

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

REPORTER'S TRANSCRIPT OF PROCEEDINGS

Phoenix, Arizona
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1 THE PUBLIC MEETING
2 BEFORE THE ARIZONA ADVISORY COMMITTEE TO THE
3 U.S. COMMISSION ON CIVIL RIGHTS
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9 BOARD APPEARANCES:

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11 Lorena Van Assche
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13 Evangeline Nunez
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16 Peter Minarik,
17 Regional Director, Western Region
18 U.S. Commission on Civil Rights
19
20
21
22
23
24
25

Phoenix, Arizona
August 25, 2015
1:27 p.m.

P R O C E E D I N G S

(Evangeline Nunez and Lorena Van Assche are not present.)

MS. MARTINEZ: The purpose today is for our advisory committee to the U.S. Commission on Civil Rights to hear information and description of the situation from you all in relation to the President's -- the final report from the President's Task Force on 21st Century Policing.

We want to thank you, Assistant Chief Kurtenbach, Chief Sheridan, and Mr. Soelberg, for your time today. We appreciate that. This is specifically in relation to pillars four and five of the report, which are in regards to community policing, crime reduction, training and education specific to our communities here. And it's in order for the committee to assess and then take it from there.

I would like to let everybody know that this is a public and open meeting. The record is open until September 25th. If there is additional -- there are additional comments for the record, please contact or call Doctor Peter Minarik, the Regional Director.

1 Our panelists will share five to ten minutes
2 each, and the committee members here will withhold our
3 questions until the panelists have all presented
4 information. And then public comment we'll take at the
5 end of all three panels, and that will be at 4:30.

6 MS. OGLETREE: Are we going to hold off our
7 questions until all of the people --

8 MS. MARTINEZ: All three panelist are done. And
9 then we'll recess for five minutes, and then the next
10 panelists will -- Okay. Thank you. So we're going to go
11 ahead and start with Assistant Chief Kurtenbach.

12 MR. KURTENBACH: Good afternoon everybody, and
13 thank you for having us here today. My name is Mike
14 Kurtenbach, I'm Assistant Chief of the Phoenix Police
15 Department.

16 I was talking to Chief Sheridan, and I have a
17 little over 25 years with the department, which I think is
18 a lot; but Chief Sheridan puts it in perspective for me
19 and in some respects I still have a lot to learn.

20 As I talk about pillars four and five, I think
21 it's important to contextualize what the greater metro
22 Phoenix area has done, in my estimation -- the Phoenix
23 Police Department -- to date, prior to the issuance of the
24 President's Task Force on 21st Century Policing.

25 I believe that the Phoenix Police Department is

1 an excellent department. There's always room for
2 improvement. And when you look at -- a couple of us were
3 at a major city chiefs' function last Thursday where we
4 actually were going over recommendations within the
5 report.

6 And in the back of the report you probably noted
7 it says there are 59 recommendations. There are 62,
8 actually. There are 64 total, if you count the
9 overarching; and then 92 different action items that are
10 in there.

11 So let me talk about Phoenix for just a second so
12 you understand our commitment to community-based policing
13 and genuine collaboration and partnership building and how
14 far back that goes.

15 In 1997, I served as the first community programs
16 sergeant in the south side of Phoenix, South Mountain
17 precinct where we recognized, as an organization, the
18 importance of having community action officers that were
19 the direct liaisons to the community; so that rather than
20 tell our community members what the problems were and then
21 bring the appropriate resources to bear, we sat down with
22 them, collaborated, and jointly solved problems.

23 That was in 1997. But there have been missteps
24 along the way. I don't think it's any surprise to this
25 body, or anybody sitting in the room, that September 11th

1 changed a lot in terms of the way law enforcement did its
2 job -- not on a micro level, but perhaps on a macro level
3 -- when it came to federal funding being funneled toward
4 community-based policing efforts, that ended up going
5 largely to homeland efforts. But we haven't lost our way
6 here in Phoenix. What the report does, it just codifies
7 for us next steps so that we can better engage our
8 community.

9 So with regards to the pillars of community
10 policing of crime reduction, any police officer that is
11 doing his or her job the right way has to recognize that
12 we must partner with the community that we serve. And
13 "partner" is the key word. Because to reduce crime, it
14 can't be the police working in opposition or independent
15 of the community. It has to be us jointly identifying the
16 problems and then coming up with mutual solutions.

17 In 1995, we had a series of officers that were
18 shot in the South Mountain precinct. After the last
19 officer was shot, we did what we knew to do back then; and
20 that was implement what was known as the Buckeye Road Task
21 Force. That was four officers that were state police,
22 Phoenix. We were supported by other agencies. We went
23 into the area where these officers were shot, and we did
24 -- a term that I detest -- zero tolerance enforcement.

25 And if you think about what happens when you

1 conduct zero tolerance enforcement, you're going to catch
2 some, quote, unquote, "bad guys" while you're doing that;
3 but you're going to cast a wide net that's going to
4 disenfranchise those members of the community that you
5 need to collaborate with to build capacity to ensure that
6 you aren't every two, to three, to four years conducting
7 another task force. We're really not accomplishing
8 anything. So it's about relationships, and it's really
9 about forging some unique relationships that, perhaps,
10 haven't existed in the past.

11 Prior to recent times, back in 2010, March of
12 2010, there was an unfortunate incident here in Phoenix
13 where a Phoenix police officer had a physical encounter
14 with a -- a white Phoenix police officer with an
15 African-American city councilman. What that incident
16 highlighted was a clear disconnect between the department
17 and the community that we serve.

18 As a result, what I will refer to as "The Phoenix
19 Way," we pulled together a partnership with the city
20 manager's office of approximately 50 residents who spent
21 eight months developing concrete strategies for us in the
22 department to more effectively engage our community; to
23 provide greater access to our community; and to instill
24 greater confidence that we are doing our jobs the right
25 way.

1 That group came up with 34 specific
2 recommendations. If any of you have followed what
3 happened with the Community Engagement and Outreach Task
4 Force, 31 of the 34 recommendations were met in all, or in
5 part; one was pulled by the Task Force itself; and then
6 two were not met for various labor management reasons.

7 Unfortunately, it wasn't enough. And as we
8 looked at the recommendations back in 2010, really,
9 outcomes were not as quantifiable as we would like. There
10 weren't effective metrics to determine whether or not we
11 were really meeting the needs of our community.

12 So in light of recent events, in April of this
13 year, the city manager created the Community and Police
14 Trust Initiative, which is a group of nine members who are
15 part of the original Task Force; nine new community
16 members that represent the diversity that exists within
17 the City of Phoenix, working with the police department to
18 now develop measurable strategies for more effectively
19 engaging our community and working in collaboration.

20 We had a trust initiative meeting just last
21 night, and the co-chairs of the initiative have embraced
22 the Task Force report. So just last evening, the members
23 that were present -- and there were, approximately, 12
24 members that were present -- they were asked, prior, to
25 submit recommendations for, again, how the relationship

1 between the media and the community can be improved. And
2 they submitted those recommendations.

3 And then as part are our effort last night, we
4 were parking those recommendations in each of the six
5 pillars where we believe they most appropriately fit.
6 Because, as a department, what we're already doing under
7 Chief Yahner's leadership is, we're creating an
8 information matrix so that we can identify what concrete
9 steps we have taken organizationally to meet individual
10 recommendations.

11 Some, I recognize, don't specifically apply to
12 local law enforcement, but I'll use the POST
13 recommendations, for example.

14 One of the duties that I have is, I oversee basic
15 and advanced training. So our basic training is through
16 ALEA. There are many agencies that go through the Arizona
17 Law Enforcement Academy. And now we have a Phoenix
18 commander that is assigned to ALEA. So there needs to be
19 continuity between the training that's provided at basic,
20 that goes through to our POST academy, that goes through
21 to our field training, that then permeates the entire
22 organization.

23 I talked about my community programs assignment
24 back in 1997. This can't be -- and I think the Task Force
25 report really highlights this -- this can't be an entity

1 within an organization that is responsible for community
2 engagement. It can't be a single community action
3 officer, or a sergeant, or a lieutenant. It needs to be
4 embedded within the culture of the organization.

5 And the assignment the chief has given me, which
6 allows me to then connect basic, to advanced, to our FTO,
7 to our continuing training, I think allows us to
8 accomplish just that.

9 So the POST recommendations, for example, that
10 are included in the Task Force report, it might be easy to
11 say, "Well, that's another entity's responsibility." But
12 I would argue that it's incumbent upon us to sit down with
13 the leadership at POST and see how we can jointly
14 integrate these recommendations where they make the most
15 sense and how they make the most sense. Because,
16 ultimately, if we're not serving the community, then we're
17 not doing our job effectively.

18 So that's really the perspective that I bring to
19 the table. What I can tell you is that all of our new
20 sergeants are being taught a two-hour block on the Task
21 Force Report. It was developed by our basic training
22 lieutenant. And I had the opportunity to help develop
23 that with her and to team teach that with her to our first
24 group of sergeants.

25 Blue Courage is something that is being taught in

1 the Arizona Law Enforcement Academy. That Blue Courage
2 module -- which I think I preach to the choir when I say
3 this -- which talks about, as you see in the Task Force
4 report -- changing from that warrior to that guardian
5 mind-set.

6 It's all about heart-set. Doing your job.
7 Resetting -- hitting the reset button, if you will, to
8 remind, maybe, some folks that have been on as long as me,
9 why we do this job. Remember when we raised our right
10 hand when we took the oath, that who we were here to serve
11 and not be somehow jaded along the way. So these are
12 things that we're weaving into the organization.

13 From the very beginnings, our recruits -- full
14 disclosure -- in January of '09 we had 3,388 sworn Phoenix
15 police officers. We're down to 2701. So we have almost
16 700 fewer officers than we had in January '09. July 17th
17 we graduated a class of five Phoenix recruits. Now that's
18 five more than we had, and we have more in the academy
19 now, and it's going take a slow effort, but little by
20 little we can get there.

21 What I'll conclude with, so I'm respectful of the
22 time that you've afforded me, is that in addition to what
23 we're doing with our new recruits, our new sergeants, in
24 the way we're training down at the academy, Chief Yahner
25 is dedicating at least one hour each Monday where the

1 executive staff is going over the report pillar by pillar.
2 So as an executive staff where we set the tone for the
3 rest of the organization, we're identifying the specific
4 recommendations, specific action items, and defining how
5 we can apply them by division.

6 So, for me, I am sort of the community services
7 division, which is all of our community engagement and
8 outreach, our public affairs, our training, et cetera. I
9 also oversee our body-worn camera program.

10 But 53 percent of our department is within the
11 patrol division. If the patrol assistant chief does not
12 embrace the recommendations, that's going to be inherently
13 problematic. Our investigations division -- it's the same
14 thing across the board.

15 So all of the chiefs are going through here and
16 finding ways to weave this into the way that we do our
17 jobs so we can do our jobs better.

18 MS. MARTINEZ: Thank you, Assistant Chief
19 Kurtenbach. We're going to withhold our questions until
20 the end of the panel. So we'll move forward with Chief
21 Sheridan.

22 MR. SHERIDAN: Thank you. It's a great honor to
23 be asked to sit on the panel, considering the state of
24 flux the sheriff's office might be in -- at least
25 according to the media.

1 So, like Mike said, I've been in law enforcement
2 for a long time. As a matter of fact, my story starts
3 even before I moved to Arizona. My father and uncles were
4 New York City police officers. My father was a lieutenant
5 in Harlem back in the early '70s; back in the day when
6 there was a rampant discord between law enforcement and
7 the community.

8 But I remember my dad coming home one night and
9 sitting down; he'd been shot at. There was a couple of
10 police officers killed that evening. And he sat down and
11 he told me that there's a lot of good people that live in
12 the 2A precinct, which is Harlem. He says, "As a matter
13 of fact, most of those people are good people." He says,
14 "There's some bad people that live there. And that's --
15 we're here to protect the good people. That's what we
16 do."

17 And so that stuck with me. And here it is --
18 again, this was 1971, maybe '72. A few years later, I
19 found myself coming to Arizona, joined the sheriff's
20 office at the ripe old age of 18 years old as a volunteer.
21 And a couple of years later, at the age of 20, going to
22 the Phoenix Police Academy. That's where I told Mike, his
23 dad was a lieutenant there in charge of the academy when I
24 went there in 1978. So I've been with the sheriff's
25 office for 37 years.

1 And one of the other things that I learned early
2 on, even before "community policing" was ever a word --
3 that came in about the mid-'80s before that term really
4 kind of came around -- was an old redneck named Charlie
5 Pobstman put me in his patrol car and took me around in
6 the Queen Creek area -- which was pretty rural back then
7 with a lot of orange orchards and grape fields there.

8 And I remember driving up into one of the orange
9 orchards into some of the migrant housing. And instead of
10 people running out the back door, they came and they
11 surrounded us and surrounded the patrol car, and they gave
12 Charlie a hug. And mostly women and children. The men
13 were out working.

14 And Charlie told me we were here to protect them.
15 We were here to protect them from the people that would
16 prey on them. We were here to protect them from people
17 that would rape them and steal their money. That's what
18 we do. And then he took me around to the farmers and all
19 of those people. So that's how I learned about policing.

20 But my presentation that I prepared -- you made
21 me think of those things as you were talking. So I did
22 prepare a statement. We kind of got away from that at the
23 sheriff's office; at least from a perception. And in 2012
24 we realized at the sheriff's office there was a
25 disconnect; that we were not communicating with certain

1 segments of the people that we serve.

2 So one of the things we came up with -- and chief
3 Chagolla -- I want to recognize him -- was instrumental in
4 helping us realize and create something. And I'll tell
5 you about that in a second. A booklet. That was a
6 grass-roots effort within the sheriff's office to help us
7 address who we are as an agency, and give us a vehicle to
8 communicate that with the public.

9 And what we came up with -- when it was
10 published, what we came up with is what we call the
11 Integrity, Accountability, and Community Booklet, back in
12 2012. And Chief Chagolla has been instrumental as the
13 commander in training making sure that every employee of
14 the sheriff's office, especially the new people, have gone
15 through this.

16 And the reason I bring this up -- and it's
17 produced in English and in Spanish. And it's on-line or
18 in hard copy at the district -- is that much of what's
19 contained in this report, 21st Century Policing, is
20 contained in this; albeit in a different format.

21 And it was when I read the President's Task Force
22 report, I thought how similar things were and how what our
23 perspective was with things that needed to be done. Law
24 enforcement has recognized for many years there's a
25 communication barrier with the people we serve. And I

1 began to wonder about the history of policing.

2 You know, back in the day, before a car came
3 along, police officers, deputy sheriffs, walked or rode
4 their horse. There's no barrier there. We still, at the
5 sheriff's office, have a mounted unit, and we work with
6 Tempe and Scottsdale and in our own areas, and people come
7 right up to those officers and those deputies on the
8 horses. There's no barrier there.

9 So did it begin with isolation created by a car
10 with windows that go up? We all see the iconic New York
11 police officer sitting in the car, right? Somebody comes
12 walking up, and they roll the windows up.

13 Did it begin with the uniform and the badge that
14 sends a distinct message, "Hey, leave me alone." It's a
15 barrier.

