Rank and File

LEADERS IN BUILDING TRUST AND COMMUNITY POLICING

James E. Copple and Nicola L. Erb

COPS
Community Oriented Policing Services
U.S. Department of Justice

SAI LLC
FROM VISION TO RESULTS

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Letter from the Director

Dear law enforcement colleagues,

We know that a critical component of effective policing is listening to the communities we serve as well as to the law enforcement officers on the front line. Accordingly, it gives me great pleasure to present this report of the discussions at the Rank and File Forum, which the COPS Office was honored to host in May 2016, the first forum of its kind.

My colleagues and I were deeply impressed by the officers who shared their experiences with us and contributed their expertise to addressing the challenges that they and their hundreds of thousands of peers across the country face today. As the authors of this report noted, leadership does not depend upon title or rank—it is derived from character and commitment. It is expressed in actions more than words.

The men and women who participated in this forum displayed true leadership by openly and vigorously debating strategies for developing policies and procedures related to these topics, challenging assumptions, critiquing strategies, and recommending ways to implement reform in the criminal justice system. I thank them for their generous contributions of time, energy, ideas, and information.

I also want to thank Attorney General Loretta E. Lynch; Deputy Attorney General Sally Yates; and Vanita Gupta, head of the U.S. Department of Justice Civil Rights Division—not only for their engaging in conversation with the participants but also for their continued commitment to supporting the work of state and local agencies throughout this country.

In closing, I must say that this was truly an inspiring meeting. I encourage all law enforcement executives to listen to the voices of the rank and file captured in this report and explore their ideas and observations within your own agency. The synergy of the participants in this forum was galvanizing, sparking enthusiasm for action in all who attended and providing concrete, practical solutions for many of the challenges the group tackled. The forthright input of these outstanding men and women who serve on the front lines of law enforcement is critical to understanding the problems they face and developing workable solutions. I expect this forum to have an ongoing impact of which we will all be proud.

Sincerely,

Ronald L. Davis
Director
Office of Community Oriented Policing Services

Acknowledgments

It is with great appreciation that we recognize the work of the dedicated COPS Office staff members—Robert E. Chapman, Deborah Spence, Helene Bushwick, and Elizabeth Simpson—who took the idea for a Rank and File Forum and drove it toward implementation. Their work to identify the departments to be represented and moving forward to develop the agenda for the forum was vital to its success.

Jessica Drake of Strategic Applications International (SAI) organized logistics and coordinated travel for the 40 participants. Colleen Copple, principal and co-founder of SAI, organized materials and contributed to the design of the forum. The work of the individual facilitators— Eric Nation of the National Alliance for Drug Endangered Children; Monica Palacio, Director of the Washington, D.C., Department of Human Rights; Darryl Jones, retired president of the Maryland Fraternal Order of Police and former Vice President of the National Crime Prevention Council; Jason Drake, chief financial officer of SAI; Stephen Manik of SAI; and Anthony Ramirez of the Pacific Institute for Research and Evaluation—was critical to the day's success. We are also grateful to Letitia Harmon for providing transcription for the entire forum.

We wish to offer a special recognition to Noble Wray, Chief of the Policing Practices and Accountability Initiative of the COPS Office, for assisting in the facilitation and design of the forum.

Throughout this document are numerous quotations. Where and when the sources gave permission, we cited the name of the officer and the agency that sent him or her to the forum.

Introduction

The President's Task Force on 21st Century Policing focused heavily on transformation and the development of leadership to restore and maintain trust in policing. But leadership is not just about title, command, or rank. Leadership is about character and commitment to service. All ranks of law enforcement officers serve as everyday leaders.

On April 22, 2016, the Office of Community Oriented Policing Services (COPS Office) within the U.S. Department of Justice (DOJ) facilitated a forum comprising 40 rank-and-file officers to discuss their role in implementation of the 59 recommendations presented in the six pillars of task force report. *Rank and file* has become the nomenclature for identifying ordinary members of any group not in command. Originally developed as a military term and referring to the rows and columns of soldiers drawn for drill that did not include officers, the term has been integrated into police culture.

The 40 participants in the COPS Office Rank and File Forum serve as some of our nation's most effective everyday leaders. Chosen by their agency heads to participate in the one-day forum, they brought energy, insight, and years of experience to the discussion. A consistent theme from the participants was, "Finally, somebody in leadership is asking those who do the daily work what they think and how they feel about their profession." Or as Michael Hauck of the Oneida Indian Nation Police summarized the meeting and the attitude of the group with some humor, "If they had a rank and file meeting three years ago, this report wouldn't have been necessary."

COPS Office Director Ronald L. Davis challenged the participants to engage: "This is free, open space. The only way we will learn from you is for you to feel comfortable to engage in what works, what doesn't work, and what you would like to see change."

The forum focused on three primary areas of concern to the DOJ and rank-and-file officers:

1. Officer safety, wellness, and morale
2. Community and police relations
3. The President's Task Force on 21st Century Policing

SAI consultants conducted pre-forum phone interviews with a majority of the participants before they came to Washington. The pre-forum interviews were informative and helped to guide the development of the agenda and discussion.

The forum structure was designed to maximize officer participation. Each plenary topic was followed by table discussions; officers provided specific examples or recommendations related to the topic. We combined the recommendations from the plenary sessions and table discussions and compiled them into highlighted lists throughout the document. These facilitated discussions allowed officers to get specific and ask questions of their colleagues and peers.

Officer Morale, Safety, and Wellness

Setting the stage for the day's discussion, Deputy Attorney General Sally Yates, a career prosecutor overseeing the work of over 200,000 DOJ employees, initiated the dialogue. A former assistant U.S. attorney, Yates affirmed the importance of rank-and-file officers in the effective workings of the criminal justice system: "I know how critical a partner you are. Beyond being a partner, I would not have the guts to do what you do every day. It's one thing to be an AUSA and write the search warrant [from] behind the safety of your desk. But for you guys, when you go out and execute that search warrant and don't have any idea what's on the other side of the door, that's entirely different. On a daily basis you risk your lives and you do it for the community and for justice. We prosecutors don't risk our lives. I have been humbled by your courage, bravery, and commitment."

