

THE PRESIDENT'S TASK FORCE ON 21ST CENTURY POLICING

Final Report Conference Call

Items for Discussion

1) *Add clarifying language to 2.13.1 and 2.13.2 regarding BJS and CDC Surveys – action items unintentionally suggest that only questions about sexual harassment and misconduct towards LBGTQ persons need to be added. Should capture information on harassment and misconduct towards anyone, and in particular LBGTQ. See below for language for TF discussion/adoption. Highlights reflect additions.*

2.13.1 ACTION ITEM: The Bureau of Justice Statistics should add questions concerning sexual harassment of and misconduct toward **community members, and in particular** LGBTQ and gender-nonconforming people, by law enforcement officers to the Police Public Contact Survey.

2.13.2 ACTION ITEM: The Centers for Disease Control should add questions concerning sexual harassment of and misconduct toward **community members, and in particular** LGBTQ and gender-nonconforming people, by law enforcement officers to the National Intimate Partner and Sexual Violence Survey.

2) *Additional Reference to Advancement Project Report. Insert the Advancement Project Report into the appendix. Alternatively, in Recommendation 2.1 add to the description of the LA project by explicitly refer to the Advancement Project's report and insert a new link and footnote. See below for language for TF discussion/adoption.*

2.1 RECOMMENDATION: Law enforcement agencies should collaborate with community members to develop policies and strategies in communities and neighborhoods disproportionately affected by crime for deploying resources that aim to reduce crime by improving relationships, greater community engagement, and cooperation.

The development of a service model process that focuses on the root causes of crime should include the community members themselves because what works in one neighborhood might not be equally successful in every other one. Larger departments could commit resources and personnel to areas of high poverty, limited services, and at-risk or vulnerable populations through creating priority units with specialized training and added status and pay. Chief Charlie Beck of the Los Angeles Police Department (LAPD) described the LAPD's Community Safety Partnership, in which officers engage the community and build trust where it is needed most, in the public housing projects in Watts. The department has assigned 45 officers to serve for five years at three housing projects in Watts and at an additional housing project in East Los Angeles. Through a partnership with the Advancement Project and the Housing Authority of the City of Los Angeles, the program involves officers going into the housing developments with the intent *not* to make arrests but to create partnerships, create relationships, hear

the community, and see what they need—and then work together to make those things happen.¹ The work in Watts has been documented in an Advancement Project report presented to the task force.²

3) *Clarification of 2.2.4 reference to Deaths in Custody Program as voluntary. Potentially explain the program is voluntary for LE agencies but not for states. See below for language for TF discussion/adoption.*

2.2.4 ACTION ITEM: Policies on use of force should also require agencies to collect, maintain, and report data to the Federal Government on all officer-involved shootings, whether fatal or nonfatal, as well as any in-custody death.

In-custody deaths are not only deaths in a prison or jail but also deaths that occur in the process of an arrest. The Bureau of Justice Statistics (BJS) implemented the Arrest Related Deaths data collection in 2003 as part of requirements set forth in the Deaths in Custody Reporting Act of 2000 and reenacted in 2014. Although states receiving grants under the Edward Byrne Memorial Justice Assistance Grant Program are required to provide this data to BJS, the Arrest Related Deaths data collection is a voluntary reporting program for law enforcement agencies. Access to this data is important to gain a national picture of police use of force as well as to incentivize the systematic and transparent collection and analysis of use of force incident data at the local level. The agency-reported data should include information on the circumstances of the use of force, as well as the race, gender, and age of the decedents. Agency data should be reported to the U.S. Department of Justice through the FBI's Uniform Crime Reporting System or an expansion of collections managed by the BJS.

4) **Removal of Action Item 1.9.3** that requests: “The U.S. Department of Justice should remove civil immigration information from the FBI’s National Crime Information Center database.” The FBI advises that civil immigration information does not currently exist in the FBI’s National Crime Information Center (NCIC) database and that NCIC discontinued the practice of accepting this information some time ago. Accordingly, there is nothing to remove from this database.

5) *Addition of “religion” to recommendation 2.13 on a strong and enforceable ban on profiling. See below for language for TF discussion/adoption.*

¹ Listening Session on Policy and Oversight: Civilian Oversight (oral testimony of Charlie Beck, chief, Los Angeles Police Department, for the President’s Task Force on 21st Century Policing, Cincinnati, OH, January 30, 2015).

² Constance Rice and Susan K. Lee. *Relationship-Based Policing: Achieving Safety in Watts* (Los Angeles, CA: The Advancement Project, February 2015), <http://67.20.108.158/sites/default/files/imce/President%27s%20Task%20Force%20CSP%20Policy%20Brief%20FINAL%2002-27-15.pdf>.

2.13 RECOMMENDATION: Law enforcement agencies should adopt and enforce policies prohibiting profiling and discrimination based on race, ethnicity, national origin, religion, age, gender, gender identity/expression, sexual orientation, immigration status, disability, housing status, occupation, or language fluency.

6) Rework of 2.11 to clarify what should be contained on the information card officers distribute at stops, perhaps by adding descriptive text. See below for language for TF discussion/adoption.

2.11 RECOMMENDATION: Law enforcement agencies should adopt policies requiring officers to provide their name and rank to individuals they have stopped, along with the reason for the stop, the reason for a search if one is conducted, and a card with information on how to reach contact the civilian complaint review board.

Law enforcement officers should carry cards displaying the phone number of their agencies' applicable civilian complaint review board and distribute them in all encounters, including those that do not result in an arrest or summons. These cards can be produced so as to allow officers to also include their name, rank, and command (if applicable) at the time of distribution.