

TASK FORCE ON 21ST CENTURY POLICING LISTENING SESSION MINUTES

Task Force on 21st Century Policing ***Asian Americans & Pacific Islanders*** *Listening Session Minutes*

Jose Lopez

Make the Road New York

1. Biggest priority for group; 2 or 3 non-negotiable for main report on 3-2-2015

Peter Markowitz

Clinical Associate Professor of Law

1. 13 leading RICE organizations are concerned with the entanglement of local law enforcement and immigration.
 - a. Specifically, the onus of carrying out American immigration law, has fallen greatly on the backs of local policy.
 - b. This creates an unhealthy disdain for the community the police are supposed to be serving.
 - c. Deportation is civil, not criminal.
2. Local cops need to be trained in community relations; particularly with the immigrant community and on the immigration database.
 - a. The worry is that someone who fears unlawful treatment or possible deportation, will be leery of the police, and less likely to communicate with them.
 - b. Also, civil immigration matters divert resources from the departments.
 - c. Civil immigration incentivizes racial profiling

Khalil Meek

Executive Director, Muslim Legal Fund of America, Inc.

1. Police should be trained on dealing with the Muslim community, by the Muslim community.
 - a. Create an institutionalized process to accurately portray Muslims
2. ACLU has given testimony related to community policing. The broader Muslim community backs the ACLU's recommendations.
 - a. Things like more transparency
3. The community is on high alert after a series of 'hate crimes' toward the community. Believe recording police should be encouraged, not discouraged, and that law enforcement officials should be trained to deal with being recorded.

Amardeep Singh
The Sikh Coalition

1. Observant Sikhs and Muslims are barred from serving on police forces (because of the donning of certain clothing articles or grooming habits that signify their faith).
 - a. Allowing them to serve reflects well on the department, in the eyes of the community.
2. Non-discriminatory training:
 - a. DOJ Community relations services; extent the ambit of commission on policing and national security is focused on profiling and hate crime protections from federal law enforcement agencies.
3. The federal government's surveillance on the Muslim community, particularly in NY and NJ, has created distrust.

Sean Smoot
Police Benevolent & Protective Association of Illinois

1. Recommendations will be available online

Task Force on 21st Century Policing
Lesbian, Gay, Bisexual & Transgender Community
Listening Session Minutes

Top 3 Recommendations:

1. LGBT inclusive anti-profiling measures, including condom as evidence for trading sex, stops, and racial profiling measures
 - a. Resulting chilling effect on people who carry condoms is a public health disaster and violates bodily sovereignty
2. Nationwide standards of treatment for LGBT people in police custody, developed in coordination with directly impacted communities (to ensure there are more standardized policies)
 - a. Make sure those in custody have access to HIV medications and hormone medication related to gender in custody;
 - i. Police custody can be at least 24 hours in large urban centers, so access to medication in police custody is critical
 - ii. Need clear processes to make sure there is a swift process or a way to circumvent the process
 - b. Interactions with gender and gender nonconforming individuals;
 - c. Assigning a gender in custody should never be an option; and
 - d. Make sure LGBT detainees feel safe.

3. Guidance and mandates at the federal level, especially in terms of harassment and abuse:
 - a. Need policies for police who demand sex for leniency or by force, could have DOJ guidance surrounding this policy;
 - b. The community relations service of the DOJ should be more involved in responding to the wave of violence, whether that be under the Violence Against Women Act, the Matthew Shepard Act, or another civil rights ordinance; and
 - c. We would recommend that the government do better in standing in solidarity with our communities.

