



PENNSYLVANIA LEGISLATIVE BLACK CAUCUS & HOUSE DEMOCRATIC POLICY COMMITTEE JOINT PUBLIC HEARING

Topic: Police Reform
G-50 Irvis Office Building – Harrisburg, PA
July 21, 2020

AGENDA

- 9:30 a.m. Welcome and Opening Remarks
- 9:40 a.m. Panel One:
- Danielle Outlaw
Commissioner, Philadelphia Police Department
 - Marcel Pratt
Philadelphia City Solicitor
 - Keir Bradford-Grey
Chief Public Defender, Defender Association of Philadelphia
 - Katherine Gilmore Richardson
Philadelphia City Councilwoman At-Large
 - Larry Krasner
Philadelphia District Attorney
- 10:20 a.m. *Questions & Answers*
- 10:40 a.m. Panel Two:
- Zion Brooks
Member, Philadelphia Student Union
 - Rev. Mark Tyler
Community Activist, POWER
 - Kevin Harden, Jr
Attorney
 - Alphonse Gerhardstein
Board Member, National Police Accountability Project
- 11:00 a.m. *Questions & Answers*
- 11:20 a.m. Closing Remarks

MATERIALS FROM PA LEGISLATIVE BLACK CAUCUS

POLICE REFORM WORKING GROUP MEMBERS

- House Democratic Whip Jordan Harris
- House Democratic Chairwoman Joanna McClinton
- House Philadelphia Delegation Chairman Jason Dawkins
- Pennsylvania Legislative Black Caucus Chairman Stephen Kinsey
- State Rep. Donna Bullock
- State Rep. Danilo Burgos
- State Rep. Morgan Cephas
- State Rep. Austin Davis
- State Rep. Ed Gainey
- State Rep. Malcolm Kenyatta
- State Rep. Summer Lee
- State Rep. Chris Rabb
- State Rep. Jake Wheatley
- Philadelphia Councilmember Kendra Brooks
- Philadelphia Councilmember Kenyatta Johnson
- Philadelphia Councilmember Katherine Gilmore Richardson
- Philadelphia Councilmember Isaiah Thomas
- Keir Bradford-Grey, Chief Defender of the Defender Association of Philadelphia
- Attorney Kevin Harden Jr.
- Attorney Kevin Mincey, Mincey Fitzpatrick Ross, LLC

POLICE REFORM PROPOSALS



REFORMS WITHIN THE GOVERNOR'S AUTHORITY

DONE JUNE 4, 2020



Create a **Deputy Inspector General** focused on deterring, detecting, preventing and eradicating misconduct, brutality, **waste, fraud and abuse** within law enforcement agencies.

- Urge Governor Wolf to establish a civil unrest damage recovery fund.

POLICE REFORM PROPOSALS



JUNE 15, 2020

**VOTED OUT
OF COMMITTEE**

REFORMS THAT REQUIRE STATE LEGISLATION

- Introduce legislation **outlawing the police chokehold** or using pressure to airways to detain citizens.
- Require mandatory **drug testing** after a **police-involved shooting**.
- Prohibit language interfering with police misconduct investigations, discipline, disciplinary action and discipline records from being included in police collective bargaining agreements.
- Eliminate effectuating an arrest as a Justification for the **use of deadly force**.
- Improve **access to police video footage** by requiring all non body camera police video to be subject to the Right to Know Law.
- Creation of an **oversight board** to professionally certify, train, and provide continual education to police officers. This oversight board will have discipline power and provide the public with a venue where behavioral misconduct concerns will be addressed.
- **Establish/Require an independent review process** where police kill or seriously injure civilians (**special prosecutor/ Grand Jury/citizen review**).



Require law enforcement officers to be evaluated for PTSD after a lethal use-of-force incident.



Create **database to track officer disciplinary actions** that law enforcement agencies can search to find potential red flags before hiring an officer that's **separated from another law enforcement agency**.

- **Require law enforcement officers to be mandated reporters of police misconduct, corruption and brutality.** An officer who willfully fails to do so would be criminally liable.

POLICE REFORM PROPOSALS



PLEGGED JUNE 9, 2020

REFORMS WITHIN MAYORAL OR PPD AUTHORITY

- Demand that the new Police Commissioner **end stop and frisk practices that unfairly target Black/Brown communities.**

✓ **Increase transparency of each complaint** against police officers for its entirety through Internal Affairs and the Police Advisory Commission (PAC).

✓ Create a **Deputy Inspector General** focused on deterring, detecting, preventing and eradicating misconduct, brutality, **waste, fraud, and abuse** within law enforcement agencies.

- Provide PAC with an investigatory **budget** and **mandate**.
- Publicize all Police Board of Inquiry (PBI) hearings with times, locations, members, officer information, and charges.
- Make police use of force hearings **public hearings with publicity standards** identical to PBI hearings.

