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A CONSULTATION  
ON POLICE  
AND THE MINORITY COMMUNITY

"A STEP TOWARD"  
MUTUAL RESPECT AND UNDERSTANDING

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Lory Student Center  
Colorado State University  
Ft. Collins, Colorado  
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## P R O C E E D I N G S

9:00 a.m.

## ESTABLISHING POLICIES - WORKSHOP B

MS. BARBARA COOPERSMITH: We'll get started with establishing policies. Our resource people today are Sy Lee of the Urban League in Colorado Springs and Lieutenant Don Lutz, Commander, Greeley Police Department.

Which one of you want to go first?

MR. SY LEE: I'll yield to Don.

MR. DON LUTZ: As far as policies, our department has set out a policy for about everything. We have the city policy for hiring procedure; then we have civil service rules that control our promotion and also our hiring. Our department has set up what we call SOP, standard operation procedures, and we also have the general orders. We have either a general order or SOP to cover just about everything that we do. It may be very broad, but at least it gives us some guidelines. Most of them are suggested how to do it.

We have a few hard fast rules, such as the shooting policy. Our shooting policy is very, very strict. It's almost to the point where some of the officers don't even like to put bullets in their gun. I think maybe we went overboard on this, but the city, I'm sure, was looking at their best interests so that if we did shoot someone, you violated the policy and it's the officer's fault. I think

1 maybe we did go a little bit overboard, and it's very, very  
2 strict on it. We have a policy for the use of baton, use of  
3 mace.

4           The policies are fine, I think we need them  
5 in writing. And then each officer is issued a copy of our  
6 general orders and SOP and rules and regulations so that the  
7 officer can't say, I didn't know. Then also, we hold in-  
8 service training on these, either in-service or at our  
9 monthly service training. So the policies and rules and  
10 regulations are pretty well drilled into our people.

11           And like I say, probably, we went overboard  
12 just a little bit on some of them where the officers sometimes  
13 are a little afraid to act when they get into a situation.  
14 They think of the paperwork and they think it's better to  
15 let the guy go than make an issue on this.

16           We also have a very strict policy on hot  
17 pursuits. If it's a misdemeanor, we don't drive over about  
18 50, and once we get a license number we cut it off. We stop  
19 the chase, unless we stay with him until he stacks it up  
20 someplace.

21           So we have different policies; how many people  
22 respond to the disturbance calls; we have a policy on procedure  
23 that we dispatch the calls. They are in writing and we update  
24 our policies. We go through them -- we have a staff inspection  
25 sergeant, internal affairs sergeant, that is supposed to be

1 going through our rules and regulations, and I'd say we probably  
2 have two changes a month, maybe, on the average.

3           If there's something new or something didn't  
4 work out or we're having problems in this area, we look at it,  
5 maybe no training, or whatever. We do look at it.

6           If any of you would like a copy of any of our  
7 policies or look at them, feel free to come to Greeley. We'll  
8 share them with you. We have checkout forms to fill out, so  
9 we're paperminded, I can assure you of that, in our department.

10           Any questions on policies or procedures?

11           MS. COOPERSMITH: Shall we hear from Mr. Lee,  
12 then maybe they'll think of some questions. Thank you.

13           MR. LEE: Being community-minded, my approach  
14 to what we do about establishing policies are naturally going  
15 to be a little bit different. I think even, fortunately in  
16 our community, prior to the conference we had begun to have a  
17 number of meetings between community people and law  
18 enforcement -- the DA's office, the Sheriff's Department, and  
19 what have you -- as well as representatives from the minority  
20 community, all minorities in our community.

21           One of the things that has evolved from those  
22 meetings, as well as the thing that has evolved from here, and  
23 I feel very comfortable with what I'm about to say with regard  
24 to it, is that the problem that exists between police and the  
25 minority communities, is far more global than just to your

1 community, my community, or what have you. But the problem is  
2 global enough that it affects all of America at this point.  
3 I'd like to offer some suggestions and some analyses of what  
4 we've been able to identify, specifically things I see with it.

5 First of all, we're talking about a society  
6 where there are many other systems in operation, and if we talk  
7 about systems as opposed to people for a few moments, I think  
8 then we can get beyond any individual feeling that he or she  
9 is being picked on.

10 The founding fathers that established even the  
11 beginning of the laws in this country are part of a white  
12 system where there was a white majority at that time. Those  
13 laws, even till today, have had very little changes. There  
14 have been modifications, and we're talking about laws versus  
15 social changes. When those laws were originally written, I  
16 think they very adequately addressed the majority of the  
17 population.

18 What has begun to evolve today and is causing  
19 a lot of the friction from "minorities" is the fact that we  
20 have other subcultures in our society that's operating, and  
21 those other systems, subsystems, are crying to be heard and  
22 crying to be included in what's going on in today's world.  
23 The ERA movement, for example, the female movement, the female  
24 system is a subsystem in a culture that has been predominantly  
25 dominated by white males. I'm not putting anybody down, so I

1 hope we stay above that. The leaders of our country, the  
2 Supreme Court, the presidents, the plurality of Congress, are  
3 white male dominated, and you find that women are screaming  
4 for recognition to be a part of that system.

5           The same thing is true with the brown systems,  
6 which would represent the Chicanos; the black systems, which  
7 we say would be black people; the Asian system, which would  
8 represent people from Southeast Asia, Asia in general. But  
9 all of these systems make up a part of this country, and a lot  
10 of the considerations that we find in terms of our laws, in  
11 terms of our customs, do not address these needs, are not  
12 sensitive to those other systems. As a result of that, we  
13 have built-in conflict.

14           How does that relate to the police department?  
15 First of all, the police department is that entity of our  
16 society that enforces the laws on the books, the laws of our  
17 society, and that starts off putting police in a one-downmanship  
18 from Jump Street, because if I as a black feel that the system  
19 under which we live is unfair, is unequal, then anybody who  
20 represents that system is representing something that I'm  
21 opposed to. And again, I hope we are staying off of the  
22 individual, personal level.

23           For example, let me cite. When the laws were  
24 designed and put on the books that deal with sexual assaults,  
25 rape against women, rarely ever has there been any significant

1 input from the female population in this country. I know that  
2 police continuously get criticism about the way that a suspect  
3 is handled, a victim of sexual assault is handled. Police have  
4 a concern as to whether or not the charge is bogus, so as a  
5 practice in a lot of cities, women who are victims of sexual  
6 assaults are asked to take a polygraph to determine whether or  
7 not there's any validity of that charge, that accusation.

8           So the woman is feeling right off the bat that  
9 she's being questioned as to the truth and veracity of her  
10 charge and whether or not she, herself, is being treated as  
11 though she is the culprit who broke the law instead of the  
12 victim. And there has been no input in enforcement or the  
13 passing of that statute, and the results are you have women  
14 who will not come forward and give information that the police,  
15 no doubt, needs because you can develop patterns of behavior,  
16 MO's, if you will, in tracking down the culprit or the  
17 perpetrator of an offense.

18           When you have a situation that occurred in  
19 Chico, California earlier this year when there were two white  
20 hunters out in search of game, and not finding any game at all,  
21 not even a cow to shoot, decided that their target would be  
22 some innocent black man walking across the field, and then the  
23 man pleads to insanity for a lesser charge or a lesser punish-  
24 ment, black people looking at a system that allows that kind of  
25 a thing to happen have a very difficult time being cordial to

1 the enforcement arm of a system that black people see as no  
2 longer being fair.

3           When we talk about the failure of a system,  
4 and that's what we're dealing with, when I listen to some of  
5 the frustration that we discussed yesterday, some of the  
6 situations where law enforcement is saying, Our hands are  
7 tied. The federal court steps in and says that we have to  
8 employ people, although five years ago, eight years ago, they  
9 had an arrest and conviction for drugs, or what have you, and  
10 then you have to ride with that person and put your life on  
11 the line in terms of if you're in a shoot-out that you have to  
12 rely on this person to uphold you, if you're doing undercover  
13 work you have to rely on that person's honesty and his  
14 dedication not to blow your cover.

15           So what we're basically talking about is the  
16 failure of systems that exist within society right now. And  
17 if we can approach it from that standpoint, then I think we  
18 can get beyond the community pointing the finger at police  
19 and saying, Police are not responsive, are not sensitive.  
20 Because throughout our society all of our systems right now  
21 are not meeting the needs of the people.

22           So with that as a beginning point, I think  
23 the thing that we do when we start looking for a means of  
24 establishing policies to avoid the conflict, I'll offer some  
25 suggestions, and suggestions primarily are for all of us to

1 digest and use whatever way applicable in our own communities.

2 I suggest that a group of concerned citizens,  
3 and I'm not dealing with professions, first of all come together  
4 and begin to share information as we have here. When the  
5 community can begin to understand your frustration, the  
6 difficulties that you are having in carrying out your job,  
7 and then the community has a means of telling you the things  
8 that they are fearful of, that they are concerned about, the  
9 frustrations that they feel, then I think we have a beginning  
10 point.

11 I think if you establish, secondly, a plan to  
12 conduct meetings for efficiency and understanding and agree on  
13 what problems you're going to start with from the beginning,  
14 rather than tackling something that is global, because you're  
15 probably going to get bogged down at that point and very little  
16 work or accomplishment is going to come across. And then I  
17 think a matter of sharing, community doing some research,  
18 police doing some sharing of local policies and procedures.

19 You'd be amazed at how many people do not  
20 understand fully the role of what the police department is  
21 about. The woman expects if you come in in domestic violence  
22 that if she tells you her husband threatened to kill her, she  
23 expects you immediately to take the man out of the house and  
24 haul him down to the pokey. Yet they have no understanding of  
25 the fact that implied threats, the man shares that home with

1 the woman, there's been no physical harm done at that point,  
2 there's a gray area between what is domestic and what is  
3 criminal, the police are treading on very thin ground. They  
4 have no idea of that kind of problem or frustration.

5           So a matter of sharing that kind of information  
6 would be, I think, helpful in breaking down some of the  
7 stereotyping that goes on. And once you can share some of these  
8 things, then involving the community to effect change. And I  
9 think sometimes we become so frightened of change that we dig  
10 our heels in and buy into a system that is not working for  
11 any of us.

12           The last thing I'd like to share with you is  
13 a paraphrase from a bit of reading that I did the other day  
14 while -- first of all, even prior to coming to the conference,  
15 then again on Friday afternoon. It goes in part, When the  
16 government does not serve the people, then the people have the  
17 right, it is their duty to change and/or abolish it. And that's  
18 from the Constitution of the United States.

19           We have the precedent. We have the foresight  
20 of the founding fathers over two hundred years ago that  
21 recognized there are times, because laws serve man, that they  
22 have to be changed. I think we may get tremendous mistake when  
23 we dig in and defend a system that is no longer working to meet  
24 the needs of where we are today.

25           Thank you.

1 MS. COOPERSMITH: Thank you. We're open for  
2 discussion. Remember to state your name before speaking to  
3 help our court reporter.

4 Any questions to either of the presenters?  
5 Let's start with some of the suggested questions we might look  
6 at.

7 MR. LUTZ: I'd like to ask a question. Does  
8 your department have a SOP or general order?

9 MR. BELT: Bill Belt, Englewood.

10 Yes, we do. We have a procedure manual and  
11 policy manual, which is continuously updated. If we find there  
12 is something that is not working or could be done better, then  
13 we change it. Each one says, Revised, and month and date.

14 MR. LEE: Let me ask a question then, because  
15 I'm kind of on a frequency that we're talking about now  
16 establishing policies to break down the lack of communications  
17 between community and minority groups.

18 MS. COOPERSMITH: I think that's right. Some  
19 of the suggested questions look a little mechanical to me but  
20 I think that's what we're here for. I think you're right. I  
21 think one thing we talk about occasionally is shut out language.  
22 I assume everybody knows that SOP is standard operating  
23 procedure and MO is method of operation; is that right? There  
24 might be a few people in the room that aren't aware of that.

25 Mr. Feldman?

1 MR. FELDMAN: Just a comment. Some of the  
2 concerns you express about the minority's problems were  
3 existing laws, and the examples you gave, some problems with  
4 rape investigations and then the incident in Chico, California,  
5 I don't think that those types of concerns are monopolized by  
6 the minority community. I think those sorts of things give  
7 frustration to people regardless.

8 MS. COOPERSMITH: Everybody has problems with  
9 those sorts of things. I don't think that's exclusive to  
10 minorities.

11 MR. LEE: Absolutely. I did not mean to imply  
12 that they are only concerns of minority communities. What I'm  
13 saying essentially is the fact, again, historically, and my  
14 perception, my dealing with communities, minority communities  
15 in general, have the perception of law enforcement as being  
16 oppressive. Anytime there is any example or any incident that  
17 law enforcement comes across in a negative light, that becomes  
18 negative reinforcement for minority people that that's just  
19 one more example of repression. And it doesn't matter if the  
20 victim is white, black, Chicano, Oriental, or et cetera, if  
21 there is an incident of a police shooting, let's say, for  
22 example, the victim could very well be white and you would  
23 find that minorities generally are going to respond to that  
24 by saying, That's another example of how the police kill. They  
25 have no regard for human life, et cetera. So every incident

1 just stereotypes them further and further away from a point of  
2 interacting.

3           So I'm not saying that the only people concerned  
4 about that are minorities, because I know darned well everybody  
5 shares a concern of that. I wish Jerry was here this morning.  
6 The incident that he described yesterday that occurred in  
7 Woodland Park -- and I did not at that time want to get into  
8 a prolonged argument about -- but where this young rookie  
9 policeman stopped two teenagers speeding, three o'clock in the  
10 morning, apprehended them and had them laying on the ground,  
11 another officer came up and offered assistance, and this guy  
12 with a shotgun is attempting to frisk two men, two young kids  
13 lying on the ground. Now, if you think you can hold a shotgun  
14 in one hand to the back of someone's head and bend down and  
15 do an adequate body search, you have to be a contortionist.  
16 And it's that kind of stuff, boy, the community, black, white,  
17 everybody was enraged about that.

18           So it isn't just that minority people are the  
19 only ones that don't like it. And I agree with you 100 percent,  
20 but because they are already one step further toward isolation,  
21 any incident, be it black or white, is just negative  
22 reinforcement, in their eyesight, of being able to say that  
23 the police are repressive. But when they're talking about  
24 repressive, remember again what I'm saying is that stems  
25 generally from the fact that the total system, not just police,

1 schools, jobs, medical services, right down the line is  
2 oppressive, and the police merely represent that system as the  
3 enforcement arm.

4 MS. COOPERSMITH: Mr. Cain?

5 MR. CAIN: Bob Cain from Montrose.

6 One of the problems I think we have to overcome,  
7 and I don't know how it's going to be done, is a system over-  
8 whelms everything, seems to overwhelm. In turn, it creates  
9 apathy in all communities: Why should I even try, I can't  
10 change anything. And this is one of the things that is nearly  
11 impossible to break down. It's a personal thing with people;  
12 if they're directly involved in a situation or problem, we come  
13 forth. But as a community, 99 percent of them will never make  
14 any statement or never say anything or never attempt to provide  
15 any change. And I don't know how this is going to be changed.  
16 Sometimes it takes an absolute breakdown of the system before  
17 it can be changed. The system has been reinforced for 200  
18 years, how do you break that system down and change?

19 MR. WHIMBUSH: I would like to know why is it  
20 that police officers have to beat youth, teenagers? I'm  
21 speaking concerning a matter: I have a foster child in my  
22 care now that came from a little town out from here, I won't  
23 use the names, because the chief is here.

24 MS. COOPERSMITH: In this room?

25 MR. WHIMBUSH: No, he's not in this room, but

1 he's here. But this child was 13 years old when I got him and  
2 he had been taken by the hair and rammed into cell bars;  
3 he had been made to sign false statements; he had been told  
4 in a group by the police department that he ran with that he  
5 had come in and ratted on them, and they came in and beat him  
6 up. But where do the statutes say that you had a right to hit  
7 and beat and abuse a teenager? The laws uphold child abuse  
8 within the police department. Is it right? Do you all have  
9 the right to do that?

10 MR. CAIN: They do not. We have no more right  
11 than anybody to do that. I think that's part of the apathy  
12 that I speak of. These things happen; it's been a tradition  
13 thing for 100 years, 200 years, that this is a method of  
14 treatment for people. I'm not talking about whether it's a  
15 black child, white child, or who it might be. These things  
16 happen. It's a human trait if you're angry to strike out,  
17 and I think it's another showing of the frustration that people  
18 feel. And I'm not saying just policemen, I'm saying it's a  
19 minority community, it's blacks, it's whites, it's brown.  
20 People feel frustration, and when people feel frustration they  
21 tend to strike out.