Yates acknowledged that today's law enforcement officer is in a difficult situation. "If I were you, I would probably be troubled by the fact that the actions of a few officers seem, in the public eye, to define law enforcement generally. You don't get the credit you deserve for going out there every single day and risking your lives to protect us. We get that."

The first question presented to the participants focused on morale: What reinforces or contributes to a positive work environment where morale is high? This question generated a lot of discussion about community and leadership support. Factors contributing to positive morale were public support, possessing the right and appropriate tools to do the job, being appreciated and valued by leadership, and strong communication with communities.

One officer summarized the challenge of developing and maintaining positive morale in a department when stating, "It's not just what we're saying, but the things said here by great leadership are the things our departments need to hear. We need to get back to the public about the nobility of our profession. We are wearing this badge because of nobility. We need to hear from leadership about that. We don't need them to defend actions as right or wrong but to say what law enforcement is about and the process of policing in America."

This comment launched a discussion about the manner in which the DOJ and the White House have responded to recent police shootings. Jacqueline Merriman of the Newport News (Virginia) Police Department, representing the opinion of the majority of the participants, made the argument, "It goes all the way to the top, to the White House. When we have incidents like Ferguson where the President gets on TV and says how devastating this was, we have had so many officer deaths this year and he has not gone on once to say how devastating that it was that a police officer was shot on her first day of work. That is a huge morale buster. When you are someone new in a department, and you come to morale that is low—it's not a career, it's a job. That's not what we need."

Director Davis pointed out the President actually calls the families of fallen officers and reaches out as he is informed of these events. This is not done with the flurry of a press release, but rather, he seeks to respect the privacy of the family. Another recommendation

to the White House and DOJ was, "We need the President to go on television regularly and say we trust you. Bring nobility back to this profession. He needs to support us. These cops are doing a good job, the 99.999 percent that are out there. We need to hear that."

There were a series of ideas generated on how the White House and the DOJ could better communicate their support of local law enforcement. For example, when the President travels around the country making appearances, it would behoove him from time to time, because of the media attention, wherever he goes, to occasionally recognize somebody such as an officer from that area for something they have done. Emphasize the positives of the profession. Make it clear to the press or the public that national leadership will suspend judgment or comment until the facts of any shooting are fully investigated and adjudicated. The White House and the DOJ should encourage public information officers in departments to communicate the facts of any officer involved shooting directly to the DOJ. The President and the DOJ should take every opportunity during National Police Week to support law enforcement nationwide.

Recommendations to improve morale

Recommendation: Local departments need to be completely transparent and open in press statements regarding officer shootings. Post entire press conferences on department websites. Avoid sound bites that can be distorted. Leadership in Washington—the DOJ and the White House—should first listen to the details of a critical incident before responding.

Recommendation: Agencies should set up risk-free listening posts with command and leadership to allow officers to express concerns or frustrations.

"A simple pat on the back goes a long way with cops. The sergeant knows what is going on with you. . . . If you have a good boss, you feel more comfortable. . . . You do a good job, you get recognition."

– Abel Salas, Denver (Colorado) Police Department

Recommendation: Federal, state, and local agencies should encourage department and city or county leadership to recognize leaders within rank-and-file officers.

Recommendation: In all phases of officers' careers—recruitment, training, and experience as active duty officers—they should be treated and viewed by agency leadership as professionals who exist to protect and serve the public.

Officer safety and wellness are directly linked to the issue of morale. Participants in this forum generally believe departments with low morale are at greater risk for hazardous behavior related to physical fitness and mental health. Departments focusing on the protection and health of their rank and file generate loyalty and commitment and prevent officer burnout, which results in higher levels of retention.

"I think the topics of safety, wellness, and morale are interrelated. A cornerstone of morale and officer safety is trust. If a guy shows up and doesn't trust his agency or partners he will not do his job. It will result in bad things happening." This is more than perception—it is a position stated repeatedly by forum participants.

Participants clearly stated they need support from leadership and better engagement by their unions to actively engage in safety and wellness issues. "Our union is strong but focused on the finance aspect. It's always about how much we get paid and how many days off. I can take a yearly physical but I can do 60 pushups in a minute and my buddy can do two, and nothing is ever done about that. The union needs to invest back to make that right and make that a focus. If you look at Officer Down [Memorial Page], they are killed by blades and firearms, but also killed by driving too fast and heart attacks. I think unions can take control of that."

Of particular concern to forum participants were issues that negatively impact fitness and health, including the following:

- **Substance abuse (a culture of heavy alcohol consumption).** There is a culture of alcohol consumption found in many agencies when officers gather for post-shift meetings known as "choir practice" or "fifth quarters." Many will argue that it takes the edge off the shift. Alcohol use and abuse is a form of self-medication to deal with post-traumatic stress disorder (PTSD) or anxiety.
- **Divorce and marital stress.** There is a perception that law enforcement officers experience higher levels of divorce and marital stress than the general population. The research contradicts this perception and finds that rates of divorce and marital stress among law enforcement are not statistically significant or especially different from rates in the general population. However, the culture of policing with the adrenaline rushes and stress contribute to marital discord and create challenges that are unique to police culture.
- **Post-traumatic stress disorder.** PTSD has often been viewed as a disorder specifically associated with the military and soldiers incurred in combat. New data clearly suggest that law enforcement agents endure the same kinds of stress and exposure to violence as combat soldiers. Understanding this reality will better prepare agencies and the community to respond to these disorders.
- **Lack of support or respect from communities.** There is a growing and developing perception among law enforcement that the community does not trust police and believes they tend to abuse their power. Media reporting on police shootings have contributed to this perception.
- **Bias and discrimination accusations.** Understanding implicit bias and how bias is understood by the community has challenged agencies to look at their training and how they respond in specific situations with specific groups of people. Police are often put on the defensive.

Recommendations for officer safety and wellness

Recommendation: Agency leadership should help create time to decompress after a critical incident involving an officer involved shooting or critical incident.

One participant shared the following experience: "I gave CPR to a girl who died in my arms, but 15 minutes later I'm handling a domestic dispute. How can I handle that when I can still taste the girl I gave CPR to? You can't decompress. There's no time between calls. That's the reality and we need to destigmatize it and prioritize this. There needs to be a time to process and integrate the realities of their experience with the feelings that experience generates. There is no time for grieving."

