

PUBLIC MEETING  
BEFORE THE ARIZONA ADVISORY COMMITTEE TO THE  
U.S. COMMISSION ON CIVIL RIGHTS  
(TOPIC: Police Community Relations)

REPORTER'S TRANSCRIPT OF PROCEEDINGS

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THE PUBLIC MEETING  
BEFORE THE ARIZONA ADVISORY COMMITTEE TO THE  
U.S. COMMISSION ON CIVIL RIGHTS

was taken at 2:25 p.m. on August 26, 2015, at the CHOLLA  
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Arizona.

BOARD APPEARANCES:

Andrea Martiez  
Leona Johnston  
Evangeline Nunez  
Erin Ogletree

LEGAL APPEARANCE:

Peter Minarik,  
Regional Director, Western Region  
U.S. Commission on Civil Rights

Phoenix, Arizona  
August 26, 2015  
2:25 p.m.

P R O C E E D I N G S

MS. MARTINEZ: Good afternoon. Welcome to today's meeting with the Arizona Advisory Committee to the U.S. Commission on Civil Rights.

We would like to welcome the Reverend Bowen, Mr. Fowler, and Reverend Holliday. Thank you for being here and sharing information.

The purpose of this meeting is to share information and description of the situation from the panel in relation to the final report that was issued from the President's Task Force on 21st Century Policing.

Specifically, we are looking for information and description related to community policing, crime reduction, training and education. Those would be pillars four and five in the report. This committee will then assess all of the information over yesterday and today in order to determine how to move forward.

This is a public and open meeting. The record is open until September 25th. If you would like, you can contact and/or call Doctor Peter Minarik who is a regional director.

1           For the record, each panelist will share for  
2 about ten minutes each. Committee members will hold our  
3 questions until each of you have presented information,  
4 and then we'll ask questions at the end. Public comment  
5 we will take at the end of all three panels at about 4:30  
6 today.

7           Okay, are we ready? Let's start with Reverend  
8 Bowen.

9           MR. BOWEN: Good afternoon. I want to thank you,  
10 Leona Johnston and also the Republican Groupa for Women  
11 for allowing me to be here today and bring my particular  
12 perspective to this issue. I just found out about it a  
13 couple of weeks ago, but I've tried to get up to speed.

14           I came in a little bit early, and what I heard  
15 was something that's going to make me sound rather  
16 redundant. What I bring to the table today is that I may  
17 be the only one on the panel that was actually a police  
18 officer.

19           I was a police officer for ten years. I was a  
20 security officer. In law enforcement, I was a SWAT team  
21 commander. And I also happen to be the first person of  
22 color at the United States Embassy in Oslo, Norway. I may  
23 talk about that a little bit more toward the end when we  
24 talk about community policing.

25           I also have the distinction of perhaps being the

1 only one on the panel that was actually a gang member and  
2 a gang leader. From the time I was 11 to 17 years old, I  
3 was 110 percent gang related. So I have a couple of  
4 perspectives when looking at the police department.

5 I also helped start a group called Phoenix Youth  
6 At Risk, which is also now called youth -- Pathways for  
7 Youth. And we work with law enforcement and other  
8 non-profit organizations for a better community by dealing  
9 with the children who were at risk for crime.

10 Now you mentioned 21st century policing. I can  
11 tell you a little bit about, maybe, 19th century policing  
12 when I was a child, because we had two types of police  
13 officers in the community. In regards to community  
14 policing, so little has changed, I can actually go back to  
15 when I was 16 years old standing on a corner with other  
16 kids, and a patrol car would come by, roll down the  
17 window, and what they would say is, "Give me that corner."  
18 That meant when they came back, we had to be gone, or  
19 else. "Or else." Well, there's a big black Mariah, which  
20 is a black van; and you might visit that van and you might  
21 get a little bit hurt.

22 The other kind of community policing was the guy  
23 on the beat, officer friendly. He's the guy that walks up  
24 to you and actually builds relationship. He's involved in  
25 your life. He wants to know how you're doing in school.

1           Now I might also add that that was originally  
2 what I was before I went into the military. They said  
3 with your background in violence, we're going to make you  
4 a police officer. That's actually how I came to become a  
5 police officer. People telling me I changed one gang for  
6 another gang.

7           I might mention it's hard out there for a police  
8 officer, in what I've seen. And I'm going to come at it  
9 with just straight talking truth and straight from the  
10 heart. I think it's very difficult for a police officer.  
11 I think it's hard out there for everyone. And to expect a  
12 few police officers to take care of what a community  
13 should be involved in, is very, very difficult.

14           I heard you all talk about training. Well, when  
15 I was in the Air Force, we got the best of training, and  
16 we continued to train. But, you know, there's always that  
17 element of fear. There's always that element of fear  
18 being the elephant in the room. We don't talk about that  
19 a lot. We're up against a lot more mental illness. Cops  
20 are expected to do a lot more.

21           And we love to dump on one another, don't we? We  
22 do that as parents lots of times. Something happens to  
23 our children, it's somebody else's fault. It's never the  
24 community's fault. Two examples of good policing and bad  
25 policing in the community might be those three guys on the

1 train. Remember over in Europe? The three guys in  
2 Europe, they understood community policing better than  
3 most of the people on the train because as soon as  
4 something happened, the community responded.

5           So my comments would be about the community being  
6 involved. And I believe you mentioned "clergy." And,  
7 yes, we're clergy. And I look at local government -- and  
8 you'll let me know when my time is up. I look at local  
9 government and I think that, yeah, we just elected a  
10 mayor, and we talked about prop. 104. I think that was  
11 the hot issue this particular time; light rail.

12           But what about a safe community? What about  
13 community policing? I heard not any. And I went to all  
14 of the different debates with all of the different folks.  
15 And I asked about the security. Don't you want a safe  
16 community? A lot of that's going to start with the  
17 people. It's not going to start with the police, and the  
18 police will be reflecting what the people are really up  
19 to.

20           So, in closing, let me say that, once again, I  
21 understand, as a police officer myself, how difficult it  
22 is. And how particularly now with the cameras and the  
23 issues of racism and bigotry -- and good policing and bad  
24 policing is something that people never talk about, too.

25           We had some good police officers. I've seen good



1 police officers. Every 20 officers or so we had what we  
2 called a double-07 police officer. That was a police  
3 officer that thought he had the right to use his gun and  
4 terminate someone under the least of circumstances. We  
5 hope we don't see these people. But, once again, I think  
6 the training is going to come through, and I think that  
7 we're going to have to have people that care about  
8 themselves and the community.

9           That's what I saw in Oslo, Norway. I saw people  
10 that were proud of themselves. That's why they didn't  
11 commit crime; because they had too much pride in  
12 themselves. And I became that person.

13           Once someone said to me, "You've got an  
14 opportunity to cheat on your girlfriend. She's never  
15 going to know."

16           I said, "That's not the point. I'm going to  
17 know."

18           So we start to be responsible for ourselves, and  
19 we can be responsible for our police force. Thank you.

20           MS. MARTINEZ: Thank you, Reverend. Mr. Fowler?

21           MR. FOWLER: Thank you. Good afternoon. My  
22 name is Renaldo Fowler. I'm a senior staff advocate with  
23 the Arizona Center for Disability Law where I have worked  
24 for the last almost 32 years.

25           The center is a federally designated protection

1 advocacy agency for the state of Arizona. Protection  
2 advocacy -- there are a variety throughout the United  
3 States. We are the largest legal organization that  
4 represent people with disabilities throughout the country.  
5 We have an office in Tucson, we have an office in Phoenix.  
6 And I want to thank the Advisory Committee for allowing me  
7 to speak with you today.

8           What I'm going to focus on today -- I have my  
9 comments kind of written out so you have those comments --  
10 is to talk about disability in terms of pillar four and  
11 five, policing. And I read the report. And what I really  
12 want to talk about, if you look at the population of  
13 Arizona, it's, like, 6.8 million people and growing. And  
14 one out of five people have disabilities, so that's 1.3  
15 million people. That is a lot of people with  
16 disabilities.

17           And one of the things when I start to read the  
18 report, and it talks a lot about mental health. That's  
19 kind of what's the focus is in terms of policing today.  
20 But I want to say this to you, is that it's a good start.  
21 But when you look at 1.3 million people, mental health is  
22 only one part of that. The mental health situation is one  
23 part of that.

24           And so my recommendation is that -- and when I  
25 read through the report, it really focused on items in

1 mental health, but to expand that and start looking at  
2 intellectual disabilities. That's a serious issue with  
3 law enforcement giving directions, giving commands to  
4 people with intellectual disabilities.

5           Also in terms of persons with hard of hearing,  
6 deaf and hard of hearing, we've had some incidents in the  
7 Valley where individuals with hard of hearing and deaf  
8 were shot by law enforcement agencies. So, really, you  
9 want to focus on expanding that in terms of physical  
10 disabilities.

11           If a person has a physical impairment and he's  
12 given direction about getting out of a car, he may not be  
13 able to get out of the car. So we want to be aware and  
14 talk about expanding, not just looking at mental health.  
15 This report focused a great deal on mental health, crisis  
16 intervention training. It did not speak much about the  
17 hard of hearing, intellectual impairment. I just want you  
18 to keep that in mind.

19           Also, and one of the things that we are aware of  
20 in our office is that police are not fully investigating  
21 crimes against people with disabilities. That is a  
22 significant problem that we are aware of. Our  
23 recommendation is that they complete full investigations.

24           And one of the justifications for not completing  
25 those full investigations is that people with disabilities

1 are not good witnesses and are not reliable. So they may  
2 see a crime or they may be a victim of a crime. And so  
3 that's one of the things that we are aware of that does  
4 happen quite often. And that could include from rape to  
5 every kind of crime against that person with the  
6 disability.

7           And one of the things we wanted to talk about  
8 also is, there are some police departments who have  
9 officers trained and have the skills and ability to  
10 interview people with a variety of disabilities that may  
11 have cognitive impairments, to get information from them.  
12 So the answer is, yes, training. Training is the key.

13           Because what happens -- and I know as you talk  
14 about funds and moneys and cuts, the issue is there are  
15 people's lives at stake. There's a very narrow margin for  
16 police officers. If they're giving directions and a  
17 person has an impairment we don't understand; that's life  
18 threatening for that person and for that police officer.  
19 So that's one of the things that we really, really stress  
20 is training. And as you see in my information, I did give  
21 resources. And lot of those resources are free. And lot  
22 of police departments have to reach out and get that  
23 information.

24           I want to focus a little bit now on the deaf and  
25 hard of hearing community because this is something that's

1 real fresh in our office and we're actively involved with  
2 this. One of the things with individuals with hard of  
3 hearing or deaf, is having an effective communication.  
4 That is crucial.

5           You can have a routine stop and a police officer  
6 start giving directions, and that person may not hear  
7 them. Okay. Or that person may be a victim of a crime or  
8 that person may be accused of a crime, and they're not  
9 provided effective communication so they could be given  
10 their right to protect themselves.

11           So making sure -- and there are different things  
12 that can happen. If a person is stopped on a routine  
13 basis, you know, police officer can write things down,  
14 could give them a ticket until effective communication is  
15 there. There's relay. There's CART. There's different  
16 things that are available for police officers.

17           I provided some resource information from the  
18 Arizona Commission to the Deaf and Heard of Hearing. We  
19 have one of the deputy commissioners here today. They  
20 have a whole extensive program and talked about training  
21 for law enforcement, so they can address that. And I gave  
22 you that information.

23           One of the things I clearly saw in the report, it  
24 talked about mental illness; but I didn't see a lot about  
25 the deaf and heard of hearing community and the

1 intellectual disabilities. In Arizona, the Division of  
2 Developmental Disabilities serves 32,000 people with  
3 intellectual disabilities. That's one state. So we're  
4 talking large numbers of people with disabilities. As I  
5 mentioned, 1.3 million people with disabilities.

6 I deal mainly with the educational issues at the  
7 office. And one of the things that I clearly saw in the  
8 report, I thought they did a very good job when it came  
9 down to school issues. That was, to me, one of the  
10 brightest spots.