Additional Recommendations:

4. How to take action in a way that actually changes the practices of policing/find mechanisms to implement all these policies beyond guidance and model policies (Harper Jean Tobin, NCTE):
 - a. Federal funding:
 - i. DOJ could incorporate these national standards through its authority to impose new funding conditions to enforce Title XI and existing civil rights acts, as well as reasonable requirements for effective use of federal funds to ensure there is not a misconduct in using federal funds
 - ii. Such standards that could be included are rules to prohibit profiling or sexual harassment and abuse
 - b. Consent decrees:
 - i. Federal investigations and consent decrees can be used much more comprehensively to make sure practices and training address violence and abuse against LGBTQ people
 - ii. They can incorporate the provisions in Puerto Rico among other new standards that are being covered
 - c. Using public discussion by Administration officials:
 - i. Administration officials talking about issues of policing as issues that affect LGBTQ people and the pattern of violence against our community is critical, particularly the recent string of killings of trans people of color.
 - ii. More can be done to engage LGBT people within that conversation and elevate the lack of response by law enforcement.
5. When speaking about police brutality and racial justice, the Administration should discuss the diversity of police brutality within communities of color, such as LGBT youth of color.
 - a. Until we are talking about all the different ways these issues impact subgroups within communities of color, then we will not reach a solution.
6. Stop the detainment of the transgender women of color who are undocumented.
7. Need for organizations to work with Bureau of Justice Statistics to ensure there is a monitoring progress and find holes that can be addressed in the future.

8. Ensure murders of trans women are actually charged with actual hate crimes – we need a national ban on gay or trans fear/shock in legal defenses, similar to the 2014 California Law.
9. Restrictions on racial profiling carve outs for border patrol and TSA should be remedied – there should have an overall message that profiling is unacceptable for all law enforcement.
 - a. Want to see a similar change in protected classes. We would like to see the End Racial Profiling Act become law and expanded protected categories to include gender and gender identity.

Cited Reports:

1. Lambda Legal
2. Roadmap for Change Group (report) through the Get Your Rights network (LGBT youth around the country)

Task Force on 21st Century Policing
Veteran Community
Listening Session Minutes

Gene Voegtlin

International Association of Chiefs of Police

1. Veterans who serve as law enforcement officials need assistance transitioning from a conflict mindset to a community mindset.
2. Standards for wounded veterans who seek to become police officers should be fair and holistic.
 - a. Standards should emphasize functionality, current “able-bodied” requirements to often exclude disabled veterans who would be fully able to carry out their duties
3. Law enforcement needs to improve its response to veterans in crisis.
 - a. Programs and training need to be implemented so that officers are better equipped to handle interactions with veterans dealing with PTSD
4. Police need to receive better training on the use and capabilities of military equipment that has been adapted for civilian use.
 - a. Adapted military equipment is valuable and has the capacity to save lives, but without the right training, such equipment can be overused or deployed improperly
5. High rates of officer suicides should be better addressed. This is a particularly important issue for veterans who are already at a different place on the mental health continuum.

- a. Departments need to do a better job of identifying early warning signs
- b. The number of deaths from suicide each year exceed those from felonious assaults

James Averhart

Montford Point Marine Association

3. There needs to be more in depth training and education for veterans who are making the transition to civilian police forces.
4. Veterans are too often unwilling, as a result of social stigma, to identify themselves as having post-traumatic stress disorder.
5. Police departments should make accommodations to better facilitate the move from the military to law enforcement.
 - a. Military service should be allowed as a substitute for a college degree in the application process
 - b. Retired veterans should be granted age waivers in the application process
6. A HIPPA compliant system should be developed that would enable responding officers to identify individuals who are afflicted with post-traumatic stress disorder.
 - a. Such a system would allow officers to respond to calls with better situational awareness and avoid unnecessary escalation
 - b. PTSD episodes can happen anywhere and at any time in a community
7. Officers should be better trained on which situations are appropriate for the use of lethal force.
8. Town hall meetings would be an effective way for a department to improve relationships with their communities and better respond to their evolving needs.
9. The Prince George Police Department in Virginia can be considered a model for progress in accommodating veteran applicants.