22 MR. BELT: The only thing is if the department  
23 or supervisor condones it, then he's wrong. It should never  
24 be condoned.

25 MR. WHIMBUSH: Is there any laws to prevent

1 this? Who do you go to? What do you do in a case like this?

2 MR. CAMP: Personally, I think you have a  
3 pretty good civil rights case.

4 MS. COOPERSMITH: What did you do, Roy? Didn't  
5 you call it to anybody's attention?

6 MR. WHIMBUSH: Well, as of now, I haven't, but  
7 the child is no longer allowed into his community. He went up  
8 for graduation because he had a cousin that is being graduated  
9 this year, in June as a matter of fact, and I received a call  
10 from the DA department in Greeley. I also received a call from  
11 the probation officer in Greeley, the welfare department wanted  
12 to know what's going on? Why was he back in the community?  
13 And the child has been constantly abused by the police depart-  
14 ment, which is not Greeley Police Department, by the way.

15 MR. LUTZ: I sure hope not.

16 MR. LEE: What I would suggest as a means of  
17 dealing with that is that you now have contact with some law  
18 enforcement persons, and I would suggest that you, as a concerned  
19 parent, get one of these persons that's here at this conference  
20 sometime during the break and arrange to go and find out really  
21 what the whole story is behind it. I'm not defending the  
22 action of the police, because I really don't know the  
23 circumstances; and certainly regardless, even if he had broken  
24 law after law after law, the kind of treatment you're  
25 describing is totally uncalled for. But I really would

1 buttonhole someone from this conference and ask them for  
2 assistance in making an inquiry into that, into exactly what is  
3 going on behind that. And I think that, in itself, is a good  
4 place to start.

5 MR. WHIMBUSH: Well, you also have a couple  
6 teachers that was willing to put their jobs on the line. They  
7 felt something should have been done about it.

8 MR. LEE: The only reason I say that, again,  
9 and I keep switching roles, perhaps, is I know as an investigator  
10 many, many times the way things are presented are not the way  
11 that they are. The teachers may be very sincere in believing  
12 the boy is being totally wronged, and he may be, I don't know.  
13 It may be that the police are wronged, I don't know. The only  
14 thing I'm saying is, before you take a stand one way or the  
15 other, go down and hear the other side of it, then make an  
16 inquiry. It's the best thing in the world. What I'm saying  
17 is, let's get away from the stereotyping that we've done before,  
18 where we sit back and we don't even talk to the police. How  
19 long does this incident date back?

20 MR. WHIMBUSH: He's been in my care since  
21 March.

22 MR. LEE: And you've not talked to law  
23 enforcement at all?

24 MR. WHIMBUSH: That's the reason I took him,  
25 because they assured me that if he didn't leave the community

1 that he would be dead.

2 MR. CAMP: The police did?

3 MR. WHIMBUSH: Yes. As a matter of fact, the  
4 chief.

5 MR. LEE: I know that those kind of things  
6 happen and do happen, but get with somebody else and make an  
7 inquiry into it, because if it's just a blatant thing of  
8 prejudice, then as Ed says, you have good grounds for a civil  
9 rights case. You have Justice Department people here, if  
10 that's really what's warranted. If it's a situation where  
11 what that officer means is the fact that this kid has a temper  
12 and maybe there are two or three police officers on the force  
13 and whenever they come in contact with each other the friction  
14 gets so heated that somebody's going to get hurt, then it's a  
15 different thing. But I would really check it out first.

16 MS. COOPERSMITH: Ed, you had your hand up.

17 MR. CAMP: I don't know how many of you are  
18 familiar with the Serenity Prayer, but I have it mounted on a  
19 piece of wood and I have it in my office. And I look at that a  
20 lot of times when I really get frustrated about the system and  
21 how you sometimes, you feel you're beating your head against  
22 the wall. And basically the way it reads is: "God grant me  
23 the serenity to accept the things that I cannot change, courage  
24 to change the things I can, and the wisdom to know the  
25 difference."

1           And I think that's what we each have to do as  
2 individuals. Those things within our system that we truly can  
3 put an impact on and change, even though that change may not be  
4 popular, then we have to step forth with the courage to do that.  
5 Those things within our system that we cannot change and may  
6 have some influence in, then we have to step forward and exert  
7 that influence on the people who can make the change. And  
8 there are some things in our system that we cannot change,  
9 and then we have to learn how to work with those to our  
10 advantage and to the advantage of those people that we serve.

11           I know it's been a big help to me over the  
12 years, and I have it planted right where I look up from my  
13 desk. I have to look right at it. And it's been a big help.

14           MR. LEE: I want to try to get back to your  
15 question, Where do we begin to change the breakdown in the  
16 system. Again, I want to offer that -- it may be a cockeyed  
17 perception on my part, but I think police have to see themselves  
18 as citizens as well as police. By that I mean, the require-  
19 ments of most police departments, the camaraderie within a  
20 department, almost moves you totally to where you have very,  
21 very little identity with the community as such, and what goes  
22 on in the community is their problem; your problem is doing  
23 your job and whatever the family requirements are. And what  
24 I mean by that is you, too, have an obligation to contact  
25 somebody in the community.

1 I don't know Montrose well enough, but find  
2 somebody or a group that is working for social change, and if  
3 you do nothing more than just say, Look, you know, I'm really  
4 concerned about the way this particular law is and what do you  
5 guys think about that and why don't you guys pursue that?  
6 Sometimes just feeding information to groups that are dealing  
7 with social change would go a long way in getting them on a  
8 right track towards something that is positive and constructive  
9 for the overall community.

10 But ultimately, remember all of us are going to  
11 suffer. If our system continues to break down the way it is,  
12 if the hostilities that have existed between groups continue  
13 to go the way that it is, we all suffer. If your kids go to a  
14 public school and there's a race riot, that comes down although  
15 you're a police officer you're not intimately involved with  
16 that. Your child is faced with that kind of hostility, and  
17 you're going to suffer. You're going to pay a price for it.

18 If my kid winds up being abusive and breaking  
19 laws and what have you, you're going to pay for it, too, because  
20 you're going to spend the time in pursuing that child and then  
21 you, too, are going to be worried about, Is this going to be  
22 another race situation? Am I going to be challenged for doing  
23 my duty? I'm saying, we are all intertwined with each other  
24 and what happens affects all of us.

25 The mere fact when -- and I've heard many,

1 many police officers talk about it -- My god, I spent six months  
2 putting together that case, we walk in the court, the DA plea  
3 bargains it down to a misdemeanor, he's back on the street.  
4 You're catching flak from the people on the street because the  
5 police are not arresting; you're wondering if you're going to  
6 be challenged from the standpoint the case was not tried with  
7 the charges that you found in your investigation. Is someone  
8 looking over my shoulder and saying I'm overcharging, I'm being  
9 unfair? It affects all of us.

10 This guy goes down to the prison on a lesser  
11 charge; he committed murder; it gets plea bargained down to  
12 manslaughter. He goes down to the prison, kills somebody else.  
13 Guess who pays for all that? We all do, you and I do, the  
14 taxpayer. The price to keep a man in prison is well over  
15 \$1100 per month, and that's only the beginning of it. If he's  
16 married and he goes to prison, his wife is unemployed, you're,  
17 going to take care of the wife through welfare, food stamps;  
18 you're going to give this guy three meals and a cot for whatever  
19 period of time he has in prison.

20 And we're kidding ourselves to think that if  
21 once we put a man in confinement that some magic fairy godmother  
22 is going to fly over the prison walls and somewhere between that  
23 five and ten-year sentence that he's got is going to reach in  
24 there and touch him and make him a good guy to come back into  
25 this population. Prison programs are effective if they're done

1 properly, but we've got to sort out the ones we can work with  
2 or not. And all I'm doing is repeating what the whole system  
3 is about from the time you make the arrest to the time that  
4 guy goes to prison and gets out. We're paying for it.

5           And the problem is that a lot of times for  
6 several years we pay to the tune of \$1100 a month, that same  
7 individual comes out and you have to chase him again because  
8 he's going to stick up the next 7-11 that he finds, and you  
9 start paying all over again.

10           MR. CAIN: I think we're still back to the  
11 point of there's so much apathy against change that it's nearly  
12 impossible to break down, unless you're directly involved in  
13 the system. Once directly involved in the system, it becomes  
14 self-centered situations rather than a community or country  
15 situation, strictly a self-centered sort of situation.

16           MR. LEE: I agree, but I resolve that when  
17 we all, police, community, minorities or what have you, start  
18 seeing the community as ours and we having the responsibility  
19 for that community being efficient, I think that's step one  
20 to changing it. But as long as we all sit back and throw our  
21 hands up in awe at the problem, it's going to continue. It's  
22 not going to change until we do that. But I dare say in any  
23 community where you find everybody -- doctors, lawyers, indian  
24 chiefs, the minor, the plumber, and what have you -- working  
25 together to make that community better, I bet you see change

1 start occurring.

2 MS. COOPERSMITH: Earl?

3 MR. SPENARD: I'm wrestling with something this  
4 morning from the beginning of this talk about policies, and  
5 we started out talking about Greeley's policies. I'm sure all  
6 the organizations in law enforcement here, we have city policy,  
7 county policy, and it follows into department policy, into  
8 patrol operations manuals, and to all sorts of material. And  
9 an interesting point I think I picked up is, and I know within  
10 our own agency we do not involve community in writing those  
11 policies.

12 As an example, and it's probably within every  
13 law enforcement manual I've ever read, is that a law enforce-  
14 ment officer is not to involve himself in neighborhood  
15 circumstances and situations. Literally in that type of  
16 policy-making, I'm a second class citizen to begin with. It's  
17 there and interpreted in many ways, i.e. it's there for what  
18 some officers think is a protection, Well I don't want to be  
19 bothered with my neighbors for their problems, because their  
20 kid got a ticket last night. And the same results of a doctor,  
21 if you go over and talk medical problems with him, he'll make  
22 an appointment and have you call his office; he doesn't want to  
23 be involved.

24 But I'm hearing something, and I don't think  
25 any agency outside of possibly yours, Ed, that has involved any

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1 segment of the community in developing policy, not so much in  
2 them sitting down with law enforcement -- which is noted for,  
3 Don't tell me how to do my job -- but when a policy is written,  
4 for it to be explained to the community we serve. Why do we  
5 have high speed chases? Greeley has a policy, grab a license  
6 plate, don't exceed 50, and drop off. Historically, I don't  
7 know if Denver's is the same, run them off the road or shoot  
8 the tires off. Our department policy is, I don't ever shoot at  
9 any vehicle because of pedestrians or whatever the case may be.

10                   Firearms policies are interpreted continuously  
11 by every attorney that comes down the pike from county attorneys  
12 to the United States Supreme Court to city attorneys, and we  
13 each end up with a different interpretation of a very not well  
14 covered law governing that specific issue.

15                   And I'm thinking this morning in this workshop,  
16 are we saying by establishing policy that we jointly, both in  
17 establishing policy within organizations but in establishing  
18 community policy, join hands --

19                   MR. LEE: Yes.

20                   MR. SPENARD: In a coalition like we're here  
21 for in this conference, and that police step back and get  
22 away from historical attitude of, Don't tell me how to do my  
23 job. Don't tell me why I'm doing it or why I've established  
24 the policy of what I'm doing, and involve in not so much a  
25 citizen's saying how to do it but sharing and/or explaining

1 why you're doing what you're doing.

2 MS. COOPERSMITH: Would there be some value in  
3 a statewide policy, or would that just result in a wearing down  
4 of or compromise of some sort?

5 MR. SPENARD: I think it would be a watered down  
6 situation if you took it on a statewide level. I think it's a  
7 global problem, but it's a geographical impact, in my mind. If  
8 I go to a southern state, I have a hell of a time just  
9 communicating; if I go to New York, I can't communicate. It's  
10 a situation being born and raised right here, I have a pride  
11 within community of Colorado down to a local level, if you  
12 take it down to a township. People are within areas, in my  
13 mind, because of choice, number one, and number two, because of  
14 the environment and/or gatherings of organizations.

15 But each community has developed from a basis,  
16 such as Wheatridge or Arvada, in Jefferson County as a farming  
17 community, now it's a metropolitan community; it's totally  
18 changed. But the fathers of those communities are still of  
19 the old blood, but we do not involve them in development of  
20 the metropolitan police policy or community policies. We have  
21 community meetings continuously on varying subjects, but you  
22 never bring together to develop what's going to impact the  
23 total.

24 We historically don't go out to the Jaycees or  
25 youth groups and involve even children. We go to lecture and

1 tell the kids in schools what we're all about and, Come look at  
2 the pretty patrol car, when they're little, but we don't start  
3 teaching about that we're humans. We lose the total humanity  
4 approach to the whole system. And then we step back and kind  
5 of say, I don't want you to tell me what to do, by not involving  
6 them in our development of policies. I'm as guilty as the next.

7 MS. COOPERSMITH: Well, one of the questions  
8 was, Is there, indeed, any way that community can help develop  
9 policy? You're saying that probably not. For instance, if I  
10 were to say, and I'm going to use a dirty word with police  
11 departments, I think lateral entry would be good for the  
12 Greeley Police Department, where would that get me?

13 MR. LUTZ: It would be accepted, because we do  
14 have it.

15 MS. COOPERSMITH: You do?

16 MR. LUTZ: Yes.

17 MR. SPENARD: I'm saying the community can  
18 assist in developing policy, not that they can't. And the  
19 areas they have no expertise in, we should be upon it to explain  
20 why we're doing what we're doing.

21 MS. COOPERSMITH: Ed?

22 MR. CAMP: I think that's part of the secret  
23 of getting community support is, if you're going to develop a  
24 news media policy, if you have a good rapport with your local  
25 news people, why don't you use them? They certainly can --

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1 you're setting down this real nice policy of how you're going  
2 to handle news people and you get it all completed and put into  
3 operation and you find out that all your news people are angry  
4 all the time and you could have resolved that if you would have  
5 brought them in and said, We want to develop a news media policy.  
6 What suggestions do you have? And set up a task force of maybe  
7 two or three of your people and get one or two of the news  
8 people to do that. We're in the process right now. We want to  
9 send a sergeant off to become a public information officer.

10 And I think there are other areas within police  
11 policies that you can draw upon the population. We want to  
12 start the chaplain program and we've gone out to the chaplains  
13 to see what they think we ought to do to help set that up.

14 MR. SPENARD: Not so specifically related to  
15 law enforcement, but what we attempted to do in the field of  
16 detentions and corrections is to develop a community resource  
17 base of personnel -- we call it the human resource task force --  
18 for the development of needs of the incarcerated individual.  
19 It's the old cliché from the old school, Put them in, lock them  
20 up, throw away the key and give them water, bread and spinach  
21 once a week. And some places still do it, unfortunately.

22 But realizing the impact, as we all saw the  
23 promise system by Nolan Brown the other day, there's a lot of  
24 promise to it. The substance and the meat of it has not yet  
25 produced its goal; it possibly will. But the concept behind a

1 human resource task force is that nobody wants to know or they --  
2 again, a group of people, a bunch of people in jail as animals.  
3 You hear that. You go talk to children and they have stereo-  
4 types in their minds of what a criminal looks like.

5                   What people don't recognize is they're your  
6 neighbors and they might be just a traffic ticket where they  
7 refuse to sign a summons up to first degree murder. But to  
8 get that element of society and not provide some type -- maybe  
9 not in the form of common county jails and restitution and  
10 rehabilitation, but human services to where that individual  
11 may have stole that carload or truck of meat because he doesn't  
12 have a job, to bring in job services.

13                   Every community has these organizations, and  
14 they say they're available to their citizens, but the people  
15 who are in jail are forgotten, and it's not shared with them.  
16 There's been many successful cases; there are some that will  
17 never be successful. But there are probably a majority that  
18 are successful when you involve a community organization to  
19 provide services to people in jail, to see or help them cope  
20 with their situation that they're in; and not get involved in  
21 the case, it's a legal question. They'll be provided public  
22 defenders or private attorneys or whatever the case may be,  
23 but be involved with them.

24                   It's very hard to change that mold that's been  
25 established. But yet these people will be out, as the film

1 indicated, from one hour to 24 hours and they're right next  
2 door to you. And all of a sudden you might have had a five-  
3 year relationship as far as a good neighbor and you find out  
4 they just got out of jail and your whole image of them changes.  
5 And it's really amazing to watch. But I'm saying involving  
6 community specifically in department policy development and/or  
7 explanation, they are definitely a part of it.

8 MR. LEE: Is that a recommendation?

9 MS. COOPERSMITH: I think that was what was said  
10 before. Can we suggest that the community be used for input into  
11 those areas where they can be helpful and that the existing  
12 statutes where your expertise is needed or in the formulation  
13 of laws, those laws be explained so that the community under-  
14 stands?

