

1 A CONSULTATION  
2 ON POLICE  
3 AND THE MINORITY COMMUNITY  
4

5  
6 "A STEP TOWARD"  
7 MUTUAL RESPECT AND UNDERSTANDING  
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DENVER, COLORADO

Lory Student Center  
Colorado State University  
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Thursday,  
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P R O C E E D I N G S

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2 MR. WILLIAM KOLESZAR: Good afternoon, ladies and  
3 gentlemen. On behalf of the League of Latin American Citizens,  
4 on behalf of the Urban League of Denver, and on behalf of the  
5 Community Relations Service, U. S. Department of Justice, I  
6 would like to welcome each and every one of you to this three-  
7 day consultation.

8 For the past six months, many dedicated individuals  
9 from both the police and the minority community have been work-  
10 ing to make this three-day consultation a reality. I, as co-  
11 chairman, Bill Koleszar, Chief of Police in Arvada, and Dr.  
12 Gil Roman, U. S. Department of Education, along with the Execu-  
13 tive Committee and the Steering Committee of this consultation,  
14 would like to welcome you and we sincerely hope that this con-  
15 sultation will be the initiative for improved police-minority  
16 community relations in the state of Colorado.

17 At this point in time I would like to introduce to you  
18 Mr. Gary Castle, Deputy Mayor, City of Ft. Collins.

19 MR. GARY CASTLE: Thank you very much, Chief. It is  
20 my pleasure today to welcome you to the City of Ft. Collins and  
21 to Colorado State University. It's great to have a group like  
22 this with us and I certainly hope you enjoy your stay and have  
23 a fantastic conference.

24 In looking at the subject matter for your consultation,  
25 a step toward mutual respect and understanding, I couldn't help

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1 but think what could be more important at this stage of life in  
2 our communities in this area. I'm very, very pleased that the  
3 conference is taking place. I'm sure that it will be a most  
4 successful conference. The Mayor was unable to be here today,  
5 due to a previous commitment, and I'm sorry to say that I have  
6 to run out the door in just a few minutes, but I hope to come  
7 back and join you some more during the conference.

8 I certainly do welcome you and hope that you'll find  
9 everything that you want in Ft. Collins and at CSU and that you  
10 very much enjoy your three days here. Our best wishes for a  
11 very successful conference. Thank you.

12 MR. KOLESZAR: At this time I'd like to introduce to  
13 you the co-chair of this conference, Dr. Gil Roman.

14 MR. GILBERT ROMAN: Thank you very much. Along with the  
15 welcome remarks from the Deputy Mayor I would also like to --  
16 there are two persons, actually, that I would like to have speak  
17 to us today. One of them is one of the directors of -- he's one  
18 of the co-sponsors here in Colorado and here at the conference  
19 on police-community relations. I would also like to have one  
20 other person speak to us today and that particular person will  
21 be someone who I am very fond of and someone who I hope you  
22 will welcome as we will welcome him to the conference. Ron is  
23 the State Director of LULAC. Ron, would you say a few words,  
24 please?

25 MR. RAMIREZ: Ladies and gentlemen, as State Director

1 of LULAC and a co-sponsor of this conference, I would like to  
2 welcome you here. You know, there's a story that's told about  
3 three blind men who were brought up to touch an elephant and  
4 later each was asked to describe the elephant. Now, the man  
5 who had been brought up to the front who felt the tusks said,  
6 "Oh, an elephant is built like a tree limb. It grows straight  
7 out, it's tough and it's smooth and it sways back and forth."

8 The person who had been to the center of the elephant  
9 said, "Oh, no, no, you're wrong. An elephant is high and wide  
10 and growing straight up and is much like a rubber-covered wall."  
11 Finally, the third man who had been back at the tail end of the  
12 elephant and had felt the tail said, "Both of you are wrong.  
13 An elephant is long and slender, much like a rope, growing  
14 straight down and has the most peculiar and offensive smell."

15 Now, each of these blind men felt that their descrip-  
16 tion of the elephant was accurate. Yet, because of his limited  
17 contact, each had a very distorted view of what an elephant was.  
18 And the same is often true in our society.

19 You know, a policeman is called upon to enforce the  
20 law. Therefore, except for his personal circle of friends,  
21 most of the people he comes into contact with are criminals.  
22 If he has no friends who are from the Black or Hispanic com-  
23 munity, then usually the only ones he knows are those whom he  
24 has arrested for a criminal offense. And, if asked to describe  
25 a Black or Hispanic, he might reply that they are a bunch of

1 criminals, often drunk and belligerent and who may have a  
2 peculiar and offensive smell.

3 But to describe all minorities as being that way  
4 would be just the same as the blind man who had ahold of the  
5 elephant's tail. The reverse would also be true.

6 The only law enforcement officers that many of our  
7 minorities come in contact with are those who stop them or  
8 detain them trying to enforce some law, whether it be a traffic  
9 ticket, disturbing the peace or something more serious. And  
10 if asked to describe a policeman, they might reply that all  
11 policemen think they're tough, they're loud, they're cruel,  
12 and they may say that they have a most peculiar and offensive  
13 smell. Again, just as inaccurate as the blind man with the  
14 elephant's tail.

15 Yet, there are minorities who are criminals, who break  
16 the law every chance they get, who will always try to beat the  
17 system, and who try to get something for nothing, and who think  
18 nothing of taking a human life. And there are policeman who,  
19 because they feel they have a little authority, begin to practice  
20 maybe an unrighteous dominion, who with the slightest provoca-  
21 tion will use unnecessary force and who maybe also think  
22 nothing of taking a human life. Most unfortunately, it is these  
23 people from both groups who get most of the press and become  
24 the part of the elephant that is used to describe the whole  
25 group.

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1           At this conference, I hope we can develop ways of  
2 interaction between the police and the minority community that  
3 will allow us all to see the whole elephant, to learn that the  
4 majority of the people in the other group are nothing like the  
5 stereotypes that have often been described. I hope that as a  
6 result of our conference we can develop a closer relationship of  
7 trust and of understanding so that when conflicts arise both  
8 groups can sit down together with trust and with understanding  
9 to resolve the conflicts, to take appropriate action both to  
10 punish those who are at fault and to vindicate those who are  
11 innocent, without either side taking offense.

12           Let us work together for the next two days to try to  
13 make this conference the kind of success that will, when seen  
14 by our peers, maybe spread beyond the community. May this  
15 truly be the first step towards mutual respect and understand-  
16 ing. Thank you.

17           DR. ROMAN: Thank you, Ron. We also invited Larry  
18 Borum today to speak to you. I don't think he's here at this  
19 particular time. Larry? He's not here.

20           I want to welcome you all on behalf of the Urban  
21 League of Denver and myself.

22           The next person who is part of the welcoming to this  
23 particular conference is Ronald Ben Fernandez who comes from a  
24 congress in Los Angeles. I know he has many titles. In 1970  
25 he was Chairman of the Board of (inaudible). He's been an

1 ambassador to the Republic of (inaudible), and in 1980 he was  
2 the first Hispanic Republican candidate for president of the  
3 United States. Please welcome Mr. Ronald Ben Fernandez.

4 MR. RONALD BEN FERNANDEZ: Thank you very much. I'm  
5 delighted to have the opportunity to address you.

6 The decade of the '80s has been designated as the  
7 decade of the Hispanic, and I suppose that it was only proper  
8 that we should begin the decade with the first American of  
9 Mexican descent in this country running for president of the  
10 United States. Not too successfully but, nevertheless, it  
11 happened.

12 In 1980, I had some marvelous experiences which might  
13 relate to this group. I was in Nogales, Arizona, campaigning.  
14 I was the first presidential candidate ever to visit Nogales --  
15 I'm very big in Nogales, Arizona -- the local newspapers gave  
16 me the front page, endorsed me; the high school had an assembly.  
17 I gave the kids, about 1500 of them, a full presidential presen-  
18 tation. They went nuts. Afterward my wife and I established  
19 a receiving line and shook hands with all of them.

20 I'll never forget Mary Lopez. She walked up to me,  
21 stuck out her hand and said to me, "I'm so proud of you. From  
22 now on when we study about famous Americans we'll study about  
23 Washington, Lincoln and Fernandez." And that's not bad company.

24 While we are from diverse backgrounds, you and I, we  
25 do have one thing in common -- all of us here -- regardless of



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1 the ethnic background, the racial background, religious back-  
2 ground. We are all Americans, each and every one of you. As we  
3 move in the system, enforcing the law of the land, I think it  
4 is important to remember the fact that we are Americans and  
5 we're all proud of our different ethnic backgrounds and what  
6 have you.

7 As a law enforcement official, you are charged with  
8 the responsibility of enforcing the law of the land and I'm  
9 with you all the way. But you must understand your market, as  
10 indicated by the elephant analogy. You must understand your  
11 market. You must take a look at what we look like. We are  
12 highly diversified.

13 We are going to have some serious problems in the  
14 decade of the '80s as more immigrants come into this country  
15 legally and otherwise. We must learn to use some common sense  
16 as we move in the marketplace.

17 A few months ago I was at the airport in Los Angeles,  
18 dressed about the way I am today. I was paying for my ticket in  
19 cash. I was asked by this nationally-known airline -- and I  
20 won't mention their name but the skies are not very friendly --  
21 I was asked by them for identification. "We want to know what  
22 your -- who are you?" I said, "What's the difference? Here's  
23 my cash. If I were giving you a check, fine." There was some  
24 hostility immediately. I said, "Wait a minute." She says to  
25 me that there's a new regulation that states that we can ask for

1 your identification when you pay cash. I said, "Let me give you  
2 my identification and then I want you to call your supervisor."

3 The supervisor was called, there was a great deal of  
4 embarrassment, especially after I identified myself as a 1980  
5 candidate for president of the United States. I had been asked  
6 for identification because my skin happens to be a little bit  
7 darker than the norm, because I happen to have a Spanish surname  
8 and maybe I was a potential skyjacker.

9 I had my long chat with the Chairman of the Board of  
10 that unfriendly airline, I have a written letter of apology, but  
11 that's not the point. The point is that some common sense was  
12 not used in the field.

13 I think every law enforcement officer has a right to  
14 protect himself under all circumstances coupled with an element  
15 of judgment, coupled with the knowledge that we are different  
16 in many ways. I happen to believe that the element that ties  
17 us all together, the Americanism, is one that will prevail.  
18 And if you remember that there are many definitions of what  
19 Americano is -- I happen to be of Mexican descent but one  
20 definition I like, which is a very honorable one, is the follow-  
21 ing -- we can be defined as follows: Christians by the grace  
22 of God, gentlemen due to our Spanish descent, noble lords  
23 attributable to our Indian blood. That's a definition of great  
24 pride and I suggest to you that coupled with our moving into the  
25 free enterprise system and into America, we can develop the best

1 of both cultures, of the Anglo culture and of the Hispanic  
2 culture. The ultimate result is an American.

3 I know that I'm very proud that I am an American. I  
4 know that throughout Campaign '80 my love of country and love  
5 of flag was as real as any person in this room. So, perhaps,  
6 the overall umbrella over my brief remarks has to be the one  
7 of Americanism, patriotism, love of country, love of flag,  
8 obeying the law. Certainly it cannot be one of being against  
9 law enforcement. I'm very, very strongly behind the law enforce-  
10 ment officials of this country. But always keep in the back of  
11 your mind, maybe even in the front of your mind, that each and  
12 every one of us is different but we are all Americans. I thank  
13 you.

14 MR. KOLESZAR: We here in Colorado, I think, are very  
15 fortunate, one, because we have available to us in the law  
16 enforcement and minority community field the Community Relations  
17 Service of the U. S. Department of Justice. But even more so,  
18 we're very fortunate because of the particular individual who  
19 heads the Denver office of the Community Relations Service and  
20 I'd like to take this opportunity to introduce him to you for  
21 he will be introducing to you a very important gentleman from  
22 Washington. Mr. Leo Cardenas.

23 MR. LEO CARDENAS: Thank you. I have the uncomfor- -  
24 table, I guess, position of having to introduce the boss and, at  
25 the same time, perhaps the most pleasurable function for me

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1 today because Gilbert G. Pompa and I date back some 21 years  
2 and we happen to have been friends before he became my boss.  
3 At that time I was a reporter for the San Antonio Express and  
4 Mr. Pompa was the Chief Prosecutor for the city of San Antonio  
5 Municipal Court. We developed a friendship from there on.

6 My director is an attorney. He earned his law degree  
7 from St. Mary's University and practiced law for 18 years and  
8 was admitted to practice law before the U. S. Supreme Court  
9 during those 18 years. Subsequently, he became the Chief  
10 Prosecutor of the Municipal Court for the City of San Antonio.  
11 Also, then, he was the Chief Prosecutor for the Misdemeanor  
12 Section for Bear County in San Antonio.

13 In 1967, the Community Relations Service found Mr.  
14 Pompa in San Antonio. He was appointed as a Community Relations  
15 Specialist covering half of the country. Our agency, almost as  
16 it is today, was very small at that time and there were very  
17 few Community Relations Specialists in 1967.

18 It didn't take the Community Relations Service of the  
19 U. S. Department of Government very long to discover the type of  
20 person that Mr. Pompa is. Within a couple of years he was taken  
21 to Washington and was appointed Deputy Assistant Director for  
22 Field Services. He subsequently became Deputy Director of the  
23 Community Relations Service and eventually, of course, Director.

24 Now, in that span of years since 1967, Mr. Pompa has  
25 served under five Presidents, under 13 Attorney Generals, and

1 today he is the highest ranking minority official in the U. S.  
2 Department of Justice. Please join me in welcoming my friend  
3 and my director, Mr. Gilbert G. Pompa.