Recommendation: Through awareness programs and "talking circles," confront the issues surrounding stigma regarding mental health and the challenge of maintaining balance in one's life.

Recommendation: All departments should put into place a critical incident stress management officer (CISM). In many communities, CISM positions are mandated by law. In other communities, they are part of the negotiated agreement between the union and the department.

Recommendation: Through roll call and other communications, departments should frequently remind officers of counseling services, wellness programs, and other support programs such as employee assistance programs (EAP) for both mental and physical health.

Recommendation: Unions should take a proactive approach advocating for safety and wellness programs.

Recommendation: Departments should mandate quarterly visits with mental health providers; such a practice would help eliminate stigma and facilitate open discussions about all aspects of an officer's life. A quarterly visit would become part of the routine of an officer and therefore help to remove stigma and build a relationship with a provider.

"We need a hotline or anonymous call center where they can call. An officer who is suicidal will never let that show at work. If he does, we can tackle it, but that's not how it happens. The families are on the front lines and need to be included."

– Juan Sanchez, Sarasota (Florida) Police Department

Recommendation: Unions should create a national hotline with local referrals for officer suicide prevention and intervention.

Recommendation: Agency leadership should develop and enforce guidelines for fitness in their departments. These guidelines should be age appropriate and respond to the demands placed on the rank-and-file officer.

Recommendation: Unions and agencies should advocate for a full range of psychological services—from basic counseling to therapy—and to promote insurance coverage for these services.

Recommendation: Provide in-service workshops on work-life balance to address the "adrenaline junkies" in departments who commit to work and then that work overshadows their commitment to family and the community.

"Regarding PTSD and mental health, we know that Sandy Hook happened in Connecticut in a neighboring town to where I live. I heard the choppers over my house all day and went to turn on the news. What happened was unthinkable. Thirty-two states cover PTSD under worker's comp; 18 states don't, and Connecticut is one of them. We have tried to pass laws every year so that PTSD can be covered. Worker's comp is stipulated in each state; it's not a federal thing. The law determines what is covered and which network you can seek treatment through. I think it's terrible we seek treatment through our own private insurance, subject to deductibles and copays, and the only way to recover from a mass casualty like this is sick leave, comp time, or vacation. There were officers who spent days and days in that one classroom where children were murdered. Seeing it, smelling it—they will live with that for the rest of their lives—none of those people were afforded coverage under worker's comp. We'll get to recommendations eventually, but through whatever means possible, it seems appropriate for the Federal Government, and the chief himself, to cash in whatever capital he's got in the remaining time, see those eighteen states get on board."

– David Orr, Norwalk (Connecticut) Police Department

Community-Police Relations

Not all the rank-and-file officers could report the same level of positive response from their communities as Tony Vienhage reports in Springfield, Missouri. Trust, once again, was a major component of the discussion. Chris Cognac of the Hawthorne (California) Police Department made the point, "Radio calls, use of cellphones, police cars, and preconceptions are the major barriers to building trusting relationships. Drive around all day, that is what the community thinks we do." Many officers argued that traffic stops are the worst contacts they have with people and continue to complicate their relationship with the general public. "Everyone thinks we are out to give them a ticket," was the complaint of another officer.

"We are lucky to have a very supportive community in Springfield, Missouri. Shortly after Ferguson, one of our officers was shot in the face. The initial prognosis was he was not going to make it. A day later we heard, he'll make it, but never walk or talk again. It kept getting better and better. A year and half later now, Aaron is alive. He will have a little bit of speech problem and seizures throughout his life, but it is a fantastic story.

"Shortly after he was shot, the fundraisers began for him. He's married and has two little kids. Shortly after fundraisers started, the community raised about $500,000 for him and his family. We have a minor league baseball team in Springfield. Sorry, I still get emotional. At that game the community presented him with a check for, I can't remember the total, but it was around $530,000. The family is doing fantastic now. He does have a disability and won't be a police officer again. We have a good agency. He was a young officer and one of the best we had. It's a miracle."

—Tony Vienhage, Springfield (Missouri) Police Department

Tony Jones of the Oakland (California) Police Department said, "Sometimes we are our own worst enemy." He further elaborated, "Take a look at Charleston, [South Carolina,] where the officer shot that guy in the back and then planted the Taser on him. That incident opened up so many wounds for the community. They have been critical of police and the community and how we handle those things for decades. That gave them the platform to say we told you that's what you do."

Because of budget cuts and reduction in forces, field training officers (FTO) no longer emphasize activities associated with community policing. "You don't have time for that stuff," participants said. Crime prevention training and activities are a luxury in many departments. Patrol is the heartbeat of policing. Yet how officers relate to the community during patrol is not a priority. "Get in and get out" is the dictate of many FTOs. You have to clear the screen. Clear cases or you get "jacked up."

Civilian oversight

From a general discussion of community policing the forum transitioned to a discussion of civilian oversight—a major component in the *Final Report of the President's Task Force on 21st Century Policing*. The participants expressed a wide range of opinions from absolute support to complete disdain with a variety of opinions in between.

Participants came to a consensus that civilian oversight boards or groups need training or exposure to the realities of policing to be effective. Bringing people in off the streets with no appreciation for the challenges of policing is harmful and only complicates their role. Yet done correctly, civilian oversight can be a valuable tool for building trust with the community. "It all comes down to knowledge," said Don Peterson of the Gallatin (Montana) Sheriff's Office. "We do that with the citizen's police academy. We take maybe 30 people out of the public that want to come. It started with our commissioners."

"It feels good for politicians," one officer argued, "yet it does absolutely no good." Medicine and aviation are the two principle professions that have independent oversight or accountability. In both these professions, oversight is the responsibility of a combination of professionals who understand the science and technology of their disciplines and beneficiaries (patients or clients) who inform practice and policy. Introducing the same concept into law enforcement will be met with resistance if it does not include a prerequisite knowledge and understanding of law enforcement as a profession. It can be a morale breaker if not structured correctly.