✓ **Require inspectors/captains in charge of Internal Affairs to make quarterly public statements on the status of police misconduct.**

✓ **The PPD and PAC should establish an early warning system for detecting problematic officer behavior.**

- Require the PPD and PAC to publicly release regular reports on early warning system findings.

POLICE REFORM PROPOSALS



JUNE 9, 2020

MAYORALLY PLEDGED

REFORMS THAT REQUIRE COLLECTIVE BARGAINING CONTRACT NEGOTIATIONS

- ✓ **Re-establish** residency requirements for PPD officers.
- ✓ Provide commissioner with authority to transfer officers at their discretion without input from the FOP.
- ✓ Overhaul Philadelphia Police Department Disciplinary Code.
- ✓ **Eliminate** disciplinary record expungements and make all prior records available for consideration during Police Board of Inquiries hearings.
 - Make all complaints, regardless of the outcome, part of permanent records.
 - File all complaints (whether internal or external) and investigatory records with the City's Inspector General Office.
 - Place officers on **renewed probationary status** after internal affairs findings of certain offenses including, but not limited to, **physical abuse, verbal abuse, lying, theft, or lack of service** regardless of seniority with length dependent upon the severity of the offense.
 - Make all suspensions without pay.
 - Reject any contract which adds Law Enforcement Officers' Bill of Rights (LEOBOR) protections for officers.
- ✓ Make future **contract negotiations public** and add **public comment** period for successfully negotiated agreements prior to finalizing a new contract.



COMMITTEES

Chairwoman
Environment

Member

Commerce & Economic Development
Housing, Neighborhood Development & the Homeless
People with Disabilities & Special Needs
Global Opportunities & Creative Economy
Streets & Services
Licenses & Inspections
Labor & Civil Service

KATHERINE GILMORE RICHARDSON
COUNCILWOMAN, AT-LARGE

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www.phlcouncil.com/KatherineGilmoreRichardson/

CITY OF PHILADELPHIA

CITY COUNCIL

July 21, 2020

Testimony of Philadelphia Councilmember Katherine Gilmore Richardson at the PA Legislative Black Caucus Police Reform Hearing

Good Morning, thank you Chairman Kinsey, the Pennsylvania Legislative Black Caucus and Representative Donna Bullock for inviting me to provide testimony this morning, and to all the members of the Police Reform Working Group convened by Representative Jordan Harris. I am Katherine Gilmore Richardson, a first term Councilmember At-Large in the City of Philadelphia.

I cannot stress how important it is for us as elected public servants to proactively engage in long overdue police reforms that will protect our citizens, particularly black men who have so often been disproportionately impacted by police brutality, incarceration, and disproportionate sentencing.

All of America and the world watched George Floyd beg for his life while a police officer murdered him. Months earlier Breonna Taylor, asleep in her bed at home, was murdered by police in Louisville while police claimed to have executed a no-knock police warrant in the wrong home. America has recently been re-introduced to the reality that policing is in desperate need of reform. Understand that I say re-introduced, because this is not something that is new, but something the American people and particularly people of color have dealt with in this country for far too long, while those unaffected merely ignored it or pretended that it wasn't systematic. But even the most staunch rivals of police reform cannot pretend we are not in serious need of police reform as more and more these events are reported and captured on camera. In response to these most recent murders, America has reached a boiling point. Civil unrest has swept the nation, of a scale and magnitude not seen since the murder of Dr. Martin Luther King Jr. in 1968.

Even with this national movement, the calls for change and meaningful reforms are still being resisted. I'm not afraid to say that there is a level of racism, structural oppression and systematic inequalities in policing institutions in Philadelphia and across this Country. A June 22, 2020 article in the Philadelphia Inquirer noted previous allegations of racist and sexist misconduct toward Black officers, as well as alleged retaliation for reporting such behavior. The article notes that "The Philadelphia Police Department last year settled more discrimination lawsuits than any other city department, including several claims of 'dehumanizing' treatment of black female officers."

Structural oppression in the PPD goes beyond instances of misconduct, but is built into its very make up. Nearly 6 in 10 officers are white in a city where white people make up only 35% of the population. One of the most striking facts to me was that 73% of detectives are white. Only 20% of detectives are black. This was the widest gap of all the positions listed. When last year 85% of homicide victims were Black, and we are currently experiencing a significant increase in gun violence with homicides up 26% over last year, are we equipping our departments with the skills, cultural competencies, and connections they need to do their jobs? Are we serving our neighborhoods in the best way we can in this current state? I don't believe we are.