4 MR. GILBERT G. POMPA: Thank you, Leo. Leo is right.  
5 We do date back a long way, but I need to correct him on some-  
6 thing. I did not practice law for 18 years. I would be 75  
7 years old if I had. I would either be a damned good-looking  
8 75 or something has gone right. I only practiced law for two  
9 years and the rest of the time I served as Assistant City  
10 Attorney, Chief Prosecutor, for the City of San Antonio and as  
11 First Assistant District Attorney for Bear County, Texas, really  
12 San Antonio.

13 I read an interesting article on the way up here  
14 yesterday on the plane. The New York Times carried a story  
15 about a controversy going on in Colorado between some people  
16 that want to call themselves natives and people that want to  
17 call themselves aliens. I found it rather amusing. Also I  
18 saw where some people had some decals that say "Who Cares".  
19 Before I leave I want to buy one of those but I really didn't  
20 know how to categorize myself so I asked this lady. She said,  
21 "Where are you from?" I said, "I'm from Washington." She said,  
22 "How about illegal alien." I found out that's what they think  
23 of bureaucrats.

24 In any event, I just want to, officially, on behalf  
25 of the Community Relations Service, Department of Justice,

1 welcome you to this conference. We are actually observing  
2 today the continuation of an idea that began a little over two  
3 years ago. It was a beginning as well as a renewal and change  
4 in the approach to developing a better understanding between  
5 minorities and law enforcement agencies.

6 At that time we conceived and we actually advanced the  
7 notion of bringing together minority organizational leaders in  
8 a face-to-face meeting with police officials from throughout  
9 the United States. Our decision to do this was based on the  
10 increasing number of confrontations between Black and Hispanic  
11 minorities and law enforcement agencies, confrontations that  
12 were coming to the attention of my agency, the Community Rela-  
13 tions Service, in such frequent numbers that it became a priority  
14 area for us to address.

15 We felt that the emotional intensity of the problem had  
16 resulted in what we virtually called an undeclared war between  
17 minorities and police in some parts of this country, an unde-  
18 clared war that we in the Community Relation Service committed  
19 ourselves to stop. In furtherance of that commitment, on Decem-  
20 ber 11, 1979, we convened a convocation of experts and concerned  
21 individuals in Washington, D. C., to actually explore different  
22 approaches to the problem. We titled that meeting a National  
23 Consultation on Safety and Force: An Opportunity for Police-  
24 Minority Cooperation.

25 One of the recommendations of that consultation called

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1 for a series of statewide and/or local replications of the  
2 national effort. This consultation here in Ft. Collins today  
3 represents one of those follow-up efforts. We have approached  
4 it in the same manner that we approach all things in the Com-  
5 munity Relations Service, by appealing to your sense of duty  
6 and responsibility to try to resolve problems that divide us.

7           Our society rests and is dependent upon our willing-  
8 ness to bridge the gap that divides us as a people! It is  
9 precisely that willingness that forms the cornerstone of my  
10 agency's approach to solving racial conflicts in this country.  
11 We know that our continued progress as a nation can be no  
12 better than the progress that we make in interrelating with each  
13 other as individuals.

14           This audience today is filled with law enforcement  
15 officials and minority representatives, each needing the other  
16 for survival. You are, in fact, natural allies who have, for  
17 lack of understanding each other's problems, too often been  
18 cast in the role of antagonists.

19           Many of you have met before, but under conditions that  
20 made it difficult to generate success and alleviate common prob-  
21 lems. More often than not, the dialogue was sought in the wake  
22 of tragedy when the passions of the moment triggered outrage  
23 and defensiveness on the part of both of you.

24           Alliances, we know, can hardly be developed, much less  
25 survive, under that kind of atmosphere. But looking across this

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1 room today, I have a feeling that you have already met what I  
2 consider to be the most difficult objective of this consultation,  
3 and that is to form an alliance of more than 40 organizations  
4 which includes law enforcement officers from urban and rural  
5 areas and citizens from every walk of life, and from just about  
6 every ethnic background. That this was done in the state of  
7 Colorado, which is undergoing a tremendous population growth, is  
8 a milestone. Indeed, it is for me in particular a pleasure to  
9 lend the resources of my agency, the Community Relations Service  
10 to this effort.

11 I cannot emphasize enough the importance of your mis-  
12 sion over the next two days. It goes beyond the need for better  
13 relations. As you know, the Department of Justice has made the  
14 threat of violent crime its number one priority. I know from  
15 talking to many of you today that you have already begun to  
16 identify the serious problems which beset this country in terms  
17 of this issue.

18 Having served as a former law enforcement officer  
19 and a prosecutor, I fully realize the problems that impede good  
20 law enforcement work. These include lack of training, lack of  
21 proper resources, the failure of elected officials and the  
22 community at large to give law enforcement the proper priority  
23 that it deserves, and most importantly, a lack of communications  
24 with certain segments of the community.

25 Now, while the department is pledged to protect the



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1 life, safety and property of Americans against the increasing  
2 menace of crime in our communities, we recognize that we cannot  
3 successfully take on this challenge unilaterally. Unfortunately,  
4 while we agree that a bilateral approach to crime involving both  
5 the community and the police is necessary, there is a serious  
6 factor impeding our effort to enlist the full support of the  
7 community. This factor involves a perception by minorities that  
8 our criminal justice system provides less effective service and  
9 unequal protection in their neighborhoods. I hasten to add that  
10 I am not talking about the state of Colorado in particular. I am  
11 talking about a national perspective.

12           Because this perception of unequal protection and  
13 service creates an unnecessary antagonism and suspicion between  
14 minorities and our administration of justice that, in fact,  
15 hampers our fight against crime, we felt compelled to make this  
16 problem our number one priority in the Community Relations Serv-  
17 ice.

18           We hope that through interaction between minorities  
19 and law enforcement officials we can indeed develop a better  
20 understanding and appreciation for each other's position, rather  
21 than allowing distrust and poor relationships to develop mainly  
22 due to misunderstanding. We have found that the basis for these  
23 misunderstandings often result from the lack of proper planning  
24 in communities that experience tremendous growth and serious  
25 incidents between law enforcement officers and minorities,

1 misunderstandings that were allowed to fester from lack of timely  
2 attention.

3           While I need not point out incidents such as the one  
4 that occurred in communities like Longmont, Pueblo, Del Norte,  
5 and Fort Lupton, or the most recent clash in La Raza Park in  
6 Denver, I believe that a simple mention of these cities is suf-  
7 ficient to underscore the need for this particular consultation.

8           Our goal here is simple: To prevent and reduce tension  
9 between law enforcement and minorities and to increase the under-  
10 standing of each other's role, thereby enhancing the minority  
11 community's perception of law enforcement officers as allies in  
12 their fight against a common enemy, crime. It is not an easy  
13 task, we recognize, particularly in the 1980s when we all know  
14 that economically we must be able to do more with less. But  
15 judging from a quick review of the agenda that you have carved  
16 out here today, I believe that you are prepared to tackle this  
17 serious issue.

18           I know that this consultation will not resolve all of  
19 the problems that confront us in police-minority relations. But  
20 this much I do know: If meaningful efforts are to be initiated  
21 in the fight against crime, we must today firmly commit ourselves  
22 to solve these problems and attain these goals together. I  
23 believe that the setting we have provided will help accomplish  
24 these goals. I also believe that if we move forward together,  
25 the state of Colorado will be the eventual winner. Too much is

1 at stake. We cannot afford to fail. We ask you in the name of  
2 everything that this country represents to join us in making  
3 this conference a success. Thank you very much.

4 MR. CARDENAS: Thank you very much, Mr. Pompa.

5 Every year the Attorney General makes awards at a  
6 national level and in 1980, as Director for the Rocky Mountain  
7 Region, it is a pleasure for me to report to you that three  
8 members of my staff were recognized by the Attorney General.  
9 Since we happen to have our Director here today, I'm asking that  
10 he present the awards to members of my staff at this time. So,  
11 Mr. Pompa, would you please?

12 MR. POMPA: This is one of the few pleasures that I  
13 get from time to time. I see right off the bat that Art Montoya  
14 has already gotten one over on us. He's getting a special com-  
15 mendation.

16 It is my pleasure at this time -- I know most of you,  
17 particularly in the law enforcement area, have been working with  
18 Art over the years and you know his ability to not only get a  
19 good job done but con people as well. He's already coned the  
20 AG, as you can see.

21 It's my pleasure now to call upon Art Montoya to  
22 receive the Attorney General's special commendation. Art? Are  
23 you somewhere in here? Art is basically a shy person, as you  
24 can tell.

25 The second recipient of the special commendation

1 award is an individual who has been in the Rocky Mountain Region  
2 for many years and who has contributed much. It is my pleasure  
3 at this time to call Manuel Salinas.

4 The third recipient, and I don't know if he is here,  
5 is a member of the Rocky Mountain Region staff, conciliator,  
6 also. It is my pleasure now to present the Attorney General's  
7 special commendation award to Wilbur Reed.

8 MR. CARDENAS: I think probably it's appropriate that  
9 at least I make some comments on the reason for some of the  
10 awards. The awards that went to Mr. Montoya and Mr. Salinas  
11 was for work that was done with the Police Department and with  
12 El Comite in Longmont. I think all of us are aware that tomorrow  
13 will be the anniversary of that tragedy and despite that fact,  
14 in the last 12-month period there has been no additional violence  
15 in that community, despite the tension and despite the tragedy  
16 that occurred. It is for that reason that they are receiving  
17 this national award.

18 Mr. Reed, Conciliator Reed, assisted the state of  
19 Montana in developing a series of recommendations that were  
20 eventually adopted by the state prison system in the state of  
21 Montana.

22 At this time, it is my pleasure to introduce to you  
23 the next speaker who will introduce our keynoter of today, and  
24 that is Lillian Gutierrez, the immediate Past State Director of  
25 Colorado for the League of United Latin American Citizens.

1 MS. LILLIAN GUTIERREZ: I feel very privileged today  
2 to be afforded the opportunity of introducing the keynote  
3 speaker, a man that I respect, admire and also consider a  
4 friend.

5 Mr. Ruben Bonilla is a practicing attorney in Corpus  
6 Christi, Texas. He is a graduate of the University of Texas.  
7 He is married to Dr. "Vosalinas" Bonilla and he is the father of  
8 a daughter, Patricia, and I understand shortly to be the father  
9 of a little boy, is it Ruben?

10 Ruben has recently completed his second term as the  
11 National President of the League of Latin American Citizens.  
12 During his tenure as national president, his activities have  
13 afforded an intense visibility to the LULAC organization and  
14 Hispanics in general. His activities have been many and they  
15 have been varied. In the field of education he was instrumental  
16 in the initiation agreement which was reached with the Robert  
17 F. Kennedy Memorial Foundation which provides for enrollment  
18 of Hispanic youths in a career enrichment program located in  
19 Washington, D. C., at not cost to the participants.

20 As national president he was invited to address  
21 several major universities. Among those were the University of  
22 California at Berkley, Texas Tech, Ohio State, and Yale Uni-  
23 versity.

24 He also directed LULAC which was at the forefront in  
25 defending and urging implementation of Federal Judge Seales'

1 decision allowing free public education for children of undocu-  
2 mented workers. In political development, he initiated the  
3 establishment of a national nonpartisan political arm of LULAC  
4 known as HOPE. Relative to women's rights, Mr. Bonilla outlined  
5 an effective platform for women's issues, including strong  
6 support for ratification of ERA.

7           On foreign policy he initiated the establishment of  
8 a joint commission consisting of Hispanic-American leaders and  
9 several top level cabinet officials of the Mexican government  
10 to address issues relating to immigration, trade, energy, educa-  
11 tion, justice and the industrial development along the U.S.-  
12 Mexican border. Ruben urged adoption of economic remedies to  
13 address problems of undocumented workers, including codification  
14 of a bill of rights to insure basic protection of undocumented  
15 workers.

16           Mr. Bonilla also testified before the (inaudible)  
17 Commission on Immigration and Refuge Policy in support of a con-  
18 sistent and uniform national immigration policy. On the adminis-  
19 tration of justice, Ruben, as National LULAC President, was  
20 appointed co-chairman of the historic law enforcement Hispanic  
21 Community Relations Conference held in Texas in 1979. He was  
22 also instrumental in co-sponsorship of the National Law Enforce-  
23 ment Minority Conference which was jointly sponsored by LULAC  
24 and the National Urban League and the Community Relations  
25 Service, U. S. Department of Justice, to discuss existing

1 conflicts between law enforcement officials, Hispanics and  
2 Blacks.

3 Ruben has been recognized and honored by many groups,  
4 individuals and organizations. He was named by the Texas Busi-  
5 ness magazine in the March, 1980, issue as one of the rising  
6 stars of Texas in the '80s. He was also named by the JCs as  
7 one of the U. S.'s outstanding young men of 1980.

8 During his term as president, he was quoted in the  
9 New York Times, the Washington Post, the Los Angeles Times, the  
10 U. S. News and World Report, and Newsweek.

11 It is with a great deal of pride that I introduce to  
12 you Mr. Ruben Bonilla.

13 MR. RUBEN BONILLA: As long as it doesn't have any bad  
14 words about me it's all right. I want to thank all of you.

15 I think it shows the frustration of our community,  
16 the disenchantment, probably the basic distrust and I'm rolling  
17 to meet the challenge of the senate, to meet the challenge of  
18 the idealistic youth here in our presence today and to, in a  
19 sense, to prove them wrong and to restore their faith in the  
20 democratic principals which have made this country great. So  
21 it's appropriate that I take a moment to congratulate the plan-  
22 ners, as well as the participants, of this historic conference.  
23 The theme becomes indeed appropriate that we should take a step  
24 toward mutual respect and understanding so that in the future,  
25 perhaps, the banners held high will state that instead of saying

1 that this is a farce.

2 I think we do have a difficult task before us of  
3 conflict prevention, conflict resolution, delving into training  
4 backgrounds, departmental policies and localizing community  
5 resources.

6 As I flew into Denver today I reflected a bit on  
7 what I would say because it has been a while since I addressed  
8 the last similar conference. We in Texas -- and I'm from south  
9 Texas -- like to feel that we originated the dialogue between  
10 law enforcement and minority community with the guidance and  
11 the counsel of Mr. Pompa from his base in Washington, D. C.