While many participants were generally skeptical about civilian oversight, they conceded it is part of the future of policing. If implemented, they believed transparency and protection of the officer's rights must be guaranteed. Some of the officers said their departments need more models and guidance on how to effectively implement civilian oversight, and there was an acknowledgement that not enough has been studied about their impact—negative or positive. Vanita Gupta, director of the Civil Rights Division of the DOJ, noted that there have been many differing models of civilian review boards. "We don't have a cookie cutter approach. There is more work to be done to collect data and measure impact and identify best practices."

Recommendations regarding civilian oversight

Recommendation: Civilian oversight boards should be trained or equipped to understand the complexities of policing.

Recommendation: Use panels of retired judges or retired law enforcement officers to bring impartiality and independence to the process.

Recommendation: Civilian oversight boards should hold findings in confidence to protect the rights of officers and to insure transparency in the process.

Recommendation: Regional oversight by professionals assigned to specific departments could assure impartiality.

Recommendation: The DOJ should establish guidelines and guidance for the creation of civilian review boards.

Civilian oversight remains a challenging issue for rank-and-file officers. Theresa Velez of the Hartford (Connecticut) Police Department said, "I don't see them going away." Participants had a number of other recommendations on ways to improve community-police relations.

The role of the Civil Rights Division in local law enforcement

Director Gupta opened the discussion by acknowledging that the work of the Civil Rights Division is not widely understood and she feels "We have to be transparent as we do this job and hear questions and concerns."

Director Gupta described the last 18 months as a time of deep dialogue and stated to the forum, "I have felt there is a dehumanization and lack of regard for police officers." The role of rapidly posted social media has created a "narrative that doesn't reflect the thousands of interactions each day that don't go viral." She explained, "There's been a demonization and polarized rhetoric." She described how victims feel "marginalized" by government, but she has heard the same from police officers. They become the "face of government" in these communities, holding the "front lines" and taking the blame. "I hear daily talk about the stress of jobs and how the [DOJ] needs to help lift up the work and engage in officer wellness and safety and have equipment provided."

Director Gupta outlined the work of the Civil Rights Division as criminal prosecution, civil investigations, and investigating police officers who violate constitutional rights of citizens (both to close out investigations and to prosecute). She explained they close out a vast number of cases because their statute requires "willfulness and criminal intent," which is not present a majority of the time. She used the example of the officer who shot and killed Michael Brown, in which case in spite of a public narrative influencing the case, the facts did not support a finding that a federal crime was committed. The division gave a great deal of explanation in this case in a public report.

In addition, the division conducts civil investigations involving "pattern and practice." Such investigations were initiated in Ferguson and then in Baltimore and Chicago. In 1994, Congress gave the Civil Rights Division authority to investigate and sue if there is a "pattern of constitutional violations such as arrests and discriminatory policing." Out of 15,000 law enforcement agencies, 22 investigations been opened and only 20 of those have arrived at agreements nationwide since 1994. While the division may receive many complaints and letters, most do not result in a case being initiated.

Director Gupta shared that the division issues public reports of findings including the methodology used and what was discovered in the investigation. "It was not fair to the public or police officers if we made these decisions without public reports," she said. The purpose is not what most would think. "Our goal in civil investigations is not to focus on individuals." Officers' names are not released. Gupta stated with sincerity, "We want to make sure officers are provided the tools they need to do their jobs safely including training and policy guidance and equipment. I think those things are part and parcel of the work we are doing." The rank-and-file officers are often consulted, ride-alongs are done, and investigators talk to community members. "The outreach is important," Gupta explained. "For us this centers around community, and I include law enforcement in community. You market change."

United States Attorney General Loretta E. Lynch

United States Attorney General Loretta E. Lynch opened her dialogue with the audience by sharing that the week marked her first anniversary in office and said, "A lot has happened." She continued, "It's been a great year of great change for policing."

Attorney General Lynch shared that her priorities are to improve relationships between law enforcement and the communities they serve. "I reject this strict break between law enforcement and community because we all live somewhere and are part of a community. . . . It harms how we interact with people and how we talk about the issues." She endorsed the skill of listening in building relationships and spoke about her community policing tour to several cities facing challenges. The Attorney General's Community Policing Tour focused on how she was impressed with community and law enforcement dialogue development, bridge building, and how communities work towards "recognition that we are all one community." The tour was divided into two phases. In the first phase, the tour highlighted collaborative programs and policing practices designed to advance public safety, strengthen police-community relations, and foster mutual trust and respect. The second phase of the tour focused on the six pillars of the task force report and how agencies actually implemented task force recommendations. The attorney general made it a distinct priority to listen to those within the criminal justice field, even attending rank and file shift briefings and academy classes to hear the concerns from a wide range of professionals.

Attorney General Lynch expressed her gratitude to the rank-and-file officers for their dedication, safe policing, improvements to the profession, and contributions to the forum. She told the officers, "We could not do this without you. We could not have COPS [Office] programs, the community policing we do, the task force and its report, without you." She went on to say "we may not always agree" and made it clear that is when it is most imperative that she be able to have the dialogue. "We may not come together, but we will be able to talk about anything. I commit that to you, pledge that to you, as Attorney General of the United States and someone who greatly appreciates your fight every day."

During a question-and-answer period, the first inquiry came from an officer in a state where marijuana legalization is being considered. He asked if the U.S. Department of Justice (DOJ) was considering changing the scheduling of marijuana from its current schedule I level to a lesser ranking.

Attorney General Lynch explained the ways in which scheduling can be changed through an application, research, and the roles of the Drug Enforcement Administration and the Federal Drug Administration. She assured the audience that federal marijuana violation enforcement is still quite active even though specific states have chosen to change state-level laws—changes that are being closely observed. She clarified for the officer that no federal legislation is pending to change the scheduling or legalization.

Another officer inquired about officer wellness and the position of the DOJ to promote programming for agencies through funding or grants. The officer expressed that wellness extends beyond physically "working out" but includes mental health wellness.

Attorney General Lynch responded that the department is currently trying to "find light on the issue" and wants to focus on "training and wellness" from the "academy up." She emphasized that not only physical wellness but also "dealing with stress and trauma in particular" should be a priority. She stated, "This is something we have to promote." She pointed out when wellness came up with the President's Task Force on 21st Century Policing there were some who wondered why it was being discussed. The attorney general said, "If people are not in the condition they need to be in to interact with citizens, who themselves are often in a bad place, the outcome will not be good."