11 And that's one of the areas that I deal with most  
12 in our office for the last number of years, is kids with  
13 challenging behaviors and schools using law enforcement  
14 rather than providing appropriate services. That is a  
15 pervasive problem. I would love to know the numbers of  
16 schools when they call law enforcement, and I would love  
17 to know the demographics of those kids in terms of  
18 demographics and in terms of disability.

19 You might have saw a few weeks ago with a  
20 resource officer in Kentucky with the handcuffing of a  
21 nine-year-old; that made national news. That's not just  
22 in Kentucky. That's not just in Kentucky.

23 So when it comes down to zero tolerance, one of  
24 the things -- you know, I talk to the law enforcement  
25 officers. The first thing I usually ask is, number one,

1 have they been trained to work with kids with special  
2 needs. Okay. There's a lot of kids with special needs  
3 that have emotional mental health needs, and a lot of  
4 times they may not necessarily be the appropriate person.

5           So there's a difference between disability-  
6 related behavior and criminal behavior. It's not the  
7 same. So often kids are being arrested for  
8 disability-related behaviors, rather than providing  
9 appropriate services.

10           The federal special educational law talks about  
11 providing positive behavior supports. One of the nice  
12 things about it now is, a number of years ago when you  
13 used to go to schools' websites, all of them bragged about  
14 zero tolerance. I did a survey -- I had my assistant do a  
15 survey about six months ago, who went to about over 200  
16 school districts' websites. There was nothing -- I think  
17 one still had zero tolerance. Most of them are shifting  
18 towards positive behavior supports in terms of the whole  
19 school setting. And so that's one of the things that -- a  
20 good thing. They're moving towards that.

21           And I would encourage local police departments to  
22 work with your local school districts, work with the state  
23 departments, get to know your charter schools. And  
24 really, really, because most schools have resource  
25 officers, to get them trained and make sure that they

1 understand that there's a large vulnerable population of  
2 students on that particular campus that may have special  
3 needs; that their interaction with them, unless it's a  
4 criminal behavior, may not actually necessarily be  
5 appropriate because it may escalate situations.

6           So I want to move on now to training and  
7 education. As I mentioned to you earlier, when you read  
8 the report, there's a lot that talks about mental health.  
9 It talks about crisis intervention training. And it  
10 stresses that -- one of the things I wanted to say is  
11 that's one approach.

12           But I would encourage you to talk to other  
13 professional providers in the community to see what other  
14 options are out there, other than the crisis intervention.  
15 Because there's a lot of different things that I would  
16 recommend that you do.

17           Again, I want to stress expanding this  
18 collaborative model beyond mental health. When you start  
19 -- I tried to get the numbers for you to break down in  
20 terms of disabilities, but I was not able to find that  
21 information in terms of mental health, intellectual  
22 disabilities. It's very difficult because different  
23 agencies provide different services and keep that  
24 information.

25           But the main thing I wanted to say is that



1 because police officers are given a lot of authority, a  
2 lot of power; they can make life-and-death situations. So  
3 we should not let money be the barrier. Because sometimes  
4 we talk -- when we talk about lives, individuals lives,  
5 that can -- on both parts; individuals and police  
6 officers.

7           So I think that it's important that we talk about  
8 training, we talk about training, ongoing training. And  
9 also a lot of the trainings that are out there are not  
10 necessarily costs. There are agencies that are out there,  
11 faith-based organizations, there are state agencies.

12           I have a resource page in the back. One of the  
13 things I did not see in the report, that I talked about  
14 when they were here back in January, the National  
15 Disability Right Network in Washington, D.C., is a good  
16 resource. Our office, the National Alliance for the  
17 Mentally Ill.

18           There's an Arizona -- there's the Arizona  
19 Commission for the Deaf and Hard of Hearing, Department of  
20 Economic Security, Department of Behavioral Health, and  
21 the Arizona Positive Behavior. So there are some  
22 resources that are out there that may not necessarily need  
23 a lot of money for police departments. Thank you very  
24 much.

25           MS. MARTINEZ: Thank you, Mr. Fowler. Reverend

1 Holliday.

2 MR. HOLLIDAY: My name's Pastor Sam Holliday.  
3 I'm Associate Pastor from Skyway Church of West Valley in  
4 Goodyear, Arizona; in full-time ministry for 21 years. I  
5 have an operation warehouse background type of thing, but  
6 for the last 21 years I've been full time as a pastor.

7 I guess what I'll just share with you guys today,  
8 I read through the two different pillars four and five  
9 regarding the community policing and training and  
10 education. I suppose in going over all that, I'll kind of  
11 just give you an example of what I see in our city with  
12 actually what our -- as we just process with the city of  
13 Goodyear.

14 We have a really good working relationship with  
15 Goodyear. I don't know if, exactly, they follow every  
16 single one of these training in community policing; but I  
17 can say every single thing that we've done with Goodyear  
18 in regards to the church and our relationship with them  
19 has been above excellent.

20 We have Goodyear police officers on our site  
21 every single Sunday so that we have a police presence.  
22 There's a couple of different things. They help us with  
23 the -- our parking and getting out onto the street; but  
24 more than that, they've helped us with domestic violence.  
25 You have an estranged parent that will come in and cause

1 us problems wanting to pick a child up. They've helped us  
2 with that.

3 We also have mentally handicapped facilities that  
4 bring their members to the church. And a lot of times  
5 they are not -- they don't act real well in public. And  
6 so that we need the police officers, along with people  
7 that we have there, to help, you know, keep things in  
8 control; keep things orderly. And the officers do an  
9 extremely, extremely good job in dealing with that; very  
10 hard, hard situations because they can get violent very  
11 easily, but officers are doing an excellent job.

12 Working with Lieutenant Rodriguez, he is our  
13 contact person. And he and I are working putting together  
14 a safety program for the church in regards to active  
15 shooter communication with the campus. Our campus is a  
16 25-acre campus. Very, very large. We have people in  
17 multiple buildings.

18 Right now, when the officers come on site, they  
19 give us their cell phone numbers. And we have a contact  
20 person who then gives that cell phone number out to about  
21 eight different leaders; so if something happens, we text  
22 the officer and they're right on the spot. And that's  
23 happened probably, geez, I don't know, 20 times, maybe,  
24 throughout the time we've had them there; where they  
25 actually come on site.

1 Another thing they have set up -- and I don't  
2 know if this is in all cities -- but if for some reason we  
3 don't have the officer's number, we call 911. It's --  
4 they're automatically dispatched, and they actually hear  
5 the 911 call that's going on at our campus and they  
6 respond immediately. That happened once or twice. So in  
7 regards to that, we've just had great response from the  
8 city of Goodyear.

9 The other thing is, we've been praying for the  
10 city of Goodyear and their officers, by name, for at least  
11 the last ten years. And I don't know how we do all the  
12 stats, but we look at their stats and the crime reduction  
13 is extremely low in Goodyear. As a matter of fact, the  
14 verbiage they use when I'm talking to them, there's an  
15 invisible line. Once you cross Goodyear, the crime  
16 increases at an exponential rate with Buckeye, Cashion,  
17 some of the ones that border around -- around their  
18 cities.

19 And I told the lieutenant -- I'm not sure what  
20 his faith is, or whatever -- but I just told him, "We've  
21 been praying for you for ten years."

22 And he goes, "You know what, Pastor Sam? I don't  
23 know if that's it, but alls I know is we have very, very  
24 low crime in this area. And when you cross this line" --  
25 and he calls it an invisible line -- he said, "When you

1 cross this invisible line, the crime increases  
2 drastically."

3           We fellowship with Goodyear or participate with  
4 them where we allow them to use our campus to do canine  
5 training. Multiple cities come in to do their canine  
6 training there, they do their SWAT training. The  
7 two-story building where they do their robotics training,  
8 their SWAT training. They use rubber bullets and they've  
9 got to, every now and again, do drywall repair. But we  
10 let them come in and kind of do their training there. In  
11 the facility, we've had 85 officers from multiple cities  
12 the last time; and 35 the last time we let them use the  
13 building, which was two weeks ago.

14           We have quite a few of our members -- I say  
15 "quite a few." I know five have participated in the  
16 Goodyear Citizen Police Academy where they have citizens  
17 come in so that they can learn what's going on with the  
18 city. Where are the high crime areas? How do they handle  
19 crime? What do they do? And we've had five different  
20 people from our church congregation go through that police  
21 academy. So that we're very aware of what Goodyear does.

22           So I kind of come from that perspective, but I  
23 really want to compliment Goodyear. I don't know how  
24 exactly what they do with all their training, but whenever  
25 we've had to deal with domestic disturbances, husband,

1 wife, girlfriend, boyfriend, those type of things,  
2 estranged parents again that come in; they've done a  
3 really great job in helping us with those situations.

4           We can handle it on the spiritual side, but it's  
5 good to have someone say, "You cannot do that right now."  
6 So that really helps working with the church and working  
7 with the city of Goodyear. That's kind of the things I  
8 wanted to bring to the table.

9           Just one other thing with Lieutenant Rodriguez.  
10 The amount of education, films, to help us set up the  
11 safety procedures in our church is more than I can even  
12 handle. Because he's all, "Okay, we can to do this, this,  
13 this, and this." And I said, "Well, okay, let's just  
14 start here." But he's got a lot of wealth of information.

15           And we're starting to educate our leaders so if  
16 something does take place, we would know what to do;  
17 whether it's "Run, Hide, Fight" -- the little video they  
18 have that comes out, tells people what to do. But,  
19 anyway, from my perspective of a church pastor in the city  
20 of Goodyear, they do a super, super, job in working with  
21 the community and working with the church.

22           MS. MARTINEZ: Thank you, Reverend Holliday. And  
23 thank you panel members for your insight and perspective.  
24 At this time, we'll open up to the committee for questions  
25 for any of the three panelists.

1 MS. NUNEZ: Yes, I wanted to also talk to  
2 Reverend Holliday, but one of the things that -- having  
3 visited your church years ago, I know there was a very --  
4 a Ascend International program that you have that's very  
5 multiculture that you have pastors come from all over. I  
6 don't know if it's got 44 different, or maybe more now.  
7 But that it's got Latinos, African-Americans -- these are  
8 some of the leaders from some of the churches throughout  
9 the state. But the programs that you offer that you're  
10 talking about, they're all open to come and partake of.  
11 And I just like how you have opened, and embraced, and  
12 allowed the church to be used not only for community  
13 policing, but to train and clergy from different  
14 denominations and --

15 MR. HOLLIDAY: Well, what we're doing with that,  
16 we're just beginning to start what's called Ascend  
17 International University. And what it will be doing is I  
18 -- I teach a chaplain program. We have over 40 active  
19 chaplains go through a 32-week -- actually, go through a  
20 two-year process before they become a chaplain. And we  
21 use them there in the church, but then we also use them  
22 out in the community. Some of them have even -- are  
23 working with Avondale right now; the city of Avondale.

24 But what we're doing is, we're wanting to train  
25 pastors in different countries -- Mexico, Africa.

1 Croatia; those are some of the nations that we're involved  
2 in and we have as part of our network. It's called an  
3 Apostolic Network. And we're affiliated with all of these  
4 different individuals where we've been in their homes, on  
5 the ground at their sites, we know who they are; and a lot  
6 of them don't have a lot of training.

7           So what we're doing is taking our chaplain  
8 training and some of the other training that we have, and  
9 we're putting those on-line so that we can be able to help  
10 train pastors. Like you said, like Ms. Nunez said, Skyway  
11 Church is the church, and the Ascend International is the  
12 apostolic ministry -- not to confuse anything. But what  
13 we do is a multicultural and multigenerational church.

14           And we started that out 20-some-odd years ago.  
15 We were a little Baptist mission out by Luke Air Force  
16 Base. It was, basically, just people from military  
17 backgrounds coming in and out. Very small church. And  
18 since that time, we wanted to grow a multicultural,  
19 multigenerational church.

20           And since that time, we got all players there,  
21 and we begin to go international now. And I don't know  
22 how many nations. I think maybe 50 or 40 or so that we're  
23 actually in where we've gone from India to Mexico, South  
24 America, several others. But, yeah, that's one of the  
25 things that we're wanting to do, is begin to train these



1 international pastors who just -- when they got there,  
2 they have very small churches, but they just don't have  
3 the training. And we're going to begin to put that  
4 on-line starting in 2016, is our goal.