12 When those who feel that the Longmont incident is  
13 atrocious, you must consider the fact that in Texas between  
14 1978 -- May of '77 and September of '78 -- approximately 17  
15 Hispanics were killed while in legal custody, not all clean  
16 fellows, not rapists, not arsonists, but persons who were in  
17 custody after having been detained or arrested for being drunk  
18 or disorderly.

19 One in particular, Jose Campos Torres, was a former  
20 veteran who was drunk and disorderly and who should rightfully  
21 have been arrested but not thrown into a bayou to die, to drown,  
22 to be forgotten, to have this officer slapped on the wrist and  
23 to serve less than two months in a federal penitentiary.

24 It is these incidents, then, that led to the creation  
25 of the task force in Texas which I'm pleased to report has led



1 to other similar gatherings across this country and which not,  
2 coincidentally, has also resulted in the lessening of conflict  
3 between law enforcement and the minority community. But in  
4 spite of that progress, the events of 1981 tell us that it  
5 doesn't always work, that there are the Longmonts, that there  
6 are the "Majas" where three Black youths, teenagers, were  
7 arrested by three officers, including one Black deputy sheriff,  
8 and they were handcuffed and placed in a canoe where there were  
9 then six persons in the canoe. It overturned and began sinking  
10 and somehow, mysteriously, the three officers swam to shore but  
11 the three young Blacks all drowned, and the men report that  
12 they were handcuffed and the handcuffs were not removed. A  
13 Grand Jury was convened with no indictment and with conflicting  
14 testimony as to whether or not the kids were, in fact, hand-  
15 cuffed. Whether they were or not, shoddy police practice at the  
16 best.

17 In Nashville we showed that it doesn't just involve  
18 Blacks and Hispanics and it would be wrong of us and malicious  
19 to point the finger to one another and say, "Be damned. We will  
20 not resolve these issues," because in Nashville the headline  
21 reads "Police Woman Fired for Shooting Three Men". A rookie  
22 policewoman shot three innocent persons fleeing from a market  
23 robbery, killing one. The police chief dismissed Joyce Fae  
24 Allen, 23, because she had violated department policy on the  
25 use of deadly force. That's the type of police chief we admire.

1 That's the type of leadership we admire. That's the type of  
2 leadership that has to be demonstrated to report confidence  
3 among young people in this community.

4 Ms. Allen who had been a policewoman three months  
5 shot dead the manager of the market and wounded two other men.  
6 As she was standing outside, these people broke from the store  
7 and she, without determining on the basis of any sound judgment  
8 whether they were armed or unarmed, she fired her revolver and,  
9 in fact, killed the owner of the meat market who was fleeing  
10 the armed robber. It is that type of misfortune that proves  
11 that this issue goes far beyond the spectrum of minority-police  
12 relations, but it is in that context we meet today, because  
13 not only do we have this particular problem, but we have to cope  
14 with the resurgence of extremist groups in American society  
15 today, the Ku Klux Klan and the Neo-Nazis. These groups which  
16 pose severe social problems for our Hispanic community, for  
17 our Black community as much as for law enforcement.

18 And then we have, too, the future social problems to  
19 be caused by immigration proposals being considered by President  
20 Reagan, proposals which would bring a new subclass of temporary  
21 workers from Mexico to take jobs from American citizens and  
22 thereby breed more conflict and distrust between Hispanos, one,  
23 native American citizens and the others from Mexico seeking job  
24 opportunities that allegedly exist in this country in spite of  
25 8 million persons being unemployed and not having their needs

1 met.

2           Clearly, the community law enforcement relations  
3 cannot be considered in a vacuum, it cannot be dealt with only  
4 by the analysis of the Longmonts or the Torrezes or the Nash-  
5 villes, but it must be considered in a national context. Yes,  
6 yes, I realize that it frequently involves confrontation  
7 between Hispanics and police and Blacks and police. We, too,  
8 recognize that police power is but one factor of the overall  
9 criminal justice system involving as it does, also, the courts  
10 and the penal system. And we, too, have recognized the humilia-  
11 tion and sometimes the great despair of having a police officer  
12 who shoots or maims a minority member being slapped on the wrist  
13 or being exonerated, but when we turn the coin around and a  
14 minority community shoots or maims a police officer it is usually  
15 life imprisonment or the death penalty.

16           And it is this perception, then, whether real or  
17 imagined -- the perception that there is a basic inequity in  
18 the criminal justice system that makes it essential that we meet  
19 and discuss this issue and propose to come up with solutions.  
20 But before you can come up with solutions, you who are not  
21 minority members must have a perception as well as an under-  
22 standing of historical and demographic facts involving Hispanic  
23 Americans.

24           Ours is a litany of despair, a legacy of disrespect  
25 for our community and particularly unique in the sun belt and

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1 in the southwest and the far west. The brutality of Texas  
2 rangers, the taking of land through fraud, deception and exploi-  
3 tation of our community which has led to this historical Anglo-  
4 Hispano conflict. It has resulted in the development of a  
5 criteria for treatment of persons by law officers on the basis  
6 of pigmentation and English-speaking proficiency so that if you  
7 have a young man wearing a grey T-shirt who is chewing gum and  
8 holding up a sign that says "La Raza Park" and you come up  
9 against him at eleven o'clock at night, you must say to your-  
10 self, "He is not a good boy or else he would not be here."  
11 And the officer will treat him with less respect than if that  
12 same young man were Anglo or if he wore a tie and coat.

13 So it is this inability of us to understand the  
14 differences of races and ethnicity, the issue of pigmentation,  
15 and then the other criteria, English proficiency, so that if a  
16 Black American or a Haitian or a Cuban refugee or a Mexican-  
17 American who doesn't articulate well enough in the English  
18 language or not in the fashion that the law enforcement officer  
19 articulates, that person, too, may be subjected to a more  
20 punitive type of justice at the hands of the law enforcement  
21 official, particularly when witnesses are not available.

22 The incidents of disabuse, the incidents of hostility,  
23 the incidents of distrust is highly undesirable, not only for  
24 what it does in dividing our communities and families but  
25 because it detracts, it detracts from the discussion of

1 traditional domestic concerns, concerns of housing, concerns  
2 of education, concerns of employment and health. That's what  
3 we should be concerned about today. But because we haven't been  
4 able to overcome this issue of community law enforcement prob-  
5 lems, we find ourselves emeshed today in, perhaps, one of the  
6 most explosive issues in American society in 1981.

7 I think it's time to offer new perspectives, to  
8 develop new strategies. When you talk of Hispanics, what do  
9 you talk about? What are you talking about? You're talking  
10 about a group that is destined to become the nation's largest  
11 minority sometime in this century. You're talking about a group  
12 that has a younger median age, a higher birth rate, a larger  
13 family size, its population being increased by continuing  
14 immigration and the increasing importance of Latin America as  
15 we work towards the 21st century.

16 We should recognize that we have a population group  
17 that is not going to disappear from the face of this earth and  
18 however unwilling we are to walk together, we must try to begin  
19 today. We come together to dialogue, not to damn one another.  
20 We should join hands and seal new friendships, not to fan the  
21 flames of hatred. We can call this conference a farce and we  
22 could walk out to have another one of our children shot and  
23 killed tomorrow because we lack the courage to come together  
24 and say we have both been wrong, we have both made errors of  
25 judgment and we're willing to put down the banners today and

1 to talk and trust and respect with one another. That's what  
2 we should do as good American citizens.

3 We in LULAC owe apologies to no one. Our record  
4 is unparalleled for the past 52 years in delving into the very  
5 areas that concern all of us. It was LULAC -- no one else who  
6 filed litigation to eliminate separate but unequal school  
7 facilities, and that case law was later used as precedent by the  
8 NAACP and the United States Supreme Court. It was LULAC that  
9 implemented the first housing project for our people. It was  
10 LULAC that was a forerunner of bilingual education by starting  
11 the (inaudible) school of the 400. So that we come here in  
12 sincerity and with open arms. We come here to say that, yes,  
13 law enforcement must police their own department as they also  
14 police society, and at the same time, we in the minority com-  
15 munity must begin to develop and encourage a greater respect for  
16 law enforcement authorities. We must recognize that policemen  
17 are human beings with families like ours, they are under a  
18 tremendous mental and physical stress.

19 Two, we must concede that it is not merely Anglo  
20 policement that on occasion abuse our people, but that sadly,  
21 very sadly, sometimes it is Black cops, Chicano cops, who mete  
22 out the worst punishment against our brothers and sisters, and  
23 they, too -- they, too -- must be held accountable under the laws  
24 of this country. We must adhere to and insist upon the (inaudible)  
25 from prosecution for law enforcement officials who develop a

1 pattern or a practice of the use of deadly force.

2           Similarly, we must support the criminal justice  
3 system when it adjudicates misconduct by minorities directed  
4 against law enforcement officials. Basically, then, we are  
5 discussing attitudes, the elimination of stereotypes, as well as  
6 concepts of equity and fairness under the law.

7           Mr. Fernandez stated that the '80s is the decade of  
8 the Hispanic. Yes, it was proclaimed as such by billboards  
9 beginning in Denver, Colorado, and extending across this country.  
10 But the '80s has begun more as the decade of the obliteration  
11 of social justice, social progress which we have witnessed in  
12 the past 50 years.

13           The conservative calamity that is sweeping this  
14 country makes it more essential, I believe, that the law  
15 enforcement sector work closely with the minority community.  
16 The conservative mood doesn't affect just poor people, it's not  
17 just our budgets that are being cut back, it's not just pro-  
18 grams that have benefited the downtrodden and the disadvantaged  
19 that are being injured by the rhetoric of the moral majority and  
20 other right-wing elements of this country. No, the Proposition  
21 13 mentality and the budget cutbacks are likely to leave police  
22 departments in a financial crunch. It will represent a pollu-  
23 tion of police power where there will be no funds for salary  
24 increases or fringe benefits. There will be less money for  
25 training programs and innovative projects. There will be no

1 incentive for recruitment of minorities if our Congress and if  
2 our own President is considering weakening affirmative action  
3 rules and guidelines as was announced yesterday in Washington,  
4 D. C., by the Vice-President of the United States.

5           The end result is that this raging conservatism  
6 without ration, rationale, will weaken the police departments of  
7 our country. It will discourage the pursuit of a career in law  
8 enforcement and we are in a position where we may lose our best  
9 officers.

10           To a great extent, then, we, I believe, must politi-  
11 cize the issue of community law enforcement relations. We can  
12 ill-afford to operate only in a crisis atmosphere. It is time  
13 not only to act during crisis but it is time to quiz our gover-  
14 nors, our legislators, our judges, our prosecutors and our mayors  
15 as to their philosophy and positions on law enforcement funding.  
16 We must also secure their commitment to the prosecution and the  
17 adjudication of officers known to be criminally responsible for  
18 the abuse of citizens' legal rights and privileges.

19           We admittedly tend to focus on specific officer mis-  
20 conduct rather than overall police policy. I would hope that  
21 this conference doesn't focus necessarily on specific cases but  
22 that it delve into overall uniform policy that can be consistent  
23 across the state of Colorado.

24           In an effort to alter these community perceptions and  
25 perspectives into more positive channels, we have tried in LULAC



1 and in conjunction with CRS to dissect law enforcement activity  
2 into three levels. The first level is the use of excessive  
3 force, its uses and abuses. Number two is selection and train-  
4 ing. Number three, complaint process and internal investiga-  
5 tion.

6 We have some concrete recommendations under each of  
7 these categories and they by no means are inclusive but, hope-  
8 fully, will be subject matter for you to debate and discuss  
9 during your meetings in Colorado.

10 Excessive force, the volatile issue that brings  
11 these young people to the room today. We cannot condemn but  
12 we must try to understand and appreciate their alarm and their  
13 disenchantment with the system as it has functioned thus far.  
14 Excessive force I believe should be utilized only to defend  
15 one's life or the life of another and in no case should an  
16 officer shoot, therefore, a young man who is fleeing from a car  
17 with his back turned to the officer, particularly when that  
18 young man has committed no serious offense against our country  
19 or his state and when he is particularly unarmed.

20 Excessive force requires careful study, keen under-  
21 standing of its intricate nature. We should develop departmental  
22 policy rules that are stricter than the state penal code. For  
23 example, departments should be encouraged to adopt the policy of  
24 no warning shot. In other words, implement a good prohibition  
25 against warning shots. The rationale, to protect the innocent.

1 We saw in Nashville, Tennessee, it wasn't a minority  
2 person who was shot. It was a man fleeing from his hostage.  
3 What would have been the alternate remedies. The person could  
4 have been surrounded, he could have been hit by a billy-club,  
5 he could have been maced, he could have been apprehended by a  
6 number of cars. The point is a man running from the meat market  
7 was unarmed but he was shot in cold blood once the officer  
8 threatened to fire a warning shot and then fired the fatal shot.

9 Uniform written guidelines are essential on the use  
10 of force. Uniform written guidelines that set out penalty for  
11 willful violations.

12 Number five, we must minimize the use of excessive  
13 force, not deadly force but the use of excessive force for per-  
14 sons already in custody.in instances where we do not have  
15 critical life or death decisions. For instance, the drunk  
16 picked up at the Saturday night dance. The officer doesn't like  
17 the look he's given. The person is not in control of his mental  
18 or physical or his emotional senses. We're trained as policemen  
19 to try to cope with that situation. Perhaps you may have to  
20 cuff him. Perhaps you may have to throw him in the back seat  
21 or in the paddy wagon, but the person doesn't have to be beaten  
22 to a pulp.

