

## **Talking Points for Ronald L. Davis**

### **U.S. ATTORNEY CONFERENCE**

#### **Keynote Address**

**May 5, 2015**

- Thank you for inviting me to speak today.
- I would be remiss if I did not start by addressing the ongoing tensions in Baltimore. As you know, the current situation is very volatile. The Department of Justice is committed to helping improve relations between the police department and the citizens it serves.
- At the request of the attorney general, I travelled to Baltimore last week to meet with the mayor, police commissioner, faith and community leaders and the family of Freddie Gray. I also had the privilege of meeting with the officer that was severely injured in the riots following the fatal incident. The dedication that this officer expressed to me from his hospital bed was humbling to say the least. Even in his recovery, he could not be more proud to serve the citizens in Baltimore and keep them out of harm's way.
- Currently, the COPS Office is engaged in Collaborative Reform Initiative for Technical Assistance with the Baltimore Police Department.
- My office announced the collaborative reform process with the police department in October 2014 with the goal of improving policies, training, and operations as they relate to use of force and interactions with citizens, taking into account national standards, best practices, current and emerging research, and community expectations. The assessment includes a review of their use of force training, policies and procedures, criminal and

administrative use of force investigations, complaint process, interactions with the community, and community policing.

- Four of five extensive site visits have been completed, involving departmental data and records reviews and analysis; community stakeholder interviews; interviews with BPD officers across all ranks and assignments; observations of use of force review board, training, and other relevant observations; and a community town hall. The last site visit is scheduled for May 11-16.
- The final draft report will be available in the coming weeks.
- Separately, the Department of Justice's Civil Rights Division announced an independent criminal civil rights investigation into the death of Freddie Gray.
- As we look at simmering and even exploding tensions between the police and many of our communities - a tension rooted in generational mistrust and fueled by recent examples of police misconduct and civil rights abuses - we know much work remains.
- That is why we are here today. To talk about the work that remains. And to stress to you that this work cannot be accomplished until the police and our communities truly form a relationship rooted in trust, fortified by our shared values, and safeguarded by accountability.
- Together, we must remove the false choice too often give to our communities – the choice between civil rights and safe streets. This is where constitutional policing comes in. It's where the rubber meets the road, so to speak.
- Together, we must educate the law enforcement profession and the communities they serve on the truth: the protection of civil

rights for all is a core foundation of community policing and effective crime-fighting.

- Public safety is not just the absence of crime, it is the presence of justice as well – a lesson being played out all across this nation from New York to Missouri to South Carolina.
- Last year marked the 20<sup>th</sup> anniversary of the COPS Office. I think it is fair to say that COPS, working together with our law enforcement colleagues throughout the country, have made notable advancements in community policing over the past two decades.
- But, we also know that too often community policing is viewed as a program – to be implemented only when COPS funding is provided – rather than an operational philosophy and key crime fighting strategy.
- Community policing must be an operational philosophy that has to permeate the whole agency, all the way from the newest recruits in the academy to the most seasoned veteran officer to the command staff and police chief.
- So too constitutional policing cannot be merely a buzzword. Law enforcement officers are, by the very nature of their work, empowered to limit the rights of individuals to protect our communities.
- But they also have the responsibility to protect those same rights, as well as the ability to be the strongest advocates for constitutional practices that ensure equality under the law.
- More than four decades ago, Professor Jerome H. Skolnick published *Justice Without Trial*. Professor Skolnick stated, “Order achieved through democratic policing is concerned not

only with the ends of crime control, but also with the means used to achieve those ends.”

- Community policing is just such a means to be used in a democratic society, as it is built on a foundation of trust. Thus, the Administration is committed to promoting promising practices to assist the field in building relationships based on mutual understanding, respect, and trust.
- For example, at COPS, we have aligned our grants and services to incentivize progressive and constitutional policing, and share best practices and lessons learned with the field.
- Last year the COPS Office hosted the first of a series of executive convenings on building communities of trust.
- The first session, “Building Trust between Law Enforcement and Communities of Color,” was held last April in New York.
- We were joined by the Reverend Al Sharpton, New York Mayor De Blasio, New York Police Commissioner Bill Bratton and numerous police chiefs, academics and community leaders.
- We will continue this series with a focus on using public health models to reduce violence, constitutional policing, prisoner reentry, and building communities of trust to combat violent extremism.
- We also just released a new publication that provides useful guidelines for the use of body cameras.
- And we’ve released a publication in partnership with the Urban Institute that addresses Stop, Question and Frisk.