16 Or is it the people's inherent distrust of
17 government in general that creates this barrier?

18 Let's face it, police officers, deputy sheriffs
19 that are in our community, come from the communities we
20 live in. They're our friends, and family, and neighbors.
21 In the same respect, so are the people they're sworn to
22 serve and protect. They are our family, friends, and
23 neighbors also.

24 (Lorena Van Assche enters the room.)

25 MR. SHERIDAN: One of the other things that I do

1 is, I oversee the sheriff's jail system. It's the third
2 largest jail system in the country. And I continually
3 preach to my officers -- which I have over 2,000 detention
4 officers -- that those inmates, they come from the
5 community. They're our family, friends, and neighbors.
6 You can't get around that. So treat them like that.

7 Peace Officers are called "Sworn Officers"
8 because they take an oath to uphold the Constitution of
9 the United States and the laws of the state in which they
10 work. But it goes much farther than that. As Mike said,
11 they're the guardians, protectors, defenders of our weak,
12 vulnerable, and innocent. And, again, all of these issues
13 are addressed in the Task Force on 21st Century Policing.

14 As soon as I read this report, I made sure I came
15 back to the office and made sure that I put it out to
16 everyone of rank, including my detention staff; not just
17 the sworn staff. I have over 3500 employees. All
18 supervisors, sergeants, and above, were asked to read this
19 and understand. That's how important I thought this was.

20 The law enforcement agencies have been going
21 through a metamorphosis in recent years. And, believe me,
22 nobody can tell you that better than me; especially in the
23 last two years. "Increasing awareness of policing,
24 smarter by using the community policing model," has a been
25 around since the mid-'90s; probably even earlier.

1 The Task Force has recognized the importance of
2 forgoing -- or forging relationships between law
3 enforcement and the public. Cultural awareness, likewise,
4 has been taught in law enforcement classrooms all across
5 the country for years.

6 Your law enforcement basic training academies
7 have begun to train the mind-set of guardians and
8 protector, not just the warrior and crime fighter. But we
9 still need crime fighters, too, because there are bad
10 people out there. Policies have been rewritten to reflect
11 these changes, and many other changes, all with the
12 emphasis to make us better servants to meet the changing
13 needs in our rapidly changing times.

14 But changing the culture of any organization,
15 especially a law enforcement organization steeped in
16 tradition, is no easy task. The Task Force does a good
17 job recognizing this by suggesting three major issues that
18 I thought deserved mention here.

19 One, leadership. Ensure a well-trained,
20 experienced, and educated leadership team that can
21 addressed the complex issues confronted by modern law
22 enforcement agency.

23 I like what Mike had to say and what his chief is
24 doing in going over this on a weekly basis. It's a great
25 idea. I might steal that, if you don't mind.

1 MR. KURTENBACH: It's all yours.

2 MR. SHERIDAN: Training. Training should not
3 stop at the academy. In fact, this should be considered
4 the stepping-off point to a career path led by training.

5 Three, hiring. We need to ensure we're hiring
6 the right people. Not just people who can pass the
7 background and the physical agility test, but people who
8 are dedicated to communicating with and sacrificing
9 themselves for others. This is not an easy job. I'm
10 talking about people with empathy and compassion.

11 Yet we can do all this and more, as outlined in
12 the report. But if the public does not have an open mind
13 toward their police that enables themselves to see these
14 changes, the changes that have already taken place, and
15 the changes that continue to evolve; this culture change
16 will never materialize.

17 I'm going to quote Charles Darwin for a second.
18 "It is not the strongest of the species that survives nor
19 the most intelligent that survives. It is the one that is
20 most adaptable to change."

21 We in law enforcement must adapt this change.
22 And I think, especially here in Arizona, we're doing a
23 darn good job adapting to this change. And the public
24 also, though, needs to have an open mind about their
25 police and that -- give them a chance.

1 That's why community-based partnerships, as
2 mentioned in the report, need to be more of a concept of
3 -- need to be more than a concept of words from above.
4 You just can't be the chiefs, four of us sitting here
5 talking about it.

6 It must be a grass-roots effort from the line
7 officers; and like what Mike said, and deputies and the
8 people who are on the streets with them. The people we're
9 serving every day. The people that call us for service or
10 maybe the people that don't want us there. Not just
11 community leaders, and businessmen, and us law enforcement
12 executives.

13 This is real change that will engender true
14 progress. A progress that we will see a genuine
15 relationship building, and that will lead to a reduction
16 in crime and a reduction in fear for everyone; police and
17 the public alike.

18 MS. MARTINEZ: Thank you, Chief Sheridan. We are
19 going to move to Assistant Chief Soelberg, please.

20 MR. SOELBERG: Mike Soelberg, Assistant Chief of
21 Mesa Police Department. Been with Mesa just over 20
22 years. Been Assistant Chief over the Community Engagement
23 and Police Services Bureau since March.

24 The timing of the report was good for us in the
25 fact that we were going through a reorganization at that

1 same time. Chief Meza had just been promoted to Chief
2 over Mesa in February. And we were aware of the hearings
3 that were going on here in Phoenix and throughout the
4 country, and the assignment of the Task Force. So it was
5 a good time for us to look at what we were doing and see
6 how we can elevate that.

7 And it's at that time when we did the
8 reorganization, part of our efforts to embrace being the
9 community side of it and engagement and also take care of
10 our people, we created a new bureau. A lot of things that
11 were recommended in this report, we had been doing for
12 years just like Maricopa, Phoenix, and a lot of the other
13 agencies; Tucson, you name it. We've been doing a lot of
14 these things for years.

15 But we took this opportunity to elevate that; not
16 only the philosophy throughout the department, but to
17 create a bureau just to focus on that and drive it from
18 the top down, that we are engaged with the community, we
19 are involved, we are working in partnership with the
20 community to fight crime and build a relationship. So
21 that was the first thing that we did, was create a bureau
22 specifically for that. And that's the bureau that I'm
23 over.

24 But before I get into some of the specifics of
25 what we're doing, I want to give you some overview. I was

1 asked, "What's our opinion of the Task Force report?"

2 And, obviously, it's big and there's a lot. So I just --
3 my comment's going to be somewhat generalized. But if you
4 have specifics, I can address some of those as we go.

5 But over all, the recommendations are good. As I
6 mentioned, the majority of the things they recommend, we
7 do, or have done, or are attempting to do in some form or
8 capacity. A lot of the recommendations that don't
9 specifically apply to us -- whether it be federal, whether
10 it's research, funding -- that stuff we are in support of
11 since 2008. We haven't lost as much as Phoenix, but we
12 lost about 120 officers just to budget cuts. We lost
13 another 23 just this year. So we have gone from a max of
14 860 down to 759. And so it's a struggle.

15 As the chiefs have mentioned, community policing
16 has always been a part of what we do. And when I started
17 in '95, and even prior to that, it's been a part of what
18 we train and what we do out in the field. So this -- the
19 Task Force report is a good reminder of that community
20 policing. It gave us a lot of new perspectives on how to
21 apply that.

22 I, as well, am over the training and advanced
23 training. So one of the things we've done -- I knew we
24 were doing some of it. So we looked at our academy lesson
25 plans, and we looked at our interest lesson plans. And

1 the hard thing for us is, we do the majority of these Task
2 Force recommendations in the academy; whether it be the
3 diversity community training, cultural awareness training,
4 community police training. They get a lot of that in the
5 academy.

6 But once they graduate and get done with FTO, we
7 have our in-service that we do each year. But there are
8 so many topics to get in, in that limited amount of time,
9 especially with the limited staffing, it's cut down on the
10 amount of training time. And so the key thing for us is
11 how do we take the key ideas and apply them to the
12 in-service training, get the folks on that have been on
13 five, ten, 15 years, and refresh that philosophy. We did
14 the Nobility Of Policing over the past couple of years,
15 which is a segue to the Blue Courage that we're doing.

16 A lot of our lesson plans have already, for
17 years, implemented those philosophies. So whether it's a
18 rebranding of terms or whether it's just refreshing some
19 of the lesson plans, we're looking at what we're doing in
20 the academy and refreshing that to make sure that we're
21 speaking the same language as the Task Force is speaking;
22 so when we talk about legitimacy and we talk about warrior
23 versus guardian, that they get what we're talking about;
24 we're not using different language.

25 So we looked at our basic training, and I'm very

1 comfortable with that. We are making a few tweaks to be
2 in compliance with some of the recommendations. I also am
3 stealing from the chief from Phoenix. Last week, as he
4 has mentioned, we were in Tucson and talking about the --
5 some of the pillars and some of the recommendations.

6 And what we did when this came out, each of the
7 chiefs were assigned one of the pillars to review and were
8 going through each recommendation and notating whether it
9 applies to us; and if it does apply to us, are we doing
10 it; can we improve on how we're doing it; and if we're not
11 doing it, should we be doing it and how would we implement
12 that.

13 We're going to start doing that in our grand
14 staff meetings. Our command staff is very aware of this
15 report and our mid-managers and lieutenants are aware of
16 it. But I know the officers and sergeants have heard of
17 it, but we really haven't engrained it into them yet in
18 terms of the Task Force terminology and what it means for
19 them.

20 As the chief mentioned, the community policing,
21 we've always done that. Call it what you want, that
22 interaction between. You can't fight crime without
23 getting the community involved. You have to have their
24 cooperation, for one, for being witnesses and being
25 willing to talk to us and calling us when they see

1 problems. So that portion of it's always been there.

2 With the reduction in staffing and with Comstat-
3 driven data that we've been doing since 2007, we focused
4 on the crime. We haven't forgotten about the community,
5 but this Task Force is a good refresher of not forgetting
6 that component that you need the community to be engaged
7 in order to help you fight the crime. So that if the
8 crime numbers are down, you can focus on it.

9 There's a lot of good recommendations in the Task
10 Force report. A lot of them, like I said, we're working
11 on where we're already doing. And there's some, if we
12 getting funding, would love to do.

13 Getting back to the Task Force, law enforcement
14 is one component of the criminal justice system. And it's
15 good that we -- in some of our discussion with the Chiefs
16 of Police Association and in some of the meetings where
17 we've talked about this, this is one component.

18 It's not a fix-all. It's not all law
19 enforcement's job to do everything. We have to have the
20 community involved. We have to look at the way the courts
21 work. We have to look at the way jails work. We have to
22 look at probation and parole. We have to look at the
23 preventative side of it.

24 So while this is -- the Task Force report is
25 focused on law enforcement. We understand why. It would

1 take forever to look at all different aspects. But our
2 recommendation would be that this same theory be applied
3 to all levels of criminal justice system and see how else
4 -- not only can the community improve, but how -- between
5 attorneys, courts, judges -- how can they improve. How
6 can corrections improve; how can probation and parole.
7 What type of diversion programs can we implement. So that
8 as a whole, the whole system is improved so that we reduce
9 crime; and, in theory, that should improve the
10 communication and the relationship.

11 One thing that's come up, I've been on the
12 diversity team for 18 years. And we do have a good
13 relationship with our community. I help teach at the
14 academy, and I've been involved with our forums. We have
15 eleven different forums that we've participated in since
16 2007.

17 And depending on -- we have a comfortable
18 community and we don't have a large turn-out because we
19 have a good relationship. But our focus is, we don't care
20 if there's two people or 200 people in that meeting; we're
21 reaching out and putting forward that effort to talk to
22 them to see what their issues are, to see how we can help.
23 And as good as you think you have it, there's always
24 something more you can do to improve.

25 We've been to DC with a community representative.

1 I went with our president of the East Valley NAACP. We
2 had a really good conversation. And some of the things --
3 as good as I think we have it, she reminded me there's
4 always something more you can do; weather it's just our
5 interaction.

6 We, you know, with being short-staffed, we got in
7 that mode of just call, to call, to call, to call. And so
8 that's something we're reminding our officers: To take
9 the time to communicate. And that's some of the
10 essentials in the Task Force report is communicate why are
11 you here, what's going on, and explain why you're doing
12 what you're doing. And so that's essential to being
13 successful in the community.

14 I kind of bounced around a lot with you. But if
15 you had specific questions about what we're doing, I have
16 six more pages of examples for you. So I'll cut it off
17 there.

18 MS. MARTINEZ: Okay, thank you, Assistant Chief
19 Soelberg. What we'll do now is entertain any questions
20 from the committee members. The public we'll hold till
21 later at 4:30, and I will give you opportunity to go on
22 the record for public comment for any of the panels today.
23 And there will be three of them.

24 MS. JOHNSTON: I'm a former teacher. I taught
25 for 35 years. I taught during the turbulent late '60s and

1 '70s in inner city schools in South Bend, Indiana. We
2 brought in police, at first, to hold a lid on things to
3 keep things from getting worse. But then, eventually, the
4 policemen became our community resource people.

5 They worked with us. We treated them as fellow
6 teachers. Eventually, they almost got as much respect as
7 the custodians got. But, anyway, what are you doing in
8 your communities in terms of reaching out now to the young
9 people in the schools through community policing?

10 MR. SOELBERG: With Mesa, at schools, we have 14
11 SROs that cover, approximately, 20 schools. And then
12 through off-duty officers that are assigned to the
13 schools, as well, we get 28 total schools. Working
14 anywhere from four hours to ten hours a day, depending on
15 the school.

16 Those are grant funded, ten out of the 14
17 positions are grant funded through the state, and there
18 are specific law-enforcement related educations that they
19 have to do. And even the ones who aren't grant funded, we
20 still have them apply those same amount of hours that they
21 have to do. There's just no funding that mandates that,
22 but we want to be consistent. So between Mesa public
23 schools and Gilbert public schools, which are within our
24 city, we are at the schools.

25 In addition to that, we've had, since 2007, a

1 program called Making Every Student Accountable. It's
2 been at two different junior high schools, and that's for
3 at-risk kids; kids that are at junior high level that are
4 at risk, whether it be grades or behavior, of getting
5 kicked out of the schools; getting sent either totally out
6 of the school district or to an alternative school.

7 So in the spring and fall, we have different
8 programs. And it's run by the police department. It's
9 one hour. Kind of an academy setting where there's one
10 hour of physical fitness and one hour of classroom. But
11 also we realize you can talk to the kids all you want, but
12 you've got to get the parents involved. So we have the
13 parents involved at least one night a week for that
14 activity.

15 Now the problem with that is, it's just such a
16 small group. We average between 30 to 40 kids into those
17 programs. We're getting about 60 to 80 kids a year. And
18 with our population at just under a half million, that's a
19 drop in the bucket, if that. So one of our eleven forums
20 is the youth forum. We've struggled to get youth
21 involved. They want to get involved, but between all of
22 their other activities, it's hard to get them there.

23 So we did something new this summer. We did
24 Youth Leadership Academy in which we wanted to mentor the
25 leaders within our city to get them involved and have them

1 help us lead. Asked the youth get them to outreach to
2 their friends to get them involved in our youth forum.

3 So we had a one-week leadership and that focused
4 on anything from getting prepared for college; getting
5 ready for how to prepare for an interview for a job;
6 social awareness type stuff; drug awareness; alcohol;
7 internet safety; bullying. And then a little
8 show-and-tell where we displayed fire and PD, different
9 job opportunities and what it would take to be an officer
10 or a fire fighter.