15 MR. SPENARD: To pick up right where Ed left  
16 off in forming a public information deputy, we just did this  
17 before I came to this conference. It took a year and a half  
18 to get the person internally to do that job effectively, and  
19 his prior career field was journalism and media. And his  
20 relationships he's continued in that field are going to be a  
21 valuable assistance, but since he has been out of it, we want  
22 to involve our media with him in development of our policy  
23 where they're the pros, they've stayed up with it; he's outdated  
24 a little bit, he needs a refresher course. But to develop  
25 that procedure by them telling us what their needs are; again,

1 understanding them. We failed to do that many times.

2 MR. CAMP: I think another side effect from that  
3 that you get is very beneficial. I'm a firm believer -- we  
4 use a lot of task force situations where we get people from  
5 every level of the agency involved in the decision-making  
6 process and then executive staff will review and make final  
7 decisions on it from the input that we've got. But one of  
8 the side effects I think you get when you involve the  
9 community with this is that you pick up an ally should the  
10 policy be attacked and you also, if the policy turns out to  
11 be bad, you have a sharing of responsibility. And the  
12 community, as well as the agency, then feels that they have  
13 a commitment to correct that policy for the best of all. I  
14 think that's one of the major benefits you get from that.

15 MR. PIPER: You stole what I was going to say.

16 I think it's a basic concept that if you don't  
17 have participation at the level that the policy is going to  
18 have to be carried out, those people aren't going to buy into  
19 it. There's got to be some ownership. If you have a policy  
20 come down from the state, you're going to hear, Well, hell,  
21 they're just laying more stuff on us and I don't agree with  
22 that. And maybe outwardly they will comply if they have to,  
23 but if it comes down to the nitty-gritty, they're not going to  
24 support that policy. You've got to decide at what level can  
25 you get a group or a community to participate and to take

1 ownership of the policy and responsibility of it.

2                   Once they do have some ownership of the policy  
3 or if they've helped to develop the policy, bought into it, it's  
4 going to work. If they're going to do it, because they have a  
5 part of it, because they helped to develop it. If policy just  
6 comes out of the sky, nobody's going to do it. There may be a  
7 place for the state to say, You will get together and develop  
8 your policies, but if the policy comes down from the state, I  
9 don't think most agencies or people are going to buy into that.

10                   MR. LEE: But that's exactly what I'm talking  
11 about. I know this is beginning to sound like a civil lesson,  
12 but our Constitution says we are a people governed by the  
13 people and for the people, which means that we should be moving  
14 ideas and laws should be coming up from the bottom, from the  
15 people, to the top and then the public officials carrying out  
16 the wishes and mandates of the people.

17                   What, in effect, is happening is that we have  
18 laws coming down from the top and you have resistance at every  
19 level. I think even if a lot of law enforcement people would  
20 admit it, man, you're so angry about so many laws coming down  
21 on your head, you don't know what to do. But nobody is doing  
22 anything to put it in the proper perspective, which means that  
23 we are filtering up information instead of having it come down.

24                   Somebody mentioned again that law that says you  
25 no longer have control over who you hire, you have to hire

1 this person, you have to hire that person. You don't have time  
2 for he or she to be trained properly. That came down, it didn't  
3 go up.

4 MR. LLOYD: I think police administrators kind  
5 of tend to fool themselves by writing reams and volumes of  
6 policies and procedures and then think they're all going to be  
7 followed. Other than general guideline policies, it all boils  
8 down to common sense of the officer implementing that policy.  
9 I'm sure the search with the shotgun was not policy.

10 MR. LEE: No.

11 MR. LLOYD: There's got to be some way, maybe  
12 in the selection of officers more than writing the policy.

13 MR. LEE: You'd be surprised. That officer  
14 was the training officer for the police department. He had  
15 been on the police department for something like about 90  
16 days -- we're talking about the Woodland Park incident -- had  
17 been on the police department for something like 90 days. The  
18 chief of police the week before had given him a book that he  
19 had mailed off and got from some police academy or some law  
20 enforcement agency and handed him the book and told him to read  
21 it and then next week he was going to present a class to the  
22 rest of the officers and he was now the training officer for  
23 the Woodland Park Police Department. That really happened.

24 But what I'm saying is, again, the involvement  
25 between that police chief and that community in Woodland Park

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1 is zilch. I mean, he and his officers see themselves as being  
2 the law, to interpret the law, and what have you. And he's got  
3 a problem, too, because Woodland Park, for example, they have  
4 to drive all the way from Woodland Park to Cripple Creek, which  
5 is roughly about 30 miles, because that's where the jail is  
6 and that's where the courthouse is. And this guy is sitting  
7 there griping about how often, when a guy has to go down for  
8 an arraignment, if he picks the guy up in Woodland Park, he  
9 has to drive him down there to put him in jail. The next  
10 morning he has to drive down and pick him up and carry him to  
11 court. And if they just read him his rights that day and he  
12 doesn't waive arraignment and a preliminary hearing, he's  
13 got to make all those trips back down there.

14           Why not get the community involved and change  
15 that policy to where you go down there for one day and you  
16 give the guy the arraignment and you decide whether or not  
17 he's going to enter a plea of guilty or not guilty and resolve  
18 it. Look at all the wear and tear on the car; and the winter  
19 months when all that darned snow is out there, you've really  
20 got a problem.

21           But I mean, that's what I'm saying. He's  
22 become a slave to a system that has failed. He's frustrated  
23 with it, his department is frustrated with it, the people in  
24 Woodland Park are frustrated with it. But everybody is  
25 complaining but nobody is talking to each other to bring about

1 a change.

2 MR. LUTZ: I don't think Woodland Park probably  
3 is complaining. I don't think their citizens are, because  
4 they're paying for what -- they're getting for what they're  
5 paying. I don't know what their wages are, but they're probably  
6 paying -- and they don't care. They're happy with the system.  
7 They don't want to change. They don't want to pay \$1500 a  
8 month for a police officer, get qualified people. They want  
9 to pay 300 bucks and say, We have a cop, don't bother us.  
10 They're satisfied with that.

11 MR. LEE: Everything except when the kid  
12 was shot.

13 MR. LUTZ: They're still satisfied because  
14 it wasn't their kid. They're still satisfied. They're up in  
15 arms, but they're still saying, Well, yeah, but they didn't  
16 change it, did they?

17 MR. LEE: No, they didn't. A point well taken.

18 MR. LUTZ: They're satisfied. They want that.  
19 That's the type of community --

20 MR. LEE: We want the best service for 50  
21 cents.

22 MR. LUTZ: That's right.

23 MS. COOPERSMITH: What happens when the  
24 legislature adjourns and all the new laws come into the  
25 departments? How do you deal with that?

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1 MR. SPENARD: Funny you should bring that up.  
2 We just went through that, probably all of us, July 1. Again,  
3 it's addressed by different methods within each organization --  
4 county, state, local, townships, whatever. In our opinion  
5 the law, once it becomes an act, should then be taught immediate-  
6 ly prior to enactment to your law enforcement and community  
7 people, Here is what happened, folks. And if there's  
8 controversy or misunderstanding, which there always is, I'd  
9 hate to guess, and correct me if I'm wrong, Ed, but I'm sure  
10 July 1 we produced, that impacted law enforcement, an average  
11 of probably 117 either modifications of existing statutes,  
12 interpretation of existing statutes, or new statutes. We now  
13 have a crime against elderly; somebody set the magical age of  
14 60 on it. I don't know why. We had to go, in our organization,  
15 and seek out those acts from the state legislation to obtain  
16 copies. We don't even get them externally. We gave them to  
17 our people, through the assistance of the county attorney,  
18 for simple interpretation of what they mean, because law  
19 enforcement officers are not attorneys. The concept being  
20 there, then, is we had to ask for our district attorney to hold  
21 seminars to teach us what they're all about. That's taking  
22 place September 16, 17, 18 and 19 in our jurisdiction throughout  
23 all the agencies. We have 13 police departments plus the  
24 county within our county,

25 And this is a fallacy, in my mind, The

1 community, I've never in my entire life -- speaking as my  
2 second hat as citizen -- I've never voted on a law in my life,  
3 and I never miss a poll. But yet I'm enforcing the laws, and  
4 I continue to enforce them; that's my responsibility and my  
5 job. But you talk to the community, I think the only law I've  
6 ever seen repealed by the community is the helmet law on  
7 motorcycles, because they made it an issue. How can you force  
8 people to protect themselves -- and I'm a bike rider. I'd  
9 never be without one. I see too many scrambled brains.

10 MS. COOPERSMITH: Now, the film is ready, as  
11 is the coffee. So our natural follow-up will be, and I think  
12 we'll go right into that, mobilizing community resources. So  
13 if you can hold your questions until we return.

14 Thank you.

15 (Whereupon, a film was shown and a short break  
16 was taken.)

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## COMMUNITY RESOURCES - WORKSHOP B

1  
2 MS. COOPERSMITH: We're getting into our final  
3 session here. I think it follows quite naturally from  
4 establishing policies.

5 Our resource people to speak five to ten  
6 minutes are Commander Jerry Williams, Arvada Police Department,  
7 and a substitute for Mr. Garcia, Tony Tafoya from El Comité in  
8 Longmont.

9 Who wants to go first?

10 MR. WILLIAMS: Do you want me to go first,  
11 since you're kind of caught off guard?

12 MR. TAFOYA: Yes, go ahead.

13 MR. JERRY WILLIAMS: Let me qualify what I'm  
14 going to say, from the standpoint of I don't work in an urban  
15 police department and that the remarks I have hopefully will  
16 stimulate some thoughts. They are my own feelings, and what-  
17 ever I say isn't something I'm saying solely to stimulate  
18 interaction, but rather they are things that I truly believe  
19 in our field.

20 I have some questions in front of me in regard  
21 to mobilizing community resources, and I just jotted down a  
22 few thoughts on some of them that I'd like to share with you,  
23 then I have some other things I wrote down that I would also  
24 like to offer. One of the questions is, How can community  
25 leaders and interest groups be identified. One of the things

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1 that I think has been solidified in my mind up here in the last  
2 couple of days is that, in fact, it is a two-way street. If  
3 the community is interested in becoming involved in policy  
4 decisions, the formulation of policies with law enforcement  
5 agencies, and the law enforcement agency is not interested in  
6 that kind of input, it really is not going to work. Conversely,  
7 if the police department is soliciting input and the community  
8 is not interested in developing a dialogue, for whatever the  
9 reason, it's not going to work. It's got to be something that  
10 is mutually agreed on that the interested parties sit down on.

11           There are a couple of other things I think are  
12 important: One, there's a true commitment to consider and  
13 listen to the other person's point of view. If community  
14 leaders and the police sit down and the police people are saying,  
15 either to themselves or through behavioral observations or  
16 just in their manners, that they, in fact, will sit there  
17 but they're not going to change, nothing is going to happen.  
18 There's got to be commitment and they have to listen to what  
19 the other person's point of view is.

20           And in that comes the art of negotiating out  
21 points that you can't agree on; in other words, give and take.  
22 You're not going to win everything, but you shouldn't lose  
23 everything either. You ought to be able to sit and consider  
24 the other person's point of view and be willing to compromise.  
25 I think that's the key word, compromise. Some comments on

1 that.

2 Another question, How can communications be  
3 established between the police and the community groups? I  
4 think one thing that can be done and that is that a true  
5 commitment be made to recruit minorities on to the police  
6 department. I don't know that I believe in quota systems.  
7 I don't necessarily not believe in them. I think they are  
8 means to bring back into perspective a mixture in the  
9 organization that is representative of the community. I  
10 think that's one issue that can help to establish good  
11 communications, or at least a mechanism, a conduit for  
12 community/police interaction, and that is to have minorities  
13 on the police department and, hopefully, have them in positions  
14 that can enhance interaction between the community and the  
15 police.

16 Peterson Zah said something last night in that  
17 regard that I found to be very provocative, and I'm going to  
18 share that with you if you weren't there last night, and if  
19 you were, you can hear it again. I think it's deserving of  
20 being repeated, and that is, when you identify problems, and  
21 that is an important step, I think, immediately is to identify  
22 and define the issues and the problems, and one of the things  
23 that Peterson Zah said last night that I found to be apropos  
24 is that you can't or you shouldn't necessarily attempt to  
25 resolve all the issues or all the problems right away or

1 attempt to solve a problem that may be difficult or impossible  
2 to solve, but rather look at and consider small problems, small  
3 pieces of the puzzle and solve these. And if you take care of  
4 all the little problems, the big problems will oftentimes take  
5 care of themselves. And if we look at situations in that  
6 regard and not trying to do everything at once and possibly  
7 look at little pieces of the puzzle and work together, maybe  
8 we can be more effective.

9           Lastly, how can small departments pool efforts  
10 to get needed resources and services? That's a difficult issue.  
11 There are so many small departments and there are so many issues  
12 that come in that impact the ability of small departments, I  
13 think, to be able to effectively pool their resources --  
14 distance, finances. I think the only thing I want to say about  
15 that is that I think there should be a commitment from the  
16 larger agencies, from the counties, from the states, in this  
17 case from Colorado and from the federal government. And I  
18 think from the federal government we've seen some of that with  
19 CRS from the Department of Justice, to coordinate, to offer  
20 resources, to facilitate, if you will, training with the smaller  
21 departments and the kinds of things that give them the  
22 wherewithal to deal with issues and problems. That's a general  
23 statement, but I think it's a philosophy that needs to, on the  
24 hand, be used more and more effectively.

25           Secondly, I'd like to say in regard to that

1 that for too many years I think there's been a feeling that  
2 biggest is best or bigger is better. And I would submit that  
3 that is not the case, that there are many small departments who  
4 have expertise, levels of expertise and people who have skills  
5 to offer that, in fact, could be used by larger departments  
6 and that we should not get into a position where we assume  
7 that the bigger the department the better the department. There  
8 are some small departments in Colorado, I know, that have some  
9 very fine officers who have abilities to go out and do things  
10 that many of the larger departments should look at and consider.

11 That pretty much takes care of some thoughts  
12 I had on the questions or the topics that were put on the paper  
13 for dissemination. I have some thoughts that I would like to  
14 share with you that I jotted down this morning.

15 When I consider community resources in the  
16 light of mobilizing community resources, I see it from two  
17 perspectives: One, a police community perspective; and secondly,  
18 a community perspective. I talked about from the police  
19 community perspective, large departments sharing training and  
20 expertise with smaller departments, as well as, conversely,  
21 the smaller departments sharing and the large departments being  
22 in a position where they're willing to accept expertise and  
23 knowledge from the smaller departments. I think that's  
24 important.

25 There needs to be a forum for the development

1 of a dialogue between police departments. Let me give you  
2 several examples in Colorado that I think are effective to a  
3 degree, but I think could be more effective. The regional  
4 law enforcement association, the chiefs association. In  
5 Jefferson County we have a Patrol Commanders Association which  
6 meets monthly. I think that's very effective. We have a  
7 Detective Commanders Association that meets monthly. At  
8 those meetings we deal with issues that affect the entire  
9 county of Jefferson.

10 We get to know one another, and that's  
11 important. If you have a problem, you can call someone who is  
12 in your field and talk with someone on a first name basis that  
13 you know and that you can relate with and can, hopefully, help  
14 you. I think those kinds of things are effective and I think  
15 if there were more of those kinds of meetings and sharing of  
16 information and resources, the police, I think, could be more  
17 effective.

18 From a community perspective, I think that  
19 police departments need to be in a posture of developing a  
20 process and promoting feelings within the community so that  
21 the community people do not feel hesitant in any manner to go  
22 to that police department with problems, with ideas, with  
23 issues. I've heard this several times in several of the  
24 other workshops, that community people reacting to going to  
25 an organization and feeling that they don't get any level of

1 service, their questions are not dealt with, and a feeling of  
2 real apathy, Why bother? And I think it's incumbent upon the  
3 police agencies to promote, to develop a process, and then to  
4 promote feelings within the community that will really make it  
5 almost -- that will turn things around so the community people  
6 will feel they may not always get the answer they want but at  
7 least there is a forum for their feelings and thoughts to be  
8 heard and to be seriously considered.

9 MR. PIPER: Like an ombudsmen type of thing?

10 MR. WILLIAMS: Possibly. I don't know that's  
11 absolutely necessary, however. I think that it's got to be a  
12 meaningful process and I don't think there's any one process  
13 that can work for everyone. But whether it could be a staff  
14 services, it could be a professional standards unit. In  
15 Arvada we have what we refer to as a professional standards  
16 unit instead of -- what do they call that, Earl, the staff  
17 services where complaints are taken -- staff inspection, that  
18 kind of thing. Something that gives the people in the community  
19 the availability and the process to get into the department.