Director Gupta discussed how training and additional resources are critical improvements for many agencies and communities they work with. The relationship building is important in breaking down stereotypes. She closed with, "I think that there are a lot of ways we ask more than should be expected of our police officers. . . . We have thrown the criminal justice system at all these problems, but it's a lot to ask of you for handling fundamental social problems and inequality in a community and you are the face of government in those communities. We are responsible to recognize that we need to give you support."

Body-worn cameras

Discussion also turned to the use of body-worn cameras. One officer asked Director Gupta, "Has your office or any other federal office from DOJ looked at the potential civil rights issues of the officer being ordered to wear a body cam for the duration of a shift? It seems to sweep across the country." Gupta responded, "This bucket of issues is all unfolding. The Civil Rights Division doesn't mandate body cameras." She advised that the Office of Justice Programs put together a toolkit that may serve as a valuable resource. She added there are numerous issues involved on the state as opposed to the federal level. "There are a lot of real-time conversations happening on these issues." Controversies exist over the storage of the material recorded. Gupta added, "That is where the [DOJ] can put out the toolkit for best practices, but we cannot weigh in directly."

There was further conversation about how numerous states are engaged in the development of policies around body-worn cameras. The toolkit is a free resource, and there are also two free guides from the DOJ on body-worn camera programs. Those publications are (1) *Implementing a Body-Worn Camera Program: Recommendations and Lessons Learned*,[1] a tool that provides a review of current practices as well as identifying challenges in implementation, and (2) *Police Officer Body-Worn Cameras: Assessing the Evidence*,[2] a review of the literature and research on body-worn cameras. It provides important information on how body-worn cameras can improve police legitimacy and contribute to reduction in force but also identifies the challenges related to costs and the issue of privacy for both citizens and police. Funding has been released through the National Institute of Justice (NIJ) to assist agencies in acquiring cameras and developing policy and many agencies may have opportunities to acquire body-worn cameras. Director Davis of the COPS Office added, "We are strongly recommending that you don't just buy the cameras and slap them on the officer's chest. . . . Vanita's point is there are different state laws." He added, "The vast majority [of officers] do a good job and the cameras are clearing them." It was concluded that "comprehensive best practices" are needed.

1. Lindsay Miller, Jessica Toliver, and Police Executive Research Forum, *Implementing a Body-Worn Camera Program: Recommendations and Lessons Learned* (Washington, DC: Office of Community Oriented Policing Services, 2014), http://ric-zai-inc.com/ric.php?page=detail&id=COPS-P296.
2. Michael D. White, *Police Officer Body-Worn Cameras: Assessing the Evidence* (Washington, DC: Office of Community Oriented Policing Services, 2014), http://ric-zai-inc.com/ric.php?page=detail&id=COPS-P289.

Mass demonstrations and the new civil rights movement

Participants were also asked to react to the new civil rights organizations such as Black Lives Matter and how those organizations express themselves in mass demonstrations.

Participants provided a wide range of reaction but for the most part viewed these demonstrations as they would any other demonstration: (1) People have a right to demonstrate, and we should protect that right, and (2) they do not have the right to break the law or destroy property, and police response should be to uphold the law and to protect property.

Lloyd Martin of the San Francisco Police Department said, "We deal with this almost daily. That's one of the main things we are taught in the academy. We are taught how to deal with First Amendment expression. . . . My only concern is it drains manpower. Our protests are huge and require significant response."

Another officer expressed the opinion of many: "You have to give them the space. If you come out swinging you will just give them more fuel for the confrontation. So let them do it in a safe way and explain that you are behind their First Amendment rights, and support the right to protest and let them go, as long as they understand the boundaries."

Departments must plan for these events and part of that planning includes regular dialogue with community leaders, protesters, and protest organizers. Transparency is key to a demonstration being nonviolent and at the same time protecting the community and the free speech of the demonstrator. Intelligence gathering through a network of trusted community leaders is our best tool when dealing with a potential demonstration of any size.

Abel Salas of the Denver (Colorado) Police Department talked about how their department prepared for the 2008 Democratic National Convention (DNC) and the street demonstrations following the Denver Broncos' victory in the 2015 Super Bowl. "For the DNC, we prepared for [more than] a year. We were both strategic and tactical. Communication was critical. The Broncos, go Broncos, just won the Super Bowl. But weeks before the Super Bowl we started putting out social media. We could not use the church, so we used the Broncos. They were on commercials, 'hey don't act like a donkey, celebrate responsibly.' We had these announcements and commercials aimed at younger people. When the Broncos won and we had the parade after, we had no issues. Depends on the situation, but if we can have the time to ease into it, and have command staff make those contacts they have, it give us a little breathing room."

Whether dealing with student demonstrations, Super Bowl parades, or reaction to a critical incident involving police, social media can be our friend and be the most effective tool. Officer after officer echoed that theme.

Recommendations for improving police-community relations

Recommendation: Agencies and officers need to use the COPS Office for technical assistance when community conflicts arise before they reach a level of investigation.

Recommendation: Leadership should read and apply the lessons learned from the reports issued by the Civil Rights Division to your agency and community.

"We have a program called the DMI program: drug marketplace intervention program, which is really spearheaded through DOJ and the U.S. Attorney's Office. Our objective is to rid this bad neighborhood in Atlanta of heroin dealers. We worked for three to four months to build criminal cases against these heroin dealers. After we gathered enough evidence, they were told to show up in this church, otherwise they would be federally indicted. As I think anyone knows, it's unusual for DOJ to have interest in a street-level heroin dealer, but that's what these individuals were facing: federal prison time.

"We had people come to the church service where we had community activists like United Way and faith-based groups and the dealers were given the opportunity to participate in rehabilitation. Not only did these heroin dealers cease for a period of time, but we gained intelligence about other crimes."

– Frank Ruben, Atlanta (Georgia) Police Department

Recommendation: Agencies and community leaders need to understand that the Civil Rights Division is a resource and interested in engaging in dialogue about the issues facing policing in the 21st century.