Considering the reality of policing in my City is why I joined many members of the PA Black Legislative Caucus as well as some of my colleagues on City Council (CM Brooks, Johnson and

Thomas) to join the Police Reform Working Group, an intergovernmental group of young, Black legislators, attorneys and legal experts who have proposed, introduced, and passed legislative solutions to police brutality in every level of Government. In City Council, led by our Council President Darrell Clarke and our leadership team, we passed legislation that would reinstitute a residency requirement for police officers and passed two bills that will now be the ballot in November: one introduced by Councilmember Curtis Jones, Jr. that would create an independent civilian police oversight commission and the other introduced by former State Representative and chair of the Philadelphia delegation, now Majority leader Cherelle L. Parker asks the voters to vote on a charter amendment to ban the policy of stop-and-frisk in the City of Philadelphia. We also have two more bills to pass when we return in the fall: The Let Philly Breathe bill introduced by Councilmember Kenyatta Johnson to ban chokeholds and the other, which I introduced, to require a public hearing as the first step in the police contract negotiation process.

The bill I sponsored, Bill #200364 was introduced with 12 co sponsors and passed out of committee with a favorable recommendation. Bill #200364 will require for the first time ever, public input as part of the police contract negotiation process. It is important to note that the typical process for negotiation of the labor contract consists of the City sending its proposal to the FOP, followed by the FOP sending its counter-proposal, then, if an agreement cannot be reached, the negotiation will go into arbitration as required by State Act 111. Most often both sides reach an impasse and go into mandatory Act 111 binding arbitration. My bill will require that the public hearing take place 30 days prior to the administration submitting its initial proposal to the FOP. The 30 day time period would give the administration time to make changes to the proposal based on the public input received at the City Council public hearing and to inform City Council of the changes made to the proposal as a result of the public hearing.

These contracts have been used as swords and shields by police unions for decades. Not only do they include millions of dollars of spending on salaries and benefits, totaling over 90 percent of the annual police budget which is nearly 15% of the City's budget overall, but they have been used to establish internal disciplinary procedures that have led to millions of dollars of spending on back pay and settlements as officers overturn misconduct allegations. And who knows what these appeals processes truly cost us. When officers with serious misconduct allegations, including drug use, domestic violence, excessive use of force, harassment, use of racial slurs, assault, sexual harassment, inappropriate sexual conduct, racist facebook posts, fighting, and corruption, just to name a few, are put back on the force, what impacts does this have on our city? How many other settlements will there be? How many other lives will be lost or damaged? My legislation seeks to mandate public transparency and accountability in a process that has been shrouded in secrecy for far too long. We can no longer afford to let these important discussions happen behind closed doors because we have seen the results and they are devastating.

These reforms are not aimed at placing blame or pointing fingers. I am genuinely grateful to the police officers who serve our city, especially officers of color who feel stuck between their commitment to public service and their communities. But, this system is not working, and the reforms we are proposing are a recognition that for too long our present has been dictated by our past. Disinvestment in Black communities and disregard for Black lives cannot continue, and I look forward to working with my colleagues in an intergovernmental way, as well as community groups and police leadership to implement policies that keep us all safe and help ensure that we do not lose another mother, father, son, daughter, aunt, uncle, friend, or co-worker to police brutality.

In Service,



Katherine Gilmore Richardson, Councilmember At-Large

TESTIMONY OF KEVIN HARDEN, JR.

Good Morning, my name is Kevin Harden, Jr., and I am a practicing attorney in the City of Philadelphia. Thank you for this opportunity to speak concerning police reform in the Commonwealth of Pennsylvania.

I believe that my perspective of policing is unique. I was a P.A.L. kid growing up – my first memories of playing organized sports include the friendship my father, Kevin Harden, Sr., developed with Officer Joe Ellerby, who began working at our local PAL in 1994. Officer Joe would pick dozens of neighborhood kids up in his white Police Athletic League van so that we could travel to baseball, basketball and tennis competitions around Philadelphia. 25 years later, Officer Joe and I remain close, with my having attended his 50th Birthday Party with my many of the same neighborhood kids he has dedicated his life to mentoring and coaching. Similarly, I began training in martial arts at the age of 12 in 1999. Most of my martial arts instructors were law enforcement professionals, with several serving as officers in the Philadelphia Police Department. I continue to train and practice martial arts with them today. We are like family. Finally, having been educated from kindergarten to Juris Doctorate in Philadelphia and Pennsylvania public schools, I can count dozens of classmates and friends who have chosen law enforcement as a career. I pray for the safety of friend and police officers often. They have a tough job that requires many sacrifices.

Unfortunately, not all of my experiences with law enforcement are associated with positive memories. I have been arrested. I have been stopped and frisked. I have been stopped in my car. Most of my encounters with police have been routine – but the frequency of those encounters is something I was conditioned to believe was a normal part of American life. My negative experiences include the abnormal: in January 2006, a gunman shot me 5 times at point-blank range. Police detectives treated me like trash because they didn't believe me when I said that I didn't know who shot me (despite my having been shot from behind at a dark and crowded party). I spent 24-hours handcuffed to a hospital bed because "if I didn't see anything, I must have had something to hide." In the moment, these experiences were predictable and unstartling. Having gained perspective, I now know that the police were an authoritarian and paternalistic force that pervaded my youth and young adult years. Regardless of the criminality of our actions, we were policed based on arbitrary factors that were beyond our control. Officers policed where we congregated, our conversations, our travel, our gatherings, our schools and classrooms, our sporting events, and most pervasively, our poverty.