20 I would also submit that most of what we're  
21 talking about is an attitude situation. Unless we change  
22 attitudes within the law enforcement field so that there is a  
23 willingness to deal with the community, to listen to the  
24 community, most everything else we do is going to be rhetoric.  
25 We've got to deal with attitudes. I don't know that we're

1 doing that in the last three days. I've seen some people who  
2 have been open and honest and I've seen other people who have  
3 not been open and honest.

4           One of the most meaningful things I've heard  
5 in the last couple of days came from Mr. Joy, and that was that  
6 if we continue -- and I'm speaking from a perspective of all of  
7 us -- to look back into the past and not be willing to a degree  
8 to forget the past and put things in its proper perspective in  
9 that there have been mistakes that have been made, but we've  
10 got to look to the future and form an attitudinal perspective  
11 except that there have been mistakes and develop a dialogue  
12 between the minority community and the police community to  
13 meaningfully look at problems, be willing to compromise and  
14 work together. I think if we do that we can solve most of  
15 these problems, but that's got to occur.

16           Just to give you an example of that, several  
17 years ago I was fortunate enough to receive a fellowship with  
18 the Police Foundation in Washington, D.C., and I went back  
19 there and spent three months working with their professional  
20 staff in developing training and seminars that were given all  
21 across the country. And I traveled with the staff of the  
22 Police Foundation all across the country.

23           One of the most meaningful experiences that I  
24 had was in New York City. We have all heard about New York  
25 City and the way things are done there and what goes on there.

1 I went down with one of their anti-crime units to the Sixth  
2 Precinct, which is in Greenwich Village, and had the opportunity  
3 to sit in on a session between the gay community and the police  
4 community in Greenwich Village. There was some tension; this  
5 was an ongoing process where the gay community and the police  
6 community, the police people that policed that area and the  
7 gays who lived in that area, every week got together to discuss  
8 issues and problems.

9                   When I was there, they didn't solve any problems,  
10 they didn't come up with any outstanding, new, innovative ideas  
11 but they talked and they listened to one another. They didn't  
12 agree always, but they listened and they respected the other  
13 person's position on what they were saying. That, to me, was  
14 one of the most meaningful things that I got out of that three-  
15 month fellowship.

16                   I would share that with you, and I would say  
17 that if we can develop the kind of commitment to solving  
18 problems that they had, that I think we could do a lot more  
19 than what we are doing.

20                   Thank you.

21                   MS. COOPERSMITH: Mr. Tafoya?

22                   MR. TAFOYA: Thank you. I think one of the  
23 key areas that I consider important is the aspect of listening.  
24 I think in any kind of communication if that ingredient is  
25 missing, communication is not occurring. With respect to the

1 topic here, community resources, I'd like to address a couple of  
2 points, one is that what the police must do and the other is  
3 what the community must do. I think the coin has two sides  
4 or the question has two sides.

5           The community leaders, how are they going to be  
6 identified? Well, it's not easy because if you don't take that  
7 first step forward, you're really not going to identify your  
8 leaders. Many times in the minority community they feel that  
9 the whole minority community is the same, and we're just as  
10 diverse as the non-minority community. We've got just as many  
11 factions, just as many points of view, as many levels of  
12 education, as many occupations as the general community. And  
13 many times we're perceived as all thinking, having the same  
14 "party line." It's just not true.

15           I experience that constantly in Longmont, and  
16 I may share a few experiences with you a little later. But  
17 there's no easy way. You have to go out into the community,  
18 you as police officers, as police departments, go out and visit  
19 the community centers and you'll find out who the community  
20 leaders are. I've only been in Longmont three years, but I  
21 found out rather quickly who the community leaders were by just  
22 going out and visiting some of the centers and getting involved  
23 with people.

24           So there's no easy way other than going out,  
25 because if you don't do that, you fall into the trap of finding

1 a "token." In Spanish we call them a tío taco; coconut, I think  
2 is another word, Uncle Tom. People who have their own personal  
3 agendas and are out there speaking for the community as a whole.  
4 And you can fall into that trap if you don't do your homework.  
5 What I mean by doing your homework is really going out, because  
6 there are so many issues. I can't, as president of El Comité,  
7 I can't possibly be on top of all the issues. I'm only on top  
8 of those issues that my membership has brought forth to me, and  
9 I address those according to their wishes. All I am is a  
10 sounding box. So again, there's no easy way. You have to go  
11 out and you have to make that step.

12                   The communication that's established, then,  
13 between the police and the community, I think, is one of  
14 cooperation and mutual trust. I think the police department  
15 has to have confidence that the community is not going to  
16 bring them complaints that are meaningless. We have a very  
17 good working relationship with Ed Camp, I feel, the director  
18 of public safety in Longmont. And I think it's because we've  
19 established a certain amount of credibility.

20                   When a person comes in with a complaint to me  
21 as president of El Comité, I don't just automatically run with  
22 it and go banging on Ed Camp's door and saying, Your officer  
23 did this and this to so and so. We sit down with the person  
24 and give them basically -- I don't want to say interrogation,  
25 but we try to get as many facts that are valid as possible,

1 because our credibility is on the line if we're going to be  
2 able to continue this process.

3           So if they can convince us, they, the  
4 complainant can convince us that yes, they have been wronged  
5 and there was an abuse by an officer, then we have a better  
6 basis with which to approach a director of public safety.  
7 And I think this adds to the credibility factor.

8           Again, he has to be willing to have that trust  
9 that we are bringing complaints; we have to have that trust that  
10 he's going to do something about those, that he's going to get  
11 back to us within a reasonable time. Now, I'm not going to go  
12 into Ed Camp and say, Look, I want to know right now what has  
13 occurred. That's really overstepping the bounds of reasonable-  
14 ness. We go in there and we'll give him a reasonable time to  
15 do an in-house investigation and get back to us, and then we  
16 get into the debate of our different points of view, we'll  
17 begin the debate.

18           Another ingredient for us to go with these  
19 complaints is for us to know what the police officer has to  
20 contend with. Let me relate to you a couple of examples to  
21 illustrate a few points. We in the community, minority  
22 community, many times are very ignorant of the procedures  
23 that police officers have to follow. Many times we react on  
24 an emotional basis: This person has been wronged, we want this  
25 problem rectified immediately. In Longmont, we've seen that

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1 we can fall into that trap, and we've tried very consciously  
2 to try to avoid emotionalism. Our approach has been to use a  
3 very non-emotional approach. We've often gotten criticized for  
4 going too slow, but I think a few good, solid steps are much  
5 better than just running into quicksand.

6 About a month ago, we had a triple homicide in  
7 Longmont. As I understand the facts of the case, there were  
8 three people who were killed. They apparently were illegals;  
9 there was a fourth roommate. When the bodies were discovered --  
10 you've got to remember it was a hot summer day, and finally  
11 the bodies started to deteriorate and they were smelling, so  
12 people were saying, How come the police is not moving in any  
13 direction to get these bodies out? And again, the frustrations,  
14 it was just an excuse for the frustrations to just come out of  
15 people.

16 I got home from work around 5:30 or so, 6:30,  
17 and I got a call from one of our El Comité members, and she  
18 said, Tony, the bodies are still here; they're smelling. The  
19 people are getting very antsy, and if they don't get -- if the  
20 bodies aren't removed, I'm afraid that they're going to break  
21 through the police barriers, pull the bodies out, and we're  
22 going to have a terrible situation on our hands.

23 So I said, Okay, calm everybody down as much as  
24 you can and we'll try to get some answers. So I got on the  
25 telephone and I called Ed Camp, the director of public safety.

1 I said, Ed, the bodies are still there. When can we reasonably  
2 expect that the bodies will be removed and why are they still  
3 there? Well, Ed said that they needed a court order to get the  
4 bodies out, and he said they should be out by 8:30; that is,  
5 8:30 that evening.

6 So I called our members and I said, Okay, the  
7 bodies will be out -- I gave Ed half an hour, just for padding,  
8 just for my own just peace of mind. I felt we could handle  
9 everything within half an hour. So we sent some of our members  
10 down to calm people. By that time, quite a few people had  
11 gathered, possibly over a hundred at least. We all, you know,  
12 as you get in these big groups, you get pockets develop and  
13 conversations going on. We were telling people that something  
14 was being done.

15 What we were getting from the people is, We're  
16 chicano. The police don't care about us; they're leaving us  
17 there; they wouldn't do it if it was an anglo. We are saying,  
18 Wait a minute. Something is being done, but they have to get a  
19 court order. Well, why does it take so long? A judge can just  
20 sign it. Well, they're having trouble. All the judges are  
21 gone because they're on retreat up at Estes Park.

22 People just couldn't relate; I couldn't. I  
23 was just having -- again, I mentioned that you have to have a  
24 trust factor. I had to trust the director of public safety that  
25 he had given me good information that I could relate to the

1 people, because my credibility was on the line. Well, we talked  
2 and we tried to calm people down. And then come nine o'clock,  
3 Now, what, Tafoya? It's nine o'clock and people pointed to  
4 their watches and really come up to me. Now what, Tafoya?  
5 And I said, Just a minute. I don't control the police depart-  
6 ment. I'll try to get the answers as quickly as possible.

7                   So I go to the phone at the neighbors and I  
8 call Ed and I said, Ed, please give me something, something  
9 good. I have to have something to tell the people. Ed said,  
10 The order has been signed. They're on their way. They'll be  
11 there momentarily. He said, When you see Ackerman, that will  
12 be your sign that they're there. So I go back and tell the  
13 people, They'll be here in fifteen minutes. And you know, you  
14 keep your fingers crossed. What if they don't find the judge  
15 or the judge refuses to sign it? I said, We'll deal with that  
16 later.

17                   In the meantime, we're telling people, Don't  
18 be so concerned with why they're there. The concern right now  
19 should be to get the bodies out. Let's direct our efforts to  
20 that order.

21                   Finally, the police came. They got the bodies  
22 out. Still, again, the hostility is still there and it was now  
23 about, Tafoya, you're going to go over and swallow everything  
24 Ed Camp is saying. We met the following day with Ed Camp, the  
25 lieutenant in charge of the investigation. We sat down with

1 them and we said, We've got a concern here. Why did it take  
2 so long?

3           They explained the procedures that they had to  
4 follow, and we were amazed at what was going on during that  
5 period. Well, to get testimony from certain people they had  
6 to translate that testimony from Spanish to English; they had  
7 to send somebody out looking for the third party or the fourth  
8 party that was a suspect; they had to send somebody to look for  
9 a judge; they had to have somebody to coordinate with the  
10 district attorney's office; they had to have somebody write  
11 down the preliminary draft of the report; they had to read it  
12 and agree that everything was okay; they had to type it, check  
13 for typos. We were just amazed at what had happened.

14           The request, I guess it's called, or the  
15 warrant request, I'm not sure on the terminology, but it turned  
16 out to be some nine, ten pages. We were just amazed that it  
17 was that involved. We just thought it was, I, judge so and so  
18 authorize you to remove these three bodies, period. That was  
19 what was in our mind and everybody else's mind.

20           The point I'm trying to make is that we needed  
21 to know those types of procedures that police officers have to  
22 go through so that we can, in an emotional situation, so that  
23 we can try to have better information to calm the people.  
24 Again, it's mutual respect and listening to each other. We were  
25 willing to go in and listen to Ed Camp; the police department,

1 they were willing to listen to us. And I think the relationship  
2 there has improved.

3 MR. CAMP: Basically what Tony is talking about,  
4 that we had a triple homicide and we chose, so as to not foul  
5 up that case, to get a search warrant before we removed those  
6 bodies. So that we, in fact, had a search warrant when we went  
7 in there and processed that entire crime scene. And we ran  
8 into a lot of problems you normally wouldn't run into in that  
9 all of our judges were on retreat up in Estes Park. And we  
10 finally just lucked out and found one that had not gone up to  
11 the retreat.

12 But I think again, it gets down to between Tony  
13 and a couple of other people from El Comité and our community  
14 relations specialist kept trying to at least convey what  
15 little information I had and could as we went along. And again,  
16 like he said, they had to trust that I wasn't going to sell  
17 them a bill of goods.

18 And I thought it was very important that after  
19 this incident was over, because we did have something like an  
20 11-page affidavit for a search warrant and a nine-page  
21 affidavit for the arrest warrant that we got that night, and  
22 all that took a lot of time, but when we sat down that following  
23 evening it was a straight rapport between us. They gave out  
24 in all honesty what they were truly concerned about and we gave  
25 out in all honesty what we had to go through and what our

1 restrictions were and our limitations.

2           And I think when we left that should something  
3 come up in the future similar to that, we'll immediately get a  
4 hold of members either of -- Sal Salazar, our community  
5 relations specialist, or members of El Comité so that we're  
6 involved right away together. And I think they'll have the  
7 trust the next time, and not only the trust but the knowledge  
8 they were able to pick up about the process we had to go  
9 through that they'll be in a much better position to deal with  
10 the citizens there.

11           MR. TAFOYA: We asked blank, Could you have  
12 removed the bodies; and they said, Yes. Why didn't you? It  
13 was a judgment call on our part. We were looking six months  
14 down the road to the trial, and we just didn't want to  
15 jeopardize any of the evidence. Well, that frank type of  
16 discussion, sure, they could have removed the bodies but they  
17 didn't. It was a judgment call, and we think it was the  
18 correct call.

19           MR. CAMP: This was one of the things I  
20 mentioned the other day. I received criticism from people  
21 within my own organization and from people within our  
22 community about utilization of community personnel, the  
23 community people, to help in different crises like this. And  
24 from a personal point of view, I'll continue to do it, because  
25 it's saved us from getting into a lot of confrontation and it

1 builds credibility for us as police officers with our community  
2 and it builds credibility for Tony and his committee with my  
3 police officers. And when they come on a scene, they know  
4 they're going to get assistance and they're going to get  
5 quality assistance. So it's really worked out well.

6 MS. COOPERSMITH: Mr. Yanaga?

7 MR. YANAGA: Hasn't Yanaga.

8 Now, the judges, are they this difficult to  
9 have access to, say, other than regular court hours?

10 MR. CAMP: At times, but this was unique in the  
11 fact that this happened to be a conference they were at, a  
12 training session they were at, and they just all happened to  
13 be at Estes Park except for this one judge we were able to find.

14 MR. YANAGA: Don't they have cover capability,  
15 as most other agencies and people ordinarily have that are  
16 public service oriented?

17 MR. CAMP: If Judge Scott had just decided not  
18 to go to that conference, every judge we had that had the  
19 authority to sign those warrants would have been in Estes Park  
20 and we would have probably have had to have gotten in a heli-  
21 copter and flown up.

22 MR. YANAGA: That's just as bad as if the whole  
23 police department had been at a conference in Vail.

24 MR. CAMP: It doesn't work that way for police  
25 officers.

1 I worked in Adams County for several years prior  
2 to coming to Boulder County, and quite often when they had a  
3 judges' conference, there was not a judge in the county.

4 MR. YANAGA: Are we saying here that judges are  
5 not accountable like everybody else?

6 MS. COOPERSMITH: Earl?

7 MR. SPENARD: I might just add to that, as a  
8 happening, actual happening in a jail atmosphere, when judges  
9 have conferences, people that can't make bonds are there until  
10 that conference is over with. No control.

11 MR. CAMP: I might just as a point, and I  
12 could be wrong, but I don't believe there's a single judge  
13 here at this conference, and judges were asked to come.

14 MR. BELT: There was one at the dinner last  
15 night from Grand Junction.

16 MR. CAMP: I really believe judges are a part  
17 of this entire system we're talking about and really ought to  
18 be a part of this.

19 MR. YANAGA: I was speaking of identifying  
20 problems, perhaps this could be a problem. I'm sure that --

21 MS. COOPERSMITH: Would you like to make that  
22 as a recommendation?

23 MR. YANAGA: -- if this judge that was supposed  
24 to have been up there and wasn't up there and happened to be  
25 home, it could have been a very difficult, a more difficult

1 situation.

2 MR. CAMP: What we would have done, we've had  
3 the invitation in the past to use the Channel 9 helicopter if  
4 we had a real problem, and that's what we would have solicited  
5 to try to take one of our officers up there, got the warrant  
6 signed, and then had it brought back. Otherwise, it would have  
7 taken us an additional hour and a half, probably, or two hours.

8 MR. TAFOYA: But see, it's very important that  
9 community leaders understand the procedures that have to be  
10 followed. And many times we just don't. We're very ignorant  
11 of the policies that the police departments have to follow in  
12 most cases.