- Under the leadership of Attorney General Eric Holder, the Department of Justice has placed a strong focus on community policing and building trust, and we know that focus will continue under the leadership of Loretta Lynch.
- A cornerstone of the Attorney General's work is the Smart on Crime Initiative. The five main goals are:
  - To ensure finite resources are devoted to the most important law enforcement priorities.
  - To promote fairer enforcement of the laws and alleviate disparate impacts of the criminal justice system.
  - To ensure just punishments for low-level, non-violent convictions.
  - To bolster prevention and reentry efforts to deter crime and reduce recidivism.
  - To strengthen protections for vulnerable populations.
  - Pursue alternatives to incarceration for low-level, non-violent crimes. We cannot arrest our way out of crime, and we must not try. We must find viable alternatives to incarceration and focus on rehabilitation.
- Being Smart on Crime is tough on crime, but is also fair and consistent with the core principles of community policing and constitutional policing.
- As the Attorney General has said when speaking about this initiative: "The changes underscore this Administration's strong

commitment to common sense criminal justice reform. And our efforts must begin with law enforcement.”

- Just this past December President Obama signed an executive order creating the President's Task Force on 21st Century Policing and charged the group to develop concrete recommendations that will build trust between police and the community while ensuring our crime rates continue on their downward trajectory.
- The president named 11 outstanding leaders, including our very own Cedric Alexander, to serve on this task force which was led by two co-chairs: Philadelphia police commissioner Charles Ramsey and George Mason University professor Laurie Robinson.
- I had the honor of serving as the Executive Director for the task force and have the COPS Office provide support for their efforts.
- Now, the president was very clear. He wanted concrete and actionable recommendations and he wanted them yesterday - he had a strong sense of urgency. So, the task force was given 90 days to present him a report with those recommendations.
- The task force focused on six primary issues, which we called pillars: Building Trust & Legitimacy; Policy & Oversight, Social Media & Technology; Community Policing & Crime Reduction; Training & Education, and Officer Safety and Wellness.
- We conducted 7 public listening sessions around these pillars. We heard from over 130 witnesses, received close to 100 written testimonies, and received close to a hundred comments through social media.

- On March 2, 2015, the task force handed the president a report with 63 recommendations, after thoughtful review and deliberation on this wealth of information.
- If you haven't already read this report, I strongly recommend you do.
- And, when you do read it ask yourself what recommendations are you currently employing, and what recommendations should you be employing.
- And, then ask you department and community the same questions.
- I'd also recommend you use the task force process as a guide to engage your community. Think of it: the task force was comprised of 11 people with varying perspectives and different life experiences.
- The task force listened to over 100 witnesses with views that often varied greatly. Yet, the task force and the witnesses were able to agree and disagree without being disagreeable.
- In fact, these 11 amazing individuals were able to build consensus around some of the most challenging topics in policing. This is an example for us all to follow
- These are conversations that must occur in all of our communities.
- Our challenge now is that we must work together to not only build consensus, but implement the task force recommendations.

- The COPS Office will give additional consideration under the COPS Hiring Program (CHP) to applicants who select the community policing problem area of “Trust.” Congress approved \$134 million for CHP this year and we’ll be opening the application in May.
- This problem area includes issues of fairness and impartiality, transparency problems, respect problems, and other trust-related problems.
- Agencies who select this issue set will receive bonus points on their application. To me, there is a need to continually ensure that local law enforcement has legitimacy in the community and the trust of the community.
- By focusing the hiring grants on issues around legitimacy and trust, I am hopeful that agencies will hire officers that will be more attuned to community needs right from their first day on the job.
- I am also pleased to report to you that our Collaborative Reform effort is in full swing. This process helps agencies ensure their practices are constitutionally-based and respectful to the community.
- We’ve worked hard at the COPS Office to establish this program and Congress saw that work and gave the COPS Office a \$5 million line item in which we can continue our efforts.
- Through Collaborative Reform, we want to ensure that individual rights are protected, our officers’ safety is ensured, and our communities are properly served.

- We consider this a valuable resource for policing. Agencies looking to be progressive and proactive have an opportunity to step up and acknowledge their challenges and areas of concern.
- And in the end, they have an opportunity to take part in a transparent process that should improve their practices, strengthen their policies and improve their image within the community.
- To date, we are engaged in this process in Las Vegas, Spokane, WA, Philadelphia, Baltimore, St. Louis County, Fayetteville, NC, Salinas, CA, and Calexico, CA. With more cities to be announced in the very near future.
- Through our Critical Response program we are also providing technical assistance to San Diego, Seattle, and Ferguson, Missouri.
- As I stated earlier, there is much work that remains. But what is truly exciting is that there is much opportunity in that work.
- The commitment to these issues goes beyond just the Department of Justice and is integrated throughout the Administration.
- We have a chance to close the disparate gaps with regard to the criminal justice system and our young men of color.
- We have a chance to advance community policing to new heights only imagined 20 years ago when the COPS Office was formed.
- Let's not squander this new opportunity with old rhetoric and repeat the mistakes of the past out of fear of the future.

- Now is the time. Let's respond to President Obama's call to action and work to ensure justice is not an elusive promise for some, but an unwavering reality for all.
- As I close, please allow me to thank you again for coming here today. I look forward to working with each of you in the future.