23 In those instances where there are willful violations,  
24 I believe that there should be a standard of referring to state  
25 grand juries any criminal complaints against police officers, and

1 I'm not referring to policy deviations, that is departmental  
2 policy deviations. That can be dealt with through internal  
3 disciplinary mechanisms, but rather to criminal misconduct of  
4 the type that leads to a person being taken from the site of  
5 arrest and having there be a deviation from the officer's pro-  
6 fessional training, having that person taken to a bayou and  
7 beaten and thrown into the bayou. That certainly is criminal  
8 misconduct which should not be sanctioned nor have our backs  
9 turned on it under any circumstances.

10 We support a policy of simultaneous FBI investiga-  
11 tions, not for the purpose of trying to bring in big daddy  
12 federal government but to insure that there is a full and  
13 thorough investigation and we will not be faced with the issue  
14 of Longmont where one year later we're still talking of investi-  
15 gation when, in fact, some definitive decision should have been  
16 made to prosecute or not to prosecute, instead of leaving the  
17 community in uncertain tension.

18 And, finally, the enforcement of federal statutes,  
19 the enforcement of applicable federal statutes, not for the  
20 purpose of tying the hands of police but for the purpose of  
21 saving lives, those of policemen and of private citizens. When  
22 the officer draws his gun it is either person who could be  
23 maimed or killed. I think the officer must arrest, but he must  
24 not assault. Certainly he should investigate, but he should  
25 not intimidate. And, finally, those persons who have wronged

1 our laws should be adjudicated, but they should not be assassi-  
2 nated in cold blood in the streets of our country.

3 On the issue of complaint process and internal  
4 investigation, the second measure, five brief recommendations.  
5 The procedure should be set out in written form for citizen  
6 review. I'm not talking here about a police commission because  
7 I, personally, do not support police commissions as I stated  
8 during the press conference. What we call citizens advisory  
9 committees are unwieldy, usually lack citizen subpoena power,  
10 you have lay persons who don't understand the departmental guide-  
11 lines and the legal intricacies making passing judgment on  
12 officers who, perhaps, would be better monitored through inter-  
13 nal department policy or existing legal statutes or the grand  
14 jury mechanism.

15 I'm talking about a citizen who feels he's been  
16 assaulted or mistreated or verbalized partially and he feels  
17 he needs to file a complaint, the department has usually and, if  
18 not, should have an internal complaint department. These pro-  
19 cedures, therefore, I mentioned should be set out in written  
20 form. The Internal Affairs Unit should be accessible, they  
21 should be visible, they should be open on 24-hour call and they  
22 should be staffed for ethnic and racial balance.

23 Three, you should have bilingual personnel. Four,  
24 the charging party, however, must also be required to reduce  
25 his complaint to writing and under oath as a means of attempting

1 to eliminate the frivolous complaints against police officers.  
2 The person filing that complaint should also be advised that the  
3 policeman has certain rights, also. That if it is a fraud or  
4 frivolous complaint that the officer has the (inaudible) at law.  
5 either under the slander or libel laws of the state or country.

6 And, finally, I believe that local police departments,  
7 rather local district attorney offices, as well as U. S.  
8 attorney's offices, should establish civil rights units as a  
9 means of specializing the investigation of instances where  
10 citizens feel that their rights have been disregarded or treated  
11 with impunity.

12 The last area, selection and training, is the one  
13 I consider to be the most crucial element in enhancing profes-  
14 sionalism in the law enforcement community. I've talked about  
15 excessive force and I've talked about the complaint process.  
16 You'll note that both of those deal with the beatings, the  
17 assaults, the shooting, the maiming, the despair, the emotional  
18 turbulence in the community, the violence. What we must do more  
19 of is build into the selection of cadets, into the training of  
20 cadets, into the community participation, into what makes a good  
21 police officer and what makes a good and sound police department.

22 I'll just list these rather than take too much of  
23 your time by discussing each one. Psychological testing to weed  
24 out those that have preconceived bias against a particular  
25 ethnic or racial group. Two, ethnic and racial sensitivity

1 sessions in classroom instruction, meaning bringing in a member  
2 of (inaudible) to talk to you about their community, making sure  
3 that every cadet has visited the Chicano barrio or the Black  
4 ghettos, to understand what it is to live in poverty, to under-  
5 stand what it is to barely cope with the inflation and the  
6 spiraling interest rate of today, to understand the barriers and  
7 the problems in communication and other social and economic  
8 problems that are unique to our minority community.

9 Four, occupational stress training for those career  
10 officers, psychological counseling for career officers and a  
11 pooling and sharing of training resources within communities.  
12 Finally, the in-service training which is very similar to the  
13 psychological counseling which I've outlined for experienced  
14 officers.

15 Above all, moving away from selection and training,  
16 it seems to me that the police chief sets the example, or the  
17 sheriff. We have the sheriff who's an elected official, usually,  
18 and he is responsive to the will of the people. And who are the  
19 people? The voters, more often than not. It's not the total  
20 community. So we have the sheriff in a difficult position  
21 oftentimes where he will not be as responsive to Chicano or  
22 Black if he perceives they are not voters. If he perceives they  
23 do not have the financial clout to get him reelected or if he  
24 feels that the Black and Chicano make up a very small percentage  
25 of the voting constituency, so that if he caters to their needs

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1 or their demands, he is going to be viewed by a majority of  
2 voters as being soft on crime, as giving in to those villains.  
3 That places the sheriff in an unsteady position and that's why  
4 we must form coalitions where it's not a minority issue alone.  
5 Why should the death of a Cordova or a Garcia or a Torres be  
6 a Chicano problem only? Why should it be just young Chicanos  
7 who hold up banners? It should be a concern of the total com-  
8 munity. It should be a concern of the governor of this state.  
9 It should be a concern of the state legislature as well by  
10 implementing firm, firm legislation calling for prosecution of  
11 official oppression acts by law enforcement officers or those  
12 acting under the color of law.

13 But we have an obligation. While we look at the  
14 police chief as a person who demonstrates the leadership and  
15 his example passes down to his crew, to his patrolmen and  
16 policemen, we in the community have an opportunity to go to the  
17 chief and to the sheriff and to say, "We understand that you are  
18 in a budget-tight situation. We understand what has happened  
19 with all the cutbacks and the loss of LEA funds and the other  
20 financial options you have to recruit and hire Hispanics and  
21 other minorities. And we want to appear jointly with you before  
22 the county commissioner and before the state legislature.  
23 Invite us to appear with you or to meet privately with the mayor  
24 so that we can have those funds that we need to make our com-  
25 munity stronger and safer so we can protect the public at large."

1 Yes, that's it in a nutshell perhaps, but there is  
2 the political context that we would be remiss, and I think  
3 irresponsible, to ignore. The political context being that we  
4 are all politicians, we act every day, and as Aristotle said,  
5 "We are all political animals." We should work to extend the  
6 Voting Rights Act because that will give us more Blacks and  
7 Hispanics in positions of public trust, in positions of respon-  
8 sibility, so that we can have people in decision-making positions  
9 who can assist us in times of need.

10 We need to work together to get the private sector  
11 involved. It shouldn't be solely the burden of the taxpayers  
12 to build a strong police department, but it should be business-  
13 men who police officers protect day in and day out from bur-  
14 glaries and robbers and armed robbers and the like. It should be  
15 their concern and they should contribute some of their big bucks  
16 that they're going to gain from these mighty tax cuts and other  
17 depreciation allowances. Contribute some of those dollars to  
18 make ours a stronger community.

19 And, finally, develop local government strategies  
20 of the type I've already outlined in which the decision-making  
21 becomes a partnership affair and not limited to one ethnic or  
22 racial group or one police body. Indeed, we have met. We have  
23 met today and we will meet for the next two days. When do we  
24 meet again and under what conditions and under what circumstances?  
25 If it will be in a time of tragedy only, we will have failed



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1   dismally.  If we will meet again to share ideas; to have many  
2   conferences in smaller communities, to have a conference in  
3   Denver and in other cities around the state of Colorado to  
4   develop and build, to develop trust and build bridges, we will  
5   have succeeded.  If we meet again only to hold up more banners  
6   and to chastize and condemn one another, we will indeed have  
7   failed, we will have failed.

8                   So we need to do well to remember the words of  
9   Abraham Lincoln who stated that, "Those who deny freedom to  
10  others, those who deny freedom to others deserve it not to  
11  themselves and under a just God cannot long retain it."  I think  
12  that those of us here today should pledge that we will guarantee  
13  every person's freedom in America and when we see a bad cop in  
14  our midst, we will discipline that cop.  When we see a bad  
15  citizen who shows disrespect for the law, that person should be  
16  punished.  If he is drunk, let him be incarcerated.  If he is  
17  disorderly, let him be fined, but let him not be killed.  If  
18  he is unarmed, let him not be shot in the back, and let us  
19  develop, therefore, this respect for human dignity; for human  
20  life.  Let us work together to foster this long-term under-  
21  standing that is so essential to productive minority law  
22  enforcement relations.  I believe that it is only in that man-  
23  ner that we bring true meaning and depth to the words "equality"  
24  and "respect" and "justice for all".  Thank you very much.

25                   MR. KOLESZAR:  Thank you, Mr. Bonilla.

1           We have a few housekeeping things before we get to  
2 our panel discussion. Our panel discussion is scheduled for  
3 four o'clock. It is now five minutes to four. What I would  
4 like to do is have you take a short 10-minute stretch break  
5 before we're due back in the same room, right here, at approxi-  
6 mately five minutes after four for our first overview of the  
7 conference, and that will be a very short presentation for  
8 about an hour. So back here at about five minutes after four.

9           (Whereupon, a short recess was taken.)

10           MR. JAMES JOY: For those of you who I have not met,  
11 my name is Jim Joy. The hat I'm wearing for this conference is  
12 that I am the Program Chairman.

13           Some time ago I was asked to speak to the Chiefs of  
14 Police Conference in Colorado, probably an unusual request for  
15 an Executive Director of the ACLU, and they introduced me at the  
16 time as a view from the other side. I suggested to them that I  
17 thought the other side was criminals, not civil libertarians.

18           I think that in our conversation that we had that  
19 day -- and I think it was a strong and open discussion of points  
20 of view of the chiefs of police who were there and myself -- that  
21 there was a real dialogue developed in people of good faith and  
22 real concern about problems that were happening in the community.  
23 Today you had a peaceful demonstration from some folks who felt  
24 that this conference was a farce. They acted, even so,  
25 respectfully and quietly and I think handled it well. And the

1 people in this conference handled it well. I hope that the  
2 handling of that tension and that situation marks some basic  
3 proof or gives us some small confidence that they were wrong,  
4 that this conference won't be a farce. I hope, indeed I pray,  
5 that it will be a meeting of people in good faith, anxious to  
6 solve problems that we all recognize that we have.

7           Any one of us, black, white, or brown who claims to  
8 be without racism, without prejudice, without a willingness to  
9 classify large numbers of people simply because of their race,  
10 their ethnic background, their religion or indeed their occupa-  
11 tion, is fooling themselves, is fooling themselves profoundly.  
12 I think that the group who gather here together, the over-  
13 whelming response of people in Colorado to come to this meeting,  
14 demonstrates an awareness that we're concerned about those  
15 problems that each of us have.

16           There is, I think, an agreement that there's a very  
17 real problem. If there was not a very real problem this con-  
18 ference would not be happening. There is I think an agreement  
19 that by working together we can solve these problems and I think  
20 that's what we're here to do today.

21           Problems of this sort can be met a number of ways:  
22 by confrontation or by conciliation. I think that the attempt  
23 here today is to do it by conciliation. There should be no  
24 assumption that this meeting will solve all our problems.  
25 There should be no assumption that this meeting represents

1 points of view of all people of Colorado, all the police  
2 officers, all the minority community or all the people that  
3 don't fit in either of those categories. There are a lot of  
4 people in this state who don't share our concern and we're going  
5 to have to reach out to them. We're going to have to convince  
6 them that our concern is important. We are going to have to  
7 serve as a model for the rest of the state, and I hope that by  
8 working together, agreeing on some basic premises, that we can,  
9 in fact, do this.

10 Today, right at this minute, we have a panel of people  
11 who want to discuss what this conference is about. I don't  
12 know what order they'll be presented in and I'm going to intro-  
13 duce them one-by-one. The first person that I'm going to  
14 introduce is Bill Koleszar, co-chairman of this conference.  
15 I met Bill as a result of this conference and I'd seen his name  
16 as the Chief of Police of the Arvada Police Department, but I  
17 hadn't gotten to know him. Having done so I've gained an  
18 enormous respect for them and a real belief that he's terribly  
19 concerned about the problems of racial tension. He has put in  
20 countless hours to make this conference a success and he  
21 deserves your gratitude.

22 Second is Tony Tafoya from El Comite. Everyone has  
23 been talking or hinting at the problems that existed in Longmont.  
24 They only came to life in Longmont. They exist in every com-  
25 munity in the state. I think that Tony has shown a great

1 example for the rest of us in leadership in a very difficult  
2 situation. He has not given up his resolve, he has not surren-  
3 dered his demands for justice. But, at the same time, he has  
4 been eminently fair and eminently peaceful, and I think that the  
5 community of Longmont is much richer as a result.

6           Jose Sandoval, professor at Metropolitan State  
7 College, will be here representing La Raza Park Committee. I  
8 think that he will represent a separate point of view, a point  
9 of view much different than probably the rest of us about what  
10 this conference is. It deals with -- and, yet, at the same  
11 time I think he's an important voice that must be heard.

12           Finally, we have -- we had a last minute switch and  
13 so in the middle of all of this I have forgotten who the last  
14 person is. Peter Amory, I'm sorry. Peter Amory, a police  
15 officer with the Denver Police Department, will be the additional  
16 speaker replacing Larry Borum.

17           With that, I'm going to turn it over to our moderator  
18 who keeps winning rewards but doesn't show up for them. Art  
19 Montoya.

20           MR. ART MONTOYA: Thank you, Jim. It appears I'm  
21 always the last one to get the word here. I was not aware I was  
22 getting an award. I was not aware that the panel was already  
23 (inaudible) when I walked in.