13 MR. SPENARD: This is probably picking up where  
14 we left off earlier, is involving the community not only in  
15 written department policy but also the policy of development of  
16 a crime scene search, of affidavits that the general public is  
17 not even vaguely familiar with, as you experienced, Tony. To  
18 prepare affidavits, I've seen clerical staff brought in, called  
19 at home at one o'clock in the morning just to prepare the rough  
20 draft of the affidavit for review before we then attempt to go  
21 find a judge to sign search warrants, et cetera, and catch the  
22 judge in the right mood and right attitude again. Some judges  
23 have peculiarities that they want in an affidavit that another  
24 judge would not require, and vice versa.

25 It's a tremendous paper flow, as was all

1 demonstrated at the beginning of the conference with Nolan  
2 Brown. And in the demonstration of a simple summons, it was a  
3 PA summons, the paper flow covered the entire podium in that  
4 large room for a summons. And this is predominant throughout  
5 all government. It's 17 copies of every document for a  
6 specific reason. The duplication is horrendous.

7 MR. TAFOYA: When I stated that, you know,  
8 to identify community resources you have to make that effort  
9 to go out, but when you go out, take something with you, you  
10 know, training could be something you could take out to explain  
11 the procedures that you have to follow and possibly a dialogue  
12 could start to develop where you could send someone in every  
13 month to a monthly meeting, or whatever. You know your own  
14 communities. Whatever works for you. But I think it's very  
15 important that information gets out to the community as to,  
16 you know, the procedures that have to be followed. I think  
17 that's terribly important that both groups cooperate and  
18 establish this feeling of trust as much as possible.

19 MS. COOPERSMITH: Roy next, but did you make  
20 that as a recommendation, Earl, in the paper you turned in?  
21 I didn't read it. Was this a recommendation about interpreting  
22 the -- the need of interpreting the statutes and policies?

23 MR. SPENARD: Yes, I did.

24 MS. COOPERSMITH: Okay. Mr. Whimbush, what do  
25 you do in a case like the Ernest Myres case whereas your top

1 official steps in and takes over and says, We're not  
2 communicating with organized community groups. We're not  
3 going to communicate with your city councilmen and state  
4 representatives that is involved. We're just going to hush  
5 and cover up everything.

6 MS. COOPERSMITH: I was just going to say,  
7 perhaps the group is not familiar with the case. Could you  
8 just briefly describe which case you're referring to?

9 MR. WHIMBUSH: Well, Ernest Myres is an 18  
10 year old youth that was brutally murdered by two Denver police  
11 officers on the 8th of July. And as of now, the autopsy reports  
12 have not been released in that matter. Our mayor has come  
13 forth and said that the two officers was justified in what  
14 they were doing. He said that they were not out of place,  
15 they were not out of jurisdiction. But I feel strongly that  
16 the two officers were out and if it wasn't that they wasn't  
17 out of jurisdiction and they wasn't out of the law, why is it  
18 that they've taken so long to release the necessary information  
19 that I feel strongly that the parents are entitled to.

20 MR. TAFOYA: I can tell you what we did in  
21 Longmont. When the tragedy occurred in August, a lot of  
22 emotions were visible. One of the positions that we took was  
23 that the officer should not be on what we viewed as a paid  
24 vacation. We wanted the officer to at least come in and make  
25 coffee. The police had another point of view which was, I

1 think, you have to discuss those points of view.

2           But it took -- once we approached the city  
3 council with a march; we marched on city council, I think the  
4 first march in the history of Longmont, communications really  
5 broke down. We would send letters to city manager, no response,  
6 nothing. And Ed, I think you remember we went in and talked  
7 with you and Roy Howard and we said, Why can't we talk? Why  
8 can't we just sit here and talk? We don't have to do this,  
9 we're doing this as volunteers. We can just open it up and  
10 let the other communities come in and do whatever they want  
11 in Longmont. So far we've been able to keep them out. If  
12 we can't talk, and we're for Longmont, we want the best thing  
13 in Longmont or the best to occur here, if we drop out of the  
14 picture, you're going to get students, people from Denver, from  
15 the north, from all over coming in and you're going to have  
16 to deal with them. So why can't we just sit here and talk and  
17 discuss these issues. And luckily, we agreed on something and  
18 we've been discussing ever since.

19           What I hope is not happening in the bigger  
20 communities is that it becomes a matter of course: a minority  
21 is shot; damn, he's shot, and everybody complains to themselves,  
22 among themselves, and nothing is done. And after a while, it  
23 gets to be a standard policy. There's no united effort to  
24 approach an administrator and bring forth legitimate concerns.

25           The administrator, though, I think is the key:

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1 You have to be able to get that top person to start listening.  
2 You know your community better than I do. I can only say what  
3 has worked for us in Longmont, but in Longmont what we, in  
4 effect, have with El Comite is a coalition. We have a coalition  
5 of what I consider the best people around, very committed, who,  
6 like I said, we're all volunteers. People who are interested  
7 in educational issues, cultural issues, employment issues,  
8 cultural issues, pretty much the gamut. I think we've fallen  
9 down on the youth issues because we've been so overextended.  
10 But we're, in effect, a coalition. I don't know, your  
11 communities may want to consider a coalition to approach an  
12 administrator.

13 MS. COOPERSMITH: Mr. Belt, you wanted to  
14 comment?

15 MR. BELT: Yeah, I wanted to say it's too bad  
16 that communications broke down between community and police,  
17 but I think the point you're at now, there's an intent for  
18 civil suit that's been filed. If it is, then they're not going  
19 to communicate with you, it's the attorneys who are going to be  
20 communicating with each other. So that's probably why they say  
21 they're not going to talk to you now. But I think the intent  
22 for civil suit has been filed. That's probably why they won't  
23 talk to you.

24 MR. TAFOYA: But have they communicated that as  
25 the reason why they won't talk? See, we've experienced that in

1 Longmont, too, but as long as we understand where they're coming  
2 from, sure, we don't agree with it and it's very frustrating,  
3 but we can also understand that. And I think if just that  
4 simple point is not communicated, it's terrible.

5 MR. WILLIAMS: I'd like to say a couple of things  
6 about what you said, and I'm trying not to react to it because  
7 I would agree wholeheartedly with one of the things, many of the  
8 things, Tony said. But one thing in particular, and that is that  
9 before we can really have any kind of meaningful dialogue, we've  
10 got to separate the emotional issue from the issue, okay? Now,  
11 you made a statement there that someone was brutally murdered.  
12 Now, maybe I'm too much of a crime investigator, but until I  
13 have all the facts, I don't know that I can make that kind of  
14 a determination. He may have been, he may not have been. But  
15 how do you know until you have all the information?

16 Certainly in a death investigation, from the  
17 perspective of a homicide investigator, which I have been for  
18 many years and now running an investigations bureau, certainly  
19 I would not want to make a decision or base a decision on  
20 something other than all the information that could conceivably  
21 be available, and one of the most critical pieces of information  
22 in a death investigation is the autopsy report. And until  
23 someone has the opportunity to look at that, then I don't know  
24 that you can come to the conclusion that someone was or was not  
25 either murdered or not murdered.

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1                   Secondarily, I would agree with what you said  
2 on what was said over here from the standpoint of the police,  
3 the police in general, not in Colorado but the police, have  
4 all too long hidden behind the cloak of secrecy. They felt that  
5 many of the things that they do, many of the things that they  
6 write down, should be and have been cloaked in secrecy. I  
7 would submit that that's not necessary. Very little of what  
8 any organization does should not be available to the community,  
9 especially the community in which those people work, because in  
10 reality we're working for you. If I'm a Denver policeman, you  
11 live in Denver, I'm working for you.

12                   Much of what I do, there's absolutely no  
13 justification for that information not being made available,  
14 until, as this gentleman over here so aptly pointed out, once  
15 litigation is begun, then it's out of the police department's  
16 hands. It's in the field of the attorneys. They call the  
17 shots. One of the things that they do for the protection of  
18 the people involved, whether it be a person of the community  
19 or a person with the police, their rights have got to be  
20 protected. And to do that, by necessity information has got to  
21 be kept out of the public field, I guess is the best thing I  
22 can think of. The case can't be tried in the papers, it just  
23 can't be.

24                   So to go back and just quickly summarize, I  
25 think unless you have some information that the rest of us don't

1 have, I think that your assessment at this point is premature.  
2 You may be right, but I would offer to you that until you have  
3 all the information, I think you're premature. Secondly,  
4 I would agree from the standpoint we, the police, have used  
5 secrecy too much too often, and as Ed and Tony have pointed  
6 out in the dialogue they had, that you sit down and you open  
7 up and you share information instead of saying, Well, I don't  
8 have to tell you that; we're not going to get anywhere. But if  
9 that kind of dialogue can be developed and enhanced, then  
10 problems can be solved.

11 MR. WHIMBUSH: In the time that you've been a  
12 police officer or been involved with law enforcement, have you  
13 known of any case that it took this long to get an autopsy  
14 report?

15 MR. WILLIAMS: Yeah. I can cite you numerous --  
16 see, one of the things that we've got to deal with, I think all  
17 of us have got to deal with, and that's that the society in  
18 which we live, we are impacted and affected so much by a little  
19 box that you go over and turn on and off, TV, if you will. It's  
20 not that way in real life. What we watch on TV, Kojak, and  
21 Barney Miller's. one of the better ones, but the TV shows we  
22 see about police work, they are not valid. Those kinds of  
23 things generally don't happen.

24 We don't have -- we, again, being the police --  
25 don't have control over any other organization other than our

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1 own. We can't go to the DA and tell the DA, We want you to do  
2 this. We can't go to the pathologist, if you will, and say,  
3 I want that autopsy report right now. We can't do that. We  
4 can do it, it doesn't do any good. I'm waiting right now on  
5 several autopsy reports that have been in the hands of the  
6 pathologist for months, and I haven't gotten them. I've asked  
7 for them. He's a busy man; they are busy men. They can't  
8 on a timely basis, whenever I want something, give it to me as  
9 quickly as I would like.

10 So there are problematic issues that we have  
11 no control over. So just because the autopsy report hasn't  
12 been made available doesn't mean that it's a conscious decision  
13 by the police or DA not to release it. It may be; I'm not  
14 saying that it isn't the case, but I'm saying that there could  
15 be a logical explanation for why that hasn't been released,  
16 specifically that, the people who you're asking don't have  
17 control over that document.

18 Does that make sense?

19 MR. WHIMBUSH: We was asking the people that  
20 we know that has control over it. But we are asking those  
21 people.

22 MR. WILLIAMS: Well, that's a whole other issue.  
23 But please consider that, that many times the agency that you  
24 ask doesn't have control over that kind of information.

25 MR. AGUILAR: Alex Aguilar from Arvada.

1 I think another thing that was brought up was the  
2 politics of police work. Perhaps you can explain what control  
3 the mayor has, what control the council has, what control the  
4 police chief has, and what control actually the police officer  
5 has, and perhaps set the parameters like in the McNichols case  
6 in Denver. It's a political decision that's pretty much out of  
7 police hands right now, even though I'm not sure how much  
8 influence the police chief has on it.

9 MS. COOPERSMITH: You're speaking of this  
10 particular case?

11 MR. AGUILAR: Right. But I think just the  
12 general -- if you can just tell us the breakdown of what  
13 authority you have as the commander, what your police chief  
14 can actually control, and then your city council.

15 MR. WILLIAMS: Are you asking me?

16 MR. AGUILAR: Yes.

17 MR. WILLIAMS: Okay. Let me speak, and it's  
18 not a cop-out, in the general sense. I think that I have as  
19 much control within the organization as the organization allows  
20 me to have. A police organization is run and should be run by  
21 a police chief. And I won't get into talking about specific  
22 jurisdictions, because I don't have enough information to  
23 effectively evaluate another jurisdiction, but I will say,  
24 I can say in Arvada that the police chief runs the police  
25 department. Now, if and when in the eyes of his boss, the

1 city manager, or in other cities the mayor, he's not doing his  
2 job, then that person has the authority to remove him for no  
3 cause. There doesn't have to be a reason. In most police  
4 departments there is no civil service protection for police  
5 chiefs.

6 But I think in the broader sense, I can see  
7 frustration in not being able to get what appears to be  
8 ambivalence, what appears to be arrogance, what appears to be  
9 indifference addressed. I'm not speaking of any department in  
10 particular. I have not been able to see any other recourse  
11 from a citizen's perspective than our democratic process, in  
12 that if you can't solve a problem, then the only real effective  
13 recourse we have is the ballot box.

14 Now, it's unfair, I think, to say, Well, if a  
15 person just got elected and they're going to be there four  
16 years and you've got a problem that you've got to wait four  
17 years to solve the problem. I don't think that's realistic.  
18 It may be realistic from the standpoint that other means prove  
19 to be ineffective, but I think that some of the things that  
20 have occurred in Longmont show that there are other alternatives.  
21 I think political pressure can be put on to various officials  
22 to force them to make a decision. It becomes, I think, harder  
23 in larger communities because complexities, the diversity of  
24 the community changes so much with size. In Denver, if that's  
25 the decision that one faction within the community makes, they

1 may not be able to gather other factions within the community  
2 to help them make that decision.

3 But again, to go back and just quickly summarize,  
4 the police chief should run the organization, and in most  
5 organizations that I'm familiar with that is the case. If he  
6 doesn't do his job, political pressure can be and should be  
7 placed at his boss, the mayor or city manager and/or the  
8 council. And I've seen that work, I've seen it work in Arvada  
9 and I've seen it work in other cities. But again, my perspective  
10 is coming from the suburban police department setting and not  
11 an urban setting. I've never worked in that setting.

12 MS. COOPERSMITH: One thing that was mentioned  
13 was a suggestion that really goes back to establishing policies.  
14 Is this a problem about whether the officer is suspended while  
15 he's facing disciplinary action? Is there a standard on that  
16 or does each department handle that?

17 MR. CAMP: I think each department pretty  
18 well sets down their own criteria on how they handle an officer  
19 who is involved in disciplinary action. There's a lot of  
20 alternatives. You can suspend him with pay; you can suspend  
21 him without pay; you can take him off active street duty and  
22 put him on duties within; you can terminate him on the spot  
23 if it's an obvious, flagrant violation. There are a lot of  
24 different things you can do, and I think each department has  
25 pretty much its own position.

1                   \* MS. COOPERSMITH: Mr. Tafoya, did you not say  
2 you thought the officer involved in the Longmont situation  
3 should have come in at least to make coffee, or did I misunder-  
4 stand that?

5                   MR. TAFOYA: See, that's just one of the  
6 complaints we've been dealing with with Ed. There have been  
7 other complaints where I think different action has been taken,  
8 and we took a position -- we were kind of at odds here. Our  
9 position was that he should -- if he's suspended with pay, he  
10 should at least come in, have to report in, because we were  
11 getting pressure from the community saying, You shoot a  
12 Chicano and you're put on a paid vacation, that kind of thing.  
13 We were having to respond to this type of thing, so of course  
14 we were trying to get that person in. And that's when we had  
15 the march. We felt we would go to the city council and handle  
16 it at that level.

17                   What I'm saying is, it was just a different --  
18 we took a position, they took a position, and we tried to  
19 resolve it using the system. We lost, but we didn't give up.

20                   MS. COOPERSMITH: But you made the attempt.

21                   MR. TAFOYA: We didn't give up. But we haven't  
22 lost in other ones, and I don't know how many sustained  
23 complaints you have gotten. I don't know.

24                   MR. CAMP: When I got to Longmont, they had  
25 no organized process for dealing with officer misconduct. It

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1 was kind of a catch as catch can. One office could do something  
2 and get a day's suspension, the next one would get an employee  
3 counseling, the next one might get a kick in the butt. So there  
4 was no rhyme or reason to it.

5 So I instituted an internal affairs process  
6 immediately. And at the time this incident had gone down, we  
7 already had six internal affairs investigations involving police  
8 officers and firefighters. Since that time, we have probably  
9 had some 80-some internal affairs investigations, and this is  
10 from the time I started in May 5 of last year. Out of that,  
11 there probably has been somewhere in the neighborhood of a  
12 40-some percent sustaining rate.

13 From that sustaining, we have had anything from  
14 an oral reprimand up to firing of officers. We've had one  
15 officer that was terminated, two officers who are in the  
16 process of being terminated and decided they better quit and  
17 quit before the final termination and investigation could be  
18 completed for termination. And we have had several officers  
19 that have been suspended.

