau
- Disorder at Public Parks by Madison PD, WI
- Situational Crime Prevention
- More...

Oregon POP Conference

October 22, 2016 at PPB hosted by DPSST

1. Juveniles in Sam Johnson Park – Redmond PD
2. Research 101 for policing – PSU
3. Operational Analysis of Clearview and Partridge Apartments – Keizer PD
4. Crisis Outreach Response Team – Marion County SO
5. Qaxas Trail Clean up – Siuslaw Indians Police Dept.
6. Naloxone Deployment – Medford PD
7. Oregon Knowledge Bank – DPSST
8. Central Precinct Foot Patrol - PPB



Wednesday, January 27th, 2016

Agenda

- Tour of Headquarters
- Tour of Downtown Public Safety Station
- Tour of Downtown
- Potluck lunch
- Classroom Instruction
- Closing



Wednesday, January 27th, 2016

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Lessons Learned:

- Affirmed the approach
- Partnerships are crucial
- Positive impact on Officers and the community
- Perceptions can be changed



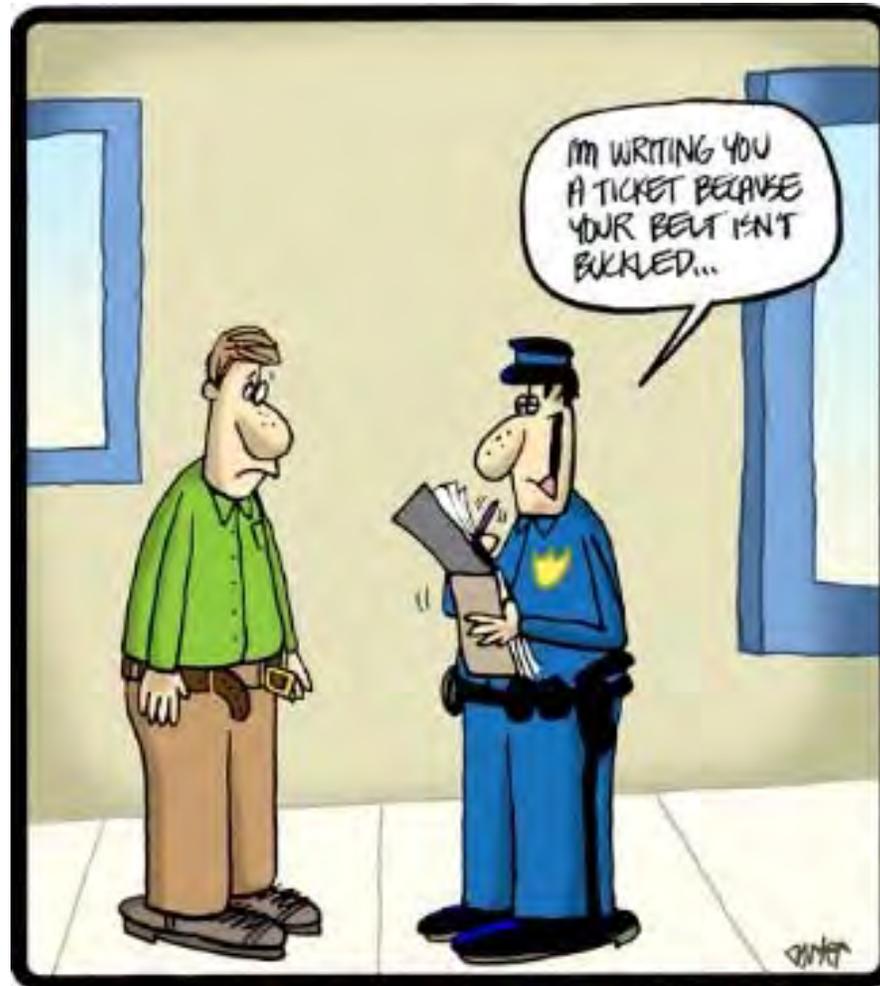


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2016 Downtown Strategy

Traditional Policing

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Result

**Fear
and
Mistrust
of
Police**



Result



**Overburdened City and
State Prosecutors and
Courts**