24           The theme of this conference is toward mutual respect.  
25 Some of the previous speakers have spoken about different

1 perceptions of how we view people that (inaudible).

2           Before we go any further, I would like Professor Jose  
3 Sandoval, Metro State College, Department of Criminology, to  
4 come before us and try to give his perception and perhaps  
5 enlighten us on some of the things that we're not aware of.

6           MR. JOSE SANDOVAL: I'm here this afternoon to speak  
7 on behalf of La Raza Park Committee. I'm speaking on behalf  
8 of the La Raza Park Committee as a member of the Chicano com-  
9 munity and only incidentally as a professional.

10           I was asked a couple of months ago to be a resource  
11 person for a couple of panels, and I tentatively agreed to do so.  
12 However, events of this past summer have forced me to follow my  
13 conscience and my conscience says not to participate. Now,  
14 let me tell you what specific events led me to that decision.

15           Number one, June 28, 1981, a peaceful gathering of  
16 people at La Raza Park in Denver were chased out of the park for  
17 alleged technical violations of municipal ordinances. What  
18 happened that day was a catastrophe, to say the least. I don't  
19 even want to get into any of the details, but I was there, I ate  
20 tear gas and I saw what went on and I heard what went on. That's  
21 the beginning.

22           Then I started to think about the context of La Raza  
23 Park. For the last ten years there has been harassment and  
24 undue annoyances from governmental officials who supposedly are  
25 to serve and protect. That harassment has been directed at

1 patrons of the park; that harassment has been directed towards  
2 Chicanos in northwest Denver.

3 Another thing that happened this summer that dis-  
4 turbed me. After that incident, June 28, 1981, I was concerned.  
5 Then there were a couple of incidents that happened in Longmont  
6 and in Boulder County. One was the discovery of some bombs  
7 underneath a police car. I want to make it clear that I, myself,  
8 personally, may not condone the use of bombs. I don't condone  
9 the use of bombs over Nagasaki or Hiroshima, so I don't condone  
10 that kind of activity. I don't condone Israel blowing up  
11 nuclear reactors in Iraq.

12 But then, when there were comments attributed to  
13 officials in the newspapers to the extent -- to the effect that  
14 it was the work of a Chicano activist group, I become even more  
15 concerned. What kind of defamatory comments are those with  
16 their innuendo that Chicanos who are active would do that sort  
17 of thing?

18 Then there was the event that occurred just this  
19 last weekend and suddenly I realized that there had been other  
20 conferences, there have been other concerns, there have been  
21 other kinds of demonstrations and I decided that I would not  
22 be part of this, that I would not participate.

23 In talking with other members of La Raza Park Com-  
24 mittee, they seem to have concurred in the reasons for my  
25 unwillingness to participate. I came here today, members of

1 La Raza Park Committee came here today in order to express to  
2 you our concerns. I left a note with Mr. Joy and other people  
3 here that say perhaps the same thing that I've said now. And  
4 it's for all of the above reasons and it's for everything that  
5 I said previous to this -- we've made some demands and among  
6 those demands are that the behavior of the police in the Park  
7 be condemned. This conference wants to do something. Let's  
8 start there.

9           Condemn defamatory comments attributed to people in  
10 the newspaper and then, perhaps, on a more practical, at a more  
11 practical level, look at police officer certification in this  
12 state. Make it a penalty, make it a disciplinary event that  
13 police officers violate civil or human rights of people. If  
14 that's done, then the previous speakers who have said that if  
15 this happens again the conference would have been a failure,  
16 he's probably right. For your sake I hope it's not a failure.  
17 It is for all those reasons that I choose not to participate.

18           I have been asked to be a member of this panel. I  
19 say that I have been unwittingly made a resource person anyway.  
20 But, besides that, I bid you all so long.

21           MR. MONTROYA: Thank you, Jose. We appreciate your  
22 comments.

23           If we could take a quick break for just a second or  
24 so, then we can proceed with the conference.

25           (Pause.)



1 MR. MONTOYA: Again, I don't know the chronological  
2 order for the speakers. I think they're all experts in their  
3 own right. I have no way of placing anyone in a one, two,  
4 three sequence, but I will utilize the fact that they are seated  
5 in a one, two, three sequence, so proceeding with this panel,  
6 Chief Koleszar, Chief of Police from the Arvada Police Depart-  
7 ment and the co-sponsor of this (inaudible).

8 MR. KOLESZAR: First of all, I have the dubious  
9 distinction, I think, of being the first police representative  
10 speaking this afternoon. I don't know if it was planned that  
11 way but that's the way it's worked out.

12 Let me give you some overview of what this panel is  
13 about and what it is supposed to provide as a background for the  
14 rest of the two-day conference. This panel discussion, hope-  
15 fully very informal, very brief, and if we do have time at the  
16 end to answer questions that are directed to us, we will. This  
17 panel is to, hopefully, give some overview and to possibly ask  
18 some questions that can't be answered today but may be answered  
19 in workshops, to set the scene and, hopefully, to set the mood  
20 in an affirmative sense as far as some of the things that we'll  
21 be talking about for the next two-and-a-half days.

22 Once again, as we start off, I and Dr. Roman will be  
23 summarizing the conference on Saturday. It will be very quick  
24 and very to the point.

25 There is no doubt in my mind that the reason I was

1 asked to sit on this panel along with a member of the Hispanic  
2 community and the Black community was to represent the police  
3 community. Anyone who deals with large groups as diverse as  
4 the police community knows that no one person can speak for that  
5 community -- law enforcement, criminal justice -- and I'm sure  
6 Tony and Pete will say the same thing, that they cannot speak for  
7 the entire Hispanic or the entire Black community.

8           What I am about to say is the philosophy of the  
9 Arvada Police Department, it is the philosophy of myself, having  
10 been in the business for 12 years. I will attempt to give you  
11 from my belief perspective what I think are the basic underlying  
12 cornerstones to a good police-minority community relationship.  
13 Some of the police officials in the room may agree with me; some  
14 may not agree with me. I think possibly some of the things I  
15 will say will surprise possibly both the police community and  
16 possibly the minority community. But it's the City of Arvada,  
17 the Arvada Police Department and Chief Koleszar that is making  
18 the presentation; not the entire law enforcement or public  
19 safety community in the state of Colorado. I trust, I hope, and  
20 I believe that a large majority of law enforcement and public  
21 safety officials would concur in my assessment.

22           Five basic underlying cornerstones, from a police  
23 officer's viewpoint, for good police-minority community rela-  
24 tions: selection, hiring, promotion and assignment. Every  
25 jurisdiction should have an affirmative action program, written,

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1 open, articulated and enforced for every single level for the  
2 law enforcement agency in that jurisdiction. We have one in  
3 Arvada and we try to carry it out. Only then will it be clear  
4 to the minority community that they are welcome in the law  
5 enforcement agency to enforce the laws that control the citi-  
6 zens within that jurisdiction. You've got to have selection,  
7 hiring, promotion and assignment for minority members if your  
8 community is made up of a large number of minority community  
9 members.

10           Second, number two, training. Training should be  
11 provided to all enforcement and nonenforcement personnel before,  
12 underline before, they begin employment with the law enforcement  
13 agency. Depending on the circumstances, if there is a large  
14 minority contingent in that community, this training should not  
15 only include operational training and administrative training,  
16 but should also include culturization training and sensitivity  
17 to whatever minority is included in that community. If that  
18 minority is French or Jewish or Irish or Hispanic or Black --  
19 if you are going to serve that community, there's no way my  
20 people, members of my department, can serve our community under  
21 those circumstances without having some idea of the community  
22 they are serving.

23           Number three, policies. There is no excuse, abso-  
24 lutely no excuse whatsoever, for any public safety agency or  
25 any law enforcement agency not to have clear, understood,

1 written policies in areas such as the following: the use of  
2 force and deadly force; hot pursuit; arrest and search; treat-  
3 ment of the public; officer conduct; and, lastly, a good, clear,  
4 understood, written policy regarding investigation of complaints  
5 against police officers. This written policy and procedure must  
6 be understood by both citizens and officers if it is to produce  
7 what it was meant to produce.

8 Fourth, access to the department. Communities,  
9 minority groups within the community, must have access, not only  
10 to the city council, not only the city manager -- they must have  
11 access to the chief and must have access to the law enforcement  
12 agencies.

13 Last, number five, there must be commitments by the  
14 legislative body of the jurisdiction, the city council, the  
15 city commissioners. There's got to be commitment by the chief  
16 executive officer, the city manager or the county executive and  
17 there has to be total and unequivocal commitment on the part of  
18 the chief or the sheriff to those four above listed cornerstones.  
19 Without that commitment it isn't going to work.

20 Let's flip the coin over. Mr. Bonilla referred to  
21 it. Each one of these cornerstones has a concurrent obligation  
22 and responsibility on the part of the minority community to work  
23 in conjunction with the law enforcement agency towards the five  
24 cornerstones. When I go into the city council, when I go into  
25 the city manager and ask for funds for minority recruitment,

1 it's awful nice to walk in with the minority community supporting  
2 me in that request. When I go to the city manager and city  
3 council and ask for personnel to be assigned to my professional  
4 standards unit, our internal affairs unit, it's awful nice to  
5 walk in and have the support of the minority community.

6 When we, as law enforcement officers, go to the state  
7 legislature as we have -- how many times, four, five, six times  
8 in the last five or six years -- and ask for more revenue for  
9 training our police officers, in CLETA, it would be awful nice  
10 this coming session on the call or the following session to  
11 have the minority community right there asking for the same  
12 things that we're asking for.

13 As Gil Pompa said just a few minutes ago, you, the  
14 minority community and the police, you are natural allies who,  
15 for lack of understanding of each other's problems, too often  
16 are cast in the role of antagonists.

17 I'd like to wind up with just one thing. In 1971,  
18 there was an article that appeared in the San Francisco Examiner  
19 and this article 10 years ago talked about a minority group that  
20 exists right in this room. I'd like to read some excerpts from  
21 that publication 10 years ago. You guess which minority group  
22 we're talking about, because one of the most important things  
23 is for the law enforcement group to understand minority groups  
24 but, on the other side of the coin, the minority group has to  
25 have some appreciation for the law enforcement community. You

1 tell me which minority group this editorial was talking about.

2 "It is a group too often condemned and too seldom  
3 commended. There are fewer than 800,000 of this minority in  
4 the United States. In all of the state of California, there  
5 are less than 50,000. They tend to congregate and associate  
6 in core cities. There are 1900 of this minority in San Fran-  
7 cisco. Members of this minority group have longer workdays  
8 than the average citizen. Their earnings are usually less. Few  
9 belong to unions.

10 "In the past 10 years, 640 of their number have been  
11 brutally gunned down. Many have been targets of rocks, bottles,  
12 bags of human excrement. Many have been spat upon. Most have  
13 been insulted and called vile names. The lives of many have  
14 been threatened. The homes of some have been bombed and burnt.  
15 Children and wives of this minority group are often terrorized  
16 and criticized. The men are expected to accept these insults  
17 without responding.

18 "While earning less than some laborers, they are  
19 required to expertly and instantaneously make legal decisions  
20 that may require months of deliberation by the Supreme Court."  
21 They are police officers, as small or as great a minority in  
22 this country as any minority group in this room.

23 That's the perception of the average police officer  
24 or the cop on the street. And just as it is important for us,  
25 and I advocate that, we have got to appreciate the citizens we

1 serve. The flip side of the coin is true and that perspective  
2 I just articulated is where many police officers in uniform on  
3 the street are coming from. I think it's important that all of  
4 us in the room understand that, also. Thank you.

5 MR. MONTOYA: Thank you, Chief Koleszar.

6 As the speakers come before the microphone to address  
7 this audience here, I hope that you sincerely keep your mind  
8 open to what they are saying, regardless of whether they belong  
9 to either minority community, the police minority community, the  
10 ethnic minority community. We should leave this workshop with  
11 a very open mind, with the decision that we will concentrate  
12 on attempting to change some of our negative views or at least  
13 be more receptive to listening to other people.

14 The next speaker I presume will only be wearing one  
15 hat although he does wear two hats. He is Officer Pete Amory  
16 with the Denver Police Department. I don't think he is here as  
17 a police officer or will be speaking directly as a police  
18 officer although he can't help but have some views in that area.  
19 He's here in behalf of Mr. Larry Borum of the Denver Urban  
20 League. Pete?

21 MR. PETE AMORY: I'd like to state that I'm not pre-  
22 pared to speak. Larry is not here and I don't know what Larry  
23 would say. But as a police officer and as an active community  
24 person, I have worked very closely with Larry and many other  
25 Latin community people in northeast Denver and I can tell you

1 basically about my background and these different kinds of  
2 activities that I participate in.

3 We have the Black Directors Council which is located  
4 in northeast Denver which is essentially a consortium of people  
5 who represent all of the many agencies within the business  
6 community as well as social service communities in northeast  
7 Denver. I am a member of that group.

8 The Northeast Denver Manpower Commission which is  
9 charged with the responsibility to look at jobs or try to  
10 develop jobs and to look to different communities and differ-  
11 ent organizations to develop jobs for people in northeast Den-  
12 ver.

13 I am a father and very concerned with police activity  
14 as well as community activity. I know that my son is 18 years  
15 old, is rather outspoken. He resents people stopping him as  
16 I'm sure many of your children and friends and relatives are,  
17 too. So I am concerned about the problems in the City and  
18 County of Denver and the nation, I guess. This is a problem  
19 that is not new, I'm sure, to everybody here. We have went  
20 through this before.

21 I would like to say that I want to approach all of  
22 the upcoming workshops with an open mind, hoping that we can come  
23 out of this conference with something solid or tangible that we  
24 can go back to our respective communities and impart this kind  
25 of information.



1           Again, I'm not prepared for any long speech or any-  
2 thing at all. I have been a police officer for 15 years so I  
3 know basically on both sides of the issue what we're dealing  
4 with. Again, I'm very concerned. I'd be willing to answer any  
5 questions that I'm capable of answering. Thank you.