20 Now, that may look as though we have taken the  
21 approach that everything we investigate, the officers are  
22 automatically considered wrong, and that isn't the case, because  
23 we wind up with five findings when we have an investigation:  
24 The officer is totally exonerated, which means the actions he  
25 performed were proper and within the scope of our policy and

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1 procedures; that it's sustained, which means he was, in fact,  
2 wrong and some form of disciplinary action is taken, and if we  
3 can do it, we try to take a positive kind of disciplinary action  
4 where the officer truly gets something out of it, and it's not  
5 always a suspension kind of thing. He may very well wind up  
6 being sent, given added training. He may wind up being involved  
7 in the training of other people. We take a lot of different  
8 approaches to that.

9           We have one that is not sustained. That means  
10 that, in fact, something did occur but we don't know what. We  
11 can't decide what happened. When we get a not sustained, that  
12 goes to the benefit of the officer. We have an unfounded,  
13 which means that either the incident did, in fact, not occur  
14 or that it may have occurred but it did not involve our officer,  
15 it was officers from some other jurisdiction. And if we get  
16 an unfounded where a citizen came in and truly falsified a  
17 report, we file on that. And that's made us known right up  
18 front. If a citizen comes in and lies about an officer, he's  
19 going to be filed on.

20           Then we have a no finding. And what a no  
21 finding is, that a citizen comes and lodges a complaint and  
22 then at some point decides he does not want to pursue it any  
23 further. It's obvious something did take place, but we just  
24 make it a no finding and leave it at that.

25           We have a grievance process for our officers,

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1 and I have, in fact, been overturned. I suspended a police  
2 sergeant for five days, took him to a grievance hearing and  
3 three of those days were given back to him. I don't have a  
4 problem with that. Those were judgment calls. If somebody  
5 decides my judgment or my decision was improper, I can live with  
6 that. If it's something I can't live with, then I'll pursue  
7 the grievance process and take it on to the next step.

8 But I think overall what is coming about is  
9 that our community now knows that if, in fact, an officer is  
10 involved in misconduct -- now, all of these haven't been  
11 against police officers, there have also been involved in the  
12 fire area. And I have responsibility for both the fire and the  
13 police in our city.

14 But I think our community knows that if they  
15 have a legitimate complaint they can come in and it's going to  
16 be dealt with. Our officers know that if, in fact, they get  
17 involved in something and they're right, then we're going to  
18 back them up. If they're wrong, we're going to take appropriate  
19 action on it. And that's where we're at with it right now.

20 In fact, we're in the process, and I just signed  
21 a new general order that has completely reworked our internal  
22 affairs process, which is applicable both to our police and  
23 fire personnel. And we have established some definite criteria,  
24 and each and every one of our rules and regulations have been  
25 given a specific violation code. We're in the process now of

1 rewriting our rules and regulations manual in the fire and  
2 police bureaus so that an officer or firefighter know that if  
3 he violates a specific regulation and then he knows that that's  
4 a violation Number four and he knows that his minimum is going  
5 to be, maybe, one day off and his maximum might be ten days  
6 off. And he knows that that's what is coming.

7                   And we think it's a pretty equitable process,  
8 and we evaluate that. We get input from our officers and from  
9 our firefighters. What do you think of our process? Then we're  
10 in the process of doing that right now. We're just getting those  
11 back.

12                   In the 80-some internal affairs investigations  
13 we've had, I've only had two people pursue a grievance process.  
14 One has already been pursued and we have one in process right  
15 now. So I think it's an equitable process and the people that  
16 work with me do.

17                   MS. COOPERSMITH: Here again, is the community --  
18 no, probably not.

19                   MR. CAMP: Yes, because one of the things we  
20 do, if Tony Tafoya comes and complains to me about Earl Spenard  
21 and we find out in our investigation that Earl, in fact, did  
22 violate our procedures or our rules and regulations and he  
23 winds up with a one-day suspension, Tony is then recontacted  
24 and advised what our determination was. So the complaining  
25 citizen does know what the final outcome was.

1 MS. COOPERSMITH: I think I meant the community  
2 in general probably does not know about the why you do this and  
3 the various categories of suspension.

4 MR. CAMP: No, because we are in the process of  
5 developing them right now. Our rules and regulations manual is  
6 open to any member of our community who wants to come in and  
7 see it.

8 MR. PIPER: Isn't it almost noon?

9 MS. COOPERSMITH: It's almost noon.

10 MR. PIPER: I would like to know, are we going  
11 to have available copies of what went on here or copies of  
12 speeches? I know everything was recorded. Is there going to  
13 be any follow-up to this conference?

14 MS. COOPERSMITH: I believe there will be a  
15 report today made up from what all the workshop groups have  
16 turned in. Whether this will be written and available, I  
17 don't know. I suspect it will be.

18 MR. SPENARD: They indicated it would be.

19 MS. COOPERSMITH: We in this room have been  
20 recorded by the U. S. Civil Rights Commission and I understand  
21 probably that wouldn't be transcribed for a week or so. Now,  
22 whether that recording will be available, I'm not sure.

23 MR. PIPER: I just wondered. We're just about  
24 over. Do we have the time or is it -- would it be beneficial  
25 for this group to summarize quickly some ideas about where do

1 we go in here? I hate to just go back to Greeley and say, I  
2 had three days off over there and the food was kind of so-so  
3 and the bed was crummy and that's the end of it. I don't know,  
4 are there any plans? What's going to happen from here?

5 MR. CAMP: I think one of the things that the  
6 groups that got together to get this together some six months  
7 ago, Bill Koleszar and Gil Roman will give a briefing of what  
8 basically has been done in the workshops. That's why it's  
9 so important as the recorders get done to get it right over  
10 there and typed up. So while we're sitting there listening  
11 to Julian Bond this afternoon and eating our lunch, they're  
12 going to be very busy coming up with a brief summary that every-  
13 body can hear.

14 And then at some point down the road, and  
15 hopefully within the next very few short months, there will  
16 be some kind of report put together. And the ultimate goal  
17 for this conference was that we could come up with some very  
18 definite recommendations to the legislators in the area of  
19 police community relations, and specifically in some of the  
20 areas that we've covered, like in the area of training,  
21 community resources. So that's where it's headed, and that's  
22 what we hope will come out of it. But there should be, at  
23 least my understanding, some form of report that would be  
24 available for people.

25 MS. COOPERSMITH: I think there will be

1 conference proceedings. Now, that won't help you for a few  
2 weeks, probably.

3                   Okay, Roy, then I want the group in the last  
4 few minutes, if they feel they have anything they have to say  
5 to be in the record before we leave.

6                   MR. WHIMBUSH: I have one more question. Is it  
7 the law for an off-duty officer to make an arrest?

8                   MR. WILLIAMS: What's the question again?

9                   MR. WHIMBUSH: Is it in the law for an off-duty  
10 officer to make an arrest?

11                   MR. WILLIAMS: Again, it's not that simple.  
12 Every person can make a citizens arrest for a crime that's  
13 committed in their presence. The difference between that and a  
14 police officer is that by being a police officer, he is  
15 basically given the right and responsibility to take away  
16 someone's rights; in other words, to detain them or to arrest  
17 them based upon probable cause.

18                   Now, I would say that probably most police  
19 departments have some kind of a policy or procedure that dictates  
20 that if information comes to them that would be indicative of  
21 probable cause or that a crime is committed in their presence  
22 and they do not act, that that would be a violation of that  
23 policy or procedure. Does that answer your question?

24                   MR. WHIMBUSH: Not really, but I think . . . .

25                   MR. HOLLAND: In other words, yes, they can.

1 MR. CAMP: I think departments would discipline  
2 them if they found out you didn't take action. Some departments  
3 will, in fact, discipline an officer if they find out he was  
4 involved in an area where crime took place and there was no  
5 action.

6 MR. SPENARD: But on the same hand, we don't  
7 want officers playing traffic cop on the way home, either.

8 MS. COOPERSMITH: Does anybody have anything  
9 they feel must go into the minutes of this conference? We're  
10 winding down.

11 MR. CAMP: I would like to put out a compliment  
12 to Tony Tafoya. I hope none of you ever have to go through the  
13 trauma and tragedy that Longmont has, but if you do, I hope  
14 that you have people like Mr. Tafoya and members of El Comité  
15 and just the members in general of my community who will,  
16 perhaps, criticize you but in the same time support you and  
17 give you the backing that I've had from my community, and  
18 specifically El Comité. Because I tell you, they have made my  
19 job much, much easier and my agency has benefitted tremendously  
20 from their support.

21 MS. COOPERSMITH: I wanted to thank Mr.  
22 Williams and Mr. Tafoya. I think our resource people have  
23 been excellent, and I think this group has been a good one.  
24 I think you all graduated summa cum laude, anyway. I think  
25 it's been fun.

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Thank you very much.

(Whereupon, at 12:05 p.m., the workshop was  
concluded; luncheon and a speaker followed.)

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## A F T E R N O O N   S E S S I O N

12:45 p.m.

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2  
3           MR. WILBUR REED:   Would Sy Lee from the Colorado  
4 Springs Urban League please come up?

5           MR. SY LEE:   If you'll bow your heads, please.  
6           God of our weary years, God of our solemn tears,  
7 Thou who has brought us safe this far along the way, we thank  
8 Thee for the food that has been prepared for the nourishment  
9 of our bodies. We thank Thee for the opportunity to meet here  
10 to confer and to have dialogue. God of our weary years, God of  
11 our solemn tears, create within us a clean heart and renew  
12 our spirits as we depart here today to carry on the task.

13           MR. REED:   Before I introduce the head table,  
14 I'd like to just make a comment in regard to the conference.  
15 I'm Wilbur Reed from the Justice Department, Community Relations  
16 Service, along with my colleague who you met before.

17           I just want to comment on the value of how I  
18 see such a gathering today. I think that if each person  
19 dedicates themselves that had an opportunity to participate in  
20 this conference to going back to the respective communities  
21 and trying sincerely to put something together from this  
22 gathering that we've had, there will not be a need for another  
23 conference. I heard State Senator Regis Groff mention earlier  
24 that we've had conference after conference about police/  
25 community relations issues and that somehow or another it

1 just doesn't seem to fit. We have to come back to the drawing  
2 board once again.

3 I am sincerely hopeful that we will not have  
4 to come back to the major drawing board but go back to the  
5 drawing boards of our local communities and be able to put  
6 something together so that we can begin to start, begin to  
7 reach that plateau of mutual respect and understanding, that  
8 so far we seem to be sore losers. Those are my personal  
9 comments, and I would hope we can really try to dedicate our-  
10 selves to that.

11 Without further to say, I'd like to introduce  
12 the head table. To my extreme right, a person that, in my  
13 opinion, I've known Gil for many years, but I think he missed  
14 his call. Instead of being the Regional Director of the  
15 Department of Education off the Civil Rights, I think he  
16 should be out on the stage in Las Vegas someplace, because  
17 he's a terrific comedian. Dr. Gil Roman to my extreme right.

18 One of the co-chairs of this conference and a  
19 person I recently had the opportunity to get to know and  
20 respect a lot is Police Chief of the Arvada Police Department,  
21 Bill Koleszar.

22 The lovelier half, the most vivacious half  
23 and the better half of the Wellington family, the state  
24 representative, Wilma Webb.

25 And the other half, who is Director of the

1 Department of Regulatory Agencies for the State of Colorado,  
2 Wellington Webb.

3 Ms. Helen Lucero, who is administrative assistant  
4 to the Information Justice Center.

5 And the lovely Dr. Dorothy Porter from the  
6 Colorado Civil Rights Commission.

7 I'm going to leave my good friend for last here.

8 Miss Marilyn Spurlock is the Public Information  
9 Officer for the Colorado Civil Rights Commission. I just want  
10 to take the opportunity to say that she has been the tremendously  
11 driving force behind this conference and for coordinating most  
12 of the public information activities. She had done a job that  
13 has been terrific. Miss Marilyn Spurlock.

14 Anybody who has had the opportunity to work in  
15 any community, what can you say about Martha Radesky. She  
16 didn't want to sit at the head table, but we know that she's  
17 had a lot to do and a lot to say about this conference as a  
18 whole. She's a tremendous worker. She is a dedicated person  
19 to the cause of civil rights and harmony within our communities  
20 across the board. Miss Martha Radesky.

21 And Mr. Ray Roybal from Alamosa, who is one of  
22 the commissioners of the Colorado Civil Rights Commission. Mr.  
23 Roybal.

24 It's my understanding that our guest speaker  
25 last night is in the room, Mr. Peterson Zah. We'd like to have

1 him stand again.

2                   Now, a man I have a tremendous friendship with,  
3 a person that I happen to serve on his board of the Colorado  
4 Urban League, Metropolitan Denver, and an individual that's a  
5 driving force throughout the Denver community; a person that  
6 has had to be hospitalized because he was pushing himself to  
7 the brink of exhaustion on many occasions, a person we have to  
8 tell a lot of times as a board member, Sit down and slow down.  
9 But his sense of dedication is that great, that tremendous,  
10 a sincere man, my best friend, who will introduce the guest  
11 speaker, Mr. Larry Borom.

12                   MR. LARRY BOROM: Thank you, Wilbur. I thought  
13 after telling everyone that you were leaving me until last that  
14 I would complain, but after saying all those nice things, which  
15 means I get a raise, I guess, next year, I won't say anything  
16 about it.

17                   Julian Bond told me that I should not make a  
18 speech here as I introduce him and not to try to read all these  
19 things he's accomplished over the years, but I have to read some  
20 of them because I think that his life as a statesman of the  
21 kind of person that he is and the kind of activity and action  
22 that he's been responsible for and involved in over the years.

23                   He's been one of our real bright voices in  
24 America in the civil rights movement for twenty years. Julian  
25 Bond was born in Nashville, Tennessee, on January 14, 1940, and

1 attended schools in Pennsylvania before going to Morehouse  
2 College in Atlanta.

3 He was a founder in 1960 and later executive  
4 secretary of the Committee on Appeal for Human Rights. It was  
5 an Atlanta University campus organization. He also helped  
6 found the Student Nonviolent Coordinating Committee in 1960,  
7 and that summer served on the staff of the Atlanta Inquirer,  
8 a new negro weekly newspaper. He served as reporter and  
9 feature writer and later became the managing editor.

10 He was elected in 1965 to the Georgia House of  
11 Representatives, but it took three tries, three elections,  
12 before he was seated, after the Supreme Court ruled that he  
13 had to be seated in opposition to the attitude of the people  
14 in the legislature at that point. He began to serve as a  
15 representative in 1967. Julian Bond served four terms in the  
16 Georgia House of Representatives. In November of 1974, he was  
17 elected to the Georgia State Senate, where he now serves.

18 Julian Bond was co-chairman of the Georgia  
19 Loyal National Democratic Delegation, an insurgent group at  
20 the 1968 democratic national convention. Many of you witnessed  
21 his struggle in that convention on TV. The Loyal Democrats  
22 were successful in unseating the regular handpicked Georgia  
23 delegation. Bond was nominated for vice president of the  
24 United States, but withdrew his name in consideration because  
25 of his age.

1                   As I said, his life has been a statesman.  
2                   Some of the organizations that he's been involved in, and  
3                   there are too many to really name them all, but he has served  
4                   on the board of directors of the African-American Institute of  
5                   the Delta Ministry Project of the National Council of Churches,  
6                   the Robert F. Kennedy Memorial Fund, Martin Luther King Center  
7                   for Social Change, Center for Community Change, and many others,  
8                   including his current activity as president of the Southern  
9                   Poverty Law Center and president of the Atlanta Branch of the  
10                  NAACP, and president of the Institute for Southern Studies.

11                  Bond was named to Time Magazine's 200 leaders  
12                  list and Ebony's top black leader list.

13                  Julian Bond's collected speeches have been  
14                  published under the title, A Time to Speak, A Time to Act.  
15                  His poems and articles have appeared in Negro Digest, Motive,  
16                  Rights and Reviews, Life, Freedom Ways, and many other publi-  
17                  cations. He's host of a major television program, America's  
18                  Black Forum, which is the only black only show in the television  
19                  syndication. He's also author of a weekly syndicated newspaper  
20                  column and is a weekly commentator for the Sheraton Broadcasting  
21                  Network. He lives with his wife and five children in Atlanta.

22                  Julian Bond is with us today. We're honored  
23                  to have him. He's a man who has had a concern for people and  
24                  the courage to dedicate his life to freedom in this country.  
25                  We're honored to have the Honorable Julian Bond.

1 MR. JULIAN BOND: Thank you a great deal for  
2 that kind introduction. It couldn't have sounded better if I  
3 hadn't written it myself.

4 You may know that it's the custom for speakers  
5 on occasions like this, for the speaker to begin by telling the  
6 audience what a great pleasure it is to be here, and so it is  
7 a great pleasure to be here. It is a pleasure to be here in  
8 many different sorts of ways, not the least of which has to do  
9 with my profession. I am by profession a politician. I know  
10 that's not the most popular profession to be in in the United  
11 States in 1981; as a consequence, it's a great pleasure when  
12 one of us is invited anywhere by anyone.