5 MS. MARTINEZ: Other questions?

6 MS. JOHNSTON: Mr. Fowler, I'm really interested  
7 in the whole thing you talked about; especially people  
8 with disabilities. And I've noticed recently that even  
9 among people I know, that examples of senior abuse. And  
10 very oftentimes these are members of the family who are  
11 abusing. And there's this reluctance on the part of the  
12 person to get somebody -- you know how we address people  
13 like that who are victims and afraid to share with, you  
14 know, other people.

15 MR. FOWLER: Arizona has Adult Protective  
16 Services which is responsible for investigating those type  
17 of situations, and they also partner with law enforcement.  
18 So we do have a state agency that's responsible, that  
19 monitors and that investigates abuse.

20 I was looking at some statistics on the majority  
21 of the abuse is by family members. And that report is  
22 available. But there is state agencies that if you  
23 suspect that someone elder is being abused, then  
24 appropriate recourse is Adult Protective Services. Call  
25 them.

1 MS. JOHNSTON: Do you think they're doing a  
2 pretty good job here? Well, okay.

3 MR. FOWLER: No one calls us because they like  
4 the service. So we see challenges. I know one of the  
5 issues that, for a Child Protective Services,  
6 investigating abuse cases, family abuse. And they're  
7 working on improving that, too, so --.

8 MS. JOHNSTON: As a former teacher, I taught from  
9 1963 to 1997. And when we had difficulties in the '60s  
10 and '70s, we brought community resource officers into the  
11 buildings, and they became highly -- they did a wonderful  
12 job with our students, I feel.

13 And I love what you mentioned about zero  
14 tolerance. Because it seems to me like if I were teaching  
15 now, I couldn't have done what I did 30 years ago. A  
16 young man walks into my classroom, he has a hunting knife  
17 he's showing around to friends. Today I would have to  
18 immediately make a big deal about it.

19 Instead, I called in the community resource  
20 officer. Let's take it to the principal's office. Pick  
21 it up after school. They called the parents. It was a  
22 legitimate thing. He got it as a gift from his dad, he  
23 wanted to show it off. He wasn't a criminal. And I'm  
24 happy to see that maybe you're changing some of that.

25 MR. FOWLER: Let me give you an example. I want

1 to really make a distinction between criminal behavior and  
2 disability-related behavior. I'm going to give you an  
3 example of when I talk about resource officers. You may  
4 have a student with Downs Syndrome in the cafeteria having  
5 a complete melt-down because he's been bullied; somebody  
6 took his food; something of that nature. Just having a  
7 melt-down. Not throwing chairs. Just refusing to comply.

8           Rather than going to the special ed department to  
9 de-escalate, talk with them, ask them what the problem is;  
10 the resource officer may approach that student, start  
11 giving directions: Stand up, comply, get up. Whatever.  
12 The student doesn't get up. We resource officer picks him  
13 up. The student turns around and does this. Smack. We  
14 have what now? Assault charges.

15           That's more of a common situation, what I'm  
16 talking about, versus guns and knives. So I want to make  
17 it real clear: We're talking about disability-related  
18 behavior, not criminal behavior. So you have a child with  
19 an emotional disability which is having a real hard time.  
20 And you may have to talk to someone to de-escalate that.

21           Intervening in terms of a student with special  
22 needs and law enforcement, those are two different  
23 trainings. That's totally different. And this is where  
24 the problem happens.

25           MS. JOHNSTON: That's interesting how often in

1 yesterday and today we've heard that word "de-escalation."  
2 To go into a situation and de-escalate the situation.

3 MS. OGLETREE: I understand that you presented to  
4 the Task Force back earlier this year when they were in  
5 Phoenix. Did you feel like the Task Force heard what you  
6 had to say, or did you --

7 MR. FOWLER: When you look -- as I mentioned  
8 earlier, when I looked at the report, I thought the  
9 recommendations of the Task Force was good in terms of  
10 schools. I thought that's probably one of the brighter  
11 parts. When I read through it, it talks about the problem  
12 with zero tolerance. It talks about a lot of different  
13 things, which I thought were good.

14 But my conversation today is pretty narrow. It's  
15 about those students with special needs that, when they're  
16 having disability-related behavior, they end up in  
17 handcuffs, you know. Or they have Autism, if they hit the  
18 officer, now they're in the correctional system. And the  
19 schools -- kids as young as five years old, schools call  
20 in law enforcement. That's my reality when I see it in  
21 the school system. Okay.

22 So my thing is, if you're a school district, you  
23 need to train your resource officers and also need to talk  
24 with your staff about when it is appropriate to have a  
25 police officer intervene with student behaviors, with

1 disability-related behaviors, not criminal behaviors. So  
2 I want to be real clear what I'm talking about today.

3 MS. MARTINEZ: Which is kind of talking about  
4 what we were touching on earlier: How do we share the  
5 responsibility to train.

6 MS. NUNEZ: I have a question for Reverend Bowen.  
7 Thank you for all that you've done. I really appreciate  
8 now that -- you've been law enforcement, Air Force, Gains,  
9 and everything else -- just what you've done for the  
10 community. I have a question for you. How do you handle,  
11 as a reverend now, because -- let me do an example of what  
12 I've done.

13 Many times when -- I've been a youth pastor for  
14 many years, or pastor to young people, many at risk. But  
15 what I've trained a lot of the parents is: Always call  
16 me. If they have a child or a young person being violent,  
17 to always call me or one of our chaplains or ministers,  
18 because I want to be there if law enforcement is going to  
19 be called.

20 I have many times taken guns and weapons away  
21 from kids before law enforcement gets there, and saved  
22 them going to jail. But things have changed. Now I would  
23 still do it, but I wouldn't recommend anybody else do it,  
24 but I've seen so many young people saved by the work  
25 pastors have done.

1           What is your recommendation when there's somebody  
2 acting violent. And something that might do with  
3 disability. Some of these kids, when they take drugs,  
4 they can't hear you, they can't -- they react differently.  
5 You know, and I say, "Help me Jesus." I walk in the door  
6 saying, "Help me Jesus." And you don't know how many  
7 times I've gone in to the parents and somebody with a gun  
8 at my back or a knife. But it's been a lot of prayer that  
9 I've had to do to survive and never been hurt in 40 years.

10           MR. BOWEN: I found in the years I was with  
11 Phoenix Youth At Risk -- and it was a group that we helped  
12 start. It was a grass-root organization with 350  
13 volunteers. And the reason it was effective is they were  
14 volunteers. And we dealt with children that were part of  
15 the system. And they had come to believe that if you're  
16 getting a check in the system, you don't care as much  
17 about me because you're, basically, getting paid to care  
18 about me.

19           We had 90 percent of the kids that felt like  
20 that. They felt like that about the courts, they felt  
21 like that about the police, and they even thought that we  
22 were getting paid. And it was really surprising to them  
23 that we cared enough for them to actually take their  
24 lives.

25           Now we had a rule that we engaged in

1 unconditional love, and we engaged the parents to engage  
2 in unconditional love. Because we had groups that say  
3 throw your children way, there's nothing you can do with  
4 them, they've taken drugs, they've become violent, they've  
5 done this and that. Throw them out.

6 Well, as someone who is out on the streets, I can  
7 tell you if you throw them away, there is someone who will  
8 find them and pick them up and have a very evil use for  
9 them. And that gets into the area of human trafficking  
10 and that kind of thing.

11 So it's a very difficult situation when you have  
12 these particular children. But I would say to any parent  
13 going into any situation, that from day one you let your  
14 children know that you unconditionally love them and that  
15 you're never going to quit.

16 Now we had an organization of mentors of which  
17 this gentleman here, Floyd Galloway, was a mentor at  
18 Phoenix Youth At Risk. And our model was very committed;  
19 we won't quit. And we would take the child for a year.  
20 We also had police officers. You might ask yourself where  
21 would a police officer find the time to do everything that  
22 they're doing, have a relationship with their own family,  
23 and then take on a child for a year? And we had a number  
24 of police officers that were involved in that.

25 So the answer to what you're saying is that it

1 probably isn't any one answer. And you can never actually  
2 get rid of the child, and it may be very difficult, and  
3 you may have to find help for the child. I would say a  
4 group like Phoenix Youth At Risk, which is a voluntary  
5 group for children. You may have to engage the  
6 authorities, that kind of thing.

7 But I think that a lot of what we need to talk  
8 about is, perhaps, preventive medicine. That is what we  
9 need to do so that we don't get to these situations. So  
10 many of the situations that we have with the police are  
11 reactive. And we know that we have to be proactive. And  
12 I heard there was a program. Because I said to myself  
13 when I was a teenager, I was all about showing off;  
14 especially if there was girls around, you had to have like  
15 a posture. You know, you can't let them talk to you this  
16 way, yada, yada, yada. That's how you end up getting  
17 killed, of course.

18 So they have classes now, I understand. We were  
19 going to do a video with attorney -- county attorney Rick  
20 Romley, as to how to behave when you get stopped. And so  
21 now I finally have heard that they're having those kinds  
22 of classes.

23 So once more it's proactivity, it's caring about  
24 your children, it's unconditional love, it's parenting,  
25 it's hoping for the best and dealing with the reality of a



1 given situation. But we found that we were able to save  
2 59 out of 60 children with that attitude.

3           So I would say it's probably attitude that works,  
4 because it wasn't only their parents who had given up on  
5 them. Many times they actually were surrounded by  
6 community.

7           MS. NUNEZ: So, Reverend Clyde, on action on the  
8 community policing and crime reduction 411, the reaction  
9 that law enforcement agency should consider adopting  
10 preferences for seeking least-harm resolution; would you  
11 say that contacting, possibly, a volunteer or an  
12 organization that works with the youth already and maybe a  
13 parent to be there when a crime or, you know, there's been  
14 a violent situation happen, to have somebody there with  
15 the youth also that they can speak to?

16           MR. BOWEN: That's always, I think, advisable if  
17 you have someone who cares about the child to be there.  
18 Unfortunately -- and I spoke to Peter about this -- the  
19 reality of the situation is you don't have that all the  
20 time, and nobody is actually doing the parenting. But,  
21 certainly, the best of all possible worlds is to find  
22 someone that cares.

23           You mentioned taking guns away. A person that  
24 did our course, Julie Frisoni, who used to be the City of  
25 Glendale spokesperson, was one of our mentors, and at that

1 time she was also producer for Channel 12; her young kid  
2 was down at 16th Street and Buckeye selling drugs one  
3 night at 2:00 a.m. in the morning. She went down there  
4 amongst all those gang people, and this five foot blonde,  
5 right, about 30 years old; and she took his guns and drugs  
6 and sent him home. He has been a straight arrow ever  
7 since. Sometimes you have to demonstrate and go beyond.

8           And I would mention one other thing, too. This  
9 is something I try to mention to people when the news  
10 comes on. Whenever the news comes on they read off: If  
11 it bleeds, it leads. I try to remind myself, yeah, there  
12 was an automobile accident. That meant that probably a  
13 million people got home and didn't have that accident. A  
14 police officer shot somebody. Well, that means that there  
15 were probably millions of police officers that day that  
16 didn't shoot anybody; that just cared, protected, and  
17 served.

18           MS. NUNEZ: Thank you, sir.

19           MS. OGLETREE: You talked about Oslo and that  
20 part of the culture there that you attributed to why they  
21 have a lower crime rate is because people are proud of  
22 themselves. To what did you attribute that difference in  
23 the Oslo culture?

24           MR. BOWEN: I became the black ambassador, being  
25 the only one at the embassy, so they all came up to me.

1 Start off with the week that I got there. It was January  
2 1966. I was there until 1970. I got there a couple of  
3 years after Martin Luther King got his Nobel Peace Prize.

4 The weekend that I got there, they were  
5 celebrating their 1000th year anniversary. So when I  
6 would talk to them about who they were, versus who we are  
7 -- and we talked all the time because I was an associate  
8 to the embassy and had diplomatic status, et cetera, et  
9 cetera.

10 They would say, "Well, you know, we had a sexual  
11 revolution here in Oslo about 300 years ago. We have  
12 women who drive trucks and fly planes and it's considered  
13 okay. And a woman can walk around Oslo, Norway, at 10:00  
14 o'clock at night, and she does not have to worry about  
15 being raped. We don't have rape and we don't have  
16 illiteracy, and we don't have poverty."