Growing up, we knew that if we ran from the police, we would be assaulted as a penalty for making the officer chase us. We knew that a remark deemed disrespectful by an officer could result in an aggressive "stop-and-frisk" that I now recognize would be better described as sexual assault. We knew that moving too quickly could get us shot. And that any argument about the legitimacy of police action was to be taken up with "the judge" because the power of the police on the streets was absolute. Before the advent of the cell phone camera, police credibility was unassailable in court, making the entire system of justice complicit with the idea of police impunity.

This horror of this impunity was that police officers also hurt and killed our friends. While gun violence is a stand-alone problem in the community where I was born and raised, I mention it here because it is often used as justification for aggressive policing in Black neighborhoods. It wasn't until I began working alongside the police as an Assistant District Attorney in the Philadelphia District Attorney's Office that I discovered that effective policing does not require the aggression, brutality, corruption and unconstitutionality I'd become accustomed to growing up. That realization became clearer after my best friend, Stephen Henderson, was shot and killed

by a police officer in May 2013. Stevie, as we called him, was killed during a spate of police violence in Philadelphia that caused then Philadelphia Police Commissioner Charles Ramsey to request an intervention from the United States Department of Justice. While crime rates dropped, police shootings that caused death or serious injury increased by approximately fifty percent between 2011 and 2012. The DOJ recommended that Philadelphia officers undergo modernized training on de-escalation and the use of lethal force and that the department's leadership implement new lethal force policies. Shortly after issuing its recommendations, Philadelphia police-involved shootings plummeted. Proof that reform, with the proper resources and energy, can work.

I left my job as a Philadelphia prosecutor exactly one year after my best friend was shot and killed by a Philadelphia Police Officer. There was no accountability for his death. His son, who is now thirteen-years-old, associates the death of his father with American policing. I am not sure anyone will be able to reform his feelings about the police. And as someone who cares deeply about the development and success of people in Philadelphia and across Pennsylvania, I feel it is my responsibility to gain an understanding of the obstacles to reforming police so that no family will suffer the unjustified loss of a loved one to police violence.

As a prosecutor, I learned that there were some very bad Philadelphia Police Officers. It wasn't a secret – every month, news reports would detail federal indictments against Philadelphia Police Officers. When I was a brand-new prosecutor, I reported a group of officers to internal affairs that attempted to pressure me into permitting an “off-the-books” deal with an unofficial informant. I reported the officers to my supervisors in the District Attorney's Office and to the Police Department's Internal Affairs Division. The day after reporting this misconduct, one of the officers approached me in the courthouse and threatened me. He called me a “f*****g snitch” and boasted that he I needed to watch my back. Years later, the officers that were involved in these circumstances would be indicted by a federal grand jury for corruption. After being acquitted, they were rehired as badge-wearing, gun-carrying police officers. How am I, a former member of law enforcement, supposed to feel safe when I am pulled over for a minor traffic violation when police officers with that sort of history are patrolling the streets of Philadelphia with a gun and the presumption of good character.

Experts and laypersons, police and nonpolice agree that bad police officers exploit and manipulate the police disciplinary system to their advantage. They are frequently backed by their union when they do it. The Philadelphia Inquirer, in a series by William Bender and David Gambacorta, documented how the police arbitration system in Philadelphia overturned the firings or discipline of more than 100 Philadelphia police officers who were deemed unfit by members of their own department. This emboldens bad officers and discourages officers who would otherwise report misconduct, brutality and corruption. It is officers that have the best vantage point when it comes to police misconduct, brutality and corruption and a system that does not punish employees that break the rules disincentivizes and discourages reporting and allows bad behavior to infect the culture of the institution.

Bad cops are not the entirety of the problem. My last point involves the importance of returning police and the criminal justice system to their proper place. Police have replaced counselors and social workers in schools. Prisons have replaced proper mental health care and drug treatment. The wisdom of judges has been replaced by legislation sponsored by those who profit from prisons. The war on poor people of color, veiled as the “War on Drugs,” devastated the education and human services sectors in America. Correctional officers in counties far away from Philadelphia earn a living wage guarding Philly's high school dropouts while our city's teachers, counselors, school nurses, and social workers drive Uber to make ends meet.