13 It's really a shame that the profession is  
14 not more respected, because it is such an important profession.  
15 You know it's the people who do what I do who decide whether  
16 or not you will do what you do. It's a relatively ancient  
17 profession. There are many who believe it to be the world's  
18 second oldest profession, but I'm just proud to know,  
19 nonetheless, that I belong to the finest body of men that  
20 money can buy.

21 A little more than one year ago, the City of  
22 Miami was engulfed in flames. 14 people died; 400 were injured;  
23 1250 were arrested, nearly all of them young, black men.  
24 3000 jobs were lost, and many more temporarily suspended.

25 3600 National Guardsmen were required to restore

1 order when that task proved too great for the local police,  
2 who bore, of course, the major responsibility for the origins  
3 of this holocaust. \$100 million in property and business were  
4 lost.

5 More than ten years before that, the report of  
6 the National Advisory Commission on Civil Disorders had  
7 concluded: "Abrasive relationships between police and minority  
8 groups have been a major source of grievance, tension, and  
9 ultimately, disorder."

10 For most Americans, the policeman is likely  
11 to be a helpful figure, the protector of lost children, a  
12 handy source of directions to a suburban movie theater, the  
13 reassuring man in blue who stands between the peaceful citizen  
14 and a horrifying, criminal society. But for many, many others,  
15 the lawman and the law he represents is an oppressive force.

16 For these people, the law enforcement officer  
17 becomes the advance guard of an occupying army, the protector  
18 of the haves against the have-nots, the soldier at the ghettos'  
19 edge who keeps its inhabitants in and the surrounding  
20 communities safe from their imminent invasion.

21 Those who live in the ghetto or the barrio  
22 face, in turn, an intolerable system which makes their clashes  
23 with the law more frequent and traumatic than is usual in most  
24 American communities. Their birth, condition, and color set  
25 them in inevitable conflict with organized society. The

1 policeman they meet at an early age is its defender.

2           It is that system which produced Miami and Watts  
3 and Newark before. The policeman, the man he calls "boy" and  
4 the boy he calls "bastard" are its products. The clash between  
5 that boy, or that man, and the man in blue are usually only  
6 the result of a long struggle.

7           The Miami riots began when four policemen were  
8 acquitted in the murder of Arthur McDuffie. They had been  
9 accused of beating McDuffie to death. They were charged,  
10 among other things, with police brutality, the psychological,  
11 verbal, and physical misuse of the authority invested in them  
12 by a society in which race is the major determinant of education,  
13 income, and mortality.

14           Their behavior was a reflection of a larger  
15 attitude toward those whose skins are dark and accents different.  
16 They serve as the first officers in a system of criminal  
17 justice whose every aspect -- the street policeman, the courts,  
18 the jails -- reflects the establishment of a dual society.

19           Your discussions have focused on the relation-  
20 ship between the police and the minority community, but I  
21 should like to make it larger, to aim at the justice system  
22 itself, its inherent biases in a biased society and the roots  
23 of the reasons why armed young men would crush a defenseless  
24 man's skull so badly a pathologist said his injuries were  
25 consistent with being dropped head first from a ten-story

1 building. It's root is racism and it affects the victim with  
2 a savage cruelty.

3           The policemen's abuse is but one small part.  
4 If his view of his charges is colored by his prejudice, their  
5 view of him is colored in turn by the world they see about them.  
6 If he suspects that each of them is a criminal, too many of them  
7 know that he enforces a criminal system.

8           Justice Brandeis said it best: "To declare that  
9 in the administration of the criminal law the ends justify the  
10 means -- to declare that the government may commit crimes in  
11 order to secure the conviction of a private criminal -- would  
12 bring terrible retribution." In Miami, it did just that, and  
13 it may do so elsewhere in the United States before we are done  
14 with this question.

15           The American policeman, the cop on the beat,  
16 is the intake valve of a large, disorganized, unwieldy scheme.  
17 Whether he is skilled or untrained, personable or pathological,  
18 under some restraints or free to work his will as he may, he is  
19 the first taste of justice many minorities meet. The world he  
20 represents bears some consideration, as well.

21           80 years ago when he was 31 years old, W.E.B.  
22 Dubois published his historic study, The Philadelphia Negro.  
23 This was one of the first fruits of the new discipline called  
24 sociology; it was a first scientific examination of the  
25 history, social class, and economic condition of American black

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1 people. And although it appeared first in 1899 and was limited  
2 to one city and one state, it speaks today to the general  
3 condition of minorities anywhere in the United States. In  
4 the section on criminal justice, Dubois wrote:

5 "It is certain that prejudice has been a vast  
6 factor in aiding and abetting all other causes which  
7 impel a half-developed race to recklessness and  
8 excess. Certainly a great amount of crime can  
9 without doubt be traced to the discrimination against  
10 negro boys and girls in the matter of employment. Or  
11 to put it differently, negro prejudice costs the city  
12 something.

13 "The connection between crime and prejudice is,  
14 on the other hand, neither simple or direct. The boy  
15 who was refused promotion in his job does not go out  
16 and snatch somebody's pocketbook.

17 "The connections are much more subtle and  
18 dangerous. It is the atmosphere of rebellion and  
19 discontent that unrewarded merit and reasonable but  
20 unsatisfied ambition make. The social environment of  
21 excuse, of listless despair, of careless indulgence  
22 and lack of inspiration is the growing force that  
23 turns black boys and girls into gamblers, prostitutes,  
24 and rascals. This social environment has been built  
25 up slowly out of the disappointments of deserving

1 men and the sloth of the unawakened.

2 "How long can a city say to a part of its  
3 citizens: 'It is useless to work; it is fruitless  
4 to deserve well of men; education will gain you  
5 nothing but disappointment and humiliation'? How  
6 long can a city teach its black children that the  
7 road to success is to have a white face? How long  
8 can a city do this and escape the inevitable penalty?"

9 This penalty we see everywhere about us. In:  
10 1975, black people, who make up about 13 percent of our  
11 national population, figured in 25 percent of all arrests.

12 Even more significant is the black share of  
13 arrests for serious crimes. 54 percent in 1975 of all those  
14 arrested for criminal homicide were black; 45 percent of those  
15 arrested for rape were black; 59 percent of all arrested for  
16 robbery were black; 35 percent of those arrested for aggravated  
17 assault were black; 28 percent of the arrests for burglary  
18 and 54 percent of the arrests for prostitution and vice were  
19 black.

20 If we forget, if we can, for the moment, the  
21 pervasive influence of racial bias in the arresting officer's  
22 mind and the investigating officer's heart; if we set aside  
23 the arrests and convictions of innocent victims this bigotry  
24 creates; we must conclude, then, the inescapable fact that  
25 blacks in America meet policemen and are arrested, tried, and

1 convicted more often and in greater proportion and for more  
2 serious crimes than our numbers in the population ought to  
3 suggest.

4 Like death and taxes, crime may always be with  
5 us and, therefore, policemen too. It may well be a manifestation  
6 of human frailty and imperfection, an irreducible element of  
7 perversity in human nature. But its rise and fall, its ebb  
8 and flow, describe other things about our society, its economic  
9 and moral well-being, its political cohesion.

10 If most criminals are poor, then there must be  
11 some connection between poverty and crime. If a disproportionate  
12 number of criminals are from racial minorities, then there must  
13 be some connection between crime and race. That connection  
14 is either that minorities belong to a criminal class or that  
15 white America's arrangements have made crime an inevitable  
16 option for many Americans whose skins are dark.

17 The first option is easily dismissed. The  
18 minority crime rate is, in fact, comparable to that of other  
19 groups in similarly depressed situations. The crime rate for  
20 poor blacks is closer to crime rates for poor whites than it is  
21 for blacks in the middle class. The crime rate for successful  
22 blacks is comparable to those for successful whites. The  
23 origins of crime are in the social environment and not the  
24 genes. This may sound elementary to many, but it is necessary  
25 to set the scene.

1           The statistics may sound the same, and because  
2 they do, it is necessary to add some flesh and blood to the  
3 numbers. One of today's ironies is that the more we need  
4 policemen, the more we seem to fear them. At a time when few  
5 Americans -- for good reasons and for hysteria, unrealistic  
6 fear and prejudice -- feel safe in their homes, many Americans  
7 have a justifiable fear that the man in blue may smell our  
8 blood.

9           Let me take you into the life of a young black  
10 boy. Today, he could be one of the 314,000 Americans in prison.  
11 Let us take a hypothetical black youngster and follow his  
12 hypothetical criminal career. I'll call him Willie Williams  
13 and hope I haven't hit, by chance, the name of a real person  
14 in this room. He may not be a precise statistical average in  
15 every respect, but he is typical in most of them. His last  
16 name, incidentally, could just as easily be Sanchez or Spotted  
17 Deer.

18           But this Willie Williams was born 18 years  
19 ago to black parents in the ghetto section of a major American  
20 city. He has two older sisters and a younger brother. When he  
21 was five years old, his father left for parts unknown and hasn't  
22 been seen or heard from since. His mother is a poor woman who  
23 can barely cope with the task of getting herself through one  
24 day after another. She has precious little energy left for her  
25 children. The family exists mostly on welfare and money Willie.

1 sometimes gives her. Where he gets it, she never knows and  
2 seldom wants to know.

3 As a young boy, Willie was almost always hungry  
4 and his brain may have been damaged by it. The family never  
5 really starved, but their nutrition was poor, and this poor  
6 start in life gave him a poor start in school. He was un-  
7 prepared in other ways. His parents were both illiterates.  
8 Their only literature was the Bible and a telephone book. They  
9 gave him love but nothing beyond that than meals, a place to  
10 sleep, and a pervasive sense of failure and hopelessness from  
11 two people who themselves had been deprived and defeated by  
12 poverty at an early age.

13 This slow start at words and figures got worse.  
14 He seemed intelligent, but his IQ test scores were low. Whether  
15 his tests measured his intelligence or not, they did place  
16 him permanently on a slow track for slow learners, a narrow  
17 path from which there was no escape.

18 He was pronounced dumb by the system and treated  
19 that way by his teachers, but he was not too dumb to realize  
20 how little they expected of him. His grades fit his level on  
21 the track, not his performance. He was not taught to associate  
22 effort with reward and was promoted from grade to grade as  
23 rapidly as his birthdays passed by.

24 As he got older, he fell further and further  
25 behind the normal grade levels for his age. His entire school

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1 experience had one single result, it fixed in him a dismal image  
2 of himself and his prospects in life. He hated school. It could  
3 not satisfy his needs; he could not satisfy its demands. It  
4 constantly reinforced his sense of worthlessness, and he began  
5 to get in trouble.

6 These were minor scrapes at first, but increas-  
7 ingly more serious delinquencies. He found his self expression  
8 in defiance, rebellion, his ego gratification in the approval  
9 of his peers. To disruptive behavior in the classroom, he  
10 added extortion and assault in the schoolyard; and before long,  
11 he had transferred these skills from school into the street.

12 There is increasing evidence, incidentally,  
13 that the schools are more than just the starting line for  
14 juvenile delinquencies and violence. There is evidence they  
15 contribute to the crime problem significantly.

16 The President's Commission on Law Enforcement  
17 and the Administration of Justice concluded that some schools  
18 contribute to delinquency both by failing to meet the child's  
19 needs and by actively encouraging delinquent behavior "by the  
20 methods that create conditions of failure for certain students."  
21 There is strong evidence of real associations between conflict  
22 with school authorities, poor performance on aptitude tests,  
23 poor grades and student dislike of school on the one hand and  
24 delinquency on the other.

25 Joseph Rowan, formerly Florida's director of

1 youth services, says, "I used to blame delinquency on parents  
2 and schools about fifty-fifty. Now I blame the schools for  
3 85 percent of it."

4 A California study concluded that school is  
5 the critical social context for the beginning of delinquent  
6 behavior. This study showed that criminal behavior in school  
7 increased the likelihood of dropping out; dropping out actually  
8 decreased the likelihood of further criminal behavior.

9 Willie Williams has dropped out of school, but  
10 he hasn't dropped out of crime. In fact, he's just beginning.  
11 He's now a repeat offender, and as his list of offenses grows  
12 longer, their seriousness and violence increase.

13 Like most violent offenders, he's not psychotic,  
14 but he is an emotional mess. He is full of those qualities  
15 we're told are typical of violent youth: rage, low self-  
16 esteem, lack of empathy, and inability to tolerate frustration.

17 He now has the beginning of a record. He has  
18 been arrested three times, once for a mugging he had no part in  
19 and twice for things he did, in fact, do. The end result of  
20 each arrest was the same. He was back on the street in hours.  
21 The charges were either dismissed or the case diverted prior to  
22 adjudication.

23 The institutionalized racism Willie met in  
24 school confronts him in the court system as well. Judges in  
25 many states utilize a process called ACD, or adjournment in

1 contemplation of dismissal, in which the judge can postpone  
2 a hearing for a set period of time and, if the accused stays out  
3 of trouble, close the case without concluding innocence or  
4 guilt. In a New York study, non-whites were granted ACDs at  
5 one-third the rate for whites and released following adjudication  
6 at one half the rate for whites.

7 But the Willie Williams of this world are  
8 eventually caught and held. They fill our jails and prisons.  
9 In Dubois words again, "They daily stagger out of prison doors  
10 embittered, vengeful, hopeless, ruined. And of this army of  
11 the wronged, the proportion of negroes is frightful."

12 And as this population grows larger and larger,  
13 a rigid backlash spreads against the notion of rehabilitation,  
14 against the notion that crime is a treatable illness with  
15 causes and a cure. The policeman's transformation to society's  
16 mercenary becomes complete.

17 In his book, American Delinquency, Empey  
18 writes:

19 "For more than half of the 20th century, the  
20 belief that rehabilitation would work was not seriously  
21 challenged . . . but during the past decade, dismay  
22 and cynicism have become the property of all Americans.  
23 The concept of rehabilitation is in shambles."

24 In 1975, Norman Carlson, Director of the  
25 Federal Bureau of Prisons, met this issue head on. In a speech

1 to the American Academy of Psychiatry and the Law, he denied  
2 the disease, relinquished responsibility for the cause, and  
3 repudiated any cure. He attacked the notion that the criminal  
4 justice system, including the institutions that he heads, could  
5 be expected to cure the consequences of poverty, neglect, and  
6 racism.

7 "Neither you nor I," he told his audience,  
8 "can control unemployment, social inequity, racial discrimin-  
9 ation, and poverty. Neither the psychiatrist or the correction  
10 officer can deal with broken families, poor neighborhoods, bad  
11 schools, and lack of opportunity." Obviously, none of us can  
12 disagree. Social pathology cannot be cured by treating these  
13 symptoms.

14 But most who reject rehabilitation today do  
15 so because they reject treating symptom and disease. Cynicism,  
16 unconcern, and a certain meanness of spirit seem a common  
17 motivation, and it finds its expression in what can only be  
18 called the politics of crime.

19 As our crime rates go up and our prisons burst  
20 their seams, we have begun to exchange rehabilitation, not for  
21 a more profound attack on crime's causes, but for the idea of  
22 retribution. This is a product of fear and we are becoming an  
23 increasingly fearful society.

24 We are all beginning to lose the ability so  
25 necessary in a civilization as complex and advanced as ours to

1 hold two contrary ideas at the same time without denying either:  
 2 The recognition on the one hand that the individual --  
 3 policeman, criminal, innocent citizen -- is both responsible for  
 4 his acts and that his acts are influenced by broad social  
 5 concerns.

6                   For example, some years ago, we could not  
 7 decide if Patty Hearst should be punished just to prove that  
 8 rich people can be treated fairly by our criminal justice  
 9 system, or if fairness required her early release. If she was  
 10 to be released because her kidnappers abused her, could others  
 11 abused by life claim innocence of their crimes? Or should she  
 12 have stayed in jail because other, poor people are also there?

13                   Vengeance has not become a political catch-  
 14 word. Politicians compete with each other for its use. The  
 15 death penalty has become an issue in races for political office  
 16 where the winner cannot decide criminal cases of any kind.

17                   At a time when most studies demonstrate that  
 18 swift and certain punishment does not act as a deterrent, that  
 19 the length and severity of a sentence does not, both taxpayers  
 20 and the officials they elect are nearly unanimous in demanding  
 21 longer, mandatory sentences while they cut back on budgets to  
 22 staff and maintain the institutions where our criminals are  
 23 warehoused, and to pay and train the policemen whose task it is  
 24 to protect us from lawlessness in our society.