17 So they were able to create -- and without being  
18 political and talking about their situation -- they chose  
19 to have a situation that put people first. They put their  
20 people first. They were proud that they were royal, but  
21 they didn't see that as the reason. They saw it as a kind  
22 of maturity. And they looked at America as being kind of  
23 adolescent.

24 And if you look around, you may see that kind of  
25 behavior from time to time on a part of us. We might be

1 30, 40, 50, 60 years old, but we can still act like  
2 children. Of course, unfortunately, we act like children  
3 with guns a lot of times. We act like children who can  
4 act out.

5           So the four years I was there was very, very  
6 mellow for me because I was around people who had been  
7 around a long time. They said, "We used to be number one.  
8 We went up and down, and we raided, and raped, and we were  
9 the ones that used to throw the children up on spears. We  
10 did all that. We're done with all of that. We're more  
11 humanistic."

12           They give more money per capita to Africa than  
13 the United States of America does. And when their Olympic  
14 people were getting their gold medals, they were selling  
15 their metals and sending the money to Africa. So they  
16 feel very, very good about who they are. And because they  
17 feel very, very good about who they are, they don't feel  
18 that that's who they want to be. And I think that we're  
19 on that particular road. And you have very little  
20 interaction with the police because of that, because  
21 people have enough respect for themselves to discipline  
22 themselves.

23           And, you know, like we have now: If you see  
24 something, do something. Well, I think that's part of  
25 community policing, too. You know, that we need to start

1 to take some responsibility for our communities and not  
2 expect that, say, you need a hundred police officers and  
3 you probably have thirty; like I said earlier, that means  
4 everybody is wearing three hats. And we live in a nation  
5 now where we're kind of defunding and we don't have enough  
6 people to do the job. I think that's probably the same  
7 thing with policing. It starts with us, I believe.

8 MS. MARTINEZ: Thank you.

9 MS. NUNEZ: For Mr. Fowler, I have a question on:  
10 I like your programming. You have a lot of education and  
11 training. But I think we need, even as clergy, more  
12 training on disabilities-related behaviors, versus  
13 criminal behavior. Because, in fact, I mentioned a few  
14 minutes ago when children take drugs or something, it's  
15 dropped into their drink or their coke or something, they  
16 behave differently. Some of the behavior changes. But  
17 how can parents, how can clergy help and, you know, where  
18 do you jump in and help?

19 MR. FOWLER: Each situation varies. It's not for  
20 us to micro manage. We're making some recommendations.  
21 You're going to have kids who bring guns and knives to  
22 school, and you need to deal with that situation. You  
23 need to deal with it. You need to deal with it. And each  
24 situation varies.

25 So I'm just trying to distinguish between if you

1 have a child that's violent and drugs or whatever, you  
2 deal with that situation. But when you have a student  
3 that you know has a disability and you're not providing  
4 services, you're using law enforcement as the behavior  
5 intervention plan; that's a problem.

6           That's what I'm mainly talking about is being  
7 proactive and law enforcement going to the schools and  
8 saying, "Wait a minute, what criminal behavior?" Rather  
9 than arrest the student and getting the student involved  
10 in the correctional system. That's what I'm talking  
11 about.

12           Versus you have a violent student at that  
13 particular time. If the student has a disability and he  
14 has a certain behavior that needs to be dealt with in  
15 terms of bodily injury to himself and others, that needs  
16 to be dealt with. It's not for me to tell people you  
17 can't deal with that situation in this manner. You need  
18 to deal with it. That's not what I'm talking about. I'm  
19 talking about clearly kids with disabilities. You know  
20 they have disabilities. Handcuffing kids with  
21 disabilities. That's what I'm talking about.

22           One of the things I didn't mention, I gave you a  
23 settlement agreement out of Rochester, New York, which has  
24 a very large community of hearing impaired individuals.  
25 And if you look at the terms and condition of I believe

1 page 412; the reason I provided this for you today is to  
2 see this is what happened when things didn't go well. But  
3 maybe there's something in here where you can take a look  
4 at it and see what recommendations.

5 And I wish the police were here to ask, "Are you  
6 doing some of these things now?" in terms of what they're  
7 doing in Rochester in terms of hearing impairment. And  
8 it's focused specifically on the hearing impaired  
9 community. So I provided that information for you and  
10 also information on the program from the Commission for  
11 the Deaf and Hard of Hearing.

12 MS. MARTINEZ: Thank you. Thank you. If  
13 follow-up questions arise and if Doctor Minarik comes to  
14 you, will each of you be okay to take those questions?

15 (Affirmative responses.)

16 MS. MARTINEZ: We'd like to thank each of you for  
17 your time, information and description of the situation as  
18 we're engaged in this dialogue and meeting to assess where  
19 we are in relation to the report. So thank you all very  
20 much. We're going to go ahead and recess.

21 MS. JOHNSTON: Believe it or not, we do have men  
22 on our committee, too, but they're not present right now.

23 MS. MARTINEZ: We'll stop in order for the  
24 recess.

25 (Break taken from 3:14 until 3:30 p.m.)

1 MS. MARTINEZ: Good afternoon and welcome. The  
2 purpose of this meeting today is to hear information from  
3 you all in description of the situation related to the  
4 final report from the President's Task Force on 21st  
5 Century Policing.

6 We are the Arizona Advisory Committee to the U.S.  
7 Commission on Civil Rights, and we're looking for  
8 information and your perspective specifically in relation  
9 to community policing, crime reduction, training and  
10 education, which are pillars four and five in the report.  
11 The committee would then use all the information over  
12 yesterday and today to assess and determine next steps.

13 So I just need to let you know that this is a  
14 public and open meeting, and the record is open until  
15 September 25th. If you would like, you can contact or  
16 call Doctor Peter Minarik, who is the Regional Director,  
17 in the back here, for the record.

18 Each panelist will share for about ten minutes,  
19 and then the committee members will hold our questions  
20 until you all are done, and then ask away at that point.  
21 And then at 4:30 we'll open it up, actually, for public  
22 comment to ask -- to make public comment on the record on  
23 any of the panelists today. So we'll go ahead and start  
24 with Irene Diaz with the Phoenix Union School District.

25 MS. DIAZ: It's Phoenix Union High School



1 District. And a little bit about my background, I was a  
2 high school teacher for eight years. And now I've been a  
3 school administrator for 16 years. So I've been working  
4 with teenagers for most of my life.

5 So, first of all, I would like to thank the  
6 Commission for inviting me to participate on this panel.  
7 Thank you very much, it's quite an honor.

8 My name is Irene Diaz, and I'm in my ninth year  
9 as the District Supervisor for student discipline,  
10 security, and safety for the Phoenix Union High School  
11 District. Our district is made up of 16 high schools in  
12 the Metro Phoenix area. Maybe you've heard of schools  
13 like Central High School, Trevor Brown, South Mountain,  
14 Maryvale, Carl Hayden; those are the schools that I work  
15 with.

16 I'm also -- pardon me -- in addition to being an  
17 administrator for the district, I'm a graduate of the  
18 district and my daughter just graduated in May from the  
19 district. So multigenerational Phoenix Union. So this is  
20 my community. The district is my community, and I'm very  
21 proud to be here today representing it.

22 And oftentimes I get myself into trouble because  
23 I always talk about this is my community, we have to treat  
24 the kids right because it's my community. I know that  
25 when we remove students from school, it wreaks havoc in

1 our neighborhood, so that's why we need to make sure that  
2 we keep them in school.

3           So today we're here to talk about community  
4 policing and policing in general. And it is very dear to  
5 my heart, policing, because the police have been a part of  
6 my life since the day I was born. And not because we had  
7 a police officer in our family. It's because I grew up in  
8 a home where there was domestic violence and the police  
9 were in my house practically every day. I'm not  
10 exaggerating. Every day.

11           There's even a newspaper article about my father  
12 when I was a child, that he had been arrested over 100  
13 times a year because of domestic violence. So the police  
14 have always been a part of my life. And they were in our  
15 home because they were there to stop the beating.

16           And you know about the cycle of violence. So one  
17 of my sisters actually repeated that cycle of violence  
18 where she was in a domestic-violence situation. The  
19 police were there for her for 15 years for her, stopping  
20 those beatings, until eventually she was murdered by her  
21 husband.

22           So I am grateful for what the police have done  
23 for my family because, you know, I grew up hearing all the  
24 time, "I'm going to kill you," "I'm going to kill you."  
25 That's what my dad would say to my mother, or

1 brother-in-law would say to my sister. But there were  
2 always police there helping us to stop that violence in  
3 our home.

4           In minority communities you often hear that the  
5 police are bad. And I need to tell you, as a victim, you  
6 know, of growing up in a home where there was domestic  
7 violence, those of us who are victims need the police in  
8 our community. We can't be without them because the  
9 police are there to help us to make things better, even if  
10 it's only temporarily. But we do need to get rid of the  
11 bad cops. That's one of the things that's important.  
12 Those that do not work well with the community that  
13 they're serving.

14           In Arizona the Latino community -- you know, I've  
15 heard this earlier, but the Latino community and Latino  
16 children do not always fare well when it comes to  
17 policing. Some of our kids live in fear. American  
18 children fear their parents may not come home from work  
19 one day because they've been detained by the police.

20           Latinos in Maricopa county fear that they will be  
21 profile stopped just because they can be, to prove that we  
22 can check them. This is a real fear. My mother, she's 86  
23 years old and American-born Latina; and if you're going to  
24 stop her, boy is there going to be a problem. If you ever  
25 hear of an 86-year-old Latina woman being stopped and

1 being arrested because an officer would ask her which  
2 country she's born in -- she's proud to be American.  
3 That's not going to happen for her. It wouldn't happen to  
4 me either. I can't imagine it happening to me either.

5 Children in Phoenix and in the El Mirage area  
6 reported being sexually abused, yet their cases were not  
7 investigated for years. So in Arizona we still have a lot  
8 of work to do to protect children. We have a lot of work  
9 to do. And I do believe that training and funding the  
10 police adequately will help the situation. The funding is  
11 so important.

12 I do believe that President Obama did get it  
13 right when he created this Task Force that created this  
14 document of the 21st Century Policing Report. He did get  
15 it right. And the committee has done an incredible job.  
16 There are just so many details in there.

17 And before I actually read the report, what I did  
18 was I brainstormed and came up with all kinds of ideas of  
19 what I would think should be in the report, had they asked  
20 me before. But they're asking me now. But I'm that kind  
21 of person, so it was interesting. I was checking off what  
22 things were in there. So I was really comfortable with  
23 the answer to almost every single question that I had.

24 I do have one recommendation, though. And my  
25 recommendation is that we actually -- I really believe we

1 need a report that only addresses children's needs.  
2 Because children's needs with the police department is so  
3 great and so intense, that to combine it with a report for  
4 everybody, it just needs to be separated out. So that  
5 would be my recommendation.

6           It's such an immense undertaking. You have child  
7 abuse, you have truancy, you have misdemeanor and  
8 felonies. And sometimes the children commit those, and  
9 sometimes they're committed against a child. And that's  
10 why there are just so many things that are in there.

11           And training is necessary for the officers that  
12 respond to crimes where children are the victims. Because  
13 if they do not, if they're insensitive to the children and  
14 don't have patience with the children, things are not  
15 going to go well. And things may escalate. And so that's  
16 why they need to be there.

17           I'm going to tell you a little bit about my  
18 district. We have 13 school resource officers in my  
19 district that host programs or the grants that fund them.  
20 And we have three schools with over 3,000 students. So  
21 the SROs that work in our high school district, I think  
22 we're really fortunate to have them there. Because there  
23 are not a lot of people that want to work with teenagers.

24           People think that teenagers are a little bit  
25 obnoxious. And they can be. That's part of being

1 adolescent; you have no filters; you just say what you  
2 want to say. And if someone doesn't respect you, you're  
3 not going to respect them back. They have issues, but  
4 they're children.

5           In case you are not aware, the role of the school  
6 resource officer in the schools, one of their roles is to  
7 be a law-related education educator. And what they do  
8 there, they teach classes about constitutional rights,  
9 respect for authority, voting, social media.