Recommendation: Agencies and officers need to take responsibility and create their own narrative. Take part in social media and promote positive messaging about the positive work done in law enforcement and with your community.

Recommendation: Agencies need to conduct research and make informed decisions and polices around both civilian review boards and body-worn cameras. Read the toolkits and publications that are available.

Recommendation: Agencies should structure patrol to allow officers to have more direct contact with the community.

Recommendation: Agencies should respond to crime the same in high-crime and low-crime areas.

Recommendation: Start community policing with younger officers so it becomes part of their culture.

Recommendation: Build relationships with communities of faith to help broker relationships and mediate conflicts.

Recommendation: Develop "anchor" relationships that can help translate police behavior or actions to the broader community. Get to know the community leaders. This strategy can improve officer safety.

Recommendation: Hold regular meetings or open forums in different neighborhoods. These forums should focus on disseminating crime data for the community but also listening to concerns. Good relationships are a tool for securing good intelligence.

Recommendation: Facilitate meetings or gatherings outside of traditional policing. Barbeques, visiting senior citizen facilities, schools and being available are critical.

Recommendation: Meet regularly with city and police leadership to communicate the positive outcomes to community policing.

Recommendation: Collect data to show impact and outcomes of effective community policing.

"I was hired in 1996 under a community policing grant. Fast forward. I was dispatched to a domestic at a block party. A husband and wife are arguing. I have to act because he is literally beating her to death. I get in between and the rest of the crowd collapses on me. We just saw a video of an officer trying to arrest and the entire apartment complex tried to disrupt the arrest. Well, as the crowd is coming down on me, I hear this voice, 'Leave that officer alone, he's a good guy.' He jumps in and keeps the crowd away. He doesn't fight them but keeps them at bay so I can do my job. That man is Carlos. I met him doing my walking beat. I got to know him. Had I not developed that relationship, I might not be here today. We encourage our officers to do that."

– Raphael Thornton, Camden County (New Jersey) Police Department

Recommendation: Use social media to enhance communication with local neighborhoods. Create Facebook pages and Twitter messages that emphasize relationships.

Recommendation: Develop Coffee with a Cop programs building relationships with diverse ages and groups within your community.

The discussion around community-police relationships was energized by practical examples of how law enforcement builds those relationships on a daily basis. These activities are low cost strategies with high impact results. Examples from the pre-interviews and table discussions included the following:

"We have a huge community relations push such as cookouts and other events. But it gelled when we opened up the police department on Halloween to host trick or treating. It goes with transparency. Why shouldn't we have an open house? We serve the community. Open up the doors; have officers dress up in costumes and hand out candy. No one knew how successful that would be until we had to make several candy runs when 1,200 kids came."

– Amy Dotson, Peoria (Illinois) Police Department

- Officers carrying toys in the trunks of the car to distribute to children in neighborhoods
- Coffee with Cops
- Senior citizen visits
- Holding business roundtables and doing basic crime prevention assessments with businesses

- Assigning language proficient officers to neighborhood that are non-English speaking
- Partner and collaborate with public health officers in doing health and safety assessments
- School and community center presentations on implicit bias
- Citizen advisory councils organized by the agency and led by the officer assigned to that district or precinct
- Develop and promote access to citizen academies

Task Force Report on 21st Century Policing

The third phase of the day's forum focused on implementation of recommendations in the *Final Report of the President's Task Force on 21st Century Policing*. The first major question posed to the participants was, "What works or gives you hope about the profession when you engage the task force report?"

Chris Cognac of the Hawthorne (California) Police Department responded, "It validates our ability to go out and make an impact. It empowers us to engage." Mike Hauck of the Oneida Nation said, "It's good to see it on paper." Stan Murray of the Orange County (Florida) Sheriff's Office replied, "I was looking at recommendation 1.5 where it says law enforcement agencies should proactively promote public trust by initiating positive nonenforcement activities in communities that have a high rate of engagement with enforcement agencies. Something we don't always do, promote crime prevention techniques."

Several officers pointed out that there was a strong emphasis on leadership training. The rank and file participants agreed that there are significant opportunities for training among recruits and rank and file, but leadership and command staff will need ongoing training to keep up with the changing approaches to policing. This will require reflection and thinking about policy and practice in all agencies.

Juan Sanchez of the Sarasota (Florida) Police Department asserted, "The whole report is actually really good. All the recommendations are right on the money. The one that grabbed me the most was reference to policy and oversight. In recommendation 2.12, the report actually tackles profiling. That is something that hits us hard in the media. By tackling this in policy, like anything else, it creates an environment where discussions on bias-based policing can actually happen."

Theresa Velez of the Hartford (Connecticut) Police Department described activities in her community that included meeting with landlords of multi-unit housing units in high-crime areas. "The landlords suspect prostitution and want us to go out and arrest them. What I teach my other CSO [community service officer] is about landlord-tenant meetings. We go through the HUD [U.S. Department of Housing and Urban Development] housing regulations and talk about how they should help themselves police their own community. Sometimes it works, but I think that's one of the top two things we should do in those communities."

Director Davis of the COPS Office responded, "That is perfect. If you bear that out, then you will continue by doing events in those communities. What you are trying to do is find a holistic approach. There are regulations for landlords and tenants. There's a lot that goes into this before any handcuffs come out. Then if you do have to make an arrest, people understand why."

Guardian versus warrior

The discussion of "guardian" and "warrior" as presented in the task force report produced a variety of responses and differences of opinion. One officer drew the following conclusion:

"Cops are like a Leatherman tool. It has a knife when it needs to be, a tool, a corkscrew, because it needs to have a corkscrew. So we are warriors, doctors, and fathers and mothers and everything else."