11 In addition to that, like I mentioned with the
12 youth forum, in the fall what we plan to do is meet
13 monthly with them and take them throughout the city and
14 show them different opportunities and different ways to
15 get involved.

16 Obviously, the youth, at the age we're dealing
17 with, junior high and high school, they still listen to us
18 at times. But one thing we learned is, you've got to
19 interact. It's not just a lecture. Because if you do a
20 lecture, they don't care.

21 And they have a lot of opinions. And lot of them
22 are actually good opinions. So we're trying to engage
23 them and get them to talk back as far as how we can help
24 them. And it goes both ways. What can we do for each
25 other to make their lives easier and to communicate and

1 try to reduce the crime they're involved in. Thank you.

2 MR. SHERIDAN: After that, I almost want to pass
3 on the answers. Maricopa county's 9,226 square miles.
4 It's bigger than some states. But we're the primary law
5 enforcement agency for about half a million people.

6 We have seven contract towns where we're the
7 primary law enforcement agency for incorporated towns.
8 And in those towns where they actually pay for -- Fountain
9 Hills was one of them; my home town. We have deputies
10 that work in the schools full time, and they become part
11 of the staff, more or less. Not just a deputy sheriff in
12 the school. She really enjoys that function.

13 In many of the other county schools, however, we
14 don't have the resources to provide to the students out
15 there. So it's a catch as catch can for those deputies.

16 But let me talk about communication, also,
17 because I'm an educator myself. I've been teaching at the
18 community college district here in Maricopa county for
19 over 18 years. And one of the things that I've noticed is
20 that the students -- they don't talk too each other.

21 I thought it was me, for a while. I thought,
22 well, maybe because I'm old. Maybe because I'm a teacher
23 here. But it's like tonight, I'm going to be a student at
24 Scottsdale Community College tonight at 7:00 o'clock. But
25 I'll walk through the campus and have my T-shirt on,

1 jeans, and nobody will say "hello" to me either. I think
2 that's just what we deal with.

3 And those are the people that we're hiring as
4 police officers. We actually have to train them to
5 communicate. And that was part of the report. You know,
6 the communication is such an important component. Because
7 I tell people, "If you don't like people, you don't want
8 to deal with people, this is not your job." This is a
9 people business. If you'd rather sit behind a computer
10 and text people, this is the wrong line of work for you.
11 So that's my answer.

12 MR. KURTENBACH: So Phoenix has 75 school
13 resource officers. Of those 75 school resource officers,
14 27 of them have Wake-Up Cease Violence Clubs. If you're
15 not familiar with the Wake-Up program, that's where these
16 SROs engage the kids after school in philanthropy; whether
17 it be a neighborhood clean-up or some effort within their
18 respective neighborhoods. Then there's rewards structure
19 to that. Different camps that we can take them to.

20 We also have a very robust Explorer program with
21 the city of Phoenix. We have 50 active Explorers. I am
22 moving some elements of my division around right now
23 because I ideally would like to get to a hundred
24 Explorers.

25 What we see in our Explorer program is that 60

1 percent of our Explorers self-identify as minority, and
2 over half are female. And that's a perfect pipeline for
3 recruitment. We are engaging the kids at a younger age
4 through Explorer clubs which we're starting to bring
5 on-line for our middle-schoolers. 14 to 18 is the active
6 age for our Explorers.

7 We used to have a cadet program. I'm striving to
8 bring the cadet program back so we can keep these kids --
9 I call them "kids" -- engaged in the Phoenix Police
10 Department so that at 20 and a half, since we've been
11 vetting them, in essence, for seven-plus years, we can
12 hand them an application and we can get them in the
13 academy. And that's a known commodity.

14 And Chief Sheridan's point, they've learned from
15 us, as well, about effective communication and the
16 importance of communication that doesn't involve cell
17 phone. I think that's critically important.

18 We had our first youth academy this summer. I
19 oversee our Citizens' Police Academy. As it stands, we
20 hadn't done a youth academy before. That was a very fun
21 experience. And that's something we're going to continue.
22 We're also going to bring the Youth Advisory Board on
23 line, where the chief has ten different citizen advisory
24 boards. We'll be bringing two more on this fall and then
25 an overall youth council.

1 And then something that I was really, really
2 proud of was a public-private partnership in Maryvale when
3 I was a commander out there; which was the Maryvale Merits
4 Program, now known as Phoenix Merits; where we want to
5 change the paradigm of how our officers interact with
6 kids.

7 All too often, if a police officer pulls up on a
8 group of kids, what could happen is maybe they scatter or
9 then it's, "What are they here for?" "Are they here to
10 harass us?"

11 But the idea was, working with the Maryvale
12 Revitalization Corporation, to go out to businesses to get
13 coupons for free or discounted items. And some of you may
14 have heard about this positive-ticket concept. Police
15 officers around the country stop people and give them a
16 ticket that's actually a good thing.

17 So we adopted that in Maryvale. So when our
18 officers see a young person maybe doing something simple,
19 like using a cross-walk, or holding open a door, or SROs
20 where a kid turns in lost property; they're given this
21 merit card which has the name of the officer on it, so now
22 you know me as a person. Now you know officer Mike. And
23 then, with that, is this coupon.

24 So our Vice Mayor saw the wisdom in this and
25 thought this was a pretty cool thing. So now we've pushed

1 it out to the rest of the city. We have a title sponsor
2 that gives us these coupons. And, again, it's just a
3 simple way of something really, really small, but it's an
4 ice-breaker so you can go up to a kid. And maybe next
5 time that kid doesn't run from you, but actually comes to
6 you. And our sticky badges are like gold anyhow. If you
7 pass out a badge sticker, everybody loves that. So we
8 have a big budget for our sticky badges.

9 MS. OGLETREE: I wanted to ask this. I'm really
10 surprised, and actually pleased, to hear how positive all
11 of you are about this report. Reading it and not knowing
12 anything about the way things work with you and the
13 federal government, I wondered if there might be some
14 push-back because this is the federal government coming
15 in; or at least there are recommendations in here that the
16 federal government be more a part of what you do in terms
17 of setting goals for you, or having reporting requirements
18 for each one of your departments. And I wondered if there
19 is any aspect of that, that you had some hesitation about?

20 MR. SHERIDAN: Erin, let me take a stab at that.
21 It's no secret that the DOJ civil rights division sued the
22 sheriff's office in 2011. We're currently under a court
23 order with Melindres v. Arpaio, and we're still in court
24 over that. And we have a court appointed monitor. And
25 that's why, earlier, I made the comment that nobody knows

1 better than me about this metamorphosis of change in the
2 last 20 months that we've been ordered to do.

3 But I can tell you that the vast majority of
4 things that the court has ordered us to do are things that
5 we should have been doing. These are positive things for
6 the organization. We have embraced them, even though the
7 media does not show that. They don't show anything in a
8 positive light for us.

9 And that's very frustrating because that's how
10 the public doesn't understand what I'm saying here. The
11 public would not believe what I just told you, or what I
12 read from my prepared statement. But I don't know -- you
13 don't know who I am, but I wrote this from my heart, and
14 it didn't take me very long to write this the other night.

15 But unless there is some kind of issue -- think
16 about it in your own life. If everything is going fine,
17 nobody realizes there's something wrong until a problem
18 occurs. Until your car breaks down, you didn't realize
19 that there was a problem.

20 And that's the way I look at how the DOJ
21 approached things; how the plaintiff's counsel with
22 Melindres approached things. And, to me, it's all
23 positive because we're going to be a better organization
24 at the end of this. And I'll give you an example.

25 Back in 1978 the sheriff, at that time, was sued

1 because of jail conditions. Today -- and I'm not just
2 saying this -- we have the best-run jail system in the
3 nation. Anybody that comes out and looks at and inspects
4 our jail system, the experts will tell you that.

5 They don't come here with that mindset. They
6 think, "Oh, yeah, this is Joe Arpaio's jail. This is a
7 really screwed-up place"; that we're abusing people.
8 Well, if you listen to the plaintiff's lawyers that want
9 to make millions suing us, that's their rhetoric and the
10 media loves that.

11 But the true experts that come out here, the
12 Department of Justice, the federal government, the Office
13 of Inspector General has come out. On Monday, the
14 correctional health system in the Maricopa county jails
15 won the best-run jail award for 2015. And they are going
16 to get that on Monday.

17 So those are the real things that are going on,
18 and we're very proud of those things. And so that's who
19 we are as law enforcement agencies, especially here in
20 Arizona. It's just, unfortunately, we can't get that
21 message out.

22 MS. MARTINEZ: Thank you, Chief Sheridan. I have
23 a couple of questions. You mentioned -- all of you
24 mentioned, in some way, the limitations of funding and how
25 it affects call, to call, to call; training; past the

1 academy what happens.

2 Our communities are changing exponentially.
3 Arizona is right behind California in terms of people of
4 color and majority -- minority majority. And I'm
5 wondering if you can speak a little more to -- more than a
6 concept, but strategic written things that you all can
7 share in how to move from a concept and to adapt to the
8 way that our communities are changing, despite the limited
9 funding, or the restrictional funding, or with the
10 scenario that you have.

11 So how do you do it? If that's the scenario that
12 we have -- and there's a lot of nice recommendations --
13 92, depending on how you count. So how are you going to
14 do that here in this community?

15 MR. SOELBERG: We talked about recruiting. And
16 there's no magic formula to recruiting. One thing is that
17 you want your agency to reflect the community you serve.
18 It's easier said than done. We've had our last two
19 academy classes -- we've had, basically, an increase from
20 20 percent to 40 percent minorities. A lot of that goes
21 with not only the recruiting, but the hiring process.

22 To say that our intention is on doing the
23 minority hiring, we're still doing the same process, but
24 when we're reviewing applicants, we are looking more in
25 depth on our minority applicants and focusing on them.

1 But that doesn't change standards whatsoever at any level.

2 So our attention to detail. And not only in the
3 recruiting, because a lot of our recruiting comes from
4 we're focusing on the colleges, we're focusing on the
5 military. The downturn in the economy has resulted in
6 fewer people wanting to be getting into law enforcement
7 because we haven't been hiring for five years. As chief
8 of Phoenix mentioned, they hired five in five years. And
9 that's not a good average.

10 And so trying to -- and I think that's where some
11 of the youth and getting involved in the schools, getting
12 them interested in the nobility of the career, and being a
13 guardian of the community, getting involved -- it's a long
14 process.

15 So, like I said, there's no magic formula for
16 that recruiting process to get that reflection of the
17 community within your department, but you've got to at
18 least try for that and focus on that. In addition, going
19 kind of back to what you were saying with the federal
20 mandates; and that's something good that the Task Force
21 didn't mandate anything.

22 There's a distinct difference between law
23 enforcement west coast, mid, midwest, and east coast. And
24 so what's good for the east coast, may not necessarily be
25 good for Phoenix or good for Mesa. So you've got to look

1 at what other agencies are doing.

2 The good thing about all of these meetings is
3 we're stealing from each other. Every time we meet, we
4 steal some ideas and how can we implement that. One thing
5 we're trying to get the community involved in, our plan is
6 to bring the community -- we're involving them in our
7 lesson -- our policy review. We're going to start
8 involving them a little bit more in our lesson plan
9 review.

10 We want to go over, for example, our diversity
11 training we provide. We're going to give that to their
12 community forum to get feedback on how we can improve it.
13 "Is there something we're missing?" But, also, bring the
14 community panel so -- to the recruits so that they give
15 their perspective of what their perception of the police
16 is, and how can we improve that. So try to involve the
17 community in improving ourselves. I don't know if I got
18 specific with what you wanted, but --.

19 MS. MARTINEZ: That's helpful.

20 MR. KURTENBACH: I know you're asking for
21 specifics, and it's going to sound like I'm kicking the
22 can down the road, but this is very purposeful. I
23 mentioned the Community and Police Trust Initiative in my
24 opening statements. And it's important for us to hear
25 what the community expects of us, to engage in substantive

1 dialogue, and then implement meaningful changes, where
2 appropriate, so that we can more effectively police within
3 our community.

4 So this body of 18 that is starting to now
5 coalesce around specific recommendations; we're going to
6 take those recommendations out and, stealing from the
7 report, have listening sessions this fall throughout the
8 City of Phoenix. So though the 18 are representative of
9 and very specifically picked by the city manager and the
10 police department; although they're representative of the
11 community, they do not represent the entire community.

12 So to the best of our ability, to the extent that
13 we can, we are going out and asking for additional
14 information. Hopefully, we can bridge gaps so that we do
15 our jobs better.

16 People that have heard me talk have heard me say
17 that there's a reason that the good Lord has given us two
18 two ears and one mouth. In law enforcement, oftentimes we
19 use the mouth and not the ears so much. I'll speak for
20 myself. I won't speak for the other agencies at the
21 table. So it's really important for us to listen. To
22 that end, we are engaging in communities that I don't know
23 if we have effectively before.

24 Just last Wednesday, at our police headquarters,
25 Phoenix Police headquarters, my staff and I met with

1 representatives from Puente, ACLU, the Center for
2 Neighborhood Leadership, and Black Lives Matter; where
3 they came forward with recommendations for police reform.
4 And we spent an hour and a half having some initial
5 dialogue, validating what they're presenting to us.

6 This past Saturday I spent four and a half hours
7 at a summit that was called Rebranding the Black Man's
8 Summit, where I was the only person that looked like me in
9 the room. Because it's important to put ourselves in
10 situations that, perhaps, are a little uncomfortable.

11 What good are we doing if we just sit down with
12 people that validate that we're the best police department
13 or that we, as law enforcement professionals, are doing
14 our jobs the right way. We think we're doing it the right
15 way, but there's always room for improvement.

16 So what we're doing is asking the community for
17 suggestions in how we can do our job better. I think
18 you've heard it here at the table, but then we're
19 challenging the community to work in partnership with us
20 to implement those recommendations. It cannot be a "fold
21 your arms and wait and see" approach. If we are really
22 going to move the needle, then it has to be true
23 partnership. That's what we strive for.

24 MR. SHERIDAN: I have a real quick comment, too.
25 One of the things that I took most seriously out of this

1 was this community partnership thing. And I don't know
2 how happy Paul is about this, or not, but I took him -- a
3 deputy chief of high rank, one of the highest ranking
4 members of the sheriff's office -- and I gave him solely
5 the job to create this outreach program. And that's how
6 important this is to the sheriff and myself.

7 Because we definitely do have a disconnect with
8 how we communicate with that. I'll give you an example of
9 the demographics of break-down of Maricopa county, in
10 general. 58 percent of the public is white in Maricopa
11 county. 63 percent of the sheriff's office is white.

12 30 percent of Maricopa county general public is
13 Hispanic or Latino. About 25 and a half percent of the
14 sheriff's office employees are Hispanic or Latino.

15 5.7 percent of the general public in Maricopa
16 county are black and African-American. 6.7 percent of the
17 sheriff's office employees are black and African-American.

18 So fairly close. Not exactly to the numbers, but
19 pretty close we represent the community that we serve,
20 demographically.

21 MS. MARTINEZ: Can we verify your name? The name
22 of the chief right behind you that you're referring to,
23 for the record, please?