We should treat what ails impoverished communities the same way we treat other public health crises. I've often compared the failures of the criminal justice system to a doctor who immediately treats his patients who are at risk for cancer with aggressive courses of chemotherapy. The basic premise behind chemotherapy is that the powerful chemicals, which cause serious and life-altering side effects, will kill the fast-growing cancer cells a little bit quicker than the treatment kills the patient. And that's largely the premise of the contemporary criminal justice system, too. Mass incarceration and heavy-handed policing are meant to stamp out crime, but too little attention is paid to what those strategies are doing to city neighborhoods as a whole. We should advocate for the proper diagnosis and treatment of what ails the community instead of handcuffs, Tasers, and homicides. There is always funding available to police and imprison poor communities – but rarely the same certainty when it comes to the resources needed to improve the quality of life for those most likely to be policed. Some cancers can only be tamed with chemotherapy. But doctors use it judiciously, meting out only what is needed to stop the cancer. We all prefer, and pray for, a cure. That same approach should guide policing strategies in Philadelphia and nationwide. Aggressive policing may be the only recourse in some cases, but they should be used as judiciously as possible. The criminal justice system will not fix poor communities with handcuffs. What will fix poor communities are quality and equitable educational opportunities, expanded re-entry programs, drug and alcohol treatment, increased resources for individuals experiencing mental health crises, and the cessation of the school-to-prison pipeline.

This isn't work for police officers. It should be left to the experts — the teachers, the social workers, the mental health professionals, the counselors, and the members of the affected communities.

PUBLIC SAFETY REFORM

Alphonse A. Gerhardstein

National Police Accountability Project

(NPAP)

NPAP

- Non-profit protects the civil rights of persons who encounter police and detention officers; project of the National Lawyers Guild
- 500+ Lawyers, Law Students and Legal Workers
- Provides resources to lawyers representing victims of abuse
- Educates the public on civil rights issues involving police and lock-ups
- Educates the public on pending legislation
- Files amicus briefs on important civil rights issues

RESOURCE ON PENDING LEGISLATION

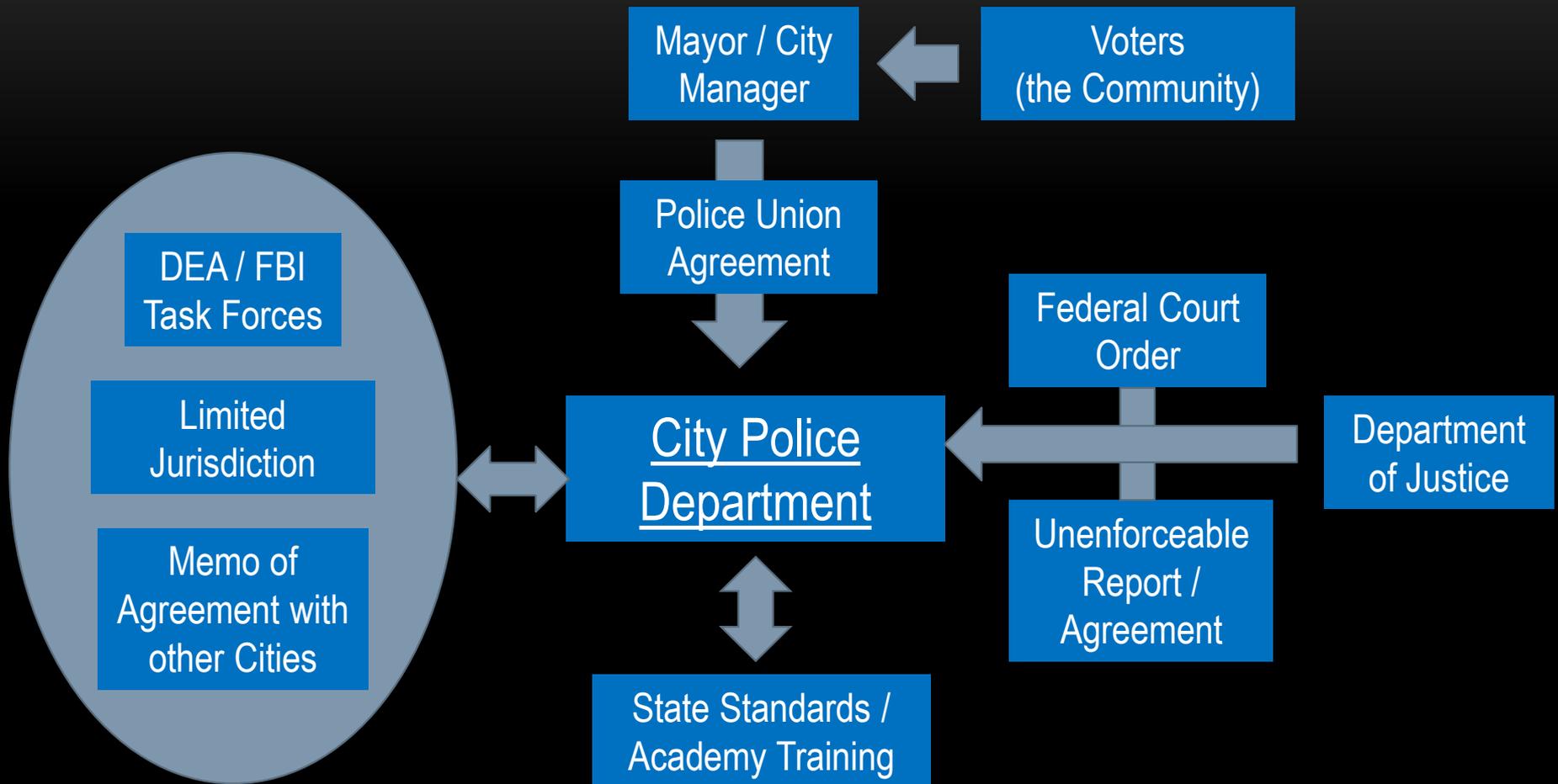
Rachel Pickens



NPAP Review

- Submit draft legislation for comment to our director, civil rights attorney Rachel Pickens:
director.npap@nlg.org
- NPAP will circulate the draft and provide feedback. This is not a formal or funded project of NPAP but will normally secure thoughtful, helpful responses