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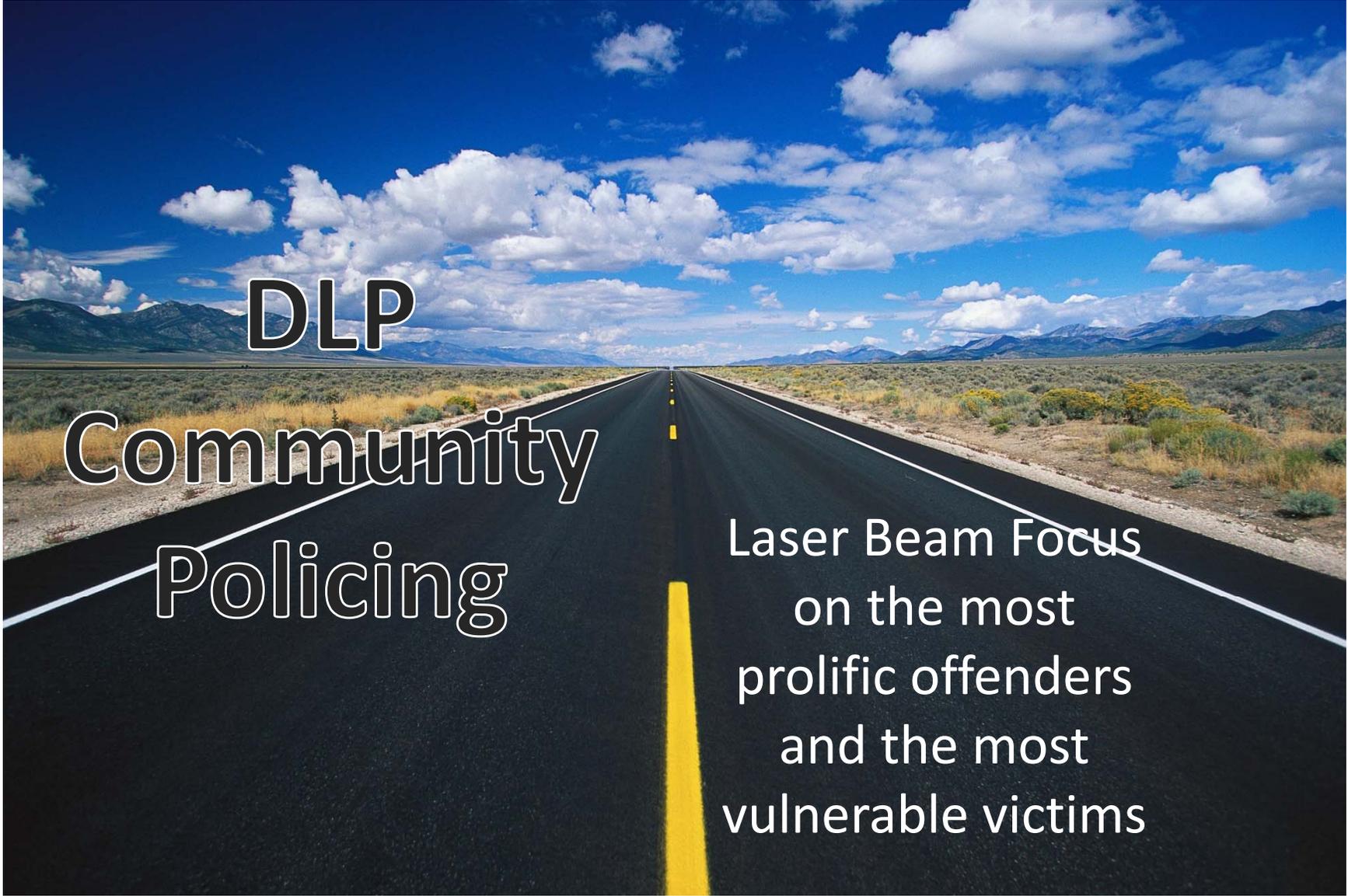
Where do we go from here?

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DLP

Community Policing

Laser Beam Focus
on the most
prolific offenders
and the most
vulnerable victims



EPD's Mission

In fulfillment of the public trust, the Eugene Police Department works in partnership with our community to promote safety and security, enforce laws, prevent crimes, and safeguard the constitutional rights of all people.

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Eugene Police Department

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OBJECTIVES



CORE VALUES

Integrity
Compassion
Courage





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Are we inadvertently treating the travelers and the homeless in our community as the problem or as stakeholders?



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Sergeant Julie Smith
Downtown Team Supervisor
Patrol Division

A Champion for Change



CORT

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Community Outreach Response Team

CORT

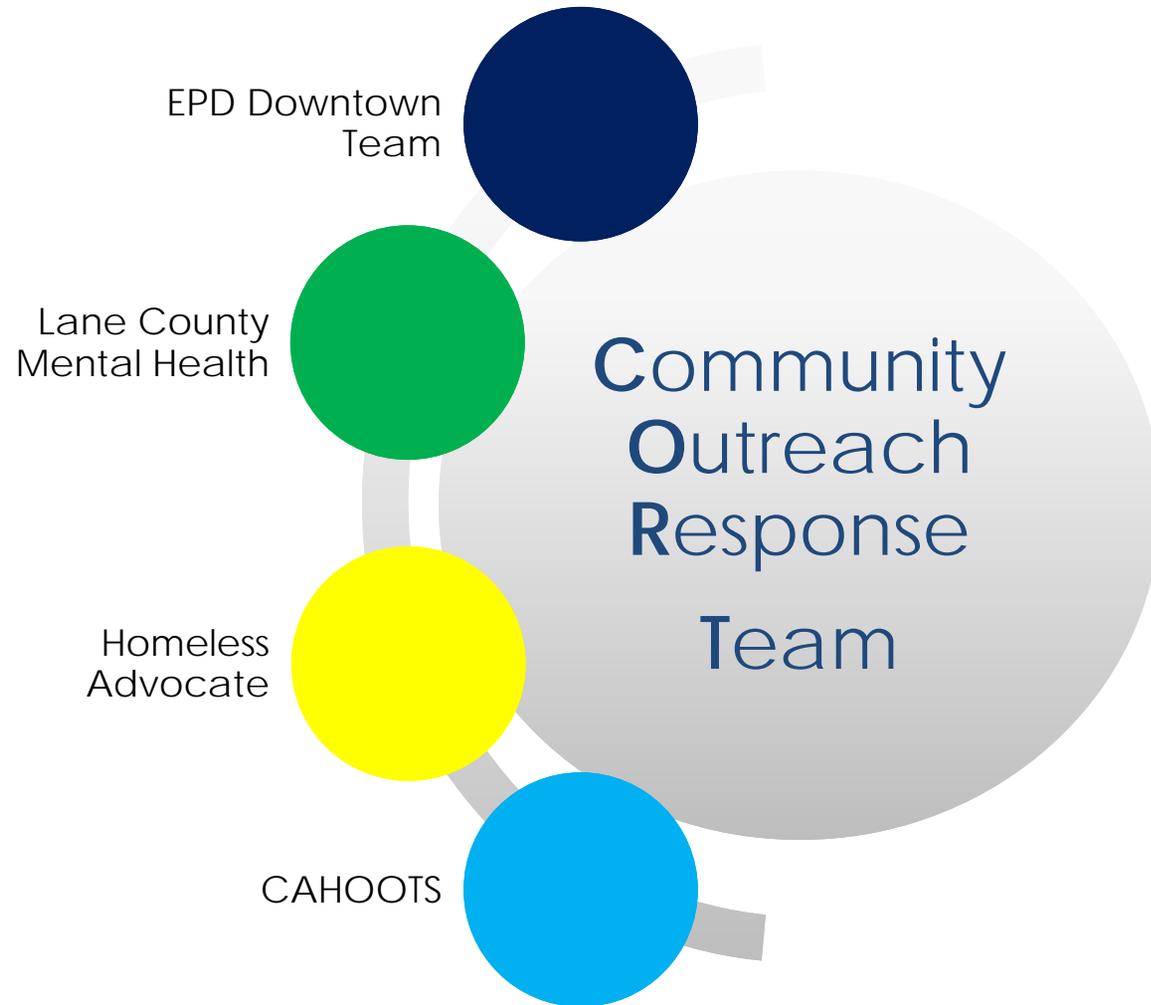
- Phase I - Client Outreach
- Phase II - Crisis Intervention Outreach
- Phase III - Multi-Disciplinary Task Team
- Phase IV - Measuring Results / Outcomes