24 MR. CHAGOLLA: Paul Chagolla. Last name spelled
25 C-H-A-G-O-L-L-A.

1 MS. MARTINEZ: Thank you. We would like to thank
2 the panelists for your time, your input, your discussion.
3 We're looking forward to assessing what we've heard and
4 looking into some of the things that you're talking about;
5 especially as it applies to how we're doing it, what we're
6 doing, what fits to us.

7 The report is very general and it covers the
8 whole nation, so we're really looking to see what is
9 working for Arizona. You shared many examples, and we're
10 looking to see how we can do it better in many ways.

11 I appreciate -- I think the committee appreciates
12 the constructive dialogue, and the continued
13 understanding, and we appreciate your partnership. We
14 hope to continue the idea of partnering, community, and
15 law enforcement so that we can move forward together.

16 I just would need to say on the record, if we
17 have any follow-up questions, if they arise, would you be
18 comfortable with Doctor Minarik -- who is Regional
19 Director of the U.S. Commission on Civil Rights -- to take
20 those questions to any of you?

21 MR. KURTENBACH: Absolutely.

22 MR. SOELBERG: Yes.

23 MS. MARTINEZ: Wonderful. We will have the
24 public comments at 4:30 after all the panels are
25 completed. And we'll take a five-minute recess, and we'll

1 start promptly at 2:31 with our next panel. Thank you.

2 (Break taken from 2:26 until 2:34 p.m.)

3 MS. MARTINEZ: Good afternoon, and welcome. The
4 purpose of this meeting is to hear information and
5 description of the situation from the panel -- which
6 includes Chief Villasenor, Scott Decker, and James
7 Williams the Third -- in relation to the final report from
8 the President's Task Force on 21st Century Policing.

9 We're looking, specifically -- as the Arizona
10 Advisory Committee to U.S. Commission on Civil Rights, we
11 are looking, specifically, for information relating to
12 community policing, crime reduction training and
13 education, specific to our community; so pillars four and
14 five of the report. And this information for the
15 committee should assist in the assessment.

16 I should let you know this is a public and open
17 meeting. And the record is open until September 25th. If
18 you would like to contact or call Doctor Peter Minarik,
19 Regional Director for the Commission, you can do so until
20 September 25th.

21 Panelists will share between five and ten
22 minutes, and we will, as a committee, hold our questions
23 until all the panelists have spoken. Public comment we'll
24 take at 4:30 in regard to all three of the panels. I
25 think we're ready, so let's go ahead and start with Chief

1 Villasenor.

2 MR. VILLASENOR: Okay, I'm first. I was very
3 pleased, when we established the Task Force, to learn that
4 we would be holding one of the listening sessions here in
5 Phoenix; because I think that being on the border and in
6 the Southwest United States, we have unique issues that
7 needed to be discussed in line with community policing and
8 what we're doing.

9 MR. VILLASENOR: And when we had our listening
10 sessions, the way the Task Force was set up is we would
11 have one or two days of listening to subject-matter
12 experts that will talk about their different issues on
13 their ideas of each of the six pillars that we've
14 established for the Task Force. In addition to the oral
15 testimony, they were also invited to provide written
16 testimony.

17 We were then able to gather all of that
18 information and put it together and look at it in a
19 holistic manner. And we had fantastic staff support from
20 an organization that helped put all of that together at
21 breakneck speed, so that we were able to go through it and
22 then put forward our recommendations from there.

23 So I love that the panel said, "Did the Task
24 Force get it right?" I may be biased, but I think they
25 nailed it. And the reason why I say that, though, is

1 because when we started this we said that we're going to
2 try and list our best practices, and these are going to be
3 adjusted to each community and what each community finds
4 important for them.

5 Something that works in Newark isn't going to
6 work in Los Angeles. Something that works in San Francisco
7 isn't going to work in Lubbock, Texas. But there's basic
8 elements of what we were going to talk about that we felt
9 were vitally important to bring forward on a national
10 level for people to understand and listen to.

11 And a lot of the things -- I'm going to approach
12 pillar four first: The community policing and crime
13 reduction. If I were to take all of those pages and put
14 them down into one word, it's going to be "relationship."
15 And that's what it's all about. It's how we talk to
16 people, it's how we get out there, how we communicate with
17 people, it's how we develop that rapport before there is a
18 problem.

19 If we try and go out into a community when
20 there's a problem that occurs and, now, then appear there
21 and say, "We want to work through this"; we're too late.
22 We need to be out there beforehand, going to community
23 meetings, going out and finding the cops and get out of
24 the cars and walk around and talk to the merchants and
25 talk to the residents. That's part of the problem.

1 Prior to 9/11, the cops office and federal
2 government was giving a lot of money towards community
3 policing efforts. They were teaching concepts, they were
4 giving the money to hire officers to engage in community
5 policing. And they recognized that community policing
6 takes staff time. And it takes time that we often don't
7 have under the current environment that we're policing
8 here.

9 But at that time we were provided a lot of
10 resources, we were provided a lot of capabilities, a lot
11 of training. And not just police, but also the public
12 which is a very important component of that. This is not
13 all a police issue. This is joining together and working
14 towards those issues and those problems.

15 9/11 occurs and that money just dried up very
16 quickly. And a lot of that money then went towards
17 homeland defense. Which kind of amazes me when I hear
18 these things: "Why are police so militarized?" Because
19 that's what we were given to work with after 9/11; is that
20 we had to get a lot of equipment to defend the country.
21 And we lost the concept of community policing that should
22 have been forefront with how we do our jobs. It's a very
23 complicated fine line we have to walk; but we kind of went
24 one way or the other, and we didn't find that middle road
25 which is where we need to be.

1 So I think that what is going on right now,
2 painful as it may be for policing and the communities that
3 we serve, is vitally important to get us back into the
4 track and into the root of where we need to go and where
5 we need to devote our attention.

6 And we need to get back into teaching our
7 officers -- which is going to give me my segue into the
8 second pillar -- the concept of community policing. And
9 the fact that we don't want to do this in a fashion that
10 doesn't get the results that we need. And part of that is
11 going to be educating the public, as well as government
12 infrastructure, of what resources are needed to accomplish
13 successful community policing. You need time.

14 And when I have -- you know, I could talk about
15 Tucson in specific. At our highest, we were 1,113
16 commissioned officers. We then fell down to actual
17 staffing of slightly under 900.

18 When you loose a quarter of your police
19 department, you are not able to have time to go out and
20 get out of the car and meet the neighbors. You don't have
21 time to hang out in the businesses and talk with the
22 merchants. You're going from every call to every call,
23 and you're rushing and trying to get things done. And
24 that is not conducive to building relationships.

25 So we had to try and find ways to compensate with

1 that. We try and use technology. We try and, you know,
2 get a lot of these visits with the community being done at
3 the command rank. And while that's nice to have, it's not
4 what people need and want. People need the beat officers
5 getting out and meeting and talking with them.

6 But in our training, we have to emphasize the
7 concepts of community policing. We have to teach officers
8 it's not all about arresting, it's not all about tactics;
9 but a lot of it is about communication. And that's where
10 I'm very pleased to see the shift in the training and
11 education that's going on now.

12 We, in Tucson, we incorporate the concepts of
13 community policing throughout our academy. And then as
14 they graduate the academy, we mandate that they are
15 assigned a task -- not "assigned" -- that they develop a
16 task to work on a community problem in the area that they
17 get assigned to.

18 So they go out there, they identify a problem,
19 they figure what the issues are, they figure out how to
20 approach it. And it may be something as simple as, say, a
21 dumpster that's at one location that is causing people who
22 don't have money to come and scavenge. And when they
23 either get something or don't get something there -- and
24 especially if they don't get something there -- they're
25 still hungry, they still need food, they still need a way

1 to survive. So the next thing that they're going to do is
2 to look in the cars and yards and see what they can steal
3 to provide them a way to get through the day. So we have
4 to deal with issues.

5 Now we're not going to solve all of society's
6 issues and poverty, but we can definitely talk about: Is
7 that the best place for the dumpster to be, that's drawing
8 in people who are causing problems for the rest of the
9 community? So they have to work with other departments
10 within the city -- waste management, department of health,
11 safe housing, and so forth -- to try to resolve issues and
12 provide solutions.

13 Also, we have our downtown officers go out and we
14 encounter a lot of homeless. And rather than just arrest
15 and charge, we try and offer social services. And we
16 train our officers to bring about social service workers
17 to come out and help them and provide -- see if there's
18 recourse.

19 And what we're finding out more and more now --
20 and this is all kind of convoluted, but I'll get back to
21 the point -- a lot of people we're dealing with have
22 mental illness problems and mental instability problems.
23 Police have become the most prominent on-scene social and
24 mental health experts in the community right now because
25 there's no one else that does it.

1 And these people who are out there suffering from
2 illnesses, they need help. And so people call us to say,
3 "What can you do?" And we go out there and try to deal
4 with it. So now we require all of our officers to have
5 mental health first-aid training. It's an eight-hour
6 course. Everyone is required to have that. We have about
7 a third of our department that has been through CIT,
8 crisis intervention training. We emphasize now
9 de-escalation as the method of dealing with problems, as
10 opposed to a tactical response immediately.

11 And don't get me wrong. Tactical response is
12 necessary sometimes. What concerns me with everything
13 that's going on now is that we -- you know, the people
14 grasp onto buzzwords, and they grasp onto ideas, and they
15 go full bore on those ideas and forget everything else.
16 And that's really not proper either.

17 Unfortunately, we deal in a profession which
18 sometimes physical force is required and tactical
19 operations are necessary. Those never look good. And in
20 today's world with media everywhere and cameras
21 everywhere, we're going to continue to see those things on
22 the media.

23 So we have to talk about those things and talk
24 about how we minimize them; how we make that a course of
25 last resort; and how we try and deal with the problems

1 that cause those type of interactions and conflicts; so
2 that we can try and make sure that they happen as
3 infrequently as possible; and when they do, as humanely as
4 possible.

5 And the way we try and do that is through
6 training and policies to implement the issue of community
7 policing; which I come back to my first word which is
8 "relationships" between police departments and the
9 community they serve.

10 So that was my five- to ten-minute encompassment
11 of those two pillars and how we talked about it in the
12 Task Force and how we discussed all of these issues to try
13 to say what do we need to get out there as best practices
14 for policing across the country.

15 MS. MARTINEZ: Thank you, Chief Villasenor.
16 We're going to move to Mr. Decker -- Professor Decker.
17 I'm sorry.

18 DR. DECKER: I'll answer to all of those things,
19 and many worse. I'm a college professor. I'm a Ph.D. I
20 do research. 17 or 18 books and a couple of hundred
21 articles. Several million dollars in grants.

22 In 1980, I wrote an article that was, by today's
23 standards, pretty crude and basic. And I would hope that
24 if any of my students were to turn in an article of that
25 quality, that they knew they'd get a lot of criticism.

1 But in 1980, this article examined levels of
2 satisfaction with the police and the proportion of the
3 citizens police department that was comprised of minority
4 officers; and in 1980 that was African-American officers.
5 And the results were so stark, so clear, that I had to go
6 back and check them. Those were the days when you checked
7 things by hand.

8 And I came from a family of engineers, and my
9 grandfather, at an early age, taught me to use a slide
10 rule. And I even got my slide rule out. Every result
11 from every city -- north, south, east, west, large or
12 small or suburban, high crime or low crime -- said black
13 citizens are more satisfied with the police, in general,
14 and were more likely to call when there was a crime; were
15 more likely to testify when they were witness to a crime;
16 were more likely to counsel neighbors' children who were
17 out of line, when the department was more representative.

18 That article did, as many things did; it gathered
19 dust over time. I think it's important to point out not
20 just the importance of research in highlighting things to
21 be done, but that we have been here before; and even in my
22 lifetime, we've been here a couple of times before.

23 I wasn't around for the Wickersham Commission in
24 the '30s that argued many of the things that come out of
25 the most recent President's Task Force. I was around for

1 the Kerner Commission report. In fact, I grew up in
2 Chicago and, first hand, witnessed some of the disorder
3 that took place in Chicago.

4 And I would challenge people to pull out the
5 Kerner Commission report and look at both the diagnosis
6 and the problem, as well as the current effort -- and I
7 was fortunate enough to testify when the listening
8 sessions were in Phoenix -- and compare both the diagnosis
9 and the remedies, and challenge people to find what has
10 changed in the intervening years since the Kerner
11 Commission report was issued.

12 Now I've had the privilege, through my career, to
13 have a lot of really interesting experiences. I carried a
14 top secret defense department clearance for a while
15 because I did work in federal prisons. I served for 11
16 years on the Missouri sentencing committee. I served for
17 five years on the Mayor's Crime Commission in St. Louis.

18 Oh, I worked 1.6 miles from the location where
19 Michael Brown was shot and killed in St. Louis, for 29
20 years. I served five years on the POST board with Jerry
21 Sheridan, whom you heard from before from MCSO. And for
22 the last 15 years I've analyzed all of the 2.4-million
23 -a-year traffic stops that take place in Missouri. So
24 I've seen it come, and I've seen it go. One of the things
25 that concerns me is when I -- is the lack of listening

1 that goes on, on both sides.

2 When Jay Nixon was the attorney general in
3 Missouri, I won the competitive bid to do the analysis of
4 these traffic stops. One of the things I thought Jay did
5 then, as AG, was to call together law enforcement groups
6 -- and it was the Fraternal Order of Police, it was the
7 Missouri Chiefs' Association, a variety of law enforcement
8 groups; as well as public citizen groups, Organization for
9 Black Struggle, NAACP, Urban League, ACLU; groups that
10 don't get in a room together. And Jay asked me to sit
11 through the meetings.

12 And it was really remarkable that at the first
13 set of meetings, the aisle in this room wouldn't have been
14 wide enough to keep the two groups separated. And as the
15 meetings proceeded, however, there was common ground.

16 Now when I presented the initial results from the
17 first analysis that showed disparities in traffic stops
18 for African-Americans; African-Americans were much more
19 likely to be stopped, given their presence in the
20 population, than whites; four times more likely to be
21 searched; and a third as likely to have found contraband
22 on them. So we're searching a lot of black drivers in
23 Missouri, we don't find much in the way of contraband. We
24 find a lot more contraband on the white drivers.

25 The head of the police union, the FOP, stood up

1 and said, "This proves there's no racial discrimination
2 and racial bias in traffic stops."

3 And the head of the NAACP stood up and said, "Now
4 we know definitively that the police are biased against
5 African-Americans."

6 Same data, same numbers, very different results.
7 I think this illustrates one of the real dilemmas that we
8 face when making progress when we look at the same sets of
9 data, the same sets of numbers, and draw entirely
10 different conclusions.

11 I want to make one general point, and thank the
12 chief for his service not only in the last year, but in
13 the preceding years before that. The police have two
14 substantial problems that box them in: One is 9/11, and
15 the other is 9/11.

16 The first 9/11 is the September 11 problem that
17 caused us to lose federal law enforcement as an ally with
18 local law enforcement. It caused us to lose burn money.
19 It caused us to lose the funding and attention that got
20 shifted away.