Jason Fritz

War on the Rocks

4. In the context of this discussion on policing, it is important to remember that despite instances of PTSD, by and large, veterans do not have negative interactions with law enforcement.
5. Police departments need to be better trained in the use of military equipment that has been adapted for use by law enforcement.
 - a. This includes both knowledge of how to deploy and when to deploy such assets

6. The desire of veterans to serve does not end when they take off the uniform at the end of their military careers.

Roberto Villaseñor

Chief of Police, Tucson, AZ

1. The Tucson Police Department provides eight (8) hours of mental health training, which touches on post-traumatic stress disorder. Similar kinds of training programs should be incorporated across the country.
2. One of the best ways to handle a person in crisis is to send a first responder who can relate to that individual. A veteran in crisis might react more positively to a police responder who is also a veteran.
3. Best practices need to be disseminated across departments.
 - a. While good ideas have a way of quickly spreading, there needs to be better coordination between individual police departments on what strategies work and which ones should be discarded

Steve Parker

Joining Forces

4. As these issues are addressed, communities should remember that veterans are tremendous civic assets to their communities.
 - a. The potential of veterans to make a difference is diminished if the focus of the policing discussion is only concerned with extreme cases of crisis and confrontation with law enforcement
5. Veterans have deep a desire to serve, it is often a desire that began before they entered the military and will remain for the rest of their lives

Sean Smoot

Police Benevolent & Protective Association of Illinois

2. Programming for veterans returning from service and working in law enforcement is critically important.
3. Concern for officer safety needs to extend beyond bulletproof vests. It needs to include safety and wellness, especially for veterans.

Task Force on 21st Century Policing
Disability Community
Listening Session Minutes

Ronald Honberg

National Alliance on Mental Illness

Crisis Intervention Team programs were developed in the wake of a high profile death of a disabled person in Memphis, this programs aims to:

1. Train first responders on how to deescalate crises and confrontations
 - a. In CIT programs police officers learn to calm disabled persons down. These programs should be expanded to include EMT and correctional officers.
2. Establish a mental health triage component to first response situations
 - a. Disabled persons are too often incarcerated instead of receiving access to the mental health assistance they need
 - b. The goal of CIT training is to supplement what police officers are taught in the academy.

Jane Dunham

National Black Disability Coalition

1. CIT training needs to be implemented. It is important that those who provide training have direct experience with persons who are disabled.
2. African Americans who are disabled frequently feel that they are unduly targeted by law enforcement.

Andrew Imparato

Association of University Centers on Disabilities

1. It is very important that self-advocates play a role in developing CIT training. The Commission for Effective Community Inclusion of Individuals with Intellectual and Developmental Disabilities created by Governor O'Malley would serve as a great model for responding to community concerns about police interaction with those who are disabled.

Kelly Buckland

National Council on Independent Living

1. There are 34 million people with disabilities who are vibrant members of our communities.
2. Persons with disabilities can feel dehumanized as a result of their disability.
3. It is estimated that 15% of calls to the police are in response to people with disabilities who are in crisis.

4. Women with disabilities experience domestic violence at an extraordinarily high rate (80%). Disabled men are also frequent victims of domestic violence.

Dara Baldwin

National Disability Rights Network

1. CIT programs are not enough- they need to further include additional members of the law enforcement community, including public housing officers and transit police. Access to CIT programs should also be extended to officers of the court, including prosecutors, public defenders, and judges.
2. It is important to remember that persons with disabilities are frequently ignored when they are victims of crimes and not considered credible when they are interviewed as potential witnesses.
3. The treatment of persons with disabilities in prisons is also an area of concern. Too often disabled persons are not given proper accommodations or are subject to inhumane treatment, such as solitary confinement. Persons who are being held for trial, who are innocent until proven guilty, are protected by the Americans with Disabilities Act while in jail.
4. It is crucial that data is collected in order to make the case about this important issue as well as to better understand the specific characteristics of the challenges that persons with disabilities face.
5. Disability groups are also regularly left out of discussions on campus policing - especially as it relates to sexual assault.

Carol Tyson

United Spinal Association

1. Police need to be aware of the physical harm that can occur as a result of a failure to provide proper accommodation to disabled persons.
2. Police training that includes information on the links between homelessness and disability might help law enforcement officials develop deeper empathy and understanding.
3. Wheelchairs that are replaced by correctional institutions can cause serious issues for disabled persons if they are not properly fitted. Incarcerated persons with disabilities should be allowed to keep their original chairs.