Phase I – Client Outreach Identification

1. Client Identification. (Conducted by Downtown Team (DT))
2. Intake Form Completed (Conducted by DT)
3. Comprehensive Records Search Conducted (Conducted by DT)
4. Identification of Services Needed (Conducted by DT and CORT Team)
5. Client Triage and Action Plan Completed (Conducted by DT and CORT)

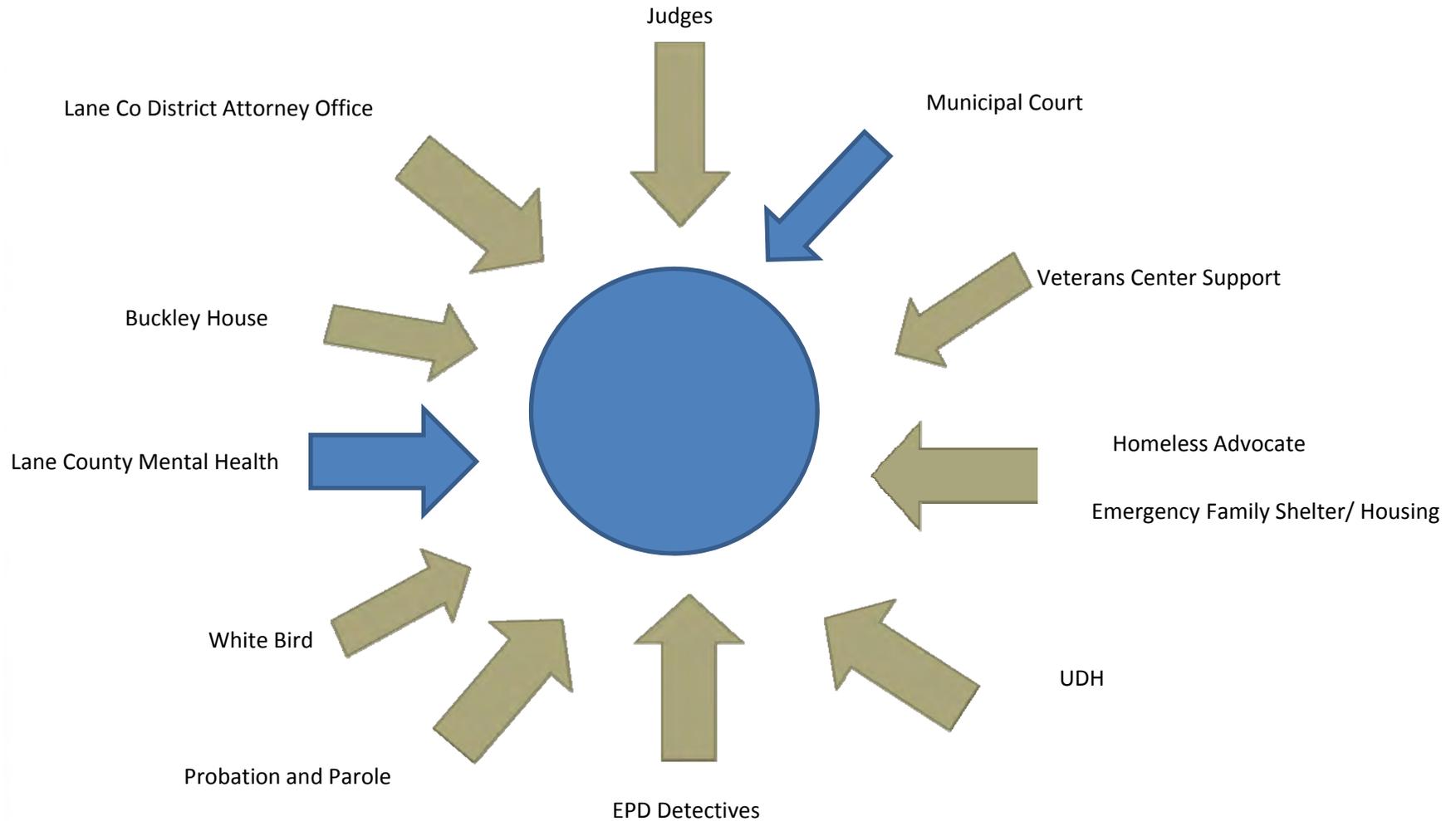
Phase 2 – Crisis Intervention Outreach

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Phase 3 – Multidisciplinary Task Team

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Phase 4 – Measuring Results / Outcomes

1. Completed surveys before and after (6 months) to measure “Change in perception of how police interact with the Homeless.” (Building trust with our community).
2. # of Clients served/ helped. (Keeping our community safe.)
3. \$ Dollar value saved by connecting services directly to repeat clients.
4. Decrease in workload affecting our Criminal Justice System.
5. Satisfaction of workforce and Community (Outstanding work place).