21 And my friend Bill Bratton, who was in Los
22 Angeles at the time, said, "We don't have a terrorist
23 problem that comes from the Middle East so much, in Los
24 Angeles, as we have a terrorist problem that comes from
25 our own neighborhoods; that comes from the gang

1 neighborhoods in South Central; that comes from the Harbor
2 District." And Bill, because he's Bill, was able to
3 divert a lot of that federal terror money to do -- to
4 fight local crime.

5 The other 9/11 problem that we have is -- and I
6 may speak a little heresy here, Chief, and please feel
7 free to correct me -- is that officers are now slaves to
8 the radio. You are judged by how many radio calls you can
9 clear in your shift, not by how many times you get out of
10 the car; not by how many relationships you establish; not
11 by how many problems you solve; but whether or not you
12 show up at a burglary.

13 And I, at one time, was co-author of the best
14 selling book on burglary in America, and that means that
15 you sold 4,000 copies. Burglary is, apparently, not a
16 very big topic. But if you don't show up within three to
17 five minutes of a burglary -- which tend to take place
18 during the day, so we don't discover them until we get
19 home from work at night -- if we don't get the police out
20 there within a very short period of time, they're likely
21 not going to get solved. And the information could be
22 taken by civilians tomorrow or the next day, as opposed to
23 rewarding officers for clearing a call.

24 Until we can begin to break away from being a
25 slave to 9/11, I think we're going to continue to struggle

1 in dealing with relationships and dealing with problem
2 solving, rather than clearing a call off the radio.

3 Policing is very expensive. It's usually the
4 single largest line-item in a city budget. In many city
5 budgets it's 50 percent or more of what a city's budget
6 is. I don't know about you, but when I do my budget and
7 pay my bills at the end of the month, or do a budget at
8 the start of the year, the people who get the most money I
9 want the best service from. And when I pick up -- and
10 that would be my mortgage, I believe.

11 When I pick up the phone and call my mortgage
12 company because there's a problem or an issue, I don't
13 want to be called an F-ing idiot. I don't want to be
14 talked to with cursing. I want to be treated with some
15 respect. Because, after all, I'm paying for some of that
16 service.

17 I think one of the other things that's happened
18 that's unfortunate -- and maybe it was just me -- but at
19 the last IACP meeting -- the International Association of
20 Chiefs of Police -- not among what I think are the
21 insightful leaders in law enforcement, but among too many,
22 there was kind of a circle-the-wagons mentality: "It's us
23 against the community. People are criticizing us."

24 Sam Dotson is the chief of the St. Louis Police
25 Department. I knew Sam when he was a patrol officer. I

1 knew him very well when he was a sergeant and assistant to
2 Chief Joe Mokwa, with whom I worked very closely. When I
3 talked to Sam on my most recent strip to St. Louis, he's
4 worried that we've got these two opposing camps and
5 there's no bridges that have come between them. So
6 building press was something in caps and underlined, and
7 relationships, in my -- in my written notes.

8 I do want to talk about training because I think
9 training is a real key. And we may hire more diverse
10 departments, we may reorient ourselves back to community
11 policing, we may instill procedural justice principles;
12 all things that I think should be at the top of the agenda
13 for law enforcement and for the community to expect of law
14 enforcement. But if collectively we do those three things
15 and police culture doesn't change, then we're not going to
16 make a difference.

17 And I think training is a real key to move toward
18 police culture. I think training is a way we can change
19 the culture within departments to reorient our police
20 departments towards the values of community and
21 problem-oriented and smart policing.

22 But training is very expensive. To add training,
23 especially in-service training hours, keeps officers off
24 the street. Most departments are in the situation that
25 the chief described his, which is they are -- they've had

1 reductions in force. I know police departments that have
2 lost 40 percent of their officers since the recession.

3 I worked with Salinas, California. They lost
4 nearly 40 percent of their officers. They're in the
5 Central Valley in California. They haven't begun to hire
6 back yet. The population is larger, the calls for service
7 are up, and they've got 40 percent fewer officers to deal
8 with that. So to say you need to train more and take more
9 officers off the street, by itself, isn't good enough. We
10 need some help.

11 The first thing is we need cross-disciplinary
12 training. That means probation, parole, prosecution,
13 juvenile justice, corrections. And civilian groups need
14 to be part of some of the training that we do. Because
15 the successful crime interventions, crime-prevention
16 strategies build across a variety of groups.

17 Civilians need to be involved. As recently as
18 eight years ago, a large city police chief told me,
19 "Scott, I will never allow a sworn officer to train with a
20 civilian in the room. I will never allow a sworn officer
21 to be trained by a civilian."

22 And I said, "Chief, you mean you're telling me
23 you wouldn't bring the head of organizational management
24 from IBM or from Sysco in to help your top-level managers
25 better understand organizations and how they work?"

1 Everybody needs diversity training; that includes
2 top level, mid-level, and line-level. It also includes
3 civilian employees. Often the person most citizens talk
4 with is the person who answers the 911 phone call; and
5 that's a civilian, and they need diversity training. We
6 should revise, we should evaluate and repeat that training
7 regularly.

8 Training should integrate group experiences. And
9 Chief Ramsey has become almost famous for this.
10 Philadelphia Police Department recruits visit the
11 Holocaust Museum in Washington, D.C. And if you haven't
12 ever been, it certainly is something that sensitizes you
13 to the experiences of other groups.

14 The Holocaust museum's all the way across the
15 country. We could take people here to the Heard. We
16 could send recruits to tutor elementary school children,
17 visit a VA Hospital, and a variety of other group
18 experiences that should be part of police training.

19 We need help from the federal government. It's
20 not always popular to say that. It's not always popular
21 to hear that message. The cops office needs its budget
22 restored. The FBI National Academy, which is a leader in
23 training and probably does it as well as anyone in the
24 country, should also help us; and especially focus more on
25 community and community engagement.

1 All training needs to integrate communication
2 skills. I do training for police departments. I'm just
3 looking for my phone. One of the departments I've worked
4 with closely through the years -- more often when Bill
5 Bratton was there than Charlie Beck -- is the LAPD. I'm
6 told that there are over 300 different languages that are
7 spoken. They can't keep officers on the force. Google
8 has an app. that allows you to get three different
9 dialects of Farsi, of Mandarin, of languages that I don't
10 know, that the police in LA face every day.

11 Communication skills should be taught and
12 integrated in both basic and in-service training. All
13 training should emphasize the use of appropriate language.

14 I teach down the street at the ASU downtown
15 campus. If I use the F-word to a student, I can tell you
16 what Michael Crow is going to do. And I'm going to be
17 disciplined. I'm not going to lose my job the first time.
18 I will on subsequent times.

19 There was a short essay that was written called,
20 "Let's Get the F-word Out of Ferguson." There's no excuse
21 for public servants if -- the two most common interactions
22 for Americans with their government is the post office,
23 the person who delivers our letter; and the police
24 officer. If, as the post office worker put my mail in my
25 mailbox, they turned to me and said, "You're an FF idiot";

1 you could imagine how I would feel. We shouldn't expect
2 that from the police, as well.

3 We need to evaluate the content and the method of
4 delivery in police training. We don't know, we think it's
5 good. It might be good. Some of it needs to be improved.
6 We don't know. That needs to be a priority for us in the
7 research community, and we'd like some help from the
8 federal government.

9 The method for delivery is important.
10 24-year-old officers, like my 24-year-old students, learn
11 differently than 65-year-old guys like me. The web is an
12 important part of that, and we need to make sure the web
13 is integrated in ways that are consistent with 21st
14 century training.

15 The principles of community policing,
16 problem-oriented policing, smart policing, all need to be
17 integrated and reinforced in our in-service and our basic
18 academy training.

19 POSTs, Police Officer Standard and Training
20 Units, should provide CEUs the way that medical schools
21 do, law schools do, continuing education units; and
22 officers ought to be required to accumulate a number of
23 CEUs each year so they stay current.

24 Partnerships between researchers and those who
25 develop police training should be encouraged and

1 supported.

2 And thank you for your efforts. You have a very
3 important job. People are watching and listening. Thank
4 you.

5 MS. MARTINEZ: Thank you, Doctor Decker.
6 Mr. James Williams the Third.

7 MR. WILLIAMS: Good afternoon. Thank you for
8 having me. You have a packet that contains some -- you
9 don't have to look at it right now. I just want to
10 reference it. That's one of the challenges of providing
11 paper is that I'm going to provide some very brief
12 highlights over the documents that are before you.

13 Our agency was created as a part of the Title Ten
14 Civil Rights Act of 1964. It was a community relations
15 service. Our initial mandate was to respond to community
16 conflicts dealing with race, national origin, and
17 ethnicity.

18 And through capacity building with local
19 communities, we respond in ways that respond to
20 environmental justice issues, which you'll see in the
21 larger two-panel fold-out. We respond in a variety of
22 ways. The admitting service provides our disaster
23 response, contingency planning. We aid in building -- I
24 think "collaboratives" is the phrasing we use, or
25 public-private partnerships to address community-wide

1 issues and concerns.

2 We offer perspective. And by "perspective" I
3 mean that in this context: Where we are recognizing
4 through the 21st Century Policing Initiative that there is
5 a rift between community trust with local law enforcement
6 agencies, as evidenced by commenters before me, in
7 recognition of what's happened.

8 There are communities that would state that that
9 trust has -- you know, data may show -- particularly we're
10 talking individuals across the country, you get anecdotal
11 information in addition to the data. So that in
12 significant areas there hasn't been significant change --
13 as the previous speaker talked about -- since the current
14 Commission, would be one aspect.

15 Looking back further, even examining the history
16 of law enforcement, depending on your perspective and your
17 relationship, determines how you view what that looks
18 like. To people escaping slavery and running across the
19 Mason-Dixon line or trying to get into Ohio, their
20 experience with law enforcement during that time would be
21 slave catchers; who then, eventually, became law
22 enforcement. It's a very different perspective
23 contextually as you look at how communities develop in
24 their nature with law enforcement agencies.

25 We offer that particular perspective as we're

1 engaged directly with many ethnic communities, many
2 national communities, many refugee communities, that our
3 country has taken on in a variety of places and we provide
4 the local law enforcement the ability to enhance their
5 relationship with these communities.

6 Also, we aid in contingency planning with local
7 law enforcement agencies, specifically addressing issues
8 that may result, as a result of, say, like what happened
9 in Ferguson, what happened in Baltimore, what happened
10 elsewhere in terms of how you manage and what
11 contingencies you address as these situations are
12 unfolding and what happened as you do it going forward.

13 Among those things we look at are uses in the
14 practice of technology. So with that we offer tools like
15 rumor control so that you can find ways -- and when we say
16 "rumor control," it's not specifically just go talk with
17 law enforcement.

18 It's a way of combining and building the capacity
19 of local communities so you have local community-based
20 organizations -- we actually have a collaborative to
21 establish a rumor control center. So that this became
22 something that if you don't trust the cops, then there's a
23 community group that you can trust. Or if you do trust
24 the community group -- so that we're able to provide a
25 synergy whereby the community trust in the local community

1 bodies is not only enhanced but it also is able to be
2 built in terms of local capacity to address the issue.

3 We also support the use of technology in terms of
4 I think we've shared Nixle, which is a technology that we
5 learned about which is a way to communicate via text
6 message to report -- it's enabled -- it's a multitiered,
7 multidirectional communication tool which is primarily
8 used via text message.

9 That's beyond -- some agencies use Nixle, some
10 are using Facebook, Twitter, other social media options.
11 We're also able to provide contingency planning to aide
12 and assist in ways of using that in the whole process, as
13 well.

14 Additionally, many folks look at cameras as an
15 -- actually a best practices piece. When you talk to
16 members of the community, the concern around cameras
17 manifests as that's an after-the-fact solution. Meaning
18 that the camera is helpful after the situation has
19 happened, after the person has died, after the person has
20 gone through whatever situation.

21 So while -- and that -- and the level of
22 transparency around that is still something that's being
23 worked out. So for many communities, yes, while cameras
24 are helpful, they are also raising additional questions
25 around transparency and around ways communities are going

1 to have access to that information. One of the things we
2 do is help law enforcement and community engage in
3 constructive dialogue around ways to develop those
4 concepts.

5 The other thing that we do is provide training
6 for local law enforcement agencies, state agencies. One
7 of the things we did earlier this summer as a part of our
8 constitutional policing piece, we did something in Peoria.
9 Some of the officers that were here earlier participated
10 in that training. We had members of the FBI, members of
11 the civil rights division, and our agency, sharing ways in
12 which constitutional policing are important and effective.

13 In terms of collaboration building, one of the
14 things that we've done is that, in general, crime across
15 the country is down at it's lowest point. In the
16 community where I'm from, crime is at the lowest point
17 it's been in my lifetime.

18 And one of the ways that that has manifested is
19 that, for our agency, in the aftermath of several
20 school-based riots in several cities, we developed
21 community collaborative partnerships with the school
22 community, law enforcement community, and community. And
23 as they began to engage in dialogue, their work together
24 lowered the crime in those communities, which served in
25 the city to make the city a more peaceful place.

1 So there are existing models that are out as best
2 and better practices, that we look forward to being able
3 to share with the community. Even things that we've done
4 here in Phoenix in terms of the work done with the
5 city-wide task force that met over a year providing
6 recommendations to the Phoenix Police Department. The
7 work we've done in the aftermath of several state bills
8 that have passed in relation to different specific
9 communities and its disparate impacts and how -- in terms
10 of we also respond to protests in that area.

11 But I want to get back to training, because
12 that's going to talk about the other piece, in that we
13 offer training for local law enforcement and for community
14 in ways that as you shared, Chair Martinez, in talking
15 about the growth of community.

16 After 9/11, our agency created training called
17 the Arizona Sikh Cultural Awareness Training, which was in
18 direct response to Singh Sodhi, who was the first victim
19 of violence after 9/11 here in Phoenix. And as a result
20 of that, we have some other trainings that we've done with
21 and for law enforcement.

22 One is a transgender awareness training, as the
23 transgender community is one of those that is highly
24 victimized both as they work with law enforcement and by
25 communities where they serve. Today actually is the Black

1 Trans Lives Matter Day of Action, as an example.

2 There have been a recent number of murders from
3 across the country of trans women. So we aid in helping
4 both law enforcement and community in having a deeper
5 connection with the transgender community; specifically as
6 there is a distrust in terms of how they are going to be
7 treated by local law enforcement. And we aid in helping
8 to disspell many of the rumors and challenges around how
9 that engagement process works and what it looks like.

10 And Arizona also has some native American tribes.
11 So what you'll also find is we also do a great deal of
12 work in Indian country. So we've done work before with
13 Tohono O'Odham -- takes me a second. It's been a while
14 since we've been out there. And also done some work with
15 Navajo Nation in terms of working through school-based
16 issues and community-based issues.

17 And also working through -- those groups also
18 have law enforcement agencies, and working through the
19 challenges that are unique to Indian-country issues in
20 terms of folks that are within the nation that may engage
21 in crime on the reservation, as opposed to outside the
22 reservation, and what that looks like. And also the
23 partnerships between law enforcement agencies and the
24 agreements that they have to be able to work together.

