

Ohio Task Force on Community-Police Relations

University of Cincinnati Public Forum Summary

3/9/2015

Office of Criminal Justice Services



On December 12, 2014, Governor John Kasich signed Executive Order 2014-06K announcing the creation of the **Ohio Task Force on Community-Police Relations**. The charge of the Task Force is threefold: 1) To explore the cause of fractured relationships between communities and law enforcement, 2) To examine strategies to strengthen trust between the community and law enforcement in order to resolve the underlying causes of friction; and 3) To provide the Governor with a report with recommendations about best practices available to communities.

The Task Force is comprised of 24 members, identified below:

- Co-chairs: John Born, Director of the Ohio Department of Public Safety, and State Senator Nina Turner;
- Honorary co-chairs: Senator George Voinovich, Justice Evelyn Stratton, and Congressman Lou Stokes;
- Members of the Ohio House of Representatives : Representative Tim Derickson and Representative Alicia Reece;
- Members of the Ohio Senate: Senator Cliff Hite and Senator Sandra Williams;
- Department of Commerce Director Andre Porter;
- Ohio Attorney General's Office designee Tannisha Bell;
- Ohio Supreme Court Chief Justice designee Sara Andrews;
- Law enforcement representatives: Fayette County Sheriff Vernon Stanforth, who also represents the Buckeye State Sheriff's Association, Akron Police Department Officer Brian Armstead, and Oregon Police Department Chief Michael Navarre;
- Community and faith-based leader representatives: Tom Roberts of the NAACP, Reverend Damon Lynch of the Cincinnati Collaborative, Dr. Ronnie Dunn of Cleveland State University, and Bishop George Murry of the Diocese of Youngstown;
- Business leaders: Bernie F. Moreno, president of the Collection Auto Group, Anthony Munoz, former Cincinnati Bengal and Hall of Fame Inductee;
- Ohio Prosecutor's Association representative Ron O'Brien;
- Cincinnati City Council member Amy Murray; and
- Ohio Association of Community Action Agencies Executive Director Phil Cole.

In accordance with the Executive Order, a series of four public forums is to be held in four geographically diverse regions of the state to seek input and comment from all Ohioans, especially from Ohioans in those communities at the heart of the crisis, which includes African-American males and their families. Additionally, the Task Force is soliciting expert testimony on topics relevant to the community-police relations issue.

March 9, 2015: University of Cincinnati Public Forum

The fourth, and final, public forum was held on March 9, 2015 at 4:30 PM at the Kingsgate Marriott Conference Center on the University of Cincinnati campus. The forum commenced with welcoming remarks by the co-chairs, the facilitator, University of Cincinnati President Dr. Santa J. Ono, and Cincinnati State Technical and Community College President Dr. O'Dell M. Owens. This was followed by

the testimony of three subject matter experts: Superintendent Garry F. McCarthy of the Chicago Police Department, Attorney Alphonse Gerhardstein of the Cincinnati Collaborative Agreement, and Lt. Colonel David Bailey of the Cincinnati Police Department. At the conclusion of their testimony, a brief break was given. Prior to the start of public testimony, two additional speakers were given time to address the Task Force. The first speaker was John Crawford II, father of John Crawford III, who was shot by a Beavercreek police officer in a local Wal-Mart store. The second speaker was Senator Cecil Thomas, former police officer for the Cincinnati Police Department. Public testimony began at 6:30 PM. All individuals were required to sign up prior to speaking. They were given three minutes to testify, and a digital clock was made visible to the speaker. Forty-four speakers provided testimony during the forum. In addition, two individuals submitted written testimony.

The forum concluded at 9:55 PM.

The following pages contain a summary of the expert testimony of Superintendent McCarthy, Lt. Colonel Bailey, and Mr. Gerhardstein, a summary of the additional speakers Mr. Crawford and Senator Thomas, an overview of themes identified throughout the public testimony, and a list of recommendations provided during the public testimony.

Expert Testimony Summary

Superintendent Garry F. McCarthy, Chicago Police Department

- Superintendent McCarthy discussed the need to first recognize how we got to this problem in order for us to be able to fix it. In addition to the historical context, there are deeper social, economic, and political issues that have contributed to the current situation. Acknowledgement of past mistakes is an important first step.
- Communities hold cynical views of the law and of law enforcement—they are perceived as illegitimate, unresponsive, and ill-equipped to handle public safety.
- The events taking place in Ferguson were not handled well. There was a lack of transparency by police, which created a vacuum that was filled by speculation and guesses. Additionally, the police turned demonstrations into riots, as confrontation begets confrontation.
- Good data is essential—the goal is not to arrest everyone, but to be strategic and specific in identifying the population that needs to be incarcerated, and this relies on good data. The use of intelligence-led policing allows officers to arrest the right people at the right time, while not offending the community. Many of the large agencies are engaging in these strategies, and the challenge is to get this information to the smaller communities.
- It is troubling that some agencies have appeared to abandon community policing for specialized units, like task forces, which make use of heavy-handed enforcement and arrests. These specialized units also take officers off the beat, which leads to dysfunctional and understaffed departments. By eliminating task forces, putting officers on beats, and adopting strategic practices like Ceasefire and Community Oriented Policing, these changes led to a 40% reduction in crime over 4 years, historic lows in violence, fewer officer complaints, a reduction in arrests, and all-time high clearance rates.
- Diversity on the police force is important; however, if done right, any officer should be able to work in any community. Superintendent McCarthy is troubled by the fact that cities are segregated, and does not feel that officers should be segregated as well.
- The immediate causes of crime, in his opinion, are guns and gangs. However, the systemic or root causes of crime are poverty, lack of education, breakup of the family, and godless children.
- There is a disconnect between how officers are trained and how they are supposed to act. On one hand, officers are trained as though they are in boot camp, and they are sent out like the military, but on the other hand, they are told to ‘be nice’ when interacting with citizens in the community.
- Superintendent McCarthy suggested that it is advisable to work with experts at local universities to identify evidence-based practices. This is how the Chicago Police Department brought about the legitimacy training that all officers are now required to take.
- The media need to do a better job of telling the good stories that happen in the bad neighborhoods. The focus should be on the 4%-6% of people that cause 80% of the crime.
- The police should be subject to the constraint of the law. Final decisions on discipline are not always decided on by the chief. The system should be reconsidered at all levels in order to produce better results.