10           They teach what happens when you turn 18 because  
11 they don't know that all of a sudden, when they turn 18,  
12 their whole life is going to change. They talk about  
13 drunk driving, especially around prom time, because a lot  
14 of kids die during that time. They learn about human  
15 trafficking. Kids learn about gangs. So all of these  
16 things they learn that in a preventative way so that  
17 students do not become involved in those situations. So  
18 the SROs do take training courses and the training courses  
19 actually teach them about the topics, and they go out and  
20 teach the students about it.

21           So the second role of the SRO in school is that  
22 of a law enforcement officer. And the comment I'm going  
23 to make right now is related to recommendation 4.6.  
24 People often ask, "Why do the police get involved in  
25 school matters?" That's really important.

1 Well, why do they get involved? Because the law  
2 requires school administrators to report crimes. People  
3 don't understand that if we don't report crimes, then  
4 there's a lot of problems for us in our certification and  
5 everything else and we can get arrested. And so there are  
6 specific laws that require us to report crimes.

7 All of the crimes that are reported are related  
8 to drugs, violence, or some type of danger. For example,  
9 arson or robbery incidents that occur like that.  
10 Otherwise, the police should not be involved in school  
11 discipline matters. If it's not a crime, the police  
12 should not be involved.

13 And sometimes we have administrators that are not  
14 so strong or not trained as well; something like that will  
15 happen. Like the young man that was -- like the  
16 six-year-old child that was handcuffed. That was not a  
17 crime, that was a school matter. So had those  
18 administrators intervened, that would not have happened.  
19 It should not have happened.

20 There is a national training program called  
21 Non-violent Crisis Intervention which is put on by the  
22 Crisis Prevention Institute. And you might have heard  
23 what CPI is. CPI is training that we go through as school  
24 staff, and they train us to resolve incidents without  
25 students or staff being hurt. It involves de-escalation.

1 You've heard that before, including how to de-escalate  
2 students, as well as a physical restraint component. So  
3 we are trained.

4 I'm actually a trainer to train staff on how to  
5 teach folks to -- or staff to remove students from  
6 difficult situations so they don't hurt themselves or hurt  
7 others. And, you know, when I went through the training,  
8 I acted like the student who was out of control. And they  
9 would put me in these holds and nothing ever hurt me. And  
10 I have, like, a really bad elbow; but nothing ever hurt.

11 And I wanted to make sure that: "How could I  
12 allow this to be used with our students if I didn't feel  
13 it myself?" And it was actually the only -- CPI was the  
14 only company I could get our insurance to actually  
15 recommend for us to do. Because you know with schools,  
16 everybody wants to be able to do the right thing. And so  
17 I made sure we went through the proper procedure.

18 I'm going to talk to you about remembering that  
19 school research-based programs are what's going to keep  
20 kids in school. We need to keep kids in school if we  
21 don't want them to get into serious trouble.

22 And there's different studies. Approximately 80  
23 percent of people in prison in the United States are high  
24 school drop-outs. Approximately 80 percent. So wouldn't  
25 it make sense for us to keep kids in school until they're



1 at least 18?

2 I know in Arizona it's only till they're age 16.  
3 But why don't we keep them in school longer, if we don't  
4 want them to end up in prison? Not that everybody that's  
5 a high school drop-out is going to end up going to prison.  
6 But just the fact that 80 percent of the people in there  
7 are high school drop-outs, that would tell you that we  
8 want to keep them in school.

9 We really need to break -- schools need to break  
10 that school-to-prison pipeline. It's not acceptable in  
11 our community. And I agree with the report that says that  
12 we must change how misdemeanor crimes, that are committed  
13 by youth, are handled.

14 My district is looking into adopting a new  
15 program for our district, anyway, called Restorative  
16 Justice. And a friend of mine -- his name is Will  
17 Gonzales; he is the Bureau Chief for the City of Phoenix  
18 Prosecutor's Office -- and he and I have been volunteers  
19 together for 15, 20 years.

20 He has invited me to join him and a team of folks  
21 from the City of Phoenix, and we're going to go over to  
22 lead California because they have implemented a  
23 Restorative Justice in their community. So it's the  
24 police department, the school district, community-based  
25 organizations. And their purpose is to make sure that

1 kids make amends for their inappropriate behavior;  
2 inappropriate behavior if it's at school, and misdemeanor  
3 crimes if it's in the community. So they make amends for  
4 those.

5           Research based-program, it's really important.  
6 CPI that I just talked about, it's a research-based  
7 program. Us, the staff, we are responsible for  
8 restraining students, not the police; unless it's if  
9 they're a danger to themselves or others committing crime.  
10 It's the staff that should be responsible, and school  
11 administrators need to understand that.

12           And we do need more training, not only for the  
13 police but for our staff. And in training that I've gone  
14 through for school resource officers, they often tell us  
15 that you guys need to take control. And it's true, we  
16 need to take control; otherwise what we saw a couple of  
17 weeks ago on TV will continue to happen.

18           Our district is an intervention-rich district.  
19 We are not a zero-tolerance school. We've never been a  
20 zero-tolerance school. We're not perfect. But what  
21 happens in our district is a student, for example, gets a  
22 disciplinary referral for a first drug offense. They get  
23 suspended for nine days. However, if the student agrees  
24 to go through our substance abuse education program,  
25 they're only suspended for three days. So then they spend

1 six hours going to the drug education program.

2           If a student gets into a fight, it's a nine-day  
3 suspension. However, if they agree to go through our --  
4 to do a mediation with the student that they fought with  
5 -- so they have to be mediated with that student -- then  
6 they have to go through our Positive Choices class, which  
7 is really anger management. But parents won't let their  
8 kids get into anger management; they'll only let them go  
9 into Positive Choices.

10           So we changed the title. Everybody's okay with  
11 kids going into Positive Choices. Positive Choices  
12 teaches them help to deal with conflict so that they don't  
13 go out and fight it out. They can discuss with people  
14 what their conflict is, without having to fight it out.

15           There's lots of folks that don't like that we  
16 suspend kids, but we have to hold them accountable. If  
17 you've ever worked in the high school -- I work in high  
18 schools. We have 28, 29,000 kids in our district. If  
19 there is a fight today with ten kids and you bring them  
20 all back tomorrow, you would have a very unsafe  
21 environment.

22           And we cannot have unsafe environments. I would  
23 see the suspension time as a time-out period because  
24 things clearly need to cool down. I can't imagine having  
25 two kids that fight, being back in that teacher's class,

1 but being in-school suspension for few days. So that's  
2 some of the things that we do with a lot of the training.

3 Our SROs are really important to our safety. The  
4 SROs have rapport with our students and our parents. And  
5 both students and parents, instead of calling the police,  
6 actually reported to the SROs. I've had a couple of girls  
7 that they were date raped. And instead of telling their  
8 mother, they came to tell the SRO. That's how much they  
9 trust the SROs and that's the kind of rapport they build  
10 with the kids.

11 And school officials, I know we always say we  
12 prefer to work with SROs because the SROs are effectively  
13 trained. And they do. They go through a training academy  
14 just to become school resource officers. So it's a  
15 different kind of police officer. Oftentimes I say,  
16 "Shouldn't all officers be trained the way SROs are?"  
17 Because they work well with children.

18 With respect to recommendation number five in  
19 training, I just wanted to mention our high school  
20 district actually has one high school called Franklin  
21 Police and Fire High School. And it prepares students to  
22 become first responders. It's a one-of-a-kind school in  
23 the nation.

24 And, finally, I just thought it is crucial for  
25 police officers to be trained in areas affecting children.

1 And not just SROs. I think it's all officers. They  
2 should be training in child development; especially  
3 adolescent development. Like I said, kids just -- if you  
4 don't know that that child may be 17-years-old, but  
5 they're acting like a ten-year-old, that's part of their  
6 development.

7 I think officers should be trained in recognizing  
8 disabilities that youth have that may get them into  
9 trouble with the police; such as ADHD, ADD. You've heard  
10 about emotional disabilities. There's -- it's called --  
11 what is it called? Mild or moderate intellectual  
12 disabilities. And if you're not sure what an intellectual  
13 disability is, we used to call it mental retardation, in  
14 the past. Now it is called an intellectual disability.

15 They should be trained in de-escalation skills  
16 where SROs or police officers can de-escalate youth,  
17 regardless of their age. And this is the example I give,  
18 because I train my security staff in our schools. And  
19 there's a really big difference.

20 And you say, "Johnny, come here." Different,  
21 right? "Johnny," like they're far away. "Johnny, come  
22 here."

23 But if you say, "Johnny, come here now." What's  
24 the difference? You're going to get somebody really angry  
25 at you just by raising your voice, your tone, your

1 intonation. I'm practicing.

2 But police officers have to be really calm about  
3 when they talk to people they stop. You know, it's --  
4 it's the mood that they're in is going to determine what  
5 kind of stop they might have.

6 And they also need to be trained in diversity  
7 training. In our district, we have students from over 60  
8 countries, 45 different language groups. So they need to  
9 know that officers in these different countries are  
10 sometimes seen as being safe. Sometimes the officers are  
11 seen as being tyrannical. So we have to be really careful  
12 with that community because if we have people from 60  
13 different countries in our schools, well, how many of  
14 those -- you know, they live in our communities, so police  
15 officers have to be aware of that.

16 So thank you, I appreciate you for listening.

17 MS. MARTINEZ: Thank you. Mr. Floyd Galloway.

18 MR. GALLOWAY: Good afternoon. I'm Floyd  
19 Galloway. I'd also like to thank you for giving me this  
20 opportunity to present to you today. I'm with the East  
21 Valley NAACP. I've been President of the East Valley for  
22 nearly ten years. I'm currently not the President; but,  
23 before, I was President. I'm the Political Action Chair  
24 currently, and I also serve on several other committees.  
25 Our President, Doctor Helen Hunter, would have liked to be

1 here today, but she's at a conference in Colorado and  
2 could not be here.

3           And I'd like to thank the Arizona Advisory  
4 Committee for holding these sessions. The NAACP is very  
5 thankful for President Obama and the Commission that --  
6 the Task Force that he had selected for the 21st Century  
7 Policing; because many of the items in the report is items  
8 that NAACP has been pushing for, for a number of years;  
9 related to community policing, body cameras, and other  
10 items; also with training and those things.

11           We've had several incidents in Arizona -- that  
12 some have made the national news, and some have not --  
13 along the lines of, like, Eric Garner in New York and  
14 Michael Brown and those incidents. We had an incident in  
15 '94 with a double amputee, Edward Mallet, who was put in a  
16 choke hold and died from that. We had a gentleman by the  
17 name of Rudy Buchanan, who was shot over -- I believe it  
18 was 50 times by police.

19           And there's been others more recently. I'm  
20 pretty sure that may be talked about in nother sessions.  
21 Michelle Cusseaux who was a mental patient whose mother  
22 had called the police because she was concerned about her  
23 welfare, and wound up dead.

24           One of the things that we're concerned about, I  
25 guess it was in March I held a press conference in Mesa in

1 regards to the arrest rate of African-Americans compared  
2 to the population. And there was a report from -- I  
3 forget the agency, but it said that a number of East  
4 Valley cities -- Tempe, Mesa, and I think Gilbert, and  
5 Scottsdale -- had a higher rate of arrests for  
6 African-Americans, than Caucasian, of any other racial  
7 entity.

8           And some of the police chiefs were saying, well,  
9 you know, you have -- like Scottsdale, you have a lot of  
10 events there, and you have a number of people that come  
11 in, and that might raise the rate. But you also have --  
12 they're not just all black folks that come into those  
13 events, so proportionately it's kind of strange for that  
14 to happen.

15           But over that -- since that time, we've been  
16 working with a number of the police agencies to take a  
17 hard look at those incidents. And if they needed to be --  
18 if the person needed to be arrested, if there is some  
19 other mechanism that could have been done that they  
20 weren't being arrested; some type of diversion program or  
21 -- and the word has been going out today I understand  
22 "de-escalate" the situation. Because a lot of times we  
23 found that instead of being able to de-escalate a  
24 situation, they escalate a situation.