6           MR. MONTOYA: Pete, thanks. I know it's very diffi-  
7 cult when you're a last minute substitution. Like he said, he  
8 does know Larry Borum well and I'm sure that Larry wished all  
9 of us to approach the conference in the manner that Pete Amory  
10 has expressed.

11           The last panelist here is Mr. Tony Tafoya who also  
12 wears two hats. Now he's coming to represent El Comite of  
13 Longmont. He is a federal employee in Boulder, he's been very  
14 active in the community, especially in Longmont.

15           MR. TONY TAFOYA: Thank you, Art. (Spanish)

16           The Spanish philosopher, Miguel de Unamuno has  
17 stated that if you like someone or if you hate someone you at  
18 least recognize their existence. However, if you ignore someone,  
19 you do not recognize their existence. I'll be dealing mainly  
20 with the Chicano communities but I believe you can read into  
21 it Blacks, native American Indians, and the Asian Americans.

22           The Chicano community has experienced both aspects  
23 of the statement (inaudible). The experience of the Chicano  
24 has been recognized for high arrest records, harassment that  
25 has produced long lists of contacts with the police, even

1 insignificant contacts, and negative stereotyping has led to  
2 being blamed or suspected as a matter of course when laws are  
3 broken. We have only to look at the recent example of the bombs  
4 that were discovered in Longmont, the bomb threat that came in  
5 to Boulder County. The assumption is made that there are  
6 Chicanos behind this. This is what I refer to as a negative  
7 stereotype.

8 Public officials, like an assistant district attorney,  
9 should know better than this and I hope you address this in  
10 your conference.

11 The existence of the Chicano has been very long  
12 recognized by the police and has been widely reported in the  
13 news media. This recognition, however, is perceived by the  
14 Chicano as a recognition to hate. Referring back to Unamuno's  
15 quote, Unamuno also states that if you ignore someone, you do  
16 not recognize their existence.

17 Chicanos have been ignored and their existence has  
18 not been recognized by many police departments when they mean  
19 to develop contingency plans for particular situations. All too  
20 often the only alternative is to bust heads and to make arrests.  
21 Police need to recognize the existence of the Chicano communi-  
22 ties in their consultations. Both the Chicano community and  
23 the police need to take a step forward toward mutual respect  
24 and understanding. The wall that exists will always exist for  
25 some of us. Police will continue to be called god damned pigs,

1 crooken cops, (Spanish).

2 Police departments can no longer ignore the concerns  
3 of the Chicano community. Police departments must recognize that  
4 problems exist. It is my belief that a greater responsibility  
5 and burden rests with paid officials to initiate communication  
6 links within the Chicano community. If this link is not  
7 established and maintained, particularly in the larger communi-  
8 ties in Denver, the positions of the police and the community  
9 harden and solidify to the point that confrontation is the only  
10 option open to both groups.

11 State officials have greater responsibility to  
12 initiate communications. We all know that it is impractical to  
13 get all the members of the Chicano community into an adminis-  
14 trator's office. But it is very easy for an administrator to  
15 take a night off, reserve a night, and to visit the Chicano  
16 community, to visit our neighborhood centers and our meeting  
17 places.

18 Initially these meetings are not going to be pleasant,  
19 particularly if you haven't been doing it, for you will have to  
20 bear the brunt of years of a community that has been ignored.  
21 When concerns are brought up, police should be responsive. A  
22 responsive in-house investigation and frank communication of  
23 that investigation can be another step over towards improving  
24 mutual respect and understanding.

25 If police departments want to be respected, they

1 must be responsive and responsive within reasonable time limits.  
2 They must be responsive to the concerns that are brought before  
3 them. We must all recognize that there are bad apples and bums  
4 in both the Chicano community and in the police departments. In  
5 the police departments, police administrators must act swiftly  
6 to correct those bad attitudes; must act swiftly to rid them-  
7 selves of those bad apples; and must work through counseling  
8 techniques and through training. And if these don't work, they  
9 must have the courage to dismiss those employees.

10           Small communities like Longmont can learn from the  
11 situations we have been experiencing. As communities develop and  
12 grow, priorities tend to address the growth issues at the expense  
13 of human needs. What Longmont has experienced this past year  
14 is not unlike the problem other communities may experience in the  
15 future. The problems exist; they just haven't been highlighted.

16           I recall in Longmont, people have come to me and said,  
17 "I never realized there was a Chicano problem." They never  
18 realized because they have been ignored. The ingredients that  
19 have surfaced in Longmont are present in your communities.

20           In spite of the tragedies that have plagued Longmont,  
21 we have been fortunate to have a Chicano community that cares for  
22 the city and has been willing to act. We have also been fortu-  
23 nate to have a public safety director that is not afraid of  
24 change and has had the courage, the courage to act so the change  
25 will occur.

1           Let me share with you some of the problems that you  
2 may wish to address in your workshops tomorrow and Saturday.  
3 Above all, keep in mind, remember that in Longmont it took a  
4 tragedy in which two young lives were lost. Who knows what  
5 contribution those two boys made. Don't wait for a tragedy to  
6 occur in your community. Begin now to take a step forward.  
7 Particular police departments should identify Chicano leader-  
8 ship and establish and maintain communication links. Lack of  
9 meaningful, positive contact is the problem, I think, that you  
10 should address. Lack of open and continuous lines of communica-  
11 tion between the police department and the minority community  
12 should also be addressed.

13           A lack of responsive in-house investigation on com-  
14 plaints of citizens groups should be addressed. And I think  
15 that you ought to stress that it be a kindly response. Training  
16 of police officers must be a high priority. We cannot afford to  
17 have a police officer without any training in enforcing the law  
18 in our community. Look what happened in Longmont. That must  
19 never happen again. This training must also include sensitivity  
20 training. When a Chicano goes over and says (Spanish). Those  
21 aren't threatening words. Understand what they mean.

22           Police manuals must be updated. EEO must be a high  
23 priority in your departments, not only to get Hispanics, Chicanos,  
24 into the departments but they must also have workable plans for  
25 upward mobility. You must also address the use of deadly force.

1           Now, nothing that I said here is new and nothing that  
2 anyone else is going to say is new. We've all heard it before.  
3 But what can be new and revolutionary in this state is that if  
4 we begin to listen to each other -- it's such a simple concept  
5 but we fail to listen to each other. If we can at least make  
6 the attempt to understand another's point of view and we ask to  
7 insure that the necessary first steps are taken toward mutual  
8 respect and understanding, I think that this conference will not  
9 have been a farce, that it will be something that we can build  
10 on that will be a credit to all of us, to our communities.  
11 Thank you very much.

12           MR. MONTROYA: I want to thank all of the panelists for  
13 their words of wisdom.

14           Earlier I said that I hope we approach this with open  
15 minds. I think the mere fact that you're here implies sensi-  
16 tivity to the issues and the problems on your part. It's  
17 unfortunate that we can't have greater numbers. But perhaps we  
18 can go back and while dealing with our peers and friends get  
19 some of them more involved in these areas.

20           I would ask you to keep in mind some of the key  
21 words that have been mentioned: sensitivity, responsiveness,  
22 affirmative action, youth supports, commitment, enforcement, and  
23 all these things. Those of us that are in the bureaucracy, I  
24 also ask you to remember that any authority that we have is only  
25 loaned to us. It is not a God-given gift and that authority can

1 be removed very easily. In this day and age there is a big  
2 pressure to remove that authority from us so I think that when-  
3 ever we do use that authority, it's got to be used very judi-  
4 ciously.

5 Mr. Joy, would you have anything else you want to  
6 add?

7 Are there any questions of the panelists at this  
8 point?

9 (No response.)

10 If not --

11 DR.. CECIL OWENS: How would you suggest that the  
12 police department identify the Chicano leaders?

13 MR. MONTROYA: For those of you that didn't hear the  
14 question, Dr. Cecil Owens asked the question, how would Mr.  
15 Tafoya suggest that they recognize the Chicano leaders; is that  
16 correct?

17 DR. OWENS: Identify.

18 MR. MONTROYA: Identify Chicano leaders.

19 MR. TAFOYA: First of all, I want to make ti clear  
20 that the only group I represent is El Comite. I don't pretend  
21 to speak for the entire Hispanic-Chicano community nor for the  
22 entire community in Longmont; just those members who support the  
23 goals of El Comite.

24 I mentioned that it's impossible for all the Chicano  
25 community to go into an administrator's office. It is very easy

1 for an administrator to take a night off and visit the minority  
2 community in their neighborhood centers. I think that if you  
3 want to identify the leadership in the community, you have to  
4 get out of your office, your air conditioned office, and go into  
5 those communities at night and open the dialogue. There's no  
6 easy way. You have to take the first step. That would be my  
7 suggestion.

8 MR. MONTOYA: Yes. Could you identify yourself?

9 MR. PETE GARCIA: Yes, Pete Garcia. I would like to  
10 -- I heard it said that the police and minorities are natural  
11 allies. I've lived in this state for many years and they have  
12 never been allies. They've been enemies. I think part of that  
13 is they have not even begun to understand we are human beings.  
14 When the police go around and harass and call us names, I don't  
15 see how they could be natural allies. (Inaudible) We've tried  
16 to obey the laws but when I saw my parishioners being beaten,  
17 handcuffed and then beaten, and shot and all of these things,  
18 (inaudible) and I think there is something wrong with the phrase  
19 that police and minorities are natural allies. In 1970 we had  
20 shootings at the Platte Valley Action Center. I saw police  
21 deliberately try to murder kids. (Inaudible) I don't think  
22 anything will happen until we begin to monitor the police; until  
23 the community citizens establish police commissions where they  
24 have a role in judging complaints and working our solutions.  
25 That was proposed in Denver some 10 years ago (inaudible). I



1 think those are things we have to deal with right here, today  
2 if we're going to make the minority community and the police  
3 natural allies. I don't think it ever exists until somebody  
4 begins to monitor the police actions outside of the police  
5 themselves.

6 MR. MONTOYA: Mr. Garcia, may I say something? These  
7 are the sort of things, the dialogue, that we hope will transpire  
8 during the workshops. We appreciate your comments. I don't  
9 know who is going to chair them but I think that this is what  
10 we're striving for in the workshops. I agree with you that this  
11 is the direction we should be going -- if you can reserve the  
12 in-depth discussions for our workshops, I think they will be  
13 more productive because then we'll come back in terms of recom-  
14 mendations as opposed to just simple presentations.

15 Mrs. Montano?

16 MS. MONTANO: I think it's an important question the  
17 gentleman asked. I think if we look at how the police and how  
18 the administrators (inaudible) I think that's an important start.  
19 I come from a small town in Colorado, Ft. Lupton. (Inaudible)  
20 a social gathering and there was a person there from the Community  
21 Relations Service representing the Justice Department and that  
22 person came up to this community person and said, "I want to meet  
23 so-and-so and this other person who has been involved with com-  
24 munity relations in Ft. Lupton." And the Justice Department  
25 person proceeded to tell this woman (inaudible).

1 MR. MONTROYA: Mrs. Montano, if I could cut you off  
2 short. I was to allow everybody to present their case, I don't  
3 think we would get anywhere. I think the police officers could  
4 come up with an equal number of officers that have died at the  
5 hands of someone, so that is not the intent of the conference.  
6 I think that we do need some historical basis to begin with, but  
7 if we keep going back to what happened in 1960 and 1970 we're  
8 not going to get anywhere.

9 The intent of this conference is to go with mutual  
10 respect and start -- in spite of what you may think at this  
11 time, there are different agencies and different community  
12 groups involved -- there were committee groups involved in the  
13 preparation of this conference. I'd like to wait till the end  
14 of the conference to make judgments as to how effective we are  
15 at this point.

16 MR. JOY: I think it is profoundly important, if this  
17 conference is to be successful, that we don't assume that  
18 Chicanos or Blacks are some monolithic group all of which are bad  
19 or all of which are good. And the same is true of the police.  
20 I'm going to say that my organization has been as active as any  
21 organization in going after what we consider improper police  
22 activities. But I must also say that I work with dozens of  
23 police officers in this state for whom I have enormous respect  
24 and who I believe firmly are doing everything they can do to  
25 improve the relationships within their communities. Let's stop

1 the practice of lumping everyone together and saying, "Those  
2 Blacks, those Chicanos, those police." I think this conference  
3 is going to be in very serious trouble if we don't stop.

4 I think the people who are here are here because they  
5 are concerned. The police believe the relationships can be  
6 improved; otherwise they wouldn't waste their time or their  
7 money being here. I think we ought to respect one another at  
8 least that much so we can come together to solve the problem.

9 MS. JAN STAPLETON: I'm Jan Stapleton of the Denver  
10 Weekly News and my question is for Mr. Tafoya and Mr. Amory.  
11 I am wondering if you think there has been a lack of understand-  
12 ing and a lack of drawing together between various minority  
13 groups which, perhaps, is the drawback in working ahead on the  
14 problem of police abuse.

15 MR. TAFOYA: I'm trying to see if I can get your  
16 question right. Did you say that --

17 MS. STAPLETON: A lack of understanding and a lack of  
18 drawing together between the various minority groups to face the  
19 problem together of police abuse.

20 MR. TAFOYA: I can speak to the Longmont issue. In  
21 the Longmont majority there is Chicanos. Now, one of the things  
22 -- one of our approaches, whether it is right or wrong, is an  
23 approach that I, as chairman, was directed by El Comite to  
24 pursue, was to keep outside groups out, out of Longmont as much  
25 as possible in addressing the problems that we had.

1           Our feeling is that minority groups -- if the Chicano  
2 community is ever going to make any progress, it has to come  
3 from us. We have to do it ourselves. We can't rely on NAACP  
4 to come in and do it for us. I think we have to learn to get  
5 down and go to city hall and fight our own battles and do it and  
6 that's been our approach.