LOCAL POLICING OVERVIEW



POLICE REFORM UNDERMINED BY COURT RULINGS FAVORING OFFICERS

1. Excessive Force – force needed to overcome resistance
2. Officers Accountability – special defense of qualified immunity; Unions win arbitrations
3. Stop Race Based Policing – must prove intent

CINCINNATI COLLABORATIVE GOALS – CITY + POLICE UNION + COMMUNITY

- First Goal: Police Officers and Community Members Will Become Proactive Partners in Community Problem Solving
- Second Goal: Build Relationships of Respect, Cooperation and Trust Within and Between Police and Communities
- Third Goal: Improve Education, Oversight, Monitoring, Hiring Practices and Accountability of CPD
- Fourth Goal: Ensure Fair, Equitable, and Courteous Treatment for All
- Fifth Goal: Create Methods to Establish the Public's Understanding of Police Policies and Procedures and Recognition of Exceptional Service in an Effort to Foster Support for the Police

REFORM GOAL OF CINCINNATI BLACK UNITED FRONT

Transparent, bias free, accountable police partnering with community to achieve public safety *while reducing reliance on arrests.*

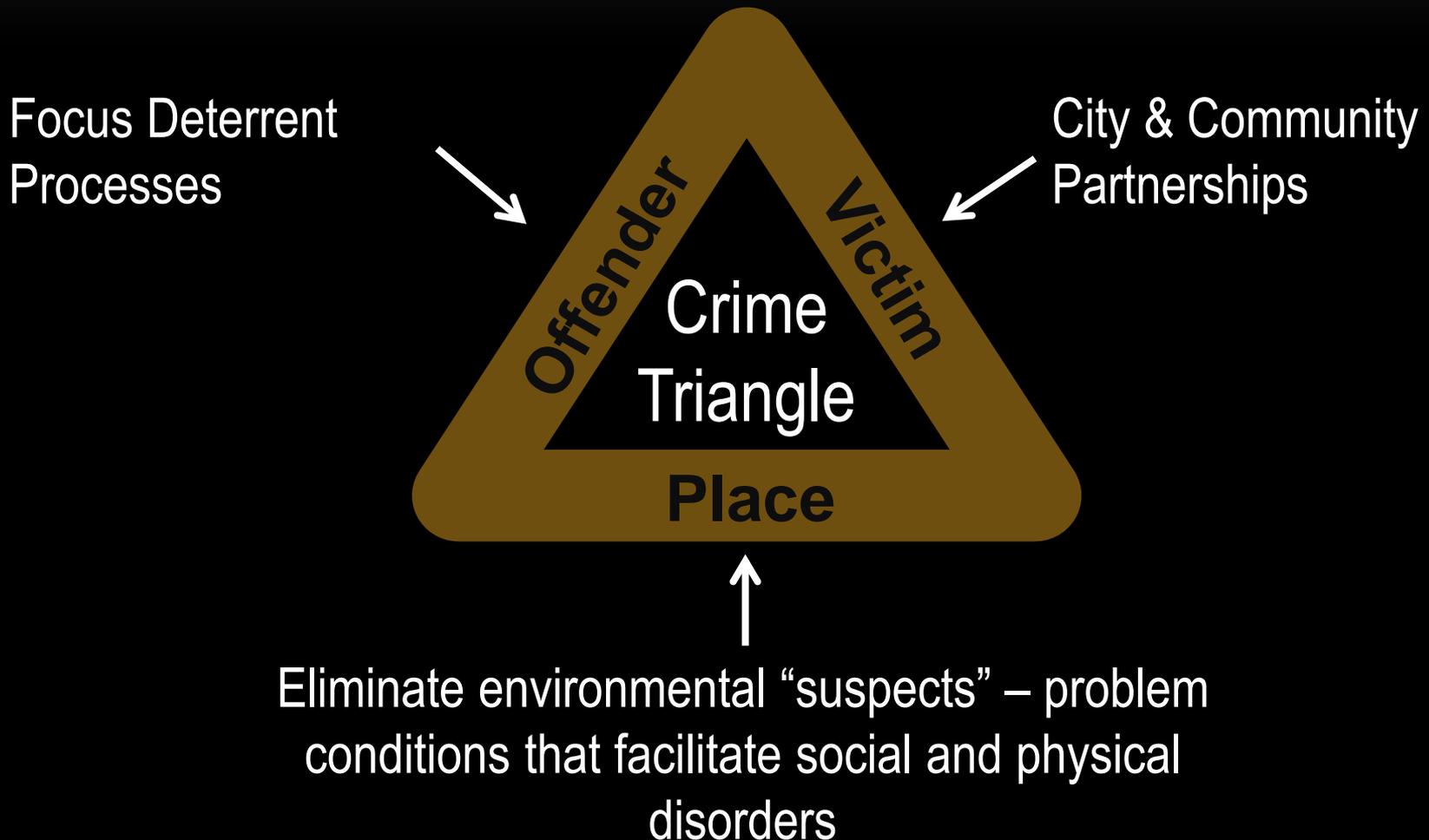
HOPE: EMERGING BEST PRACTICES

- Use of Force: Deescalation wherever feasible (Para 46, Clev; UCPD)
- Residents with Emergency Mental Health Needs: Crisis Intervention Teams (CIT) (coordination of dispatch, police and EMS/Fire)(Section VIII, Clev; see <http://citinternational.org/>)
- Accountability: Cincinnati Citizen Complaint Authority. <https://www.cincinnati-oh.gov/ccia/>; employee tracking;
- Transparency: Cruiser Cam and Body Cam (see Scorecard, Leadership Conference website, <https://www.bwccscorecard.org/>)
- Investigations with Integrity: Criminal and Civil (see below)
- Racial Disparity Tracking: <https://measuresforjustice.org/>; Florida and IL statutes
- Reducing reliance on arrests: Problem Solving based on data (see below)

Crime Triangle



CPOP DISRUPTS EACH SIDE OF THE CRIME TRIANGLE



Research Evidence that Supports a Place-Based Policing Strategy

- Crime is concentrated across places
 - 80-20 Rule
- Troublesome places tend to stay that way without intervention.
- A diffusion of crime prevention benefits is more likely than displacement.
- Owners can create or correct troublesome places.



PIVOT SHOOTING REDUCTION SITES CINCINNATI

Evaluation

Table 7.2. Shooting Victim Counts

	Time 1			Time 2			
	Site 1	Site 2	City*	Site 3	Site 4	Site 5	City*