The End

PILLAR 1. BUILDING TRUST & LEGITIMACY

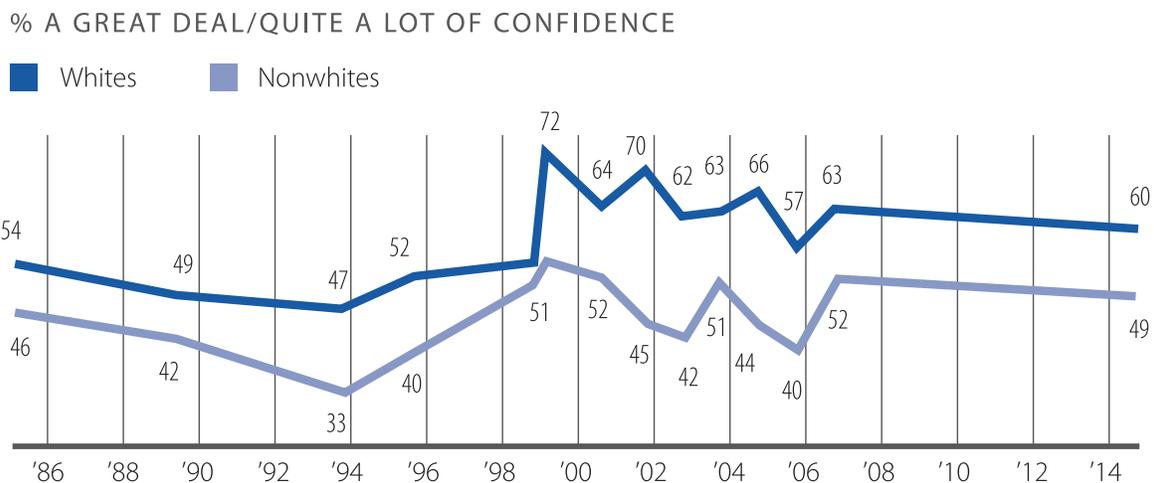
People are more likely to obey the law when they believe that those who are enforcing it have the legitimate authority to tell them what to do The public confers legitimacy only on those they believe are acting in procedurally just ways.

Building trust and nurturing legitimacy on both sides of the police-citizen divide is not only the first pillar of this task force’s report but also the foundational principle underlying this inquiry into the nature of relations between law enforcement and the communities they serve. Since the 1990s, policing has become more effective, better equipped, and better organized to tackle crime. Despite this, Gallup polls show the public’s confidence in police work has remained flat, and among some populations of color, confidence has declined.⁶

This decline is in addition to the fact that non-Whites have always had less confidence in law enforcement than Whites, likely because “the poor and people of color have felt the greatest impact of mass incarceration,” such that for “too many poor citizens and people of color, arrest and imprisonment have become an inevitable and seemingly unavoidable part of the American experience.”⁷ Decades of research and practice support the premise that people are more likely to obey the law when they believe that those

Figure 1. Confidence in police to protect them from violent crime, U.S. Whites vs. non-Whites

How much confidence do you have in the ability of the police to protect you from violent crime—a great deal, quite a lot, not very much, or none at all?



Source: Justin McCarthy, “Nonwhites Less Likely” (see note 6).

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6. Justin McCarthy, “Nonwhites Less Likely to Feel Police Protect and Serve Them,” *Gallup: Politics*, November 17, 2014, <http://www.gallup.com/poll/179468/nonwhites-less-likely-feel-police-protect-serve.aspx>.

7. Bryan Stevenson, “Confronting Mass Imprisonment and Restoring Fairness to Collateral Review of Criminal Cases,” *Harvard Civil Rights-Civil Liberties Law Review* 41 (Summer 2006): 339–367.

who are enforcing it have the legitimate authority to tell them what to do. But the public confers legitimacy only on those they believe are acting in procedurally just ways.

Procedurally just behavior is based on four central principles:

1. Treating people with dignity and respect
2. Giving individuals “voice” during encounters
3. Being neutral and transparent in decision making
4. Conveying trustworthy motives⁸

Research demonstrates that these principles lead to relationships in which the community trusts that officers are honest, unbiased, benevolent, and lawful. The community therefore feels obligated to follow the law and the dictates of legal authorities and is more willing to cooperate with and engage those authorities because it believes that it shares a common set of interests and values with the police.⁹

There are both internal and external aspects to procedural justice in policing agencies. Internal procedural justice refers to practices within an agency and the relationships officers have with their colleagues and leaders. Research on internal procedural justice tells us that officers who feel respected by their supervisors and peers are more likely to accept departmental policies, understand decisions, and comply with them voluntarily.¹⁰ It

follows that officers who feel respected by their organizations are more likely to bring this respect into their interactions with the people they serve.

External procedural justice focuses on the ways officers and other legal authorities interact with the public and how the characteristics of those interactions shape the public’s trust of the police. It is important to understand that a key component of external procedural justice—the practice of fair and impartial policing—is built on understanding and acknowledging human biases,¹¹ both explicit and implicit.

All human beings have biases or prejudices as a result of their experiences, and these biases influence how they might react when dealing with unfamiliar people or situations. An explicit bias is a conscious bias about certain populations based upon race, gender, socioeconomic status, sexual orientation, or other attributes.¹² Common sense shows that explicit bias is incredibly damaging to police-community relations, and there is a growing body of research evidence that shows that implicit bias—the biases people are not even aware they have—is harmful as well.

Witness Jennifer Eberhardt said,

Bias is not limited to so-called “bad people.” And it certainly is not limited to police officers. The problem is a widespread one that arises from history, from culture, and from racial inequalities that still pervade our society and are especially salient in the context of criminal justice.¹³

8. Lorraine Mazerolle, Sarah Bennett, Jacqueline Davis, Elise Sargeant, and Matthew Manning, “Legitimacy in Policing: A Systematic Review,” *The Campbell Collection Library of Systematic Reviews* 9 (Oslo, Norway: The Campbell Collaboration, 2013).

9. Tom Tyler, Jonathon Jackson, and Ben Bradford, “Procedural Justice and Cooperation,” in *Encyclopedia of Criminology and Criminal Justice*, eds. Gerben Bruinsma and David Weisburd (New York: Springer, 2014), 4011–4024.

10. Nicole Haas et al., “Explaining Officer Compliance: The Importance of Procedural Justice and Trust inside a Police Organization,” *Criminology and Criminal Justice* (January 2015), doi: 10.1177/1748895814566288; COPS Office, “Comprehensive Law Enforcement Review: Procedural Justice and Legitimacy,” accessed February 28, 2015, <http://www.cops.usdoj.gov/pdf/taskforce/Procedural-Justice-and-Legitimacy-LE-Review-Summary.pdf>.