25 So the primary thing that we really want to do is

1 build local capacity through aiding in the development of
2 community collaborations, aiding in partnerships. And we
3 recognize that many times when we come into a community,
4 we like to already have relationships in place. Because
5 when we come, typically somebody's job is at stake -- be
6 it the chief of police, a superintendent, teachers --
7 because we respond to conflicts.

8 And while I say that, let me finish my statements
9 by saying that our agency allows us some very specific
10 things as a mediator. We are specifically mandated that
11 all relationships and conversations had with us are held
12 in strict confidence. That means that everyone has the
13 freedom to be able to speak very freely to us. We can get
14 down to the heart of what the issues are, and we are not
15 able to share that with anyone. That is punishable by a
16 year in federal prison and 10,000 dollar fine per
17 incident.

18 We also have a second mandate that is directly
19 related to the James Byrd, Junior, Matthew Shepherd Hate
20 Crimes Prevention Act, where we respond to and work to
21 prevent violent hate crimes. And that's how we got into
22 the transgender awareness training and a lot of the work
23 that we do in building and enhancing partnerships that are
24 already existing; particularly in states where there are
25 not state-wide hate-crime laws.

1 And we develop partnerships with local law
2 enforcement to talk about how you can bring the federal
3 partners to the table in terms of working together to
4 address hate incidents, hate violence that is occurring in
5 communities.

6 I'm grateful for the opportunity to share and
7 speak with you. If you have any questions, I do intend to
8 stay so that they may be addressed. Thank you for the
9 time and opportunity.

10 MS. MARTINEZ: Thank you, Mr. Williams. At this
11 time, we will entertain questions from the committee, for
12 our panel. To start, I have a question. So,
13 Mr. Williams, when the work is based solely on mediation,
14 it wouldn't necessarily be the law enforcement agency
15 reaching out. Many of them today have shared: This is
16 what we're doing, what we're moving towards; money is an
17 issue, but this is where we want to go. How do we make
18 that connection?

19 MR. WILLIAMS: Our mediation processes are
20 infused in our training tools so that we don't just teach
21 typically only law enforcement. It's law enforcement and
22 community. We have our "allegations of bias-based
23 policing" training local law enforcement. And when we
24 engage that, it's not just law enforcement that we do.
25 It's law enforcement and community together working

1 through the issues that surround the concept of bias-based
2 policing.

3 For law enforcement we say, look, this is a
4 reinforcement of the reasonable suspicion and probable
5 cause, so your line officers are able to do that and show
6 that they have -- and we can have a healthy discussion
7 around what that is.

8 And for communities, they're able to understand
9 the difference in what reasonable suspicion is, what is
10 probable cause, and how there are certain aspects of
11 profiling that are necessary in terms of addressing crime
12 and addressing issues. And it's a way of building that
13 relationship with the local law enforcement agency.

14 Our work and assistance comes at no direct cost
15 to any agency. So, in other words, it's free.

16 MS. MARTINEZ: Free is good.

17 MR. WILLIAMS: It's not strictly mediation. We
18 do training. We also do what is called contingency
19 planning or consulting, where if there are things that
20 they are looking to put in place, we can provide
21 assistance in that.

22 What we've done in many communities is, say
23 there's an officer involved shooting or there is
24 allegation of excessive use of force. At some point you
25 are going to have a meeting to engage the community. We

1 can provide assistance with crafting what that looks like,
2 in a way that is mutually beneficial to both the community
3 and law enforcement agency so that when people leave that
4 initial session, they don't leave with a feeling of
5 frustration; but that I got the information I needed, and
6 I wasn't just heard, I was listened to. And there was an
7 effective exchange.

8 MS. MARTINEZ: Follow-up question for Professor
9 Decker and Chief Villasenor. How do we get there?
10 Because we're talking about this report, and we've heard
11 from other panelists that it's supported, and they're
12 sharing it; but what does that mean for us? And how do we
13 do that before there's an incident? And with the
14 landscape of funding, and shared resources, and
15 data-driven or informed goals for officers, how do we get
16 there for Arizona?

17 (Evangeline Nunez enters the room.)

18 MR. VILLASENOR: This is going to be a long,
19 ongoing process. You take that old adage of a big ship in
20 the ocean. This is going to take continual, prolonged
21 pressure to get things to turn in the direction that we
22 want it to. And there are a variety of resources out
23 there that agencies are currently using.

24 The Department of Justice is implementing new
25 programs now where, instead of doing consent decrees, a

1 lot of agencies that are realizing that there's issues or
2 concerns they have within their own agencies, enter into
3 collaborative reform process through the Department of
4 Justice, where you can bring in consultants -- similar to
5 what Mr. Williams was talking about -- to look at
6 different issues, or to work on a different problem, or to
7 do an entire review of a department's use-of-force
8 policies and history, to provide input and guidance on
9 what could be changed and what things need to be
10 implemented.

11 The Department of Justice carries a pretty big
12 stick; because if you don't do these things and you're
13 having a problem, it's really easy to end up under consent
14 decree these days; and that is very, very costly and
15 intrusive on the entire agency. A lot of agencies are
16 seeing the benefit of reaching out proactively on their
17 own and doing that.

18 In Tucson, we brought in a recognized expert,
19 Lori Fridell, to talk about biased policing and implicit
20 bias versus explicit bias. And the issues that we're
21 trying to teach our officers, because human nature -- when
22 someone accuses you of being biased or being
23 discriminatory; you immediately say, "No, that's not how
24 we do things."

25 What we're trying to teach our officers is, if

1 you're human, you have bias. And it's the fact of that
2 implicit bias, how it affects your decisions, how it
3 affects your thought process, how it affects how you
4 interact with people; you need to be conscious of these
5 issues and take overt steps to overcome that implicit bias
6 that every human being has.

7 So we try and teach those type of things. There
8 are of variety different methods out there. Some are not
9 costly. Some are very costly. We try and pick and choose
10 what we can afford and make -- take use of.

11 DR. DECKER: This man may have the toughest job
12 in America. He's not alone in having it, but being a
13 police chief these days -- never has it been easy. These
14 days it's been made much more difficult.

15 I work with two collaborative reform sites.
16 Salinas is the one I work with now. A new chief came in
17 and said, "I don't own too much of the past. I want to
18 own the future. We're in trouble. Let's go for
19 collaborative reform."

20 There are groups in America, and large and
21 growing, who think the only way to change the police is
22 one consent decree at a time. They are very expensive.
23 They take a long time. I have a student who is embedded
24 in Detroit, working to study their consent decree. I
25 don't think -- it will be a decade before the Detroit

1 Police Department is ever the same again.

2 The kinds of changes that are imposed, in some
3 cases there's evidence that they increase distrust, rather
4 than build trust in the communities. "See we were right
5 all along, and now the Justice Department agrees with us."
6 And those things are hard, hard to get over, hard to
7 change.

8 You may do all the right things. My friend Lori
9 Fridell is going to have to quit her real job and train
10 all the time. I followed her through Durham earlier this
11 year. You may do all the right things. You may have all
12 the right training, you may get CRS in; and you may have
13 an officer who misbehaves. Certainly we have colleagues
14 in the university who do.

15 You may have the perception that something was
16 done that was wrong, and changing that perception in the
17 community is difficult. There are -- my colleague Mike
18 White wrote kind of the best practices for body worn
19 cameras guide for the Justice Department. In some of the
20 study sites, 40 percent of the officers either turn away
21 from an interaction or put their hand over the camera so
22 there is no camera. But they are definitive in every
23 case, as well.

24 There are also ACLU of California that maintains
25 a website such that if you're videoing an incident, it

1 goes up to their website immediately; so if your phone is
2 seized, the police can't capture the video and prevent it
3 from being seen.

4 There are at least three web sites -- I have a
5 student working to study them -- where more than 100,000
6 videos of police-officer/citizen interactions go up
7 on-line every week.

8 In the course of the daily interactions with the
9 citizens, in the state of Missouri there's 2.4 million
10 traffic stops a year. I believe in Arizona the number is
11 a little lower; 2.1. 2.2. You can't tell me that some of
12 those went wrong and that the response to that isn't --
13 doesn't have the potential to get out of control.

14 Here's where I think the kind of training that my
15 colleagues have talked about is helpful. When things do
16 get out of control, they know people in the community,
17 they have a basis to respond.

18 The problem in Ferguson was, among others, was
19 that the police department was so disengaged from the
20 community, and city government and the school board were
21 so disengaged from the community, that when it came time
22 to sit down and try and put the pieces together, there was
23 nobody on the other side of the table who had any trust in
24 public officials.

25 So we may not prevent these instances with all

1 the training and work that we do, but we're going to be in
2 a position to put things back together if we have done
3 that work and we have those relationships.

4 MR. VILLASENOR: If I could just add one more
5 thing. It's also very important that we keep a feeling
6 and semblance of reality of the situation at play.
7 Because what the Professor says is very true: 2.1
8 million. There's no way that you could sit here and say
9 that some of those don't go wrong. But the vast majority
10 of them go well, and that's not being said.

11 We have 18,000 police departments across the
12 country. Close to 900,000 police officers that make more
13 than a million contacts with the public every day.
14 Probably even higher than that number. And 99 percent of
15 those go well. But it's these anecdotal individual ones
16 that are painting the picture of law enforcement across
17 the country. Whether that's fair or not, it's true.

18 And we have to address those issues, and we have
19 to show that we're putting things in place to train and
20 hire individuals -- I put that backwards -- hire and train
21 individuals that will correct that type of behavior and
22 then holding accountable those individuals when that
23 occurs. And I think that's one of the problems we're
24 faced with right now: There's no trust that we hold
25 people accountable.

1 And that also, from a police chief's perspective,
2 I could tell you that -- I was laughing because I think he
3 was talking about -- not laughing, but I was, in my mind,
4 chuckling because we have an officer that recently I
5 terminated for a variety of issues; but one of them was on
6 video camera. I have him, when people backed up behind
7 him and he starts yelling and screaming, "Go around me you
8 F'ing such and such"; I have that on film.

9 I terminated him. A civil service board
10 reinstated him. So police chiefs have to also deal with
11 that. While we try to hold our people accountable and we
12 try and dispense proper discipline, we're not always the
13 final say. And we have unions and civil service boards
14 that can overturn our discipline, which makes it very
15 difficult to hold those agencies accountable.

16 MR. WILLIAMS: I wanted to add a couple of
17 things. While we are part of Department of Justice, we
18 are one of 54 agencies. And I'm based out of the Pacific
19 region, out of the Los Angeles regional office. As of
20 September 8th, we will be fully staffed with five people.

21 We cover California, Nevada, Arizona, Hawaii,
22 Guam, and the Mariana Islands. So I just want to be clear
23 in terms of, yes, we can offer services and assistance and
24 the other pieces. And these officers are talking about
25 how they're in need of staffing levels. So for us as

1 well, it becomes a challenge in terms of being able to be
2 present and to offer the tools and resources. We made a
3 very significant commitment to Arizona to provide work and
4 assist with all of the chiefs and communities to be able
5 to provide what's necessary.

6 I think the other piece -- it's not all of it,
7 but it is also many folks are -- in terms of perspective
8 -- don't have an opportunity to really understand what the
9 Peace Officer's Bill of Rights is for their local
10 communities and how that impacts the civilian boards, or
11 the civil service boards.

12 And the other piece is that impact -- all the
13 officers know -- maybe the community folks don't
14 understand how this process works -- in terms of how that
15 impacts the ongoing dialogue, it feeds right back into the
16 frustration that communities feel, that feeds into the
17 distrust. Which is what the chief was just talking about.

18 MR. MINARIK: Can I ask one question of the
19 Chief?

20 MS. MARTINEZ: Sure. Go ahead.

21 MR. MINARIK: On behalf of the staff, Chief, what
22 is your opinion of the actual reality of police-community
23 relations?

24 MR. VILLASENOR: The actual reality?

25 MR. MINARIK: Yes.

1 MR. VILLASENOR: I think that a lot of places
2 they're good, and a lot of places they're terrible. The
3 problem is, the ones that make the news are the terrible
4 relationships. And that is what is painting the picture
5 of policing on a national level.

6 And the problem with that is that there's no
7 agency in this country that the potential of something
8 that becomes national in scope could happen at any moment.
9 And at this point, people are so on edge and the media and
10 the news cycle is so instantaneous and 24/7, that it can
11 go out there and be out of my control before I even have a
12 chance to know about it.

13 I had a situation in Tucson that was a very
14 violent situation with individuals doing armed robberies.
15 My officers encountered them. There were shots fired at
16 the officers, officers returned fire. These individuals
17 escaped, slammed into vehicles at one intersection. Got
18 into another. Very chaotic, horrific scene.

19 I get down to the scene. By the time I'm down
20 there, officers are looking at the chase on Facebook and
21 YouTube because it's already been broadcast by citizens
22 there with cell phones taping it. And they put it out
23 with no context, with not the entire situation, just bits
24 and pieces of it. And that's what people form their
25 opinions on.

1 So it's difficult right now to grasp this whole
2 concept because, like he said, at any moment, something
3 could happen.

4 DR. DECKER: And if it happens in Orlando, it has
5 implications for you, as well.

6 A nation-wide survey shows American citizens have
7 positive attitudes toward the police, higher among whites
8 than Hispanics and African-Americans; but both Hispanics
9 and African-Americans -- this is pre Michael Brown survey
10 data -- still hold a majority positive attitude toward the
11 police. Show me the newspaper that's run this story. I
12 can't find it.

13 MS. VAN ASSCHE: I have a follow-up question to
14 your mentioned use of social media. What is your opinion
15 on the use of civilians using a camera either to record
16 something that they are not involved with but just
17 something that they witnessed, or something that they are
18 currently involved with?

19 Because I think that a highlight, at least -- not
20 when they're recording an event that they're not part of,
21 but when they are recording an event that they are a part
22 of, there's a distrust of the police. So I don't know
23 what your opinion is on their use in both situations.

24 MR. VILLASENOR: It's their constitutional right.
25 And we teach our officers that; that they have a right to

1 record anything we do.

2 If it's interfering with the investigation and
3 we're trying to conduct an interview and they're more
4 concerned about the camera angle and stuff and not
5 answering questions, then we can, at that point, take some
6 action.

7 It's their right to record us at any moment. Our
8 operations, our actions, are within the public view. And
9 the only time we can take any type of steps contrary to
10 that is if we show that that's not for the public benefit;
11 or that it is disruptive to an investigation; or reveals
12 information that would compromise or endanger others. And
13 that's very rare. It's very rare.

14 So we teach our officers, "You know what, expect
15 everyone's going to record you." And that's one of the
16 benefits of body-worn camera. Although I share your
17 opinion they are not a panacea to cure all things. They
18 show one two-dimensional angle of the event.

19 But most people behave better when they know
20 they're being recorded; on both sides of the camera. So I
21 don't mind if people record us. And we try and train our
22 officers they shouldn't mind either.

23 MS. MARTINEZ: Thank you, Mr. Williams, Professor
24 Decker, and Chief Villasenor, for your time today in
25 sharing information and description of the situation at

1 hand and input representing your perspectives.

2 On the record, if any follow-up questions arise,
3 would you all be okay if Mr. Minarik -- Doctor Minarik
4 contacts you to take those questions?