7           Possibly in larger communities they may have a dif-  
8 ferent approach. I think every community has unique character  
9 and you have to approach a problem given the context in the com-  
10 munity. So, maybe you can speak to that.

11           MR. AMORY: Are you speaking of the Denver community?

12           MS. STAPLETON: Primarily, yes.

13           MR. AMORY: Well, from my experience I can say that  
14 there probably is some, maybe, isolated interest conflict in  
15 some minority groups. I imagine that there could be. But I  
16 would say basically we have a common ground in terms of the  
17 minorities that are filling the prisons. I think that we have  
18 a common ground in terms of minorities that are confronted with  
19 this particular issue of brutality, use of fire arms. I think  
20 we have common grounds. I don't think that there's that much of  
21 division in terms of, you know, conflicts between two or three  
22 or four, five groups. There's no conflict between -- there are  
23 Black women as well as Anglo women and Chicano women. I don't  
24 think that we have that problem. I think that we're dealing  
25 with -- I think that would tend to cloud the issue. What we're

1 dealing with is our attitudes and feelings and definite things  
2 that are happening in the community, in minority communities.  
3 Does that answer you?

4 MS. STAPLETON: Yes, I agree that the common ground is  
5 there. It is definitely there. That's why I think it's so  
6 important to (inaudible).

7 MR. MONTOYA: Okay. I don't want to discourage any  
8 more questions. We do have an agenda we're trying to follow.  
9 I would encourage you, if you'd like, there are some social  
10 activities. Perhaps on a one-to-one basis you can approach that  
11 one person that you may have a concern with. If someone has a  
12 problem or an issue with them I would prefer that -- they may  
13 contact me or any of the other panelists.

14 Dinner will be at the West Ballroom which is to your  
15 left. Thank you.

16 (Whereupon, the conference in the above-entitled mat-  
17 ter was recessed at 5:10 o'clock p.m.)

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## EVENING SESSION

6:30 p.m.

1  
2  
3 DR. GILBERT ROMAN: Good evening, ladies and gentle-  
4 men. I'd like to start out with the evening session.

5 This whole conference is based on a premise of com-  
6 munications -- communications between people. I'd kind of like  
7 to share with you a little story, two stories by the way, that  
8 happened to me recently.

9 I'm a football coach and I have a little team, 10, 11  
10 years old. They're a good little team. You have to have a  
11 physical in order to play football. I took one of those little  
12 boys who hadn't had his physical yet to the doctor and we walked  
13 in the doctor's clinic and the doctor said to the little boy,  
14 "Strip to the waist, young man, and wait in the room there."  
15 So he went ahead and put him in the little room and closed the  
16 door and the doctor and I walked back and talked about, I don't  
17 know, football.

18 We came back in a few minutes and the little boy was  
19 naked. He had no clothes on, he was nude. The doctor asked  
20 him, "I asked you to strip to the waist. Why are you naked?"  
21 And the little boy said, "Yes, you did. But you didn't tell me  
22 where I had to start."

23 It's very important that we communicate totally what  
24 we are talking about.

25 I am Gil Roman and I am the co-chairman of this

1 conference. It's my pleasure tonight to make the introductions  
2 at the head table, a very illustrious head table. To my extreme  
3 right, Mr. Ed Camp, the Director of Public Safety in Longmont,  
4 Colorado. Ed?

5           Next is Lillian Gutierrez who is the immediate past  
6 Director of Lulac, League of Latin American Citizens, and she is  
7 also on my staff; next, Mr. Theo Holland with the Human Relations  
8 Commission, he's a Commissioner of Human Relations in Colorado  
9 Springs; Ms. Joyce Bignell who is Executive Director of the  
10 National Conference of Christians and Jews and is also one of  
11 the driving forces of this particular conference; my co-chair,  
12 William Koleszar, Chief of Police in Arvada. I'll skip over the  
13 next person who will be our speaker.

14           To my left is Mr. Larry Borum who is the President  
15 of the Metropolitan Urban League, past President of the League  
16 of Metropolitan Denver; Ms. Vilma Martinez who is President and  
17 General Counsel of the Mexican-American Legal Defense Fund;  
18 Major Ronald A. Ramirez who is the present Director of LULAC and  
19 is also assigned to the Air Force Academy and does a lot for the  
20 minority students; Mr. Sy A. Lee who is with the Urban League of  
21 Colorado Springs; Dr. Shirley Hill-Witt who is the Resource  
22 Director of the U. S. Commission on Civil Rights in Denver; and  
23 Mr. Ed Lovato who is the attorney and representative of El Comite  
24 Longmont, Colorado.

25           At this point in time I would also like to make a

1 correction to our agenda today. Our packet didn't include a full  
2 list of the contributors to this particular conference. You know,  
3 whenever you make mistakes you make big mistakes. The Office  
4 of the Governor of the State of Colorado was not included in the  
5 list and I would like to apologize to the Governor and I want  
6 to include him for sure. Thank you, Governor and all the rest  
7 of the contributors.

8 I would like to have you give a hand now for Chief  
9 Koleszar, my co-chair.

10 MR. KOLESZAR: Approximately six months ago, when the  
11 steering committee began to choose individuals who would be  
12 speaking at this conference, I really think that the group was  
13 very kind to me in not delving further into why I was so adamant  
14 about presenting the name of the individual that I thought  
15 should represent the criminal justice system. I steadfastly  
16 stood for five months that I think the person should be Profes-  
17 sor Charles Rogovin of Temple University Law School.

18 I think after I introduce Charlie with his accom-  
19 plishments and after you hear Professor Rogovin speak, I think  
20 and I trust and I believe you will know why I remained adamant  
21 over the last five or six months to have the Professor represent  
22 the criminal justice system.

23 The Professor began in 1959 with his first assignment  
24 as the Assistant Public Defender in Philadelphia, after having  
25 received his Baccalaureate Degree from Wesleyan University and



1 his law degree from Columbia University in New York City. From  
2 there -- and I don't usually have to read introductions. You'll  
3 see why I have to -- from there he became the Chief Assistant  
4 District Attorney in Philadelphia, was appointed as the Assistant  
5 Director of the President's Commission on Law Enforcement and  
6 the Administration of Justice. From there he became the  
7 Assistant Attorney General, Commonwealth of Massachusetts, Chief  
8 of the Organized Crime Division. From there he became the first  
9 Administrator of the Law Enforcement Assistance Administration  
10 in Washington. From there he became the first President of the  
11 Police Foundation in Washington, D. C., followed up by being a  
12 Fellow at the Institute of Politics, John F. Kennedy School of  
13 Government at Harvard.

14 From there, a visiting professor at Brandeis Univer-  
15 sity. From there, Special Counsel, Select Committee on  
16 Assassinations, U. S. House of Representatives in 1978'79.  
17 From there, professor of law, Temple University.

18 In addition to those accomplishments, Professor  
19 Rogovin also served as Chairman of the American Bar Association  
20 Committee on Organized Crime and has authored and published six  
21 major publications ranging in topics from Issues for Research  
22 in Police Administration to Local Government Police Management to  
23 Organized Crime.

24 In addition to those accomplishments he is and has  
25 been a close personal friend for a number of years.

1 Professor Charles Rogovin.

2 DR. CHARLES ROGOVIN: Two things: A 107-year-old man  
3 who cannot hold a job. God, that's embarrassing. I'm going to  
4 send a resume even my old friends will start somewhere in the  
5 middle '70s, dye the grey out of my hair.

6 Let me tell you a story. It doesn't have anything  
7 to do with what we're gathered together for but maybe it will  
8 kind of lighten the digestive situation for you. A messenger  
9 came to St. Peter and for this story I credit my old friend,  
10 Bill Koleszar. A messenger came to St. Peter one morning and  
11 said, "St. Peter, we have two new candidates." He said, "Well,  
12 that's fine. Actually that's very good and I'm glad we have such  
13 a small turnout this morning because, as you're aware, you have  
14 to get dead to get in." He said, "Who are the candidates?" And  
15 the messenger said, "One's a law professor and the other is Pope  
16 John the First." He said, "Oh, my goodness, his holiness."

17 The law professor goes to the gate and the Pope, who  
18 was a wonderful, gentle man stepped back and invited the law  
19 professor to precede him and St. Peter greeted the professor very  
20 effusively, very warmly and said, "Let me show you where you  
21 will spend eternity."

22 The professor followed St. Peter around the large  
23 white cloud and there was a magnificent villa, 17 rooms with  
24 every conceivable recreational facility your mind can imagine,  
25 magnificently decorated and just a beautiful place to spend

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1 eternity. The professor was delighted.

2 Pope John was waiting very quietly, waiting his turn,  
3 and St. Peter turned to him and said, "Your Holiness, will you  
4 come with me. I'll show you where you're going to be." And  
5 they walked around a very nicely trimmed hedge and there was a  
6 tiny cottage -- they used to call them Cape Coddors -- with sort  
7 of a half bath and some dormer windows, a very small bedroom and  
8 a tiny kitchen and even smaller living room. And the Pope whom  
9 you know, from the press accounts, is a very self-effacing man  
10 and was very surprised. He turned to St. Peter and he said,  
11 "My son, lest you think I am complaining, I'm not. But I am  
12 struck with the difference between my accommodations and that  
13 law professor you just ensconced in that mansion." St. Peter  
14 looked at the Pope and he said, "Your Holiness, you are the 90th  
15 Pope here. He's the first law professor."

16 One other story and then we'll get down to business.  
17 I see some grey hair out there and so I'll ask you. Have any  
18 of you ever taken the train from London to Edinburgh, Scotland --  
19 the old train now. I'm not talking about the high-speed train,  
20 the one that does it presently in five hours. The old train took  
21 12 hours and it went directly north from London right into the  
22 train station at Edinburgh. Well, apparently not.

23 I've taken the new train but I've never had the  
24 pleasure of taking the old train, but I ask you to picture a  
25 first-class railway car. You've all seen the English movies.

1 You know that their aisles run along one side of the car and you  
2 enter the compartment from the aisle. The aisles don't run down  
3 the middle of the car with seats on either side. It's a very  
4 fancy English production.

5 I want you to picture four very distinguished middle-  
6 aged men with a very distinctly military quality about them walk-  
7 ing into this first-class railway compartment which has on each  
8 of its sides three plush seats with armrests, making a total of  
9 six seats available. Each of the four distributes himself in  
10 the corner seat, so in fact they are directly opposite the man  
11 on the other side.

12 Not a single word is spoken. They are in fact all  
13 dressed in three-piece suits, fully vested, ties up, and not a  
14 word is exchanged. Several minutes pass, the train finally  
15 begins to gather speed and starts the long run north to Edin-  
16 burgh.

17 12 hours confronts the four men. For the first hour  
18 not a single word is exchanged. Each of the four is assiduously  
19 studying the left earlobe of the man opposite. Nothing is said  
20 for two hours. Finally, after three hours the train is well  
21 beyond the suburban ring which surrounds London, into the green  
22 countryside and moving north at a fairly rapid rate.

23 Finally one of these men, recognizing the utter  
24 stupidity of the situation in which four grown men, obviously  
25 mature, obviously sophisticated, might sit together for 12 hours

1 and never exchange a word, decides to break the ice. He stands  
2 very erect and very military in bearing and he says very  
3 deliberately, "Fawnley, Brigadier, Retired. Married Baron Snow's  
4 girl, Emily, the elder. Two sons. One's in Colorado, poor sob.  
5 The other's in trade. Neither in service." And he sat down.

6           There was not a flicker on the faces of the other  
7 three men. Four minutes pass and finally a second rises and  
8 says, "Waverly, Brigadier, Retired. Married Lord Wonderly's  
9 daughter, Beatrice, the younger. Two sons. One's a musician,  
10 the other a barrister. Neither in service." And he sat down.

11           Three minutes pass, a third rises, equally military  
12 in bearing, equally distinguished and says, "Harcross, Brigadier,  
13 Retired. Married a commoner's girl but awfully decent sort she  
14 is. One son, journalist. Never in service." And he sits down.

15           The ice has been broken and three sets of eyes swing  
16 to the fourth guy who sits immobile. 10 minutes pass. Finally,  
17 very deliberately, the fourth man rises and in fact, if any-  
18 thing, he is more distinguished, more military in bearing, and  
19 turned out even better and he says, "Higgins, Sergeant Major,  
20 Retired. Never married. Two sons, both Brigadiers."

21           In spite of what you may think, there is a serious  
22 side to my meaning. I am pleased to be at this conference. I  
23 was very pleased to be asked to be here and if I hadn't thought  
24 it was hopefully in some utility in my coming I wouldn't have  
25 come. In that connection, let me tell you what I spoke about

1 with Bill Koleszar.

2 We discussed the background of this proposed confer-  
3 ence, including the events which stimulated interest in examining  
4 relations between the police in this state and the members of  
5 the minority community. I told Chief Koleszar, whom I've known  
6 for a number of years and for whom I have a very high personal  
7 as well as professional regard, that I thought it was important  
8 for any speaker to tell his audience something of his views of  
9 the role of the police and the functions they discharge in order  
10 that people, you people, may have a better basis upon which to  
11 assess whatever I may say to you. I guess I could put that  
12 another way and use the expression my kids sometimes do, to  
13 let you know where I'm coming from. I may not be very eloquent  
14 but I rarely leave people in doubt as to where I stand. I have  
15 never been awarded a badge for diplomacy and I hasten to tell you  
16 lawyers I have never been invited back to the same bar associa-  
17 tion. I regard that as a high honor.

18 In that context and in that regard, let me suggest  
19 that, first, that the police in this evening's context, I am  
20 thinking of both urban and rural police. They are the single  
21 most important element in the system which government maintains  
22 for the delivery of a broad range of services to its citizens.  
23 To me this is a critical point. The police discharge the most  
24 complex set of functions of any agency of government and deserve  
25 the most attention among all of the competing agencies in the

1 service system.