Bethany Lilly

Bazelon Center for Mental Health Law

1. It is important to point out that system breakdowns are what frequently lead to confrontations between disabled persons and law enforcement.
2. We need to ask the question: “How do persons with disabilities end up in these situations in the first place?” These confrontations are often the result of systemic failures to provide much needed support before such episodes occur. Crisis teams are an important part of the solution.
3. Reducing recidivism of disabled persons, particularly through employment help and housing options, are areas that should also be addressed.

Debbie Plotnick

Mental Health America

1. Community infrastructure should play a role in assisting disabled persons who enter into crisis episodes. One particularly effective way to address this would be through peer run respite centers that operate year round.
2. Police officers support peer run respite centers because they provide law enforcement with a sense of security by virtue of their awareness that there is a place where disabled persons can be taken when they enter crisis. The respite centers are preferable to emergency rooms and jail cells.

Susan Goodman

National Down Syndrome Congress

1. Persons with disabilities need to be able to participate in the life of their communities. In the Ethan Saylor case, the responding off-duty law enforcement officers had no awareness of how to handle a disabled person in crisis.
2. It is important that the Department of Justice continue to study the issue.
3. Data has shown that training has had a positive effect in deescalating police confrontations with disabled persons.
4. It is also important not to lose sight of the public school system, where disabled students are often dehumanized through seclusion and restraint.
5. The Implementation of the Olmstead Act, though difficult, needs to occur.

Ari Ne’eman

Autism Self Advocacy Network

1. Access to law enforcement and the criminal justice system

- a. Many persons with disabilities have trouble communicating when under stress. This can impact their ability to receive due process under law or serve as a witness during trial.
2. Protection from abuse and neglect while under care
 - a. Service providers are frequently not investigated for allegations of improper treatment or even deaths that occur at their facilities.
3. CIT training should include self-advocates
 - a. Misunderstandings between disabled persons and police are often what lead to confrontation escalation.
 - b. A civilian review process should be implemented in every police department to provide an avenue of redress for abuse or improper treatment of disabled persons.
4. Students who receive special education are overrepresented in the criminal justice system
 - a. Mr. Ne’eman would recommend against increasing the presence of school resource officers.

Rebecca Cokely

National Council on Disability

1. Police need to develop culture competence to better deal with persons who are disabled. CIT should not be the “short bus” of police training.
2. The populations of persons with disabilities are not monolithic, different community experiences should not be equated.
3. Body cameras and crisis intervention are a good start but more needs to happen:
 - Self-advocates need to be involved in CITs
 - Police training needs to provide a context of the societal stigma that exists towards persons with disabilities
 - The connection between poverty and disability should be elucidated for police during training
 - Additional mobile crisis units should be established
4. Law enforcement officials too often go into situations demanding compliance and then use lethal force when it isn’t granted by a disabled person.
5. The Bazelon Center for Mental Health Law has great performance improvement strategies on this issue.

Sarah Fech

American Diabetes Association

1. There are approximately 30 million Americans with diabetes, it is important that law enforcement officers are able to identify the markers of a person who is afflicted so life threatening emergencies may be averted.
2. Better training is critical because the symptoms of both high and low blood pressure mimic inebriation.
3. Training should be robust enough to provide officers with the information they need to provide proper accommodations to a disabled person.

Leigh Ann Davis

Arc

1. Ms. Davis discussed a grant her organization was able to secure that will allow for the collection of data concerning the relationship between disabled persons and law enforcement.
2. Training similar to CIT is important:
 - Disability response teams
 - Self-advocates should be included in law enforcement training to broaden the understanding of officers and alert them to the fact that disabilities may be hidden
 - A chief of police needs to be on board for these kinds of programs to be successful, they should be marketed widely to departments
 - Culture shift will occur through the careful construction of relationships between the law enforcement and disability communities
 - Training disabled cadets in police academies has anecdotally been shown as an effective way to deepen empathy among police officers
3. The Arc's "Pathways to Justice Program" will continue to comprehensively explore ways to address this issue.