11. Lorie Fridell, “This is Not Your Grandparents’ Prejudice: The Implications of the Modern Science of Bias for Police Training,” *Translational Criminology* (Fall 2013):10–11.

12. Susan Fiske, “Are We Born Racist?” *Greater Good* (Summer 2008):14–17.

13. Listening Session on Building Trust and Legitimacy (oral testimony of Jennifer Eberhardt for the President’s Task Force on 21st Century Policing, Washington, DC, January 13, 2015).

To achieve legitimacy, mitigating implicit bias should be a part of training at all levels of a law enforcement organization to increase awareness and ensure respectful encounters both inside the organization and with communities.

The first witnesses at the task force sessions on the first pillar also directly addressed the need for a change in the culture in which police do their work: the use of disrespectful language and the implicit biases that lead officers to rely upon race in the context of stop and frisk. They addressed the need for police officers to find how much they have in common with the people they serve—not the lines of authority they may perceive to separate them—and to continue with enduring programs proven successful over many years.

Several speakers stressed the continuing need for civilian oversight and urged more research into proving ways it can be most effective. And many spoke to the complicated issue of diversity in recruiting, especially Sherrilyn Ifill, who said of youth in poor communities,

By the time you are 17, you have been stopped and frisked a dozen times. That does not make that 17-year-old want to become a police officer The challenge is to transform the idea of policing in communities among young people into something they see as honorable. They have to see people at local events, as the person who lives across the street, not someone who comes in and knows nothing about my community.¹⁴

The task force's specific recommendations that follow offer practical ways agencies can act to promote legitimacy.

14. Listening Session on Building Trust and Legitimacy (oral testimony of Sherrilyn Ifill, president and director-counsel, NAACP Legal Defense and Educational Fund, Inc., for the President's Task Force on 21st Century Policing, Washington, DC, January 13, 2015); "Statement by the NAACP Legal Defense and Educational Fund, Inc." (written testimony submitted for listening session at Washington, DC, January 13, 2015).

1.1 RECOMMENDATION: Law enforcement culture should embrace a guardian mindset to build public trust and legitimacy. Toward that end, police and sheriffs' departments should adopt procedural justice as the guiding principle for internal and external policies and practices to guide their interactions with the citizens they serve.

How officers define their role will set the tone for the community. As Plato wrote, "In a republic that honors the core of democracy—the greatest amount of power is given to those called Guardians. Only those with the most impeccable character are chosen to bear the responsibility of protecting the democracy."

Law enforcement cannot build community trust if it is seen as an occupying force coming in from outside to rule and control the community.

As task force member Susan Rahr wrote,

In 2012, we began asking the question, "Why are we training police officers like soldiers?" Although police officers wear uniforms and carry weapons, the similarity ends there. The missions and rules of engagement are completely different. The soldier's mission is that of a warrior: to conquer. The rules of engagement are decided before the battle. The police officer's mission is that of a guardian: to protect. The rules of engagement evolve as the incident unfolds. Soldiers must follow orders. Police officers must make independent decisions. Soldiers come into communities as an outside, occupying force. Guardians are members of the community, protecting from within.¹⁵

There's an old saying, "Organizational culture eats policy for lunch." Any law enforcement

15. Sue Rahr, "Transforming the Culture of Policing from Warriors to Guardians in Washington State," *International Association of Directors of Law Enforcement Standards and Training Newsletter* 25, no. 4 (2014): 3–4; see also Sue Rahr and Stephen K. Rice, "From Warriors to Guardians: Recommitting American Police Culture to Democratic Ideals," *New Perspectives in Policing Bulletin* (Washington, DC: National Institute of Justice, 2015), NCJ 248654, <http://www.hks.harvard.edu/content/download/76023/1708385/version/1/file/WarriorstoGuardians.pdf>.

organization can make great rules and policies that emphasize the guardian role, but if policies conflict with the existing culture, they will not be institutionalized and behavior will not change. In police work, the vast majority of an officer's work is done independently outside the immediate oversight of a supervisor. But consistent enforcement of rules that conflict with a military-style culture, where obedience to the chain of command is the norm, is nearly impossible. Behavior is more likely to conform to culture than rules.

The culture of policing is also important to the proper exercise of officer discretion and use of authority, as task force member Tracey Meares has written.¹⁶ The values and ethics of the agency will guide officers in their decision-making process; they cannot simply rely on rules and policy to act in encounters with the public. Good policing is more than just complying with the law. Sometimes actions are perfectly permitted by policy, but that does not always mean an officer should take those actions. Adopting procedural justice as the guiding principle for internal and external policies and practices can be the underpinning of a change in culture and should contribute to building trust and confidence in the community.

1.2 RECOMMENDATION: Law enforcement agencies should acknowledge the role of policing in past and present injustice and discrimination and how it is a hurdle to the promotion of community trust.

At one listening session, a panel of police chiefs described what they had been doing in recent years to recognize and own their history and to change the culture within both their police forces and their communities.

16. Tracey L. Meares, "Rightful Policing," *New Perspectives in Policing Bulletin* (Washington, DC: National Institute of Justice, 2015), NCJ 248411, <http://www.hks.harvard.edu/content/download/74084/1679313/version/4/file/RightfulPolicing.pdf>.

Baltimore Police Commissioner Anthony Batts described the process in his city:

The process started with the commissioning of a study to evaluate the police department and the community's views of the agency The review uncovered broken policies, outdated procedures, outmoded technology, and operating norms that put officers at odds with the community they are meant to serve. It was clear that dramatic and dynamic change was needed.¹⁷

Ultimately, the Baltimore police created the Professional Standards and Accountability Bureau, tasked with rooting out corruption, holding officers accountable, and implementing national best practices for polices and training. New department heads were appointed and a use of force review structure based on the Las Vegas model was implemented. "These were critical infrastructure changes centered on the need to improve the internal systems that would build accountability and transparency, inside and outside the organization," noted Commissioner Batts.¹⁸

1.2.1 ACTION ITEM: The U.S. Department of Justice should develop and disseminate case studies that provide examples where past injustices were publicly acknowledged by law enforcement agencies in a manner to help build community trust.