5 MR. VILLASENOR: Absolutely.

6 DR. DECKER: Sure.

7 MS. MARTINEZ: Thank you for your time. We will
8 take a five-minute recess and reconvene and start at
9 3:36-ish with our next panel. Thank you.

10 (Break taken from 3:32 until 3:42 p.m.)

11 MS. MARTINEZ: Good afternoon. Thank you,
12 Mr. Jim Dunn, for joining us today. We may have panelists
13 joining us in a few minutes; so if they do, we'll just let
14 them join at that time. The purpose of today's meeting --
15 so we will have John Garcia from the Hispanic Chamber of
16 Commerce join us, if he can.

17 The purpose of this meeting today is to hear
18 information from you related to the final report from the
19 President's Task Force on 21 Century Policing,
20 specifically in relation to community policing, crime
21 reduction, and training and education; pillars four and
22 five of the report. And it's in order for this committee,
23 the Arizona Advisory Committee to the U.S. Commission on
24 Civil Rights, to assess.

25 This is a public and open meeting, and the record

1 will be open until September 25th. If anybody would like
2 or desire, they can contact or call Doctor Peter Minarik,
3 the Regional Director, for the record.

4 So we'll have you share about ten minutes. And
5 the panelists will hold our questions until you're done.
6 And if Mr. Garcia joins us, we'll let him share for five
7 to ten minutes. You get more time; you've been patiently
8 waiting. And at the end, this final panel will be open
9 for public comments for the record. So if you'd like to
10 begin, Mr. Dunn.

11 MR. DUNN: Thank you very much. And thank you
12 for giving me this opportunity. My name is Jim Dunn, I'm
13 the Executive Director CEO of the Arizona State Office of
14 the National Alliance on Mental Illness; or NAMI Arizona,
15 as we call it. We are the nation's largest grass-roots
16 advocacy organization for individuals and families with
17 mental health concerns. We have over a thousand
18 independent affiliates across the states, and state
19 organizations in all 50 states leading those efforts.

20 In Arizona, I passed out a handout with our local
21 affiliate's newsletter and inside there's a listing; we
22 have eight affiliates across the state including
23 Flagstaff, Sedona, Yavapai County, Maricopa County,
24 southern Arizona, Tucson, southeastern Arizona, Sierra
25 Vista, Yuma, Casa Grande. And then we also have two

1 affiliates that are growing in Mohave County, with
2 Kingman-Bullhead City area, and Payson.

3 These affiliates all agree to comply with the
4 NAMI standards of excellence about making sure they're
5 fully incorporated with all the needed paperwork and
6 documentation. And they are all committed to offering
7 free education and service coordinate advocacies with the
8 general public.

9 We have stamps of recognized best-practice
10 programming family-to-family. So the program descriptions
11 are in there as well. And many families have credited it
12 with saving their lives, really. It's kind of family and
13 loved ones in point of illness helping other families kind
14 of understand signs and symptoms, navigating the system of
15 care, providing support.

16 And NAMI has been around for at least 35 years
17 now. And it's really started by family members of those
18 with mental illness that were just trying to keep their
19 loved ones out of jail and prison and incarceration. As
20 those loved ones got older, they kind of rebelled and they
21 really did their own thing. But we've kind of learned
22 over time that it really is a relationship approach.

23 From the police perspective -- and I was asked to
24 kind of look at -- and, also, I have a handout on there
25 that talks about the number of classes that are at POST as

1 well. You hear about programs talking about middle long
2 door (phonetic) pam middle door (phonetic), et al, and
3 they really, you know, are determined; their people don't
4 charge people.

5 Interestingly, now that providers are kind of
6 benchmarking performance outcome on involving individual
7 families; people are often getting paid to do the things
8 that we've done for free. And we do have to look at
9 long-term viability. But we can talk about that as we go.

10 We did over 500 groups and classes in 2014 across
11 the state and reached out to over 25,000 people. And we
12 have -- just like we have family-to-family, we have NAMI
13 basics, which is kind of a six-week version for newly
14 diagnosed families; and then we also have peer-to-peer
15 which are folks with limited experience helping other
16 folks with limited experience, kind of in a similar
17 fashion. And then they often form connection support
18 groups for each other.

19 I've been in this field for almost 18 years now,
20 and before that I ran Toys R Us stores for eight years;
21 Cleveland, Pittsburgh, Rochester. I was in the Air Force
22 in Florida, North Carolina, and Australia. So I've been
23 around the block a couple of times.

24 And, you know, we really have learned -- and at
25 one point I was a voc-rehab counselor. I worked with

1 adults with SMI. I ran an adult outpatient clinic; we had
2 five medical teams servicing 1600 adults with severe
3 mental illness. And I have been with NAMI now for going
4 on four years. And we really have kind of pushed that,
5 you know, there's just no way the government can afford to
6 fund all that they're responsible to deliver these days,
7 so we really have to partner.

8 So we've been pushing in our annual meetings and
9 in our work with the community to develop what we call a
10 collaborative community approach. It came about -- we've
11 been -- I've known Nick Margiatti (phonetic) who is on the
12 NAMI -- I mean the national/international CIT training
13 board. Very renown guy. And I worked with him from 18
14 years ago in different capacities.

15 But when we came to NAMI, a couple of us realized
16 the advocacy community had gotten so aggressive in working
17 with the police, they didn't even want to talk to us
18 anymore; always insisting getting all your officers in
19 CIT, even though that's not what the Memphis model called
20 for.

21 We also had a group of folks that were very proud
22 to go run around the nation talking about how we have the
23 best crisis intervention or crisis system in the world.
24 But that wasn't necessarily what the community was saying.
25 And so we learned to kind of be a little cautious about

1 the shameless self-promotion. And what we really hear
2 from the community is that they got scared to call the
3 crisis lines because they were going to automatically
4 dispatch the police.

5 What we did learn as we were working with our
6 advocacy community and what we have learned with Nick, you
7 know, he said it's not just training the police officers;
8 but you got to educate and train the public on how to use
9 those resources.

10 And if you're going to call 911, you got to
11 realize once that officer shows up at the door, he's in
12 charge. You can try to give him special instructions
13 before you call or maybe a couple of houses down, but once
14 he's there, you're in charge.

15 And you don't necessary call the police just
16 because your son is throwing a tantrum. And to try to
17 encourage people, you know, to use -- to reach out to
18 behavioral health crisis line. We, at one point, were
19 trying to say, you know, we need this -- you know, we've
20 got 911; we need, like, SOS for behavior. And in the
21 public service campaign we kind of educate. We've also
22 found that 211 is working similarly here.

23 So the next push-back to us is, you know, you've
24 got to educate and inform the communities; so that's what
25 we kind of added as our affiliates and inform-the-

1 community classes; just kind of sharing with people you've
2 got to be careful.

3 But we've also been holding those crisis
4 providers accountable. And kind of we've also had the
5 nation's longest running class-action lawsuit, Arnold
6 versus Sarn; which is to the point where they're almost
7 adjudicating it.

8 And we just today had a utilization management
9 committee meeting with our ACCCHS department and our
10 division of behavioral health. Because I don't know if
11 you've heard the governor's administration simplification,
12 he's moving the division of behavioral health and this
13 kind of carve-out that we've had for behavioral health,
14 over under our Arizona health care cost containment, our
15 Medicaid system. Which is really a model in the nation
16 for efficiency and pretty cost-effective and well run.

17 People were saying, "Aren't you concerned if you
18 lose that behavioral health carve-out, how you're going to
19 lose track of the system?"

20 And we kind of learned, you know, just throwing
21 money at a problem doesn't necessarily fix it. And we
22 actually had leadership at both our state hospital and at
23 our division of behavioral health departmental services
24 that were not really doing oversight for the past two or
25 three years. Always were in procurement mode.

1 And what we -- and so what came to a head as far
2 as law enforcement is, in my relationship with the police
3 department we did our part to inform and educate the
4 community. Last year we had a 50-year-old
5 African-American woman get shot by police, holding up a
6 hammer in her doorway. So I reached out to my guy and
7 said, "Please tell me this didn't happen. Tell me what
8 we're doing?"

9 And we immediately were able to facilitate this
10 Phoenix Police Chief Executive Advisory Council and
11 brought in all the top dogs from the behavioral health and
12 crisis providers and, you know, they took a hard look at
13 what happened. You know, they added some additional
14 training. They bumped up the CIT from four classes a year
15 to six.

16 So they did some good things, but it was -- it
17 needed to be bumped up to a state-level initiative because
18 it wasn't really a Phoenix police issue. We saw it as a
19 breakdown in the behavioral health system. This was
20 somebody that got served by our adult SMI system, and the
21 family had tried to raise their level of alarm before she
22 went south. And because she had kind of decompensated to
23 the point she made a threat to the clinic, they sent the
24 police out and that's how it got elevated out of control.

25 Since then, we've also been able to reach out

1 with our surprise peace part, who hadn't participated in
2 any CIT training for years, to help say what was going on
3 in Phoenix. We've worked with them directly to try to
4 develop their own approach. And it was mainly getting the
5 community and the police to know the providers and to
6 build those relationships.

7 But, you know, the challenge for Phoenix, as
8 well, is that they were a bit demoralized because of the
9 economy. They were probably down 350 officers. And you
10 really can't do all of these wonderful initiatives if you
11 don't have boots on the ground and if you are barely able
12 to attack crime in progress.

13 So as I was reading those initiatives, you know,
14 and I highlighted -- you know, I counted 27 "shoulds."
15 And you guys don't realize this is the wild, wild west and
16 one of the first things we say is, "Don't you 'should' on
17 me."

18 So maybe we can phrase that a little bit
19 differently. And I hope there's money that is, you know,
20 easily, you know, found to the states, but not just to the
21 police but to encourage the individual family voice. and
22 would really give us a chance to connect with the
23 community.

24 You know, having been around the block once or
25 twice, we learn we can never make an umbrella big enough

1 to capture all the powerful programming that's going on.
2 And we can kind of empower the individual and family
3 independent voice across the states, and then find ways of
4 tying them together.

5 We're also a part of the state-wide Arizona
6 Justice Alliance which is Mental Health America, NAMI
7 Arizona, American Friends Service Committee, NAACP, ACLU.
8 We had started meeting over a thousand individuals and
9 organizations who are committed to try to do something
10 about mentally ill youth and adults in jail and prison.

11 You talk about disproportionate care, we could
12 address the public behavioral health system, and we've
13 gotten better at that. But, you know, the majority of our
14 brown and black folks get their treatment in jails and
15 prison.

16 And so part of what we've been trying to say is,
17 look, you've got to really take a comprehensive look and
18 realize that it's not just police and it's not just
19 communities. People that are coming out of corrections
20 with no opportunity for time off for good behavior to
21 reduce that 85 percent sentence; you know, they're just
22 dropped out with no transitional program of relief. And
23 we've got to prepare our communities.

24 Even SMI adults who are released onto the SMI
25 system; you know, 30 percent of them are homeless. You

1 know, we're never good at transitioning care. So we just
2 need to, you know, as we do these wonderful things and we
3 really think they're good, let's take a comprehensive
4 whole-person approach and realize how the various aspects
5 touch one another.

6 And, you know, one of our latest concerns, you
7 know, our state is putting in for their 11-15 waiver and
8 they're introducing ACCCHS care. And it really is holding
9 these folks that -- all of these able-bodied adults from
10 100 to 138 percent of the poverty level, conveniently in
11 that same group that we expanded under the Affordable Care
12 Act, they have to be engaged in some type of employment or
13 education or work program; they're going to be charged
14 premiums of two percent to go into a health savings
15 account. They're going to have co-pays of three percent
16 if they go to the ER, when they should have gone to the
17 primary care. Or, perhaps, if they're using too many
18 opioids. But it really feels like an attack on the poor.

19 So my question when they had the roll-out is:
20 "Okay, is the governor going to move forward on this
21 initiative even if we haven't completed a cost/benefit
22 analysis to see if it's going to cost more to administer
23 than the issue that we're trying to correct?" Because
24 most of the folks that fall into that range are the
25 working poor. And they were going to exclude SMI and some

1 of the other special populations. But, still, it just
2 felt like a malicious attack.

3 So I think from a top-down perspective, we need
4 to be nicer to one another. You know, there's just too
5 much partisan dissension, and we have a chance to lead by
6 example. That's what we're doing in Arizona.

7 MS. MARTINEZ: Thank you.

8 MS. OGLETREE: I have a question related to the
9 Maricopa County Sheriff's Department, the Phoenix Police
10 Department, Mesa Police Department who presented here
11 earlier. Have they reached out to you for assistance and
12 training on mental illness?

13 MR. DUNN: Phoenix Police, we have kind of
14 partnered with them for a long time. Even when I was
15 running the clinic, I had a relationship -- Nick is
16 probably -- and if you haven't had a chance to meet him,
17 he is a great guy and probably one of the hardest working
18 social workers I ever met. But he is their community
19 outreach person for the Phoenix Police Department, and he
20 is getting ready to retire.

21 We had kind of a relationship that, you know,
22 after that shooting with the press the first time that I
23 asserted myself a little bit, I dropped the F-bomb on him.
24 And we were a little bit more aggressive that we have got
25 to do something quickly on that one. So we were able to

1 see the heat get turned up a bit.

2 And I brought the mother in and the family member
3 of a lady that was shot, to one of our executive advisory
4 councils. Believe it or not, she was willing to work with
5 them to try to resolve some of the issues. Before, she
6 felt like she had no choice but to file a lawsuit.

7 You know, I think I heard the chief guy talking
8 earlier, even when the chiefs try to do the right thing --
9 you know, we had the officer who was released for kind of
10 stomping the guy's teeth out; that was just brought back
11 in because of the Union. People don't always have as much
12 power and authority as we might think they do.

13 MS. OGLETREE: The Phoenix Police Department has
14 reached out to you and have --

15 MR. DUNN: Phoenix -- the Maricopa County
16 Sheriff's Office actually reached out to me last year.
17 When I explained to them that we didn't want to be part of
18 any window dressing; that if they really wanted to take a
19 look, we would be glad to play. And we never heard back
20 from them.

21 MS. OGLETREE: What could you offer, if they did?

22 MR. DUNN: Mostly the relationship with the
23 individuals and families. We have really strong
24 relationships across the state. We have very active
25 involved family members and volunteers. We have a

1 contract with the state actually called Building
2 Connections, where we are training peers and family
3 members with experience to lead transition committees, the
4 contracts that outreach regional behavioral health, going
5 from just behavioral health, to now doing integrative
6 care. We're able to help kind of lead those integration
7 efforts.

8 So we've got strong experience with the Division
9 of Behavioral Health in this kind of collaborative
10 partnering and partnering across the state. If nothing
11 else, we can help mediate. There are so many strong
12 personalities. But we're -- only if they're willing to be
13 sincere. It's a strange agency, I'm sorry.

14 But the other counties are often very -- Captain
15 David Rhodes, Yavapai county, has just introduced a new
16 behavioral health intervention in the Camp Verde jail.
17 He's very active in our criminal -- our mental health
18 coalition up there. And they really are trying to -- you
19 know, if somebody comes into a jail with a behavioral
20 health issue that they can divert, they're trying to bring
21 somebody in to assess whether they can benefit from these
22 new -- so he's been proactive.