Throughout the day, references were made in regards to the tension between "guardian" and "warrior" labels. Early in the task force report, task force members emphasized the need to move toward the guardian approach to policing. Recommendation 1.1 under Trust & Legitimacy reads as follows:

> "Law enforcement culture should embrace a guardian mindset to build public trust and legitimacy. Toward that end, police and sheriffs' departments should adopt procedural justice as the guiding principle for internal and external policies and practices to guide their interactions with the citizens they serve."[3]

The task force report further amplified the issue with the following commentary:

> "How officers define their role will set the tone for the community. As Plato wrote, 'In a republic that honors the core of democracy—the greatest amount of power is given to those called Guardians. Only those with the most impeccable character are chosen to bear the responsibility of protecting the democracy.' Law enforcement cannot build community trust if it is seen as an occupying force coming in from outside to rule and control the community.
>
> "As task force member Susan Rahr wrote, 'In 2012, we began asking the question, "Why are we training police officers like soldiers?" Although police officers wear uniforms and carry weapons, the similarity ends there. The missions and rules of engagement are completely different. The soldier's mission is that of a warrior: to conquer. The rules of engagement are decided before the battle. The police officer's mission is that of a guardian: to protect. The rules of engagement evolve as the incident unfolds. Soldiers must follow orders. Police officers must make independent decisions. Soldiers come into communities as an outside, occupying force. Guardians are members of the community, protecting from within.'"[4]

This led to a discussion about police culture. Participants were asked, "What does that mean for rank-and-file officers?"

Ettice Brickus of the Baltimore City (Maryland) Police Department said, "I am definitely a warrior—because I have to be. But I know when it applies and when it does not apply. But it's a balance. It's situational. Depending on where you are, they will take your kindness for weakness."

3. President's Task Force on 21st Century Policing, *Final Report of the President's Task Force on 21st Century Policing* (Washington, DC: Office of Community Oriented Policing Services, 2015), 1, http://www.cops.usdoj.gov/pdf/taskforce/TaskForce_FinalReport.pdf.
4. Ibid., 11.

Jacqueline Merriman of Newport News (Virginia) Police Department argued, "[You] need to be both. Amazingly, this needs to be taught early. When you are field training and have new guys come in, they are excited, guns blazing. You need to teach them a balance."

Abel Salas of the Denver (Colorado) Police Department also emphasized the importance of balance when he argued, "We have got to be guardians and warriors at the same time. It's the analogy of the sheep dog. We are protectors but when the wolf comes around, we react and protect and adopt the warrior mentality."

Critical to this discussion was the importance of crisis intervention team (CIT) training. This training lends itself to the development of a more guardian culture rather than a warrior culture. CIT training tends to emphasize "softer" approaches to policing. It reinforces a holistic approach to the individual and to the community.

Raphael Thornton of the Camden County (New Jersey) Police Department offered the following perspective: "We teach our guys you have to have the guardian mindset and heart with warrior skills. We emphasize moral development in our approach to the community." He also stressed that you much work toward the right balance.

The most significant recommendation from the discussion on "guardian" and "warrior" was that there must be a balance. Officers need training and mentoring in both. In an interview with task force member Sue Rahr (cited on page 20), she argued that "Guardian refers to the role of the police officer and warrior focuses on the sills of the office. We train for both." Further, the training should begin early in the career of an officer. Changing the culture of policing will require time and commitment.

Implementing task force recommendations

Recommendation: The COPS Office should produce a highlight document of the task force recommendations that can be shared broadly with rank-and-file officers. The executive summary is a valuable tool and could be pulled out and used as an assessment tool and an introduction to the ideas found in the report.

"There are two things that cops hate the most: change and the way things are."

– Jacqueline Merriman, Newport News (Virginia) Police Department

Recommendation: The task force recommendations should be used as an assessment tool to determine how the department is advancing in community policing. Agencies need to establish a baseline of current policies and practices. The task force recommendations should be used to influence change or improvement in policy and practice.

Recommendation: Agencies should break down the pillars and use them in roll call and other training venues to remind officers of their significance and importance.

Recommendation: Agencies and policy makers should encourage online training including webinars around various recommendations.

Recommendation: Stress the task force report in academy training. It should be part of the curriculum.

Recommendation: Agencies need to have a more aggressive communication strategy with the public regarding the task force recommendations.

Recommendation: Develop greater training and emphasis on the task force recommendations related to schools and school resource officers.

"We should also establish timelines that are realistic to get the report implemented. We would want to do a compliance check with our policies, see where we need to work on this make sure we're in compliance. We would want to get the labor unions involved in this as well to make sure everything flows the way it should."

– Richard Torres, King County (Washington) Sheriff's Office

Recommendation: Develop specific training around procedural justice and involve all officers in the process.

Recommendation: Assess officer trust of communities when focusing on building trust.

Recommendation: Stress the importance of understanding bias-based policing.

Recommendation: Develop a strategy to involve and engage smaller and rural departments.

Recommendation: Independent investigations of police shootings should be conducted by other law enforcement agencies of comparable size and with comparable regulations and protocols.

Recommendation: Facilitate an annual crime prevention summit in local communities to review task force recommendations and how the department intends to implement these reforms.

Conclusion

"We need to talk about the need for mutual trust. I was disappointed as I read the report, though I like the report, that police trusting the public is virtually ignored. Absolutely we are responsible to make sure we are trustworthy to them, but it goes both ways."

– Scott Mourtgos, Salt Lake City (Utah) Police Department

Robert Calby of the Columbia (South Carolina) Police Department summarized his reaction to the day's events: "I've sat here listening most of the day. I didn't want to come in here and be against the report with fire and brimstone and be like this is why my department sent me because I can't just sit here and keep my mouth shut! As much as I want to do that, I really can't because this document is what we already know. It's common sense stuff. Don't go into neighborhoods and do stupid stuff that make them hate us. You don't tase somebody who has their hands up. North Charleston, South Carolina, you don't shoot a man five times in the back. This is common sense to everyone in this room, but there's somebody out there who needs it written down because they are sitting there looking at this manual saying, 'Oh my, this is amazing to me! These are geniuses that came up with this philosophy.' It's astonishing to me we have to document that the best practices is to think through a process before it affects the community."

The rank and file participants offered practical solutions and affirmed that the President's Task Force on 21st Century Policing gave the nation a road map for police improvement. This is not about change as much as it is about improving policy and practices within the nearly 18,000 police agencies across the country.

While it is usually police command leadership standing before a camera in a local community explaining policing, the communities would be well served to get to know and to hear from rank-and-file officers whose daily lives are dependent upon strong community-police relationships.