1.3 RECOMMENDATION: Law enforcement agencies should establish a culture of transparency and accountability in order to build public trust and legitimacy. This will help ensure decision making is understood and in accord with stated policy.

17. Listening Session on Community Policing and Crime Reduction: Building Community Policing Organizations (oral testimony of Anthony Batts, commissioner, Baltimore Police Department, for the President's Task Force on 21st Century Policing, Phoenix, AZ, February 13, 2015).

18. *Ibid.*

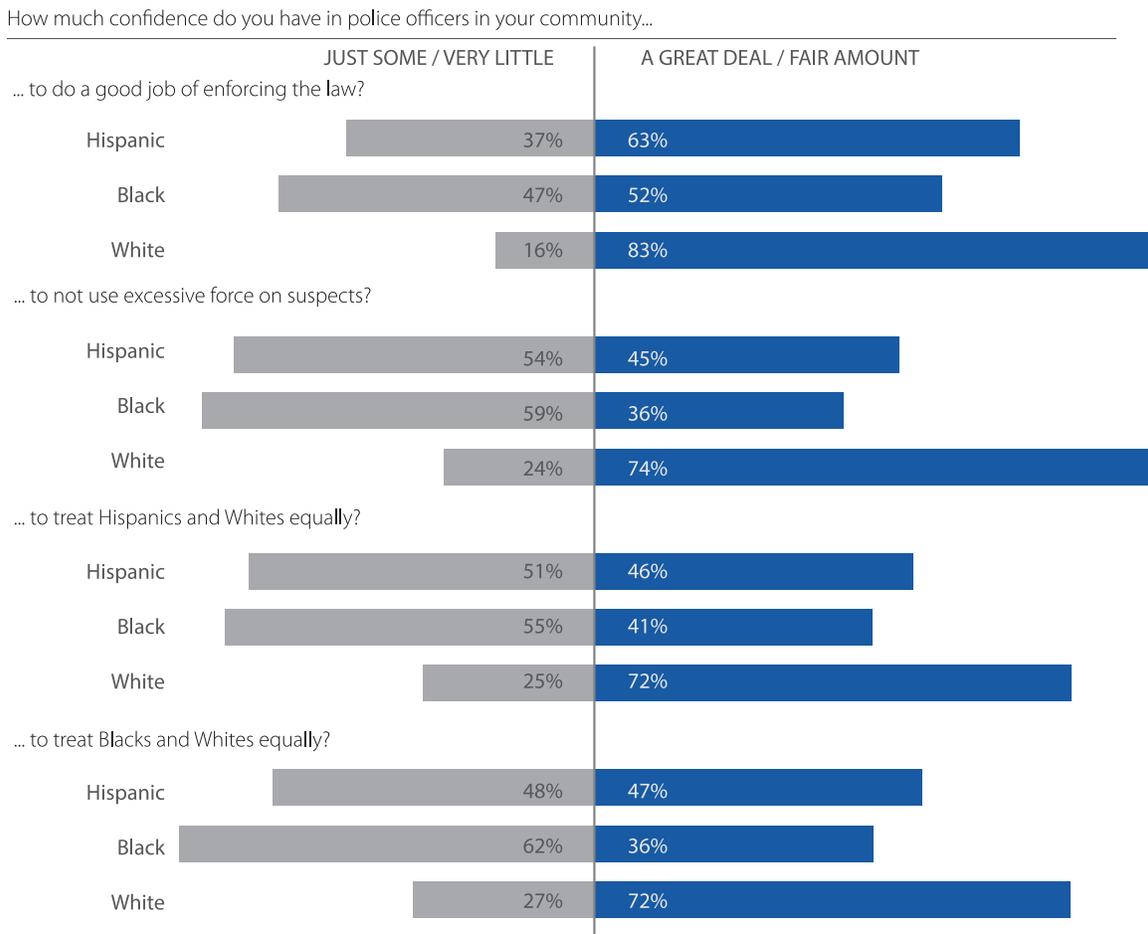
1.3.1 ACTION ITEM: To embrace a culture of transparency, law enforcement agencies should make all department policies available for public review and regularly post on the department’s website information about stops, summonses, arrests, reported crime, and other law enforcement data aggregated by demographics.

with citizens and the media swiftly, openly, and neutrally, respecting areas where the law requires confidentiality.

One way to promote neutrality is to ensure that agencies and their members do not release background information on involved parties. While a great deal of information is often publicly available, this information should not be proactively distributed by law enforcement.

1.3.2 ACTION ITEM: When serious incidents occur, including those involving alleged police misconduct, agencies should communicate

Figure 2. Community members’ confidence in their police officers



Note: Survey conducted August 20–24, 2014. Voluntary responses of “None” and “Don’t know/Refused” not shown. Blacks and Whites include only non-Hispanics. Hispanics are of any race.

Source: Jens Manuel Krogstad, “Latino Confidence in Local Police Lower than among Whites,” Pew Research Center, August 28, 2014, <http://www.pewresearch.org/fact-tank/2014/08/28/latino-confidence-in-local-police-lower-than-among-whites/>.

1.4 RECOMMENDATION: Law enforcement agencies should promote legitimacy internally within the organization by applying the principles of procedural justice.

Organizational culture created through employee interaction with management can be linked to officers' interaction with citizens. When an agency creates an environment that promotes internal procedural justice, it encourages its officers to demonstrate external procedural justice. And just as employees are more likely to take direction from management when they believe management's authority is legitimate, citizens are more likely to cooperate with the police when they believe the officers' authority is legitimate.

Internal procedural justice begins with the clear articulation of organizational core values and the transparent creation and fair application of an organization's policies, protocols, and decision-making processes. If the workforce is *actively* involved in policy development, workers are more likely to use these same principles of external procedural justice in their interactions with the community. Even though the approach to implementing procedural justice is "top down," the method should include all employees to best reach a shared vision and mission. Research shows that agencies should also use tools that encourage employee and supervisor collaboration and foster strong relationships between supervisors and employees. A more effective agency will result from a real partnership between the chief and the staff and a shared approach to public safety.¹⁹

1.4.1 ACTION ITEM: In order to achieve internal legitimacy, law enforcement agencies should involve employees in the process of developing policies and procedures.