23 Flagstaff Sheriff's Department, very proactive.
24 Tucson. So, I mean, there's a number of agencies across
25 the state. Even Surprise, they had -- I was carrying

1 around a clipping from an article where their officers had
2 a ten-hour stand-off with somebody, and nobody got shot.
3 You know, and it was a behavioral health issue. So as I
4 was working on it, I'm really commending them for the
5 work. And they said that their captain's philosophy is,
6 "What's the hurry?" And that's what we kind of don't
7 understand sometimes.

8 MS. JOHNSTON: We have a lot of homeless veterans
9 that have mental issues, and I know that some of the
10 veteran's organizations are working with them. Have they
11 been reaching out to you for assistance?

12 MR. DUNN: Actually, I'm on the Phoenix VA Mental
13 Health Advocacy Council, and we've been working with them
14 now for the past four months. We connected with them
15 through an Arizona state (unintelligible). They had
16 prepared a list of concerns. Even before the scandal -- I
17 don't know if you heard the Phoenix VA was under a little
18 bit of scandal last year.

19 The council was wanting to kind of give the list
20 back to administration and say, "Okay, report to us, tell
21 us where you're at." And we kind of said, you know, maybe
22 we have a chance to collaborate; that instead of adding to
23 their work load, we could kind of highlight what our
24 concerns are and invite them to join us.

25 So now they've committed and they're going to

1 meet with us quarterly and actually are going to take some
2 of the -- we had their chief of psychiatry, chief of
3 psychology, chief of nursing, chief of social work at our
4 last meeting. They're going to come quarterly, and
5 they've even invited somebody from the council to
6 participate in their leadership.

7 So part of what we've been trying to say is that,
8 you know, transparent, you know, you don't have to air out
9 all of your dirty laundry, but you need to be open. And
10 it's not that scary. A lot of people hide behind HIPAA,
11 and we're also part of the campaign to try to address some
12 of that. I don't know if I answered your question. Thank
13 you.

14 MS. NUNEZ: Thank you for being here today. I'm
15 Reverend Eve Nunez, and I have a question for you. You do
16 have a logic model that your organization has put together
17 to train patrol officers, police officers, and also at --
18 what would your recommendation be as far as what is the
19 way of least harm when patrol stops one that possibly has
20 mental illness?

21 MR. DUNN: This CIT Crisis Intervention Team
22 training is an internationally, nationally recognized best
23 practice that was introduced by -- I forget his name; saw
24 it on the news in San Francisco -- Memphis, Tennessee.
25 And it's a 40-hour approach. And one of the biggest

1 pieces is there -- an individual who lived the experience,
2 and usually two of them are presenting an interim voice
3 presentation, kind of talking about what it was like and
4 how a police intervention had maybe helped turn things
5 around.

6 I think there's also a family member from NAMI
7 that's part of kind of the family perspective. But it
8 brings in all of those community providers as well. It's
9 beyond police training. But that's also publicly and
10 readily available. So we encourage that. And your
11 question was training, right?

12 MS. NUNEZ: Yes.

13 MR. DUNN: Even with the Phoenix Police
14 Department when they were asserting that 25 percent of our
15 officers were trained, they didn't really have a good
16 mechanism for identifying how to dispatch and deploy them.
17 You know, they tried to train them based on the grids that
18 they were deployed, but, you know, they weren't always
19 available, or for whatever reason. Hopefully, during the
20 process, they were able to fine tune the employment piece
21 of that, too.

22 MS. OGLETREE: Have you had a chance to read the
23 report?

24 MR. DUNN: The recommendations? Yes, ma'am. I
25 highlighted all the "shoulds."

1 MS. OGLETREE: I wonder if you think that the
2 report struck the right balance for whose responsibility
3 it is to deal with mentally ill people in the community.
4 Is it primarily the police? Is it -- or do you think it
5 should fall to some other social organization?

6 MR. DUNN: No, I didn't see a whole lot of
7 specific reference to "mentally ill" as I was reading
8 this. Which one are you looking at?

9 MS. MARTINEZ: Not in those pillars.

10 MR. DUNN: You gave me, like, 14. 4.1. 4.1,
11 4.2. Yeah, because I didn't see a lot of specific
12 reference to the mentally ill. I saw some stuff for the
13 youth.

14 MS. OGLETREE: What it does say is the police are
15 generally overwhelmed in their response to mental illness
16 in our society. So I wondered if you think that, and that
17 they needed better training. They need to know how to
18 interact with people who are mentally ill so things can
19 de-escalate and --

20 MR. DUNN: We found the ones that get the CIT,
21 are really pumped up and motivated and inspired by it.
22 But part of that model is identifying officers that have a
23 proclivity or an interest in it. You know, a lot of times
24 people don't think about mental illness until it strikes
25 somebody they know; and the new number is one in five.

1 MS. OGLETREE: I'm just wondering if you think
2 there's a different approach to -- other than laying this
3 at the feet of the police, is there some other --

4 MR. DUNN: That's the issue about getting the
5 behavioral health system to step up to the plate. 50
6 percent of the people with mental illness aren't engaged
7 in treatment or even identified.

8 And one of the things that we're changing here
9 with our behavioral health system going over to ACCCHS, as
10 well -- before, responsibility for the general mental
11 health population, or the dual eligible Medicare-Medicaid,
12 was part of the Regional Behavioral Health Authority. Now
13 that's kind of flowing over to the health plans. A lot of
14 times these are folks that are just on the verge of maybe
15 needing more serious care, and they're not engaged in
16 treatment.

17 I don't think it's just educating the police.
18 It's also kind of arming and prepping the community and
19 encouraging more of those community-based non-profits, the
20 individual family voice, and letting them be at the table.

21 One of the neat things we're doing with our
22 contract is we're actually paying stipends to people to
23 participate in the quality management committee meetings
24 with ACCCHS and the state. These transitioning. So you
25 talk about what you can do is bring the people to the

1 table, recognize that time is money, but you can pay them.
2 We pay 15, 20, 35 dollars an hour stipends, depending on
3 the work they're doing. I'm sorry if I didn't answer your
4 question.

5 MS. MARTINEZ: Are there any other questions from
6 the committee?

7 (No responses.)

8 MS. MARTINEZ: Mr. Dunn, thank you for
9 participating today on this panel and being with us. I
10 would just like to ask you on the record, if there are any
11 follow-up questions that arise, would you be okay if
12 Doctor Minarik comes to you to take those questions?

13 MR. DUNN: Sure, should I leave my card with you?

14 MS. MARTINEZ: Sure.

15 MR. DUNN: Well, then I'm going to excuse myself.
16 Thank you for your time.

17 MS. MARTINEZ: Thank you for coming. Appreciate
18 it.

19 (Mr. Dunn leaves the room.)

20 MS. MARTINEZ: Break? So we'll take a quick
21 recess, and then we'll reconvene for public comment and
22 then wrap it up.

23 (Break taken from 4:05 until 4:12 p.m.)

24 MS. MARTINEZ: Good afternoon. The purpose of
25 today was to hear information and descriptions from three

1 panels that shared their perspective in relation to the
2 President's -- the final report from the President's Task
3 Force on 21st Century Policing. And I'm formally, without
4 objection, adjusting the agenda to begin public comment at
5 4:14. We will continue until 4:30 as notified in the
6 Federal Register, but we will be beginning early.

7 If you would like to address the committee as
8 part of the record, please feel free to do so. We'd ask
9 you to come up to the table, introduce yourself and spell
10 your name, and then continue with comment.

11 Also know that questions -- all the panelists
12 have agreed to follow-up questions, if necessary, from
13 Doctor Minarik. This is a call to the public. So if
14 anybody is interested.

15 MS. CARTER: I just want to --

16 MS. MARTINEZ: If you could introduce yourself
17 and spell your name.

18 MS. CARTER: Pamela Cordova Carter, Reverend.
19 Pamela Cordova Carter. P-A-M-E-L-A, C-O-R-D-O-V-A,
20 C-A-R-T-E-R. Thank you.

21 I was part of a community outreach in Baltimore
22 -- after the shootings in Baltimore -- with Reverend Eve
23 Nunez. And we took a group of 12 pastors and leaders and
24 did a community outreach with the police. The police made
25 a motorcade with other -- like a hundred pastors around

1 the Baltimore area and all over the United States. We
2 only had -- we brought the most from our state, and we had
3 only two show up from Florida. So that was a little
4 concerning for us. And the rest of them, you know, came
5 from other areas.

6 But Reverend Eve Nunez, I'd like for you to share
7 a little bit about what happened there. It was very, very
8 moving. We were amazed at what can happen when one
9 community gathers together in support of the police,
10 instead of against the police department. And we offered
11 our concerns and our prayers, and it was an inter-faith
12 movement. And it was just an amazing time that we had
13 there. Reverend Nunez, would you like to elaborate a
14 little bit on that?

15 MS. NUNEZ: Madam Chair?

16 MS. MARTINEZ: Sure.

17 MS. NUNEZ: It was on community policing, but
18 actually 400 pastors from the United States had been
19 invited by Bishop Angel Nunez to train clergy from
20 throughout the United States. 50 states had been invited.
21 And besides Baltimore and the Washington, D.C., area, only
22 two other states showed up; two clergy from Florida and 12
23 from Arizona. But we just wanted to learn from the clergy
24 there in the Baltimore area.

25 There was 400 clergy that were actually present,

1 with over 98 percent of them being African-American
2 clergy. So we spent a whole day with them, and they
3 helped educate the Arizona pastors on what they did as far
4 as community policing and how they're working with law
5 enforcement. It was just a day of training that I think
6 was very beneficial for the Arizona group to go and to
7 learn, and for some of the best practices they're using.

8 I was able to speak to some of the youth there at
9 the high school that they had there, and just heard their
10 stories. So it was a very, very important day for me to
11 hear some of the people; how they had been impacted and
12 how the young people in their communities are also wanting
13 to be a part of community policing. So it was a very
14 interesting event, and we learned a lot from it.

15 MS. CARTER: It was.

16 MS. MARTINEZ: Thank you.

17 MR. JOHNSON: Hello, my name is James Johnson.
18 Common spelling, of course. I'm a criminal defense
19 investigator here in Phoenix. I assist criminal defense
20 attorneys in going through the allegations made in
21 indictments against individual Americans.

22 I wish that the panel had stuck around because I
23 would have liked to have challenged their thinking on a
24 few things. I felt very much that all of this has been
25 people talking about my community, and nobody in my

1 community really has a seat at this, on the panel or
2 certainly at the table.

3 The fact is that Mesa PD has one of the highest
4 disparities in arrests for blacks in the United States.
5 Scottsdale PD is actually the highest. But Mesa is
6 arresting 337 blacks per thousand residents, versus the
7 non-black rate of 107.4. Phoenix arrests 220 blacks per
8 thousand residents, versus 77.6 of all other races
9 combined. And Tucson is 309.2 black residents per
10 thousand, versus 131.2. You can find -- USA Today did a
11 fantastic study, and you can just Google "Racial Disparity
12 in USA Today," and that will come right up.

13 I would move on to challenge some of the things
14 that Doctor Decker said. He said that Philadelphia cops
15 are going out to the Holocaust Museum to learn about
16 empathy. And that is fantastic, but that is not the
17 population that is primarily targeted by police officers
18 in Philadelphia. They're not beating up Jews. They're
19 beating up blacks. They're going to the wrong museum.

20 That's not to say that there is -- that, you
21 know, visiting the Holocaust Museum is not incredibly
22 emotional. And I've been there several times. But it's
23 the wrong population. They're asking the wrong questions.

24 I know Mike Kurtenbach from Phoenix PD very well.
25 You know, we've had great interactions over the years.

1 But when he's talking about this ticket program -- as a
2 black man, every non-consensual contact with a law
3 enforcement officer is potentially life threatening for
4 me.

5 Who in this room has had a gun pointed in their
6 face by a police officer? Who's been handcuffed and made
7 to stand by the side of the road, in the last year, while
8 the officer verifies that the motorcycle belongs to you or
9 the car belongs to you?

10 We're talking about my community, but my
11 community isn't talking to you. You're not hearing from
12 my community. And that is a huge problem. You can't fix
13 -- you can't even begin to address these issues without
14 talking to my community.

15 Jerry Sheridan, from MCSO offered some of the
16 most elastic testimony I have ever heard. And it was odd
17 to me that he had Deputy Chief Chagolla and they're
18 talking about this racial utopia that they have at MCSO.
19 Because in 2011, Deputy Chagolla sued MCSO for
20 discriminating against him based on race and age.

21 And he is -- well, Chief Sheridan was eloquent in
22 explaining what the racial demographics are within the
23 department. Deputy Chief Chagolla was brought here, in my
24 opinion, as window dressing because he is the only senior
25 leader within MCSO. He's it. There are no blacks that

1 are chiefs at MCSO, and Chagolla is the only Latino.

2 Chief Villaseñor was instructive about
3 videotaping. And he said that his officers are detailed
4 to or instructed to tell or to allow videotaping. But in
5 reality, what happens is law enforcement officers have
6 developed tactics to prevent this. So the officer will
7 either come and stand directly in front of you to block
8 the camera; or the officer will move the people that are
9 videotaping so far back that they can't see what's going
10 on.

11 And they say that that's an officer safety thing.
12 I've been pushed back 200 feet, before, when videotaping.
13 So, again, we have the ethical and factual elasticity
14 between what is actually occurring and what the testimony
15 has been.

16 Year to date in the United States, we have had
17 officers shoot and kill 752 Americans. Almost 200 of them
18 were unarmed. The tactics that officers are using are so
19 bad, and we're the only country that can't seem to figure
20 this out.

21 If you look at the combined populations of
22 Australia, Japan, Germany, and the United Kingdom; they
23 have killed two people year to date. Two. Are their cops
24 braver, smarter? Do they have better policies? These are
25 the questions that we're not asking.

1 And when we get into these intercongratulatory
2 meetings where we all like each other but we're not really
3 asking hard questions. And tomorrow your panel addresses
4 the NRA. I don't -- I wish I could get there for that
5 meeting, but I have no idea why the NRA has a seat at the
6 table. The cynical commercial proliferation of weapons is
7 what is causing most of this in this country.

8 I'm not here to make anybody comfortable. I am
9 here to challenge your thinking. Madam chair, thank you.

10 MS. MARTINEZ: Thank you, Mr. Johnson. Thank you
11 Reverend Carter, as well. Are there any other persons who
12 would like to address the committee as part of the record
13 to finish public comment?

14 (No responses.)

15 MS. MARTINEZ: Okay, thank you. I will stay here
16 as chair through 4:30, as stated in the Federal Register,
17 to give people opportunity for public comment. But thank
18 you committee, thank you participants for informing and
19 sharing perspective. We appreciate it.

20 (Break taken from 4:26 until 4:30 p.m.)

21 MS. MARTINEZ: It is 4:31 -- or 4:32. There are
22 no further persons offering public comment, so we are
23 adjourned.

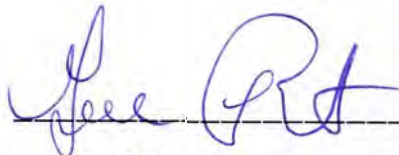
24 (Concluded at 4:32 p.m.)

25

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

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