25                   When the Willie Williams of this world or the

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1 Arthur McDuffies, find themselves facing one or more officers  
2 of the law bent on immediate retribution for some real or  
3 imagined present or historical wrong, it may be too late for the  
4 preventive remedies you have discussed here.

5           It may be too late for adequate recruitment of  
6 minorities on the police force. It may be too late for adequate  
7 training, for sensitizing the officer to cultures different from  
8 his own. It may be too late for an independent police review  
9 mechanism, for restrictions on the use of deadly force, for  
10 accountability for the use of firearms. It may be too late for  
11 cutbacks on the price we must pay, for we will all pay at a  
12 time when no one wants to pay more and most Americans obviously  
13 want to pay less.

14           But we will pay more because poor people,  
15 black and brown people, sick people, young people, are being  
16 made sacrificial lambs in the battle against inflation. We  
17 will pay more because the President and the Congress and,  
18 assuredly, the people want to pay less. More for guns, of  
19 course, but less for butter; and when the people discover they  
20 can't eat guns, they will steal butter and cars and money.

21           Even as the more formal trappings of racism  
22 are eliminated, a growing number of Americans of color discover  
23 themselves left out. Since the beginning of the second world  
24 war, millions of southern blacks migrated to America's great  
25 cities. More than half of us live in central cities today,

1 attracted by the promise of jobs and freedom of the rein of  
2 Jim Crow.

3 As quickly as we arrived, however, the jobs  
4 left, lured to the suburbs by tax incentives and subsidies;  
5 in effect, an unemployment tax paid by, not to, the urban  
6 black population.

7 As these cities became home to the wealthy of  
8 one race and the poverty-stricken of another, the phenomenon  
9 Dr. Harvey Brenner calls the "doom factor" quickly comes to  
10 bear. In Dr. Brenner's scheme, an increase in unemployment  
11 also increases suicide rates, homicide rates, and incidences  
12 of state mental hospitalizations among males. A rise of 1.4  
13 percentage points in unemployment in 1971, Dr. Brenner says,  
14 was directly responsible for 51,000 additional deaths, including  
15 1,740 homicides and 1,540 suicides, and 5,520 additional state  
16 mental hospitalizations.

17 These depressing figures reflect and record  
18 the American unwillingness to pay the inconvenient costs of  
19 fulfilling the American dream. They demonstrate why our cities  
20 are in decay, our prisons overcrowded, our schools failing,  
21 and why a large percentage of our national population has been  
22 condemned to the status of permanent underclass, doomed never  
23 to stand equal with their countrywomen and men. At the same  
24 time, a larger crisis threatens to disrupt the relatively slow  
25 progress made so far.

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Richard Barnett wrote a disturbing essay in the New York Times Sunday Magazine, in which he discussed what he called the "new age of scarcity" . . . reflected in the energy crisis, inflation, and growing unemployment. He noted the growth of what has been called the lifeboat effect, a metaphor that suggests humanity as passengers on a kind of global Titanic, a sinking ship without lifeboats enough to go around. Quite naturally, those to be pushed out of the lifeboats constitute that increasing portion of the population which is quickly becoming absolutely irrelevant to the productive process -- the young, the aged, the chronically unemployed, predominantly people of color.

Clear manifestations of that effect are most visible now in the spreading tax revolt and the growing resistance to affirmative action, and the selfishness we see everywhere around us. We face a difficult and dangerous period ahead, and at least ought to be aware of the dangers.

The minority Americans have already faced the lifeboat affect in some form or another. Most of us have been treading water for many, many years. We began this voyage in the boat for a short time, as galley slaves, but as soon as the chains were removed, the slaves were thrown overboard to the sharks and told to look out for themselves. Those who survived were told we couldn't get back in the boat because it wasn't our place; we were natural born swimmers, you see.

1           Some few were told they could climb in the boat  
2 if they were able, but weakened from too many years of swimming,  
3 only one or two managed to pull themselves over the side. Some  
4 on the inside took pity and held out a helping hand, but now we  
5 are told there's no more room in the lifeboat for you or for me.

6           When the idea of racial justice seemed a new and  
7 widely popular fad a few years ago, there seemed also to be an  
8 assumption that it would be free. Of course, it hasn't been.  
9 Change never is. And when it began to pinch white union members,  
10 the possessors of seniority and the Allan Bakkes of this country,  
11 its popularity began to wane and to fade. In the long run,  
12 however, the cost of achieving justice is never so great as  
13 the cost of denying it. That cost is measured by indicators  
14 such as crime, mental illness, human decay, and social dis-  
15 integration.

16           Describing the problems we face is a relatively  
17 easy task. The figures shift by a few percentage points from  
18 year to year, but the people and their desperate situation  
19 remain pretty much the same.

20           Of immediate importance is the struggle to  
21 put wages into peoples' pockets, to reduce the staggering  
22 unemployment running rampant in minority America. Now we  
23 hear, however, that salvaging the dollar is more important  
24 than spreading it around.

25           We need a full employment economy, and we need

1 to learn that "full" means total, complete, absolute, everyone.  
2 We need now to begin the process of conversion from an economy  
3 that depends so heavily on spending for war and toward an  
4 economy that spends for peace.

5 We need to develop an economy that provides  
6 a place for everyone, that removes the economic elitism that  
7 has characterized this century. The battle lines of yesterday's  
8 struggle must shift to a new battle. The struggle to win the  
9 economic democracy that for so long has been denied most  
10 Americans, a deprivation that has relegated blacks to the status  
11 of a permanent underclass, half subsisting below the poverty  
12 line while the rest work twice as hard to earn half as much as  
13 everyone else.

14 Our common goals ought to include income and  
15 wealth redistribution through a tax structure that reduces  
16 disparity between the needy and the greedy; the beginning of  
17 the end of poverty through a program of real full employment,  
18 supplemented by a negative income tax for marginal wage earners;  
19 a system of total, lifelong education that would dignify  
20 vocational as well as academic training and permit each person  
21 to realize full potential; free, adequate, cradle-to-grave  
22 health care for all Americans, financed through the national  
23 treasury and not by profit-making insurance companies; effective  
24 social control of monopoly and national, regional, or municipal  
25 ownership of vital services operated for the welfare of many and

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1 not for the profit of the few.

2                   Unfortunately, these hold the promise of no  
3 perfect world but do hold out the hope that we may create a  
4 system of laws and relationships between us that promise more  
5 than the present system of privilege for only a few.

6                   What we need be about, then, is the creation  
7 of a national coalition of need, of parents who want care,  
8 not warehousing for their children, of workers who want work  
9 at a decent and protected wage, of all those who want an end  
10 to subsidy and socialism for the wealthy and welfare and  
11 capitalism for the poor, of those who must learn that sufficiency  
12 for those at the bottom is compatible with stability for those  
13 in the middle. All of these people now live in America, divided  
14 now by race and class, fearful of each other, unorganized, and  
15 impotent.

16                   Dr. Dubois, luckily for speakers like myself,  
17 had so much to say about so much, said it best more than half  
18 a century ago:

19                   "I believe in God who made of one blood all the  
20 races that dwell on the earth. I believe we all,  
21 black, brown, and white are brothers, varying through  
22 time and opportunity in form and gift and feature,  
23 but differing in no essential particular, alike in  
24 soul and in the possibility of infinite development.

25                   "I believe in service: Humble, reverent service,

1 from the blackening of boots to the whitening of  
2 souls; for work is heaven, idleness hell, and wages  
3 the welldone of the master who summoned all them that  
4 labor and are heavy laden, making no distinction  
5 between the black sweating cotton hands of Georgia  
6 and the first families of Virginia, since all  
7 distinction not based on deed is devilish and not  
8 divine.

9 "I believe in the devil and his angels, who  
10 wantonly work to narrow the opportunity of struggling  
11 human beings, especially if they be black; who spit  
12 in the faces of the fallen, who strike them that  
13 cannot strike again, who believe the worst and work  
14 to prove it, hating the image which their maker  
15 stamped on a brother's soul. I believe in the Prince  
16 of Peace; I believe that war is murder; and I believe  
17 that armies and navies are at bottom the tinsel and  
18 braggadocio of oppression and wrong; and I believe  
19 that the wicked conquest of nations weak and darker  
20 by nations white and stronger but for shadows the  
21 death of their strength.

22 "I believe in liberty for us all, the space to  
23 stretch our arms and our souls, the right to breathe  
24 and the right to vote, the freedom to choose our  
25 friends, to enjoy the sunshine, to ride on the

1           railroads uncursed by color, thinking, hoping,  
2           dreaming, working as we will in a kingdom of God and  
3           love."

4           Thank you.

5           MR. REED: Senator, at this time we all here  
6 would like to take this opportunity to thank you for partici-  
7 pating in our conference and bringing that word to us today.  
8 We thank you.

9           There are a couple of other people in the room  
10 we'd like to thank, also, today, and they have worked very  
11 hard in putting on this conference. Would the moderators please  
12 stand?

13           One housekeeping chore, and that is for those  
14 of you who spent the last couple of days in the dormitories,  
15 please make sure you do not leave with the keys.

16           I'd like to turn the meeting over to our two  
17 co-chairpeople, starting with Dr. Roman.

18           MR. ROMAN: I'm still in awe over and a little  
19 bit unnerved to be on a dias with such a man as Senator Bond,  
20 a man who has lived and been at the making of history in this  
21 country. I've been following Senator Bond in the media for  
22 the last 20 years. I was in junior high, then, Senator Bond,  
23 and I hope to do it for another 20 or 40 years.

24           We have today, also, a man who in the Chicano  
25 community is revered as being one of our poets, authors,

1 playwrights; a man who has to his credit many publications and  
2 who has asked today -- he's been one of you out in the  
3 conference for the past three days -- and he's asked today  
4 whether or not he could come up. He's composed a poem about  
5 the conference. So would Abelardo Delgado please come up.

6 MR. DELGADO: Thank you. I thought I'd take  
7 the opportunity to share in a poetic way the summation of the  
8 conference, because sometimes we write reports and we write all  
9 that and we miss something. I hope poetry might help us capture  
10 some of what we mean. The poem is entitled "Consultation."

11 That's right, two hundred years plus  
12 of the Racism and prejudice  
13 Which we have inherited  
14 cannot be erased  
15 with a three-day consultation  
16 between the police departments  
17 and the minority communities.  
18 Not the Chief of Staff  
19 or the Chief of Police  
20 or the Chief of the Navajos  
21 has enough power  
22 or eraser big enough  
23 to do the Job.  
24 It is hard work  
25 for one boss  
but when society assumes that role  
for a policeman  
confusion and frustration  
are bound to abound.  
When we see  
the growing list  
of minority members gunned down  
And beaten up,  
we know and swear  
any dialogue with those  
we view as criminals  
and not as  
public servants  
is bound to be confrontive.

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1 The accumulated  
2 pain and sorrow  
3 is too much  
4 to be nice and smile  
5 as we talk  
6 And yet  
7 that same pain and sorrow,  
8 fear and mistrust  
9 has blinded some of us  
10 to see that police officers  
11 are oftentimes the victims, too,  
12 and that they are  
13 Human beings, not pigs,  
14 living among us,  
15 concerned parents  
16 and also afraid like us,  
17 of what lies yonder  
18 if we continue on this path.  
19 This conference is perceived  
20 only for a minute,  
21 and any effort we make now to change the roads,  
22 and attitudes,  
23 manner of dealing  
24 with one another.  
25 Those who came and left  
with hearts and minds  
yet closed  
Have given credence  
that these three days  
together  
Have indeed become  
a farce.  
Those who came,  
as I'm sure most of us did,  
with hope,  
respect  
and a willingness  
to share blame and guilt  
as long as the sharing is alike,  
Have helped  
to focus on new days  
in which racism  
and prejudice will  
never be allowed to wear a badge,  
in which police  
Are willing to police themselves  
and in which we are willing to call them  
Our brothers and our sisters.

1 MR. ROMAN: Thank you very much, Lalo.  
2 I'd like to have copies of that, if you'd give them to us  
3 sometime.

4 For the summary, this is not the end of the  
5 problem. This is not the panacea, of course, that we waited  
6 for an end to all of our problems or any of our problems. It  
7 is only the end of the conference, the consultation.

8 Let me put it back into some kind of perspective,  
9 if I may, genesis, how we began, and maybe try to get it back  
10 on track in terms of what you may want to do. A few serious  
11 incidents, if you'll recall over the past year, past two years,  
12 past three years, ten years, involving the police and minority  
13 community brought us to this conference.

14 The development of the committee bringing  
15 together 40 organizations of people, of the police, law  
16 enforcement, Chicanos, Blacks, Native Americans, Asian  
17 Americans -- 40 separate individuals met, 40 strangers met;  
18 20 working people from that particular group finally cohesed.  
19 They didn't always agree on what they were doing or what they  
20 wanted to do, but they knew that something had to be done.  
21 Law enforcement, Chicanos, blacks, all sat together at that  
22 time and planned.

23 The conference, then, in the past 72 hours I  
24 saw some things happen. I saw on the first day that tall,  
25 short-haired police officers with names like captain -- first

1 names like captain, first names like sheriff -- were coming in,  
2 and minority community people were also coming in with names  
3 like Sanchez, Lopez, Rodriguez, Aguilar; blacks from the  
4 metropolitan community of Denver. Different shapes, sizes,  
5 colors -- we all met here together. We were all strangers at  
6 the time, as well, and a little bit awkward and a little bit  
7 hesitant to talk to each other. That was on Thursday.

8           And I was approached by someone, I would listen  
9 in the halls, in the bathrooms even, and in listening I found  
10 out that everyone was just a little bit nervous about the  
11 other and about being there. Some were sent, others came by  
12 their own choice. Welcome, all of you.

13           On Friday, the ice was broken. It could have  
14 been broken a little bit earlier had we done other things, but  
15 the ice was broken finally and some of the problems began to come  
16 out. The police have problems, what are the police's problems?  
17 What are the minority community's problems? We started sharing  
18 things a little bit.

19           On Saturday morning, I finally heard someone  
20 say, This is the best two hours we've spent because we finally  
21 got to talking to each other, were able to communicate. I think  
22 possibly that's part of it, that's part of it, but now where do  
23 we go? From here, where do we go, Chief Koleszar? Would you  
24 tell us, please?

25           MR. KOLESZAR: Toward a mutual respect and

1 understanding, a first step; that, as you know, was the theme  
2 of the conference. When I was asked to prepare the summary  
3 remarks, I, as usual, found I had more concerns than comments  
4 and had more questions than answers. Questions for myself; did  
5 I individually as a police administrator during this three-day  
6 conference take the first necessary step to listen to what was  
7 being said? Did I listen to the speakers? Did I listen to the  
8 moderators? Did I listen to the co-chairs? Did I ask myself,  
9 if I did listen, did I really hear what was being said? Did I  
10 hear what was being said by Mr. Zah; did I hear what was being  
11 said by Mr. Rogovin and Martinez and Bonilla and Senator Bond?  
12 Did I learn and did I understand if I did hear what was being  
13 said? Will I as an administrator be able to apply what I did  
14 learn from this three-day conference?

15 But I also had some questions for you. Will  
16 you go back to your respective communities and share with those  
17 people who were not here during this conference what you heard  
18 and what you understood and what you learned? Will you do that?  
19 Will you become involved even more in the next year than you  
20 have been to date and during this three-day conference? Will  
21 you continue to assume the leadership role in your respective  
22 communities, whether it be black, hispanic, native American,  
23 or law enforcement? Will we collectively establish that whole  
24 necessary network to solve future problems that may occur? And  
25 will we form that coalition that both of us need to continue

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1 with what we started during this three-day conference? Will we  
2 talk with one another and not about each other? And I guess the  
3 last question, and the most important question that I have is,  
4 will we individually and collectively carry through on what was  
5 started during this three-day conference?

6 I sincerely hope that I and Dr. Roman can return  
7 a year from now and look back in retrospect and answer that  
8 question affirmatively.

9 MR. ROMAN: One way which we as the executive  
10 committee of this particular consultation hope to do that is  
11 by making certain that we remain as a cohesive body, at least  
12 until we initially help the police community coalition become  
13 a reality. We want you all to help. We'll only be involved  
14 initially; it will be your thing.

15 One more thing, I would just like the resource  
16 people and the committee chairs to stand. Resource people and  
17 committee chairs.

18 It took a lot of work to put this thing together,  
19 and I thank everyone that's here. Hopefully, if we come back  
20 next year, if you need it in another year, or five or ten --  
21 we're not going to solve the problems today -- but if we meet  
22 again in another year, hopefully we'll come back with less  
23 death, less injuries, and more hope.

24 Thank you very much for coming.

25 (Whereupon, at 1:45 p.m., the above-entitled  
conference was concluded.)