2 I say they are deserving of attention because the  
3 police are the only agents of the state whom we empower to use  
4 force. Now, think of that for a moment. The water meters  
5 don't get it; the highway people don't get it; the police are  
6 the only agents empowered to use force. For that reason alone,  
7 perhaps, they are deserving of very careful scrutiny from citi-  
8 zens. It's perhaps unfortunate, but perhaps not unfortunate,  
9 but nevertheless true that in discharging certain of their  
10 responsibilities the police must sometimes use force. That  
11 means, of course, that their conduct must be reviewed.

12 Before turning to that issue it seems to me it might  
13 be useful to briefly review the major responsibilities which we  
14 either repose with the police or impose upon them. Rather than  
15 rationally assigning duties to the police we too often permit  
16 them to (inaudible) them, they grow like mud on a delta. There  
17 is no rationale to that; they just pile up.

18 Some years ago, in 1974, the American Bar Association  
19 as part of its project on standards for criminal justice,  
20 examined the role of the American police and identified at least  
21 11 major responsibilities. Let me take a moment of your time.  
22 Let me take a moment just to review those 11 distinctly different  
23 responsibilities that we ask the police to discharge.

24 Now, obviously, one, to identify criminal offenders  
25 and criminal activity and, where appropriate, to apprehend

1 offenders and participate in subsequent court proceedings.

2 Two, to reduce the opportunities for the commission  
3 of some crimes through preventive patrol and other measures.  
4 Three, to aid individuals who are in danger of physical harm.  
5 Four, to protect constitutional guarantees. Five, to facilitate  
6 the movement of people in vehicles. Six, to assist those who  
7 cannot care for themselves. It's a function that the police  
8 have.

9 To resolve conflict, to identify problems that are  
10 potentially serious law enforcement or governmental problems.  
11 Nine, to create and maintain a feeling of security in the com-  
12 munity. Ten, to promote and preserve civil order and, eleven,  
13 to provide other services on an emergency basis.

14 Think of the diversity in the list I've just very  
15 rapidly presented to you. Contrary to the popular belief that  
16 most of what the police do is directed to crime, either in terms  
17 of crime prevention or the apprehension of offenders, the reality  
18 is that most of what the police do has very little, if anything,  
19 to do with crime. The reality is that most of what the police  
20 do has very little, if anything, to do with crime. In fact,  
21 workload studies which have been very consistent among both  
22 suburban, urban and rural departments around the country suggest  
23 that somewhere between 60 to 80 percent -- 60 to 80 percent -- of  
24 police manpower time, and I see some of the officers nodding, is  
25 spent on noncrime-related activities.



1           The implications of that I am sure are not lost upon  
2 you. In essence, the mythological crime fighter is precisely  
3 that, a creature of myth. In fact, the police officer in the  
4 modern era must be equipped to act with great discretion in  
5 the discharge of multiple and often very diverse responsibili-  
6 ties. That point, of course, leads me to invite your attention  
7 to the question of the manner in which we train personnel for  
8 service in this very complicated activity, policing.

9           But, before moving on to questions of training,  
10 including things like how much, what kind, over what period of  
11 time, whether it's renewed in-service training as the officers  
12 in the audience are aware of, there's an even more fundamental  
13 question about persons who are recruited for service in this  
14 terribly complicated position known as police officer.

15           Some of you, those of my generation -- a few grey  
16 beards I see in the audience -- may perhaps remember an intro-  
17 ductory radio line which described an individual who has in  
18 latter days been revived in the imagination of the public. It  
19 went something like this, quote, "Able to leap tall buildings  
20 at a single bound; more powerful than a raging surf; and faster  
21 than a speeding bullet." That description, I remind you, is  
22 of Superman, now legendary in film as well as the old records.

23           Unfortunately, what I just read you is not terribly  
24 useful as a statement of qualifications for a police officer  
25 but frequently neither are those which are used for job

1 announcements when vacancies for officers are made public. What  
2 are needed in police officers are qualities of mind, quality of  
3 judgment, and the capacity to handle an increasingly stress-  
4 filled and complex set of tasks. In fact, what American needs  
5 in its police are individuals who have the capacity to be firm  
6 and yet are constantly fair; persons who will act as if devoid  
7 of bias or prejudice; act as if devoid of bias or prejudice  
8 regardless of whether or not, in fact, such bias or prejudice  
9 exists.

10           Persons able to make the transition from helper to  
11 thief-catcher, and with all of that, persons who can relate to  
12 that broad range of diverse elements in the American society  
13 which is the great challenge to American law enforcement.

14           That's not to say that the psychologists and the  
15 other social scientists or even the medical specialists have  
16 created a definitive set of instruments which will measure these  
17 qualities so as to place people in appropriate rank order for  
18 recruitment into the police service. What we have learned in  
19 this country since the turmoil of the early '60s, the early days  
20 of the civil rights movement, through the latter years of the  
21 '60s as well as the '70s and now into the '80s, is that what  
22 we once blithely assumed was true has, upon closer examination,  
23 been determined to be untrue. That is, that acting as a law  
24 enforcement officer or organizing police officers, managing and  
25 directing police officers are very, very complicated tasks to

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1 which the public generally has provided all too little support  
2 and encouragement.

3           That is not to say that throughout various parts of  
4 the United States that there hasn't been a positive stress on  
5 the importance of policing as an activity in our society and that  
6 the public, through its elected and appointed representatives, has  
7 been totally unwilling to make the necessary commitments to  
8 substantially enhance the quality of police services being  
9 delivered. But that move has not been consistent nor systematic  
10 and too often jurisdictions have fallen behind in dealing with  
11 these issues.

12           I suggested to you earlier in my remarks that train-  
13 ing was one of the critical responsibilities and activities  
14 through which we produce good, bad, or indifferent police  
15 officers. An enormous amount of money, time, and well-intended  
16 effort has gone into sophisticating and enlarging the kinds of  
17 training we provide for law enforcement officers today in this  
18 country. Again, however, not every jurisdiction has kept pace.  
19 California has for many years been thought of as holding a  
20 leadership position in improving the training of officers, to  
21 increase the quality of the jobs they do on the street. That,  
22 however, has been a very costly effort.

23           Fortunately, California has the benefit of an inter-  
24 esting financing mechanism to which other states, and perhaps  
25 Colorado, might well look as a model. I speak of the use of

1 fines imposed after conviction in criminal proceedings and the  
2 dedication of that revenue for the support of the California  
3 Peace Officers' Standards and Training Commission and the  
4 training programs POST, as it is known, provides.

5           It is difficult, if not impossible, to point to any  
6 single development as the most important change in law enforce-  
7 ment. Certainly, however, there is widespread recognition among  
8 American police leaders that there really was no day when we  
9 could afford to put ill or untrained officers on duty armed and  
10 expect them to deliver quality service to our citizens.

11 Resource limitations are no excuse for the presence on our  
12 streets and highways of untrained personnel who have not met  
13 at least minimum standards of performance in appropriate train-  
14 ing programs. Certainly to the extent that such a situation  
15 continues to exist anywhere in this country, the placement of  
16 untrained officers on the street, it ought to be rapidly cor-  
17 rected by the action of legislatures and the executive branches  
18 of government.

19           It is indisputable that many departments of police  
20 administrators in past years have to some degree, perhaps, in  
21 some places still today, failed to reflect substantial enthusiasm  
22 about efforts to recruit to the police service new personnel from  
23 the minority communities of America. Happily, however, there  
24 has been substantial gain. Police departments which are  
25 perceived as making bona fide efforts to increase minority

1 involvement -- perceived as making as making bona fide efforts  
2 to increase minority involvement -- are and have been responded  
3 to by leaders and members of minority communities. Note, how-  
4 ever, that I place great stress upon the proposition that where  
5 efforts to recruit in minority communities are regarded as bona  
6 fide there have been positive responses. Merely giving lip  
7 service to the proposition that it would be desirable to  
8 increase the minority complement among the officers of the  
9 department does little to persuade potential recruits of any  
10 legitimate, positive intentions.

11 Yet, it behooves minority community leadership to  
12 explore objectively and with care the interest and desires of  
13 police leadership in increasing minority representation. Where  
14 such is determined to be the case, it is incumbent upon minority  
15 leadership to lend assistance to recruitment efforts conducted  
16 by open-minded police leaders.

17 Earlier in my remarks I suggested to you that a police  
18 officer's decision to use force should be reviewed. I regard  
19 that proposition as so critically important as to want to spend  
20 a few minutes with you on that issue.

21 Over time, in a variety of places, incidents of  
22 alleged or actual excessive use of force by police have come to  
23 public attention. This jurisdiction, of course, is (inaudible).  
24 One response to that in some communities was the call for and/or  
25 the creation of an external agency -- excuse me -- or civilian

1 review mechanism to oversee or to review police actions. In my  
2 view it was a well-intended but exceptionally erroneous effort  
3 to remedy the excessive use of force in that fashion. I say  
4 that to you advisedly and I say it to you from the following  
5 perspective.

6           If we are to achieve accountability to the citizenry  
7 from our police, we must continue to repose or impose on our  
8 police leaders both responsibility and authority. Put more  
9 bluntly, if it is possible for me to put anything more bluntly,  
10 what I mean is that if the police are to be responsible in the  
11 exercise of their authority to use force, we should hold them  
12 accountable for the exercise of that authority. We cannot permit  
13 them to excuse any failure to properly train and supervise per-  
14 sonnel by suggesting that that responsibility lies in the hands  
15 of an agency external to the police organization. It is all too  
16 easy for an unresponsive police administrator, when confronted  
17 with an allegation or allegations of excessive use of force, to  
18 excuse his noninvolvement and his unwillingness to confront the  
19 issues by suggesting that any inquiry belongs to them, them being  
20 the external agency. The them being the civilian review body  
21 created to do what is the police chief's job. That is not, in  
22 my judgment, a situation which is to be condoned.

23           The management of police personnel and resources is  
24 the responsibility of the chief of police. No one should be  
25 excused or let off the hook by the creation of an external

1 mechanism which cannot implement in any truly effective way  
2 within the police department the policies it may think it is  
3 setting. It just won't happen.

4           Some may say that police chiefs are sufficiently  
5 insulated so that they need not be responsive to the public will.  
6 It's true, we do not elect chiefs of police, although we do  
7 elect sheriffs. Nevertheless, there is political leadership  
8 which is elected and that leadership in any community has a good  
9 deal to say directly or indirectly about the operations of the  
10 police agency. Certainly that's true as to its proposed or  
11 actual budget.

12           Now, we do elect most of our political leadership  
13 and we have a right to expect an informed quality in that  
14 leadership when it comes to issues of concern with regard to  
15 the police or any other functionaries in our community. Thus,  
16 one should ask political leaders, if one has not done so pre-  
17 viously, what are their positions on the issues of concern.  
18 In particular terms, it seems to me, that to the degree that  
19 there are statewide mechanisms in Colorado for training of  
20 police or dealing with police issues, how effectively are they  
21 being dealt with and how effectively are the mechanisms being  
22 financed in order to deal with these questions.

23           Legislators, members of the executive branch of  
24 government and members of the judiciary, by the way, should be  
25 sought out and asked about their positions on the financing of

1 the agency or body which might have such responsibilities here  
2 in Colorado. It is not merely desirable or even merely appro-  
3 priate that persons chosen to serve as police officers be  
4 properly trained and properly managed. It's a matter of criti-  
5 cality that such persons, men and women, be prepared to act at  
6 the highest limits of their capability in the discharge of the  
7 functions of the police officer.

8 The police in my view are too important, their job is  
9 too critical, the needs of the citizenry too significant to let  
10 this kind of question go unaddressed.

11 I am not one who is particularly comfortable with the  
12 concept of quotas or decisions which are made by the numbers.  
13 To me it is far more important that job qualifications be  
14 appropriately linked to job responsibilities, that potentially  
15 competent personnel be identified and effectively recruited for  
16 the important services as a law enforcement officer.

17 It is to these objectives to which continuing and  
18 sustained effort must be directed, that a constant supply of  
19 capable, sensitive and interested persons be identified and  
20 recruited into the police service and then appropriately trained  
21 for the discharge of the responsibilities in that position.  
22 What must be guarded against are both the willful exclusion of  
23 persons from job opportunities and, as I believe has sometimes  
24 been the case, the inadvertent exclusion of persons through  
25 adherence to inappropriate entrance criteria or job standards



1 which bear no reasonable relationship to the job to be done.

2 As an aside, let me point something out if I may,  
3 respectfully, to all of you. The idea that, quote, women  
4 weren't strong enough, close quote, to be police officers.  
5 Every evaluation done fairly in this country of any significant  
6 number of women officers has disproved that proposition to a  
7 fare-thee-well.

8 Ladies and gentlemen, in colonial America it was  
9 once written, "All that is necessary for the triumph of evil  
10 is that good men do nothing." In the modern context, it appears  
11 to me that here in Colorado, men and women of good will and  
12 great concern are working together to improve the quality of  
13 that most essential of government services, policing. Clearly,  
14 I wish you continued success in your efforts and commend you  
15 for what you have done so far. Thank you.

16 DR. ROMAN: Thank you, Dr. Rogovin for those thought-  
17 provoking words. I'm sure that that will set the tone, along  
18 with what transpired this afternoon, for tomorrow's panels which  
19 I am looking forward to. I hope you are, too. Tomorrow's  
20 afternoon luncheon speaker is Vilma Martinez who will also be  
21 able to provide somewhat of a different perspective and view-  
22 point than Professor Rogovin had.

23 MR. KOLESZAR: How can I follow that?

24 MR. ROMAN: Okay. There's nothing else on the  
25 agenda tonight, at this point in time. The bar is still open

1 and will be until about midnight. I would welcome each of you  
2 to stay for as long as you would wish, at least until midnight.  
3 Thank you.

4 (Whereupon, the conference in the above-entitled  
5 matter was recessed at 8:30 o'clock p.m., to resume at 8:30  
6 o'clock a.m., the following day.)

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