25           And I can say, personally, I've been involved



1 with situations like that where I was exercising, I was  
2 walking to a park, and some incident happened. And if  
3 you're black and you see a police car, a majority of the  
4 time you have some kind of suspect -- suspicion of  
5 something going on.

6           And as a police car passed me, I said to myself,  
7 "I wonder if they're going to come back around and say  
8 something to me?" And he did. Me and the officer had,  
9 you know, a conversation. And it was -- nothing wrong  
10 with the conversation we were having.

11           And the incident happened where a park employee  
12 was, I guess, harassed by a gentleman who had dreadlocks,  
13 but he was dressed completely different than I. And my  
14 question to him was that I'm walking to the park, not  
15 running away from the park. And there was other  
16 individuals that I guess saw the incident and was telling  
17 them that I was not the individual. But, you know, it was  
18 okay. We were still having a decent conversation. A  
19 couple of other police cars pulled up, and there was no  
20 problem there.

21           But then, you know, a lot of times you have John  
22 Wayne that comes up. And John Wayne drove his car up on  
23 the sidewalk in the grass and he jumps out of the car and  
24 he says to me, "What's going on?"

25           And I said, "I'm not sure what's going on. I

1 have to find out what the problem is."

2 And he said, "Well, I'll get to the bottom of  
3 this."

4 And then he's about this far from me, and he  
5 yells at me and tells me to sit down; in very loud terms,  
6 as you were saying before.

7 And I said, "I'm okay. I'm all right standing."

8 And he yells again, "Sit down."

9 And I said, "Well, why do I need to sit down?"

10 He said, "You're either going to sit down or  
11 we're going to take you down."

12 And I explained, you have -- I think there's,  
13 like, five other police officers there before he got  
14 there, that had no problem with the situation. So, you  
15 know, I was raised -- my parents told me, "You can be  
16 right, and you can be dead right." So, of course, I sat  
17 down.

18 And he said a few other things that I was not in  
19 agreement with. And as the situation got ironed out, I  
20 took his information, his name, and his badge number and  
21 everything, and made a report. Unfortunately, his  
22 commander or his superior that took the report  
23 consistently tried to encourage plea not to make a report.

24 They said, "Well, I have your information now,  
25 and it will be in his record."

1 And I said, "Well, do I get a copy of it?"

2 And he said, "Well, if I have to fill out the  
3 form, there's going to be a lot more paperwork. And I  
4 have to do this and do that."

5 And I said, "Well, I would like the form because  
6 I want to make sure that this incident is reported and it  
7 is filed, and not just something that's brushed aside."  
8 And so it was. That did happen.

9 So I think in community interaction -- and I have  
10 some officers in my family that are on the police force in  
11 other parts of the country. The key thing I think in  
12 community interaction, especially in the black community,  
13 is the amount of respect that the person has and the way  
14 that they treat the individual once they come upon them.

15 If there's not a life threatening situation that  
16 is being -- that is happening at that time, it doesn't  
17 need to be treated as something that you're going to  
18 escalate to a situation that makes it a life threatening  
19 situation.

20 You know, I hear a lot in some of the shootings  
21 that happened over the past year or so, that the person,  
22 officer, feared for her life, feared for their life.  
23 Unfortunately, a lot of African-Americans fear for their  
24 life when they are approached by the police. And we try  
25 to remedy that situation by teaching them -- as far as the

1 NAACP -- teaching them how to interact with the police.  
2 And especially our youth.

3           And we have a pamphlet that we give out at  
4 various programs that we do. And it says how to deal --  
5 dealing with the police when you have an encounter with  
6 them. And it gives you what to do and what not to do.  
7 And sometimes those things still lead to, as I said,  
8 adverse reaction from the police.

9           There's a lot of recommendations and action items  
10 in the report as far as community policing and crime  
11 reduction, and we, basically, agreed with all of them. I  
12 think one of the things that we think is -- I won't say a  
13 "problem," but an issue -- is that it's not mandatory that  
14 the police departments follow this. It's on a voluntary  
15 basis. And you have some that, for one reason or another  
16 -- and it might be budget restraints; might be manpower or  
17 whatever it may be -- may not take it upon themselves  
18 either to read or implement some of the recommendations  
19 that are outlined.

20           And as far as training, we believe that  
21 consistent training is necessary, especially in cultural  
22 diversity, cultural competency, and cultural sensitivity.  
23 And I'll say in a lot -- not "a lot," but a number of  
24 officers around the country, maybe their interactions or  
25 their exposure to people of color has been limited to one

1 of either their on-the-job profession or by TV.

2 I know when we met with the Mesa Police  
3 Department and tried to make sure that, if they are going  
4 to hire somebody, make sure that that person -- you know,  
5 there are tests out there that you can find out if that  
6 person already has a bias to a certain race or ethnicity.  
7 And if that's the case, I don't believe that person should  
8 be on the force because there's always going to be some  
9 type of a problem.

10 Another issue that I think might be kind of  
11 concerning is when you have military -- ex-military  
12 immediately going into the police department; especially  
13 if they've been in a war-type situation or combat-type  
14 situation and they have not been able to be -- I'll say  
15 deprogrammed from that, from those incidents. That can  
16 lead to further problems in the community that they are  
17 serving.

18 Another item is when you have an officer that has  
19 been disciplined -- just recently you have an officer in  
20 Phoenix that was seen to abuse his power, and he was  
21 fired; and, unfortunately, he was reinstated to the police  
22 department; which, one, doesn't sit well with the  
23 community.

24 One, I think it gives that officer a little extra  
25 -- I might be wrong -- it gives them a little extra

1 emphasis of maybe thinking that they can do whatever they  
2 want to do. But then you put the officer in a community  
3 that is predominantly people of color, and I think there's  
4 going to be some serious problems if that officer is not  
5 consistently monitored for his actions.

6           We believe that -- we get calls all the time in  
7 reference to incidents at schools calling the police for  
8 students. Many of them, we feel that they did not need to  
9 be called, and they did not need to be arrested. There  
10 could have been some type of intervention done on their  
11 behalf.

12           And that goes on with the training of the staff  
13 and also of the police that arrive on the scene. And also  
14 that at least there should be a special force or  
15 department that handles situations when we could have  
16 somebody who has a mental issue or disability, that can be  
17 more sensitive or more aware of that issue that the person  
18 may have.

19           So those are just some of the items that I'd like  
20 to mention to you that we address and get these focused  
21 on. And, currently, we are having monthly meetings with  
22 some of the departments and community meetings that the  
23 community are able to come out and voice their opinions  
24 and their concerns.

25           And a lot of times the meetings that -- they are

1 a product for their efforts. You might have situations  
2 where they help somebody in the traffic or they did  
3 prevent a crime or whatever that may be. It's not that we  
4 don't feel that -- we're not there to say that all police  
5 are bad, because we know they're not. And I know my  
6 relatives are not totally bad. At least when I was  
7 growing up, they weren't. But they have changed.

8 But it's -- I would say it's a part of humanity.  
9 If you want to be treated humanely, you treat other  
10 people, persons, humanely. And that's what we try to  
11 emphasize. Whatever the situation may be, whatever the  
12 interaction that they may have; each person wants to come  
13 out of that situation alive, uninjured, and treated as a  
14 humane person.

15 MS. MARTINEZ: Thank you. Rebecca Wininger. Did  
16 I say that right?

17 MS. WININGER: Wininger. Clearly, I'm not Nate  
18 Rhoton.

19 I'm going to try to keep it brief because I want  
20 time for dialogue, because I think that's how we learn the  
21 most and engage the best. My name is Rebecca Wininger, I  
22 am the Past President and political co-chair for Equality  
23 Arizona, which is the state's LGBTQ civil rights  
24 organization.

25 About 25, 30 years ago, it was definitely close

1 to rioting time here in Phoenix for the gay community  
2 because the police chief at that time encouraged his  
3 officers to go sit and wait near the gay bars; and, as  
4 people would exit late at night and get into their cars,  
5 whether or not they exhibited the signs of a drunk driver  
6 or not, they were encouraged to be pulled over and  
7 ticketed or arrested.

8           We had seen that happen every weekend over and  
9 over. And that was kind of the beginning of the  
10 culmination of the need to have a conversation about how  
11 police here in Phoenix treat the gay community, or things  
12 aren't going to go well.

13           I would like to think that we have had a great  
14 metamorphosis. As Mr. Galloway referred to, we have a  
15 number of police departments do a lot of times have  
16 community relations now, and they meet with all of the  
17 different communities. I'm beginning to wonder, though,  
18 if the segregation of those communities is doing a  
19 disservice to our community now.

20           If the police -- I'm not saying they're doing  
21 this intentionally. But if they can kind of keep the  
22 communities segregated and we don't all rise up as one and  
23 demand change, it's a little easier to control from a  
24 government standpoint.

25           I don't know what the testimony was yesterday.



1 But I took, in my opinion, there are two types of  
2 organizations that we deal with here. There's the  
3 organization that probably showed up and said this is a  
4 great report, great policies, we're implementing them;  
5 went back to their department, closed the door, and  
6 probably talked about the faggots, and the trannies, and  
7 every other type of disparaging comments you can make.

8           And sometimes with how we've seen certain  
9 organizations treat people who are not white, people who  
10 are undocumented, some of them are currently in the court  
11 system now; I think it's safe to say that they're not  
12 embracing this. The others, I think, see this and want to  
13 embrace it, but they are limited with training and  
14 resources.

15           Now I'm going to use Phoenix as an example.  
16 We've got -- we are down hundreds of officers, and there  
17 are times that a code-three response is three to five  
18 minutes. And that's the primary. Imagine how long their  
19 back-up is. Now we have to take them off the streets for  
20 up to 40 or 60 hours a year for training -- which is  
21 desperately needed. Don't get me wrong. But now you put  
22 even more pressure on those police.

23           Mr. Galloway makes an excellent point on PTSD. I  
24 don't think it's just somebody who is necessarily in a  
25 shoot-out situation or came from the military. I think

1 PTSD is something we need to look at with our officers  
2 every so often. I know officers who have never pulled  
3 their gun; but just the day-to-day stress you can tell is  
4 getting to them. So it's very prevalent, I think, in a  
5 lot of people's minds.

6 In our community, we see probably the most  
7 transgression against our transgender community;  
8 especially our transgender women of color. There are some  
9 people who are calling it a state of emergency with how  
10 many transgender women of color are dying in the streets,  
11 and it's usually always due to violence.

12 Where we see a little bit of a not-so-generous  
13 response is, there's a belief out there that if you're a  
14 transgender woman of color, you are probably a sex worker,  
15 as well. And that assumption can be made quite readily,  
16 especially among the police departments; especially when  
17 we have something on our book called -- our books called  
18 "manifesting prostitution."

19 We could be walking -- I could be walking down  
20 the street in a short skirt and high heels, and somebody  
21 goes by and I say, "Hey, darling"; the police could arrest  
22 me because, in their minds, if they thought that I was  
23 going to solicit someone, I can be arrested.

24 And that's completely ridiculous because now  
25 you're into the minority report of trying to engage

1 somebody's intent. However, that's what we see a lot of  
2 our transgender women of color being arrested for is  
3 manifesting prostitution because they are assumed they are  
4 sex workers, and they are not.

5           The community policing is a great theory. What I  
6 challenge this in is, it's very difficult for community  
7 policing to work when the officer shows up in my Phoenix  
8 community during his shift, and then goes home to Gilbert.  
9 We need police officers that are living and breathing in  
10 the areas they are working in; that they actually have  
11 skin in the game and they care. And we need to -- I also  
12 think we need to make it okay for the police department to  
13 say "I don't know."

14           We had a transgender woman of color murdered a  
15 couple of weeks ago. And when we asked whether or not it  
16 was racially motivated, we immediately got the response  
17 "no." Not a crime of bias. Okay. Hard to believe, but,  
18 okay, we'll go with it because our relationship is usually  
19 fairly good. And that was relayed to our organization, to  
20 the mayor's office, and to the city manager.

21           Well, just over the past couple of days, the  
22 Phoenix Police Department has put out a call to the public  
23 asking for witnesses and any leads. So how can you say  
24 it's not a crime that's racially motivated or biased, if  
25 you don't know what happened? And the answer is: You

1 can't.