19. Tim Richardson (senior legislative liaison, Fraternal Order of Police), in discussion with Ajima Olaghere (research assistant, COPS Office, Washington, DC), October 2014.

For example, internal department surveys should ask officers what they think of policing strategies in terms of enhancing or hurting their ability to connect with the public. Sometimes the leadership is out of step with their rank and file, and a survey like this can be a diagnostic tool—a benchmark against which leadership can measure its effectiveness and ability to create a work environment where officers feel safe to discuss their feelings about certain aspects of the job.

1.4.2 ACTION ITEM: Law enforcement agency leadership should examine opportunities to incorporate procedural justice into the internal discipline process, placing additional importance on values adherence rather than adherence to rules. Union leadership should be partners in this process.

1.5 RECOMMENDATION: Law enforcement agencies should proactively promote public trust by initiating positive nonenforcement activities to engage communities that typically have high rates of investigative and enforcement involvement with government agencies.

In communities that have high numbers of interactions with authorities for a variety of reasons, police should actively create opportunities for interactions that are positive and not related to investigation or enforcement action. Witness Laura Murphy, for example, pointed out that when law enforcement targets people of color for the isolated actions of a few, it tags an entire community as lawless when in actuality 95 percent are law abiding.²⁰ This becomes a self-reinforcing concept. Another witness, Carmen Perez, provided an example of police engaging with citizens in another way:

20. Listening Session on Building Trust and Legitimacy (oral testimony of Laura Murphy to the President's Task Force on 21st Century Policing, Washington, DC, January 13, 2015).

In the community [where] I grew up in southern California, Oxnard, we had the Police Athletic League. A lot of officers in our communities would volunteer and coach at the police activities league. That became our alternative from violence, from gangs and things like that. That allows for police officers to really build and provide a space to build trusting relationships. No longer was that such and such over there but it was Coach Flores or Coach Brown.²¹

In recent years, agencies across the county have begun to institutionalize community trust building endeavors. They have done this through programs such as Coffee with a Cop (and Sweet Tea with the Chief), Cops and Clergy, Citizens on Patrol Mobile, Students Talking It Over with Police, and the West Side Story Project. Joint community and law dialogues and truth telling, as well as community and law enforcement training in procedural justice and bias, are also occurring nationally. Some agencies are even using training, dialogues, and workshops to take steps towards racial reconciliation.

Agencies engaging in these efforts to build relationships often experience beneficial results.²² Communities are often more willing to assist law enforcement when agencies need help during investigations. And when critical incidents occur, those agencies already have key allies who can help with information messaging and mitigating challenges.

1.5.1 ACTION ITEM: In order to achieve external legitimacy, law enforcement agencies should involve the community in the process of developing and evaluating policies and procedures.

21. Listening Session on Building Trust and Legitimacy—Community Representatives: Building Community Policing Organizations (oral testimony of Carmen Perez, executive director, The Gathering for Justice, for the President's Task Force on 21st Century Policing, Washington, DC, January 13, 2015).

22. Constance Rice and Susan K. Lee, *Relationship-Based Policing: Achieving Safety in Watts* (Los Angeles: The Advancement Project, February 2015), <http://67.20.108.158/sites/default/files/imce/President%27s%20Task%20Force%20CSP%20Policy%20Brief%20FINAL%2002-27-15.pdf>.

1.5.2 ACTION ITEM: Law enforcement agencies should institute residency incentive programs such as Resident Officer Programs.

Resident Officer Programs are arrangements where law enforcement officers are provided housing in public housing neighborhoods as long as they fulfill public safety duties within the neighborhood that have been agreed to between the housing authority and the law enforcement agency.

1.5.3 ACTION ITEM: Law enforcement agencies should create opportunities in schools and communities for positive nonenforcement interactions with police. Agencies should also publicize the beneficial outcomes and images of positive, trust-building partnerships and initiatives.

For example, Michael Reynolds, a member of the Youth and Law Enforcement panel at the Listening Session on Community Policing and Crime Reduction, told the moving story of a police officer who saw him shivering on the street when he was six years old, took him to a store, and bought him a coat. Despite many negative encounters with police since then, the decency and kindness of that officer continue to favorably impact Mr. Reynolds' feelings towards the police.²³

1.5.4 ACTION ITEM: Use of physical control equipment and techniques against vulnerable populations—including children, elderly persons, pregnant women, people with physical and mental disabilities, limited English proficiency, and others—can undermine public trust and should be used as a last resort. Law enforcement agencies

23. Listening Session on Community Policing and Crime Reduction: Youth and Law Enforcement (oral testimony of Michael Reynolds, co-president, Youth Power Movement, for the President's Task Force on 21st Century Policing, Phoenix, AZ, February 13, 2015).

should carefully consider and review their policies towards these populations and adopt policies if none are in place.

1.6 RECOMMENDATION: Law enforcement agencies should consider the potential damage to public trust when implementing crime fighting strategies.

Crime reduction is not self-justifying. Overly aggressive law enforcement strategies can potentially harm communities and do lasting damage to public trust, as numerous witnesses over multiple listening sessions observed.

1.6.1 ACTION ITEM: Research conducted to evaluate the effectiveness of crime fighting strategies should specifically look at the potential for collateral damage of any given strategy on community trust and legitimacy.

1.7 RECOMMENDATION: Law enforcement agencies should track the level of trust in police by their communities just as they measure changes in crime. Annual community surveys, ideally standardized across jurisdictions and with accepted sampling protocols, can measure how policing in that community affects public trust.

Trust in institutions can only be achieved if the public can verify what they are being told about a product or service, who is responsible for the quality of the product or service, and what will be done to correct any problems. To operate effectively, law enforcement agencies must maintain public trust by having a transparent, credible system of accountability.