Ronald Hampton

National Autism Society

1. "Community policing" means that the community sets the priorities for policing.
2. Mr. Hampton stressed the importance of looking at new efforts at improving police responses in a holistic manner. "Smart 911" is a good idea, but cannot be helpful if law enforcement is not trained to understand the information they receive. If the information is not understood, it cannot be used.
3. There needs to be a way to ensure that CIT training programs continue to exist long after supportive police chiefs leave their posts.

Dr. Cedric Alexander

*National Organization of Black Law Enforcement &
Deputy Chief Operating Officer for Public Safety of DeKalb County*

1. Dr. Alexander recounted his employment of a program similar to CIT that was met with success in his police department. The program had a direct and positive impact on the relationship his officers had with the disabled community.
2. Dr. Alexander underscored his understanding of the critical importance of this issue as both a psychologist and as a member of the law enforcement community.

Task Force on 21st Century Policing

Mothers

Listening Session Minutes

Suggestions for Federal Action to Improve Local Law Enforcement – Already Received

1. The President has proposed a three-year \$263 million investment package to increase the use of body-worn cameras, expand training for law enforcement agencies (LEAs), and add more resources to police department reform and training. We should also investigate our legal authority through grant-making to put incentives and accountability measures in place to ensure sound protocols are in place for when those body cameras are turned off and on, who is charged with reviewing tape – and under what circumstances, and how or how long footage is preserved.
2. Host a hack-a-thon (day-long brainstorming sessions amongst tech experts) as was recently done in Seattle to generate ideas for how to review, assess and store the huge increase in video footage which will likely inundate law enforcement agencies.) OSTP is working on a similar idea using tech experts to reduce unnecessary uses of force.
3. Leverage federal resources to encourage meticulous data collection, assessment and transparent protocols by law enforcement to track patterns with regard to officer deployment, stops, searches, uses of force, shootings, arrests, and the conduct of individual officers or police units.
4. Use the follow-up to the federal review of Federal Support for Local Law Enforcement Equipment Acquisition, we should work to strengthen oversight and procurement protocol to ensure proper training and guidance on when and how to use the equipment is provided.
5. Instruct DOJ to assess existing federal guidelines for how investigations and reviews of police shootings should be handled to maximize transparency, ensure independent oversight, and streamline state and federal appeals processes.

6. Look for ways to strengthen trainings on community policing, cultural sensitivity and fluency, implicit bias, deescalating conflicts, gauging the necessary use of force in relation to the perceived violations and threats, and non-confrontational solutions to ensure maximum safety of both officers and citizens.
7. Identify improved officer recruitment and hiring processes to increase diversity and factor in cultural competency, local roots, capacity for relationship building.
8. Strengthen case management techniques to help veterans effectively transition from their roles as soldiers abroad to new roles as peace keepers here at home.

Suggestions for Local Action to Improve Community Relations – Already Received

1. Police unions and departments should prepare community engagement plans following police shootings and altercations to express their sadness, potentially provide reconciliation funds, address or treat families for grief, PTSD, subsequent job-loss by family members, etc.
2. Maximize the transparency of internal incident review processes by law enforcement agencies.
3. Look for ways to incorporate youth activists, and parent organizations into officer trainings.
4. Host regular community forums, co-hosted by law enforcement, community leaders and youth.
5. Build police mentorship programs. (Both ‘explorer’ programs to attract homegrown officers, and more general mentorship-pairing programs.)
6. Instituted police volunteer programs in the communities they serve (Taking part in non-law enforcement related projects in the communities they serve – led by local residents and leaders.)
7. Host regular community events, block parties and fairs co-hosted by the police and local churches, DJ’s. Can include everything from health clinic services, bouncy houses, food, music, job fairs, school and job-training resources, college-fair, legal counseling, financial planning, etc.