2 But I think someone -- and I don't think -- I  
3 honestly don't believe that the police department  
4 deliberately misled us. But somebody was so quick to have  
5 to want to have to answer, that the words "we don't know  
6 yet" weren't okay.

7 I know with Mesa detective Steve Barry -- I'll  
8 use his name because I can tell a good story. A couple of  
9 Halloweens ago, he had a young black gay man murdered on  
10 Halloween; and his response to me was always, "We need to  
11 work through the investigation. We'll do it thoroughly,  
12 but right now we don't know."

13 And in the end, it was a drug crime gone bad. He  
14 was in a place where he shouldn't have been, dealing with  
15 people that he shouldn't have been. It wasn't because he  
16 was black, it was because he was gay. But, you know, they  
17 did their thorough investigation, but it was okay for  
18 detective Barry at that time to say "I don't know." And I  
19 think sometimes our criticisms are so strong with the  
20 police department that we sometimes put them on the  
21 defensive.

22 So this isn't going to change overnight. It's  
23 going to be cultural. I worry about who's doing the  
24 training and how they are trained. The people who are in  
25 the academy today should be going through this immediately

1 because we need to change that culture from the ground up.

2 Not let them get into their training on the  
3 streets and get bad habits going and bad attitudes, and  
4 then suddenly people are interested in training change.  
5 The culture needs to change, and we need to partner with  
6 our police departments and be part of the solution, as  
7 well, and not just part of the criticism.

8 But I'm also -- I'll finish up on this, again,  
9 with what Mr. Galloway said. I absolutely agree that  
10 there's no teeth to this in a lot of ways. It's not  
11 mandatory. And as we saw, the Prison Rate Elimination  
12 Act, it's a great policy and a lot of people will say it's  
13 now in place. But there's no teeth behind it. There's no  
14 federal funding that gets lost. There's nothing for  
15 states like Arizona who say, "We're not going to do it,"  
16 and people are continuing to be at risk.

17 So I'm not quite sure how the stick and the  
18 carrot needs to be measured here. But I think it needs to  
19 be, at some point, more than a suggestion; especially in  
20 communities and in departments where we're not seeing a  
21 whole lot of acceptance to it.

22 MS. MARTINEZ: Thank you, Ms. Wininger. At this  
23 time we'll entertain questions from the committee for any  
24 of our panelists.

25 MS. JOHNSTON: Mrs. Diaz, you started off by

1 saying "it's my community," and then you repeated this  
2 idea. You know, I grew up in a time when police lived  
3 within the community. When I was 21, the neighborhood cop  
4 came over and sat down with my friends and said, "Here's  
5 where you will go and where you will not go, and I'll be  
6 watching over you." Not knowing we'd already been out a  
7 couple of years before. He couldn't watch us all the  
8 time. But anyway --.

9           But then a period of time came when towns and  
10 cities had requirements that police officers had to live  
11 in the town, and then they fought back against it: "It's  
12 my right to live anywhere I live and work anywhere I want  
13 to work." And I don't know how we changed that. I see  
14 your point about you need to have the police within the  
15 community.

16           You know from being in the school system, I could  
17 tell in the morning, within an hour, if we were going to  
18 have a fight by the end of the day because the bustle is  
19 out there. And if the resource officer lives in the  
20 neighborhood, he knows already because he heard it on his  
21 way into the building that morning. And that is just --  
22 it seems to be such an essential thing to have people that  
23 are within the community, as you both have pointed out. I  
24 guess that's not a question, but if you want to expound on  
25 that, please do.

1 MS. DIAZ: Yes, I oftentimes think that, you  
2 know, because people work in our district, over 3,000  
3 people, and I've worked at other districts, too --  
4 Tolleson Union High School District -- and oftentimes when  
5 -- not only the police but just with our staff -- when  
6 they come into my community and they don't respect the  
7 children in my community, and they think it's okay to  
8 suspend kids and not to make sure that they're learning;  
9 it's like you're offending me because it's my community.  
10 Those children come from my community.

11 So if you don't want to work with the children in  
12 my community, you shouldn't work there. And you have to  
13 treat them right. And just like the police officers, if  
14 you choose to work in our community, you have to treat  
15 kids right.

16 MS. OGLETREE: It sounds like that you have a  
17 mechanism; you have SROs that are right there you can  
18 call. And what I'm wondering is from the two communities  
19 that you all represent, do you have any mechanism -- like  
20 are you the first person that the police call when there's  
21 a crime committed or they're involved in some  
22 investigation that involves someone from your communities?  
23 Is that anything that happens?

24 MR. GALLOWAY: Well, on our side, we usually get  
25 calls from the other side in relation to interaction with

1 the police. We do have incidents or occasions when the  
2 police do contact us about something that they feel is  
3 brewing and they want to try to get a handle on and get  
4 our opinion on how to handle it, and that type of thing.  
5 So most of the times it's from the citizens that we get  
6 our complaints from and interaction from.

7           And just to kind of piggyback on what you talked  
8 about with policing, I know when I was growing up, my Pop  
9 Warner coach -- both of my coaches were officers and lived  
10 in our community, and so they were able to -- they did  
11 have a feel of the community and where it was going, and  
12 they were able to direct us in different paths than  
13 getting into trouble. Or if they saw us out doing  
14 something, they were able to correct us; and not in what I  
15 would say is an authoritative police manner, but as a  
16 concerned community member.

17           MS. WININGER: We are not yet. We have decided  
18 just over the last couple of weeks that we are going to  
19 step forward and start to take that lead. And especially  
20 a lot of it is having to do with we found out that the  
21 transgender woman's murder -- we found out about it on  
22 social media. Even our media didn't think that it was a  
23 big enough story.

24           You know, even though if somebody gets shot in  
25 the behind in Paradise Valley and that's on, that's the



1 leading story. But a transgender woman of color gets  
2 murdered and that's not enough to even make the news that  
3 evening; which is an indictment in and of itself of the  
4 media, as well.

5 MS. OGLETREE: Are any of you consultants for  
6 training purposes?

7 MR. GALLOWAY: We've gone in to give  
8 presentations to some departments in relation to different  
9 cultural identity issues. That type of thing.

10 MS. WININGER: We are not. That is not our  
11 specialty, per se. We will definitely have conversations,  
12 but there are organizations that we can direct AZ-POST and  
13 police to for that training.

14 MS. DIAZ: I have trained some of the SROs for  
15 the city of Phoenix. They have about 80 SROs, and I've  
16 gone to their back-to-school training sessions, and I did  
17 train them on dating abuse, which is related to domestic  
18 violence. They allowed me to go in. And so they do look  
19 for training opportunities.

20 MS. NUNEZ: Mrs. Diaz, your programming with SROs  
21 seems to be something that works, but I think that would  
22 fall into the action item 4.123 that says that the United  
23 States Department of Justice and other public and private  
24 entities should support research into the factors that  
25 have led to dramatic successes in crime reduction and in

1 some communities to the infusion of non-discriminatory  
2 policing.

3           And I think the program that you're doing seems  
4 to be very resourceful and helpful, but I didn't hear  
5 anything that had to do with parents. How do you  
6 incorporate parents into any of the training that you do?  
7 Because, as a clergy myself, I see one of my problems has  
8 been mostly with parents and training parents, not only  
9 with students. So can you address that?

10           And also the rest of you, how you deal with  
11 parents and training them in community policing. To be  
12 part of the community is not -- you don't just have their  
13 youth. The problem, a lot of times with us, is at home.

14           MS. DIAZ: Actually, I think it's a weakness that  
15 we may have about training our parents. It's one of those  
16 things -- I've recommended that we have a parent  
17 university and include information about every topic that  
18 a parent wants to learn about drugs and gangs.

19           But when you do those kind of workshops, then  
20 you're admitting that you have those problems in your  
21 district, and people don't want to know that you have  
22 those problems in your district. So it is very political.  
23 Parents will remove their kids from our schools if they  
24 think that you have those kinds of problems in there; when  
25 it's, in reality, informational.

1 But I know that right now I'm working with the  
2 ACLU to come in and do some training for our parents with  
3 respect to SB-1070 and how it affects our students and how  
4 it affects our parents. We do those kind of things.

5 MR. GALLOWAY: I won't say we've done trainings  
6 officially for parents. We have had some issues come up  
7 that we kind of -- when we feel that they might be the  
8 problem, we kind of direct them into resources that can  
9 help them handle the situation better or handle the child  
10 better.

11 I know when I was PTO president of my daughter's  
12 school, we held different sessions that helped parents be  
13 parents; because a lot of parents don't know how to be  
14 parents. And, fortunately, we don't -- we actually end up  
15 contacting CP on a regular basis.

16 MS. WININGER: We don't deal with parents, but I  
17 will tell you this: That estimates are that 40 to 50  
18 percent of kids who are out there and homeless are part of  
19 the LGBT community. We have kids as young as ten whose  
20 parents have thrown them out, usually in the name of  
21 religion.

22 And these are kids that get abused or beaten in  
23 the group homes that they're put into; the foster care.  
24 So they tend to live on the streets because it's safer for  
25 them. And a lot of times they will get into drugs and/or

1 prostitution because they need to eat.

2           And that is, you know, something else that we are  
3 trying to -- there's an organization called One in Ten  
4 that they work quite a bit with kids at that age. But,  
5 again, this is a population that, a lot of times, the  
6 police deal with. And they can either deal with them in a  
7 compassionate level, try to understand; or they can deal  
8 with them in a John Wayne manner.

9           As much as I didn't care for our former police  
10 chief of Phoenix, one thing that Daniel Garcia did say is  
11 there's no reason to arrest homeless people because all  
12 you end up with is a homeless person with a record.  
13 There's nowhere to go and no community resources at this  
14 time.

15           And, unfortunately, Ms. Diaz indicates that  
16 police are -- "I don't know what to do, so I'm going to  
17 call the police." And it becomes their problem. And  
18 sometimes they have the resources and know what to do with  
19 those people, and sometimes they don't. And either they  
20 get dropped off someplace they shouldn't or they go to  
21 jail. And that's not an answer. So, again, that  
22 community relationship and that community building I think  
23 is so important for everything to be able to change.

24           MS. MARTINEZ: Further questions?

25           (No responses.)

1 MS. MARTINEZ: Well, thank you so much,  
2 panelists. And if we have follow-up questions or if  
3 follow-up questions arise, if Doctor Minarik comes to you,  
4 will you take those questions?

5 (Affirmative answers.)

6 MS. MARTINEZ: Thank you for your time and the  
7 information that you provided for us with this committee  
8 to assess. We appreciate your time.

9 MS. WININGER: What is the -- each individual  
10 state's next steps and the Commission's next steps about  
11 this?

12 MS. MARTINEZ: Well, I can't speak for any other  
13 state, nor can I speak for the state of Arizona. But I  
14 can tell you that the Commission is gathering information  
15 in order to assess the next steps. So I don't think we're  
16 at the next step yet. We had panelists yesterday,  
17 panelists today, and we're starting to discuss follow up  
18 and what it is that we are going to do next. So we will  
19 recess for about five minutes, and then public comment  
20 will ensue at 4:30 and we will conclude. Thank you all.

21 (Break taken from 4:26 until 4:32 p.m.)

22 MR. MARTINEZ: At this time, we'd like to open  
23 for public comment, and I would ask anybody interested in  
24 making public comment on the record, to please come up to  
25 the tables and introduce yourself and please spell your

1 name for the Court Reporter.

2 MR. CHAVEZ: My name is Pedro Chavez. P-E-D-R-O,  
3 C-H-A-V-E-Z. I've been born and raised in Phoenix all of  
4 my life. And I've been able to experience some of what  
5 our other panel members here have talked about; how we  
6 have sort of this racial profiling, gender-based  
7 profiling, and it ties into how our police and other  
8 agencies interact with their communities.

9 I've been pulled over based on racial profiling.  
10 I've had a gun pointed at me. From hearing the last two  
11 days, even from what Mesa Police Chief was talking about  
12 how media outlets and social media have pretty much  
13 clouded anything that the police can put forth as far as  
14 being something truthful, as far as something being  
15 honest, unbiased, and whatnot.

16 And what I'm hearing a lot of is that based on  
17 our interactions between agencies and communities such as  
18 -- and NAACP -- excuse me, the name was slurred. But with  
19 these communities what's going on is that we have a  
20 serious break-down of being able to relate to one another.