Agencies should partner with local universities to conduct surveys by ZIP code, for example, to measure the effectiveness of specific policing strategies, assess any negative impact they have on a community's view of police, and gain the community's input.

1.7.1 ACTION ITEM: The Federal Government should develop survey tools and instructions for use of such a model to prevent local departments from incurring the expense and to allow for consistency across jurisdictions.

A model such as the National Institute of Justice-funded National Police Research Platform could be developed and deployed to conduct such surveys. This platform seeks to advance the science and practice of policing in the United States by introducing a new system of measurement and feedback that captures organizational excellence both inside and outside the walls of the agency. The platform is managed by a team of leading police scholars from seven universities supported by the operational expertise of a respected national advisory board.

1.8 RECOMMENDATION: Law enforcement agencies should strive to create a workforce that contains a broad range of diversity including race, gender, language, life experience, and cultural background to improve understanding and effectiveness in dealing with all communities.

Many agencies have long appreciated the critical importance of hiring officers who reflect the communities they serve and also have a high level of procedural justice competency. Achieving diversity in entry level recruiting is important, but achieving systematic and comprehensive diversification throughout each segment of the



Task force members, along with Executive Director Ronald L. Davis, listen to testimony, Washington, D.C., February 23, 2015.

PHOTO: BRANDON TRAMEL

department is the ultimate goal. It is also important to recognize that diversity means not only race and gender but also the genuine diversity of identity, experience, and background that has been found to help improve the culture of police departments and build greater trust and legitimacy with all segments of the population.

A critical factor in managing bias is seeking candidates who are likely to police in an unbiased manner.²⁴ Since people are less likely to have biases against groups with which they have had positive experiences, police departments should seek candidates who have had positive interactions with people of various cultures and backgrounds.²⁵

1.8.1 ACTION ITEM: The Federal Government should create a Law Enforcement Diversity Initiative designed to help communities diversify law enforcement departments to reflect the demographics of the community.

24. Lorie Fridell, "Racially Biased Policing: The Law Enforcement Response to the Implicit Black-Crime Association," in *Racial Divide: Racial and Ethnic Bias in the Criminal Justice System*, eds. Michael J. Lynch, E. Britt Patterson, and Kristina K. Childs (Monsey, NY: Criminal Justice Press, 2008), 51.

25. *Ibid.*, 51–52.

1.8.2 ACTION ITEM: The department overseeing this initiative should help localities learn best practices for recruitment, training, and outreach to improve the diversity as well as the cultural and linguistic responsiveness of law enforcement agencies.

National and local affinity police organizations could be formally included in this effort. This program should also evaluate and assess diversity among law enforcement agencies around the country and issue public reports on national trends.

1.8.3 ACTION ITEM: Successful law enforcement agencies should be highlighted and celebrated and those with less diversity should be offered technical assistance to facilitate change.

Law enforcement agencies must be continuously creative with recruitment efforts and employ the public, business, and civic communities to help.

1.8.4 ACTION ITEM: Discretionary federal funding for law enforcement programs could be influenced by that department's efforts to improve their diversity and cultural and linguistic responsiveness.

1.8.5 ACTION ITEM: Law enforcement agencies should be encouraged to explore more flexible staffing models.

As is common in the nursing profession, offering flexible schedules can help officers achieve better work-life balance that attracts candidates and encourages retention, particularly for officers with sole responsibility for the care of family members.

1.9 RECOMMENDATION: Law enforcement agencies should build relationships based on trust with immigrant communities. This is central to overall public safety.

Immigrants often fear approaching police officers when they are victims of and witnesses to crimes and when local police are entangled with federal immigration enforcement. At all levels of government, it is important that laws, policies, and practices not hinder the ability of local law enforcement to build the strong relationships necessary to public safety and community well-being. It is the view of this task force that whenever possible, state and local law enforcement should not be involved in immigration enforcement.

1.9.1 ACTION ITEM: Decouple federal immigration enforcement from routine local policing for civil enforcement and nonserious crime.

The U.S. Department of Homeland Security should terminate the use of the state and local criminal justice system, including through detention, notification, and transfer requests, to enforce civil immigration laws against civil and nonserious criminal offenders.²⁶

26. Listening Session on Building Trust and Legitimacy: Civil Rights/Civil Liberties (oral testimony of Maria Teresa Kumar, president and CEO, Voto Latino, for the President's Task Force on 21st Century Policing, Washington, DC, January 13, 2015).

In 2011, the Major Cities Chiefs Association recommended nine points to Congress and the President on this issue, noting that "immigration is a federal policy issue between the U.S. government and other countries, not local or state entities and other countries. Any immigration enforcement laws or practices should be nationally based, consistent, and federally funded."²⁷

1.9.2 ACTION ITEM: Law enforcement agencies should ensure reasonable and equitable language access for all persons who have encounters with police or who enter the criminal justice system.²⁸

1.9.3 ACTION ITEM: The U.S. Department of Justice should not include civil immigration information in the FBI's National Crime Information Center database.²⁹

The National Crime Information Center (NCIC) database is an electronic clearinghouse that law enforcement officers can access in the field. It contains data submitted by agencies across the country aimed at helping officers identify people, property, and criminal histories. At one time, NCIC also included civil immigration detainers (nonmandatory temporary hold requests issued by a federal immigration officer), although the FBI has indicated that the practice of accepting this information was discontinued and that the information does not currently exist in the database. The U.S. Department of Justice should ensure that this remains the case.

27. "Major Cities Chiefs Association Immigration Position October 2011," accessed February 26, 2015, http://majorcitieschiefs.com/pdf/news/immigration_position112811.pdf.

28. Listening Session on Building Trust and Legitimacy (written testimony of Nicholas Turner, president and director, Vera Institute of Justice, for the President's Task Force on 21st Century Policing, Washington, DC, January 13, 2015).

29. Listening Session on Community Policing and Crime Reduction (written testimony of Javier Valdes, executive director, Make the Road New York, for the President's Task Force on 21st Century Policing, Phoenix, AZ, February 13–14, 2015).