24 Months Pre	26	8	817	14	9	12	838
24 Months Post	2	7	820	6	3	1	730
Count Change	-24	-1	3	-8	-6	-11	-108
Percent Change	-92.31	-12.5	0.37	-57.14	-66.67	-91.67	-12.89

*City Time 1 represents all reported shooting victims citywide for 24 months pre and post PIVOT, excluding PIVOT Sites One and Two. City Time 2 represents all shootings citywide for 24 months pre and post PIVOT, excluding Sites One through Five.

LEAVE REFORM TO LAWSUITS?

NO!

Lawyers can help frame reform but follow through depends on the community and political leaders; Constitutional bar very low

CHALLENGING THE STATUS QUO

- Criminal Prosecutions and Discipline
- DOJ Decrees
- Private Lawsuits
- COPS office reforms
- Community Action Steps
- State laws

TYPICAL SHOOTING – CRIMINAL PROSECUTION AND OFFICER DISCIPLINE

Criminal vs Administrative

Who Investigates

- officer jurisdiction

- independent agency

Who has access to evidence

- public record laws

How will evidence be used

- grand jury

- administrative review/discipline (arbitration/union contract)

- civilian review

MODERN DOJ DECREES

1. Remedy for Systemic Abuses
2. Stop Excessive Force
2. Hold Officers Accountable
 - Employee tracking system
 - Cruiser cam and body cam
 - Citizen complaint authority
3. Stop Race Based Policing
 - stop and frisk
 - broken windows
4. Problem Solving
5. Community Advisory Council

PRIVATE CIVIL LAWSUITS

1. Typically - Money
2. Additional Relief Secured by NPAP member attorneys
 - a. Policy Reform
 - b. Training Reform
 - c. Apology
 - d. Reconciliation Circles
 - e. Employment restrictions
 - f. Tuition Remission
 - g. Memorials
 - h. Plaques

CARRIE CULBERSON MEMORIAL



EVERETTE HOWARD, JR. MEMORIAL



In honor of Everette Lee Howard, Jr., August 6, 2011

APOLOGY FROM UC PRESIDENT ONO



Office of the President
University of Cincinnati
PO Box 210063
Cincinnati OH 45221-0063
Phone: (513) 556-7331
Fax: (513) 556-3010
Email: president@uc.edu

January 9, 2013

Mr. & Mrs. Howard
c/o Gerhardtstein & Branch Co. LPA
432 Walnut Street # 400
Cincinnati, OH 45202

Dear Mr. and Mrs. Howard:

On behalf of the University of Cincinnati, I want to extend our very deepest regrets to you and your family for the loss of your son. By all accounts, Everett was a truly amazing young man with a tremendously bright future ahead of him. Having watched your videotaped testimony, it is clear to me that he meant the world to you.