21 A social skill, like being able to communicate at  
22 a basic level to say, from when we had the reverend here,  
23 to say that there's two types of cops here. There's a cop  
24 that's going to come around the corner and say, "If you're  
25 still here, there's going to be an issue"; or the cop to

1 say, "How is your family doing? Is everything all right?"

2           There's a serious break-down over the generations  
3 that there is no relational skills between one another.  
4 There's no way we can really impact our community if we  
5 can't simply say, "Is everything all right?" rather than  
6 making some sort of hostile situation.

7           And, based on your reactions here, watching them  
8 give you their information and you wanting more details  
9 out of them, based on your guys's reaction, as a young man  
10 seeing the world turning upside-down and seeing what it's  
11 becoming, it's revolting.

12           It's revolting to say that we have to sit in  
13 something like this without putting it at a basic level,  
14 higher education or not. The basic of it is that our  
15 relational skills have gone down the drain. And I would  
16 be more than happy to state on the record that that's  
17 something very basic that we, as a community, have to turn  
18 around.

19           As a clergy -- as an up-and-coming clergyman and  
20 something that I devoted myself to, where I was an  
21 ex-addict, I was hooked on methamphetamines, I prostituted  
22 off the street, I did it because that's where my life was  
23 headed. I had a career in the Marine Corps, and I shot it  
24 down. But when I threw my life away, I had no one there.  
25 There was no one to say, "Hey, here's help."

1 I had two pastors who were so loving and opened  
2 the door for me so that that influenced my life that you  
3 need to communicate, regardless of what anybody's opinion  
4 is. Now is not to say that I'm against anyone whose  
5 sexual orientation or what they choose to do in their life  
6 has nothing to do with based on my religion. But the fact  
7 of the matter is that if you have something that's coming  
8 against you, if you feel that there is nowhere else to  
9 turn to, if someone cannot communicate with you, how do  
10 you know there's help?

11 How does an 18-year-old black male know that  
12 there's help for him, if no one is communicating to him?  
13 How does a Mexican -- because that's the nationality  
14 coming over into America -- how does he know if there's  
15 anybody to help, if there's no one communicating with him?

16 How does someone who's Mexican descent that was  
17 born in the United States with no citizenship, how does he  
18 know that there's help for him based on laws that have  
19 been passed where he can either serve -- be in the service  
20 or two years of college and start the process of getting  
21 the paperwork, if there is no one communicating to him?

22 Now I know that right now you're just  
23 investigating. And it takes something so basic, something  
24 so elementary to put out into the open so that people can  
25 actually see what or how. Something as simple as



1 communicating unbiasedly, unadulterated, somewhat filtered  
2 because if we just allow it to go out with no sense of  
3 credibility, with no firm root to make something happen;  
4 what point is any communicating then whatsoever? You  
5 might as well move into a totalitarian system and have no  
6 voice whatsoever. Without communication, how do we ever  
7 hope to change something as simple as making an impact in  
8 our community?

9           I know as a minister, I cannot make an impact  
10 unless I am able to communicate at a basic level with the  
11 constituents who need to hear what I have to tell them to  
12 let them know that there's a way out of being a drug  
13 addict. And not a way out, but a way to completely change  
14 that, a way to completely let go of something that is  
15 destructive in your life, not just to a drug addict but to  
16 a gang member.

17           Being raised in that for all of my life, being  
18 around it -- uncles, aunts, my mom and dad. Being in  
19 fights, hearing the count; 18 people dead and 20 people  
20 that -- and this is what happened. If there is no one  
21 there to communicate these things, how are my children  
22 going to learn anything?

23           I just got out of a high school sort of scenario,  
24 sort of lifestyle. Yes, there were fights. Yes, there  
25 were this. Yes, there were that. I'm glad to know that

1 someone is finally stepping up to say we've got to make a  
2 change.

3 I hear my own cousins tell us they have it harder  
4 on us than ever. They want to prepare us for college.  
5 Someone communicated it to them, "Hey, we need to change  
6 this." And he's stressed out. My cousin is stressed out.  
7 "Man, I got so much notes to take, I don't know where to  
8 start sometimes." But someone finally communicated that,  
9 "We got to get them to a higher standard." And it's true  
10 years ago all it was, was a high school diploma and boom,  
11 there you go. You go to the service, make a job, get a  
12 career, whatever, but you're good. It's communication for  
13 us.

14 Now how do I want to communicate to our children?  
15 "Mi hijo, it doesn't matter who they are, it doesn't  
16 matter where they come from; but if you show them love,  
17 what can they do to you?" If you let them know that,  
18 "Hey, you might live your life, but let me tell you about  
19 my life. Let me explain it to you."

20 If a police officer were to come in here right  
21 now and assuming being violent based on my tone of voice;  
22 if I were to explain it to him, and he says, "Okay, that  
23 wasn't the situation." When we talk about mental  
24 illnesses and dealing with people who are unfortunately  
25 burdened like that in their life and have dealt with that

1 all their life; what is the communicational skills for a  
2 police officer? What is the basic elementary  
3 communication skills he has to determine whether or not he  
4 has to shoot that person dead? Which is horrible to find  
5 out.

6           Because, to be honest, the way I see it, they see  
7 their world as normal, and they look at us like we're  
8 crazy. Seriously. And that's something that I want to  
9 express as someone who isn't educated in these matters.  
10 Just based on listening, the communication skills have  
11 gone down the drain. Thank you.

12           MR. MARTINEZ: Thank you, Mr. Chavez. Is there  
13 anyone who would like to make a public comment? Please  
14 join us. Tell us your name and spell it for the Court  
15 Reporter, please.

16           MS. GREEN: Carmen Green. C-A-R-M-E-N,  
17 G-R-E-E-N. I'm the Deputy Director with the Arizona  
18 Commission for the Deaf and Hard of Hearing. I did get a  
19 chance to glance at some of the report. I was very  
20 interested in the training and education section.

21           One thing I would like to offer, as Mr. Fowler  
22 mentioned earlier today, our agency does have what we're  
23 calling a Public Safety Curriculum where we offer training  
24 and education to public safety officers, and we are  
25 approved by the Arizona POST organization as a

1 credentialed agency or credentialed curriculum for the  
2 police departments to take.

3           Our commission has had a lot of issues and  
4 situations with consumers coming in talking about the fact  
5 that they were not provided with effective communication.  
6 Oftentimes, let's say, for example, in domestic violence  
7 situations, oftentimes you have officers who show up who  
8 utilize the victim's partner or family member to do the  
9 interpreting about the situation or what happened.  
10 Totally biased. And so you're not going to get accurate  
11 information, and you're already in a volatile situation.

12           And so oftentimes those deaf individuals,  
13 particularly those deaf individuals who use American Sign  
14 Language, often find themselves again on the end of more  
15 abuse where they're not having the right to effective  
16 communication to express their side of the story or the  
17 situation.

18           As well as in situations someone mentioned  
19 earlier about older individuals and elder abuse. There  
20 are lots of people who suffer from hearing loss. And  
21 sometimes they may not even recognize that that's what's  
22 going on with them. Some older individuals have been  
23 diagnosed with dementia, when it actually was a hearing  
24 loss that they were struggling with. So there's a lot of  
25 education to be done.

1           And particularly when we think about law  
2 enforcement, again, with issues related to domestic  
3 violence or even just a simple stop; that individual's not  
4 being provided with effective communication.

5           Our agency does have a visor card that we provide  
6 to individuals that request it, that says, "Officer, I am  
7 deaf" or "Officer, I am hard of hearing." And there is a  
8 big difference in a person being culturally deaf and using  
9 American Sign Language, and a person who acquired a  
10 hearing loss across the years.

11           Because, certainly, for a hard of hearing  
12 individual, in many instances they are able to speak for  
13 themselves and ask for clarity, or say "I cannot hear  
14 you"; whereas a deaf individual may want to point to their  
15 ears and say, "I can't hear you." But we provide training  
16 to the community also saying: "Don't do that." "Don't do  
17 that." "Don't make any sudden moves."

18           I've not heard it in the news for a while, but  
19 several years ago there were situations nationwide where  
20 an individual may reach for their pen or pencil and those  
21 individuals would be shot because, of course, the officer  
22 didn't know that that's what they were reaching for. So  
23 we do provide training for consumers, as well as for  
24 officers.

25           Here in the state of Arizona there are about 1.1

1 million individuals with the range of hearing loss from  
2 anywhere from a mild hearing loss to profound deafness.  
3 And that's a recent study that we've worked with the  
4 University of Arizona on. Among that group, there's about  
5 25 to 30,000 who are what we call culturally deaf, or  
6 individuals who were born deaf; so, most likely, those  
7 would use American sign language.

8           And what our commission would like to see is the  
9 use of this curriculum and our training for officers for  
10 -- we do have a training coming up very soon with one of  
11 the local police departments where we'll be training about  
12 100 officers. And so we're very excited about that.

13           But we know that there are so many more that need  
14 to be taking that training because oftentimes some of  
15 those consumers don't come to us after the fact, after  
16 there's been a denial for effective communication, because  
17 of the frustrations. Sometimes they do end up using  
18 family members. And no one benefits from that because  
19 that means the police department didn't get an accurate  
20 story either.

21           They may have -- your family member interpreting  
22 might withhold information that they should be sharing  
23 with that deaf individual. Or maybe they're withholding  
24 the information if the deaf person is indicating that they  
25 have been -- they are the reason why that issue is

1 occurring. And so it happens all the time.

2           The state does have a law that requires the use  
3 of licensed interpreters. Our agency licenses American  
4 Sign Language interpreters, so we are here and stand ready  
5 to offer that training to police departments.

6           And, also, I think someone mentioned earlier  
7 about getting training from the right individuals. And  
8 there are individuals that are offering -- and one  
9 individual in particular -- offering trainings in the  
10 community, who is comparing individuals who are deaf to  
11 individuals who have traumatic brain injuries. Never  
12 shall the twain meet. And so, but according to the  
13 training that that individual is providing, if police  
14 departments are partnering up with them, they are working  
15 on inaccurate information; and it's dangerously inaccurate  
16 information.

17           So our agency would love to see some type of a  
18 recommendation that AZ POST put us in their actual line-up  
19 of training, as opposed to just credentialing us and then  
20 leaving it up to the police departments to reach out to  
21 us. Again, we provide those trainings free of charge.  
22 And they would be getting their training from individuals  
23 who are either deaf or hard of hearing; so folks who have  
24 first-hand knowledge and experience on this subject  
25 matter.

1           So, again, we would love to work with the law  
2 enforcement agencies to make sure that they're properly  
3 prepared when they're working with deaf and hard of  
4 hearing individuals across the spectrum. Whether it's  
5 domestic violence, or a traffic stop, or just anything in  
6 the community; meetings that they're having in the  
7 community to talk about how to reach out to the police  
8 department for additional support.

9           But we are here and available for that, so any  
10 follow up that we could receive in that regard would be  
11 greatly appreciated in regards to the recommendations to  
12 our police departments here in the state.

13           MR. MARTINEZ: Thank you, Ms. Green. Do you have  
14 a card you can leave with us?

15           MS. GREEN: Yes, I do.

16           MR. MARTINEZ: Thank you, very much. Are there  
17 any other members of the public who would like to comment  
18 for the record?

19           (No responses.)

20           MR. MARTINEZ: That officially concludes our  
21 meeting today, and we thank everybody for participating,  
22 for your time. Thank you, Gene, our Court Reporter.  
23 Thank you, commissioners. Thank you panelists, Doctor  
24 Minarik, and all the comments that you all provided. We  
25 appreciate it.



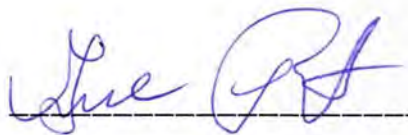
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C E R T I F I C A T E

I, GENE RICHARDS, a Certified Court Reporter in the State of Arizona, do hereby certify that the foregoing pages constitute a full, true, and accurate transcript of the proceedings had in the foregoing matter, all done to the best of my skill and ability.

SIGNED and dated this 13th day of September, 2015.



GENE RICHARDS, BA, RMR

Certified Court Reporter

Cert. No. 50026