Appendix. Participant Roster

Officer Whitney Arnold
Nashville (Tennessee) Police Department

Sergeant Ettice Brickus
Baltimore City (Maryland) Police Department

Sergeant Robert Calby
Columbia (South Carolina) Police Department

Officer Charles Cochran
Fayetteville (North Carolina) Police Department

Sergeant Christopher Cognac
Hawthorne (California) Police Department

Sergeant Paul DeCarlo
Philadelphia (Pennsylvania) Police Department

Officer Amy Dotson
Peoria (Illinois) Police Department

Officer Chris Eyrich
Phoenix (Arizona) Police Department

Sergeant Brian Faulkner
New Castle (Delaware) Police Department

Officer Clifford Flowe
Charlotte-Mecklenburg (North Carolina) Police Department

Officer Ken Gallop
Sparks (Nevada) Police Department

Officer Meghan Hansen
Buffalo Grove (Illinois) Police Department

Officer Michael Hauck
Oneida Indian Nation Police

Office Janice Johnson
Bogalusa (Louisiana) Police Department

Lieutenant Trevelyon Jones
Oakland (California) Police Department

Sergeant Lloyd Martin
San Francisco (California) Police Department

Officer Jacqueline Merriman
Newport News (Virginia) Police Department

Sergeant Rich Meyer
Spokane (Washington) Police Department

Deputy Douglas Moore
Dane County (Wisconsin) Sheriff's Office

Sergeant Scott Mourtgos
Salt Lake City (Utah) Police Department

Master Deputy Stanley Murray
Orange County (Florida) Sheriff's Department

Sergeant David Orr
Norwalk (Connecticut) Police Department

Sergeant Don Peterson
Gallatin (Montana) Sheriff's Department

Sergeant Gino Provenzano
Boston (Massachusetts) Police Department

Deputy Josefina Ramirez
El Paso County (Texas) Sheriff's Office

Sergeant Corey Robinson
Louisville (Kentucky) Metro Police

Sergeant Jeremy Romo
St Louis County (Missouri) Police Department

Sergeant Frank Ruben
Atlanta (Georgia) Police Department

Corporal Abel Salas
Denver (Colorado) Police Department

Officer Juan Sanchez
Sarasota (Florida) Police Department

Sergeant Chris Thomas
Orange County (California) Sheriff's Department

Sergeant Raphael Thornton
Camden County (New Jersey) Police Department

Officer Kevin Torivio
Pueblo of Laguna Police Department

Sergeant Richard Torres
King County (Washington) Sheriff's Department

Officer Theresa Velez
Hartford (Connecticut) Police Department

Sergeant Tony Vienhage
Springfield (Missouri) Police Department

Sergeant William Volberg
Pittsburgh (Pennsylvania) Bureau of Police

Deputy Thuan Vuong
Hennepin County (Minnesota) Sheriff's Office

About the Authors

James E. Copple is the Founding Principal of Strategic Applications International (SAI). He was the lead facilitator for the President's Task Force on 21st Century Policing and co-facilitated the rank and file listening session. He was the lead writer for this publication.

Nicola L. Erb, PhD, serves as the Assistant Chief of Police for Breckenridge (Colorado) Police Department and is a Contract Consultant for Strategic Applications International. Nicola assisted as a small group facilitator for the rank and file listening session. She was an editor and co-writer for this publication.

About the COPS Office

The **Office of Community Oriented Policing Services (COPS Office)** is the component of the U.S. Department of Justice responsible for advancing the practice of community policing by the nation's state, local, territorial, and tribal law enforcement agencies through information and grant resources.

Community policing begins with a commitment to building trust and mutual respect between police and communities. It supports public safety by encouraging all stakeholders to work together to address our nation's crime challenges. When police and communities collaborate, they more effectively address underlying issues, change negative behavioral patterns, and allocate resources.

Rather than simply responding to crime, community policing focuses on preventing it through strategic problem solving approaches based on collaboration. The COPS Office awards grants to hire community police and support the development and testing of innovative policing strategies. COPS Office funding also provides training and technical assistance to community members and local government leaders, as well as all levels of law enforcement.

Another source of COPS Office assistance is the Collaborative Reform Initiative for Technical Assistance (CRI-TA). Developed to advance community policing and ensure constitutional practices, CRI-TA is an independent, objective process for organizational transformation. It provides recommendations based on expert analysis of policies, practices, training, tactics, and accountability methods related to issues of concern.

Since 1994, the COPS Office has invested more than $14 billion to add community policing officers to the nation's streets, enhance crime fighting technology, support crime prevention initiatives, and provide training and technical assistance to help advance community policing.

- To date, the COPS Office has funded the hiring of approximately 127,000 additional officers by more than 13,000 of the nation's 18,000 law enforcement agencies in both small and large jurisdictions.
- Nearly 700,000 law enforcement personnel, community members, and government leaders have been trained through COPS Office-funded training organizations.
- To date, the COPS Office has distributed more than eight million topic-specific publications, training curricula, white papers, and resource CDs.
- The COPS Office also sponsors conferences, roundtables, and other forums focused on issues critical to law enforcement.

The COPS Office information resources, covering a wide range of community policing topics—from school and campus safety to gang violence—can be downloaded at www.cops.usdoj.gov. This website is also the grant application portal, providing access to online application forms.

In May 2016, the COPS Office hosted a meeting that brought rank-and-file officers together with officials from the U.S. Department of Justice to share their experiences and contribute their expertise to addressing the challenges that law enforcement faces today.

The men and women who participated vigorously debated strategies for changing or adopting new policies and procedures, challenging assumptions, critiquing strategies, and recommending ways to implement reform in the criminal justice system.

The forthright input of these men and women who serve on the front lines of law enforcement is critical to understanding the problems they face and developing workable solutions. This report, which summarizes their discussions, can serve not only as a guide to new ideas and recommendations of the task force report but also as a means of engaging the rank and file in implementing change.

COPS
Community Oriented Policing Services
U.S. Department of Justice

U.S. Department of Justice
Office of Community Oriented Policing Services
145 N Street NE
Washington, DC 20530

To obtain details about COPS Office programs,
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1341 Connecticut Ave NW
Washington, DC 20036

202-457-7771

www.sai-dc.com

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