As the father of two young children, I cannot begin to imagine the immense pain and loss that has enveloped your lives. Please know that in extending our heartfelt sympathy to you and your family, I do so with the utmost sincerity, respect and admiration.

It is my hope that our efforts to find a resolution will enable you and your family to move forward with fond memories of Everett's remarkable life and extraordinary spirit.

Sincerely,

A handwritten signature in blue ink, appearing to read 'Santa J. Ono'.

Santa J. Ono
President

MOODISPAUGH & STURGEON PLAQUE

05/09/2006 01:06 pm

OUR MISSION IS:
"TO PROTECT AND TO SERVE"
REMAIN VIGILANT FOR THOSE IN OUR CARE
REMEMBER THESE TWO YOUNG MEN
AND THEIR FAMILIES



DONNIE LEE STURGEON
FEBRUARY 9, 1973-
FEBRUARY 4, 2003



DALLAS SHAIN
MOODISPAUGH
APRIL 8, 1980-
AUGUST 7, 2003

THEY ARE LOVED
AND MISSED DAILY

COPS OFFICE AND OTHER NON-DECREE REFORM EFFORTS

- University of Cincinnati – Exiger Report
- Some Cities Invite DOJ COPS Office to lead Collaborative Reform Efforts
 - San Francisco (2016)
 - Las Vegas (2012)

STATE ACTIONS SUPPORTING REFORM

- Background Checks, mental health screening
- Centralized ongoing Training including deescalation
- Negative Conduct impacting law enforcement licensing
- Centralized use of force investigations
- Outlaw union contract terms that delete discipline
- Incentivize problem solving
- Eliminate officer Immunity
- Require that racial data be collected and analyzed statewide
- Ban Excited Delirium as Cause of Death
- Create treatment models like Reclaim Ohio:
<https://www.crimesolutions.gov/ProgramDetails.aspx?ID=678>

COMMUNITY ACTION STEPS ON REFORM

- Educate on local Police Structure and Issues
- Find Allies – ACLU, Black Lives Matter, NAACP, Neighborhood Groups, Black Faith based Groups, Interfaith Councils
- DOJ decree? Who is on Community Advisory Council and Mental Health Advisory Council
- Is there Civilian Review Board? Structure? Members? Scope – complaints or patterns and policy review as well?
- Who should be in room to develop best local action plan for reform?
- Will community do more than public witnessing?

COMMUNITY ACTION EFFECT OVER LONG TERM

- Police organizations are para-military. Members tend to stay in the Department
- Reform is more likely when supported by long term relations with informed citizens
- Join commissions/councils/advisory boards?
- Encourage Interfaith groups to pursue reform?
- Reach out to victim families – support them as they pursue justice
- Engage in problem solving
- Continue public witnessing but supplement with concrete action

COMMUNITY MEMBERS AND DATA

- Transparency is key to trust – accurate and accessible data is key to transparency (see Cincinnati Dashboard)
- Data to define problems (service call analysis)
- Data to hold police accountable, e.g.
 - Arrests by race
 - Use of force by race
 - Complaints by race

What to do with Data?

- Track racial disparity
- White papers
- Feed to press for thorough stories
- Forums
- Design problem solving projects
- Trend analysis

POLICE REFORM TOOLKIT

www.gbfirm.com/police-reform-toolkit

General Resources

1. Walker, *What a Good Police Department Looks Like*, Oct 2014
2. President's Task Force of 21st Century Policing, May 2015
3. Gerhardstein Testimony before President's Task Force
4. Walker, *Community Voice in Policing*, 2015
5. Gerhardstein, *One White Man's Reflections of the 15th Anniversary of the Collaborative*, 2016
6. Cincinnati Manager Advisory Group Draft Dashboard 2015
7. DOJ Findings Letter, Cleveland Ohio (2014)
8. Stress On The Streets (SOS): Race, Policing, Health, And Increasing Trust Not Trauma

Agreements Enforceable in Court

1. Cincinnati Collaborative Agreement (2002)
2. Memorandum of Agreement, DOJ & Cincinnati (2002)
3. DOJ Settlement Agreement Cleveland Ohio (2015)

Agreements Not Supported by Court Order

1. Collaborative Reform Process Las Vegas (COPS Office) 2012
2. Exiger Report, University of Cincinnati Police Department, June 2016

Selected Topics

1. Mental Health Crisis Intervention, see <http://citinternational.org>
2. Body Cams – LCCHR Upturn Scorecard, for updates see Leadership conference Website, <https://www.bwccscorecard.org/>
3. Body Cams – COPS Office and PERF, “Implementing a Body Worn Camera Program”
4. Problem Solving - Cincinnati Problem Solving Procedure
5. Bias – Carmen Culotta, Ph.D., Implicit Bias PowerPoint