Civil Rights Attorney Alphonse Gerhardstein

- Mr. Gerhardstein provided context for the Cincinnati Collaborative Agreement. There were four parts to the Collaborative Agreement:
 - Use of force reform, which led to the introduction of Tasers;
 - Creation of the citizen complaint review board (called the Citizens Complaint Authority in Cincinnati) to address the issue of accountability;
 - Institution of an early warning system to identify police misconduct and to encourage bias-free policing; and
 - Implementation of problem-oriented policing to identify strategies to solve problems that go beyond traditional arrest and focus on repeat offenders, repeat victims, and repeat locations.
- Mr. Gerhardstein made several suggestions based on the Cincinnati Collaborative Agreement:
 - Transparency is important. The public needs to know what is going on, and there needs to be public accountability. Procedure manuals, crime data, and critical incident information needs to be available.
 - Reject strategies that disproportionately impact minorities, such as stops and specialized units. There should be a high hit rate on stops. Specialized units, such as the Vortex Unit at Cincinnati Police Department, involved heavy enforcement but resulted in a low hit rate.
 - Choose problem-solving solutions that engage non-police services, such as health departments, park departments, highway maintenance, utilities, and others
 - Thorough training is important, and measuring proficiency after training is critical.
 - Threat assessment training is important, and it needs to go beyond the classroom to include simulations.
 - Mental health training is important, and it needs to go beyond the classroom to include real experiences.
 - Use Tasers carefully, as departments have not adapted policies to the risks of use (e.g., center mass shots can kill, but this is what officers are trained to do).
 - Hold officers accountable, administratively and criminally. Management needs to ensure that their officers are following procedure, and use discipline when they are not.
 - Don't use police as a funding vehicle. Local government should not profit through police actions. This upsets communities.

Lt. Colonel David Bailey—Cincinnati Police Department

- How do you change the culture of a police agency focused on massive arrests, sweeps, and the war on drugs of the 1990s? A Memorandum of Agreement was developed between the community, the police union, and the city administration. It provided agencies with best practices on use of force, documentation, citizen complaints, employee tracking, and training.
- Specific changes that were implemented in the department:
 - Changes in foot pursuit policy, since they can frequently lead to fatalities.

- All officers get 32-40 hours of mental health training. Additionally, mobile crisis response teams are stationed in each district and are called in the event of a mental health incident.
- Moderation of the use of chemical irritants.
- Change in the use of canines from a biting tool to a finding tool.
- Formation of the Citizen Complaint Association (CCA) that is accessible to citizens.
- Utilization of an employee tracking system, along with quarterly meetings to review problematic officers.
- What are the results of these efforts?
 - Training has led to a reduction in crime and arrests.
 - Instead of mass arrests and sweeps, they use programs like CIRV, place-based strategies, and community building. CIRV is a strategy to focus on the small proportion of the population causing the most violence. Place-based strategies identify the locations where most of the problems occur and determine the legal strategies that can address them. The Neighborhood Enhancement Program concentrates city services and community redevelopment efforts in an area for a short period of time.
 - The key is to bring everyone to the table and work with the community to gauge need and implement solutions.
- It can be difficult to institutionalize these efforts in other departments. Cincinnati's success came in part because a federal judge implemented the order to do so. There needs to be great partnerships, the will to change, and openness to other ideas. We need to work with communities to identify the problems and together come up with solutions.

John Crawford II

The father of John Crawford III spoke passionately to the Task Force about the death of his son prior to the start of public testimony. He spoke about the need for officers to value life, as some officers become desensitized on the job. Mr. Crawford also talked about the need for accountability for law enforcement officers' actions as well as prosecutors' actions. He recommended a prosecutorial oversight committee be established to review cases of officer misconduct.

Senator Cecil Thomas

Cecil Thomas spoke to the Task Force next. He is a former law enforcement officer from Cincinnati Police Department, and a current senator of the ninth district. He sees the fractured relationship between the community and police as a deep, systemic problem. Cincinnati has made progress toward healing this relationship and should be used as a model for other cities. He recommended steps that departments could take to move forward, including the creation of a police commission for investigating use of force incidents, better data collection to proactively identify problems, better training in de-escalation techniques, mental health, and cultural sensitivity.

Public Testimony Themes

The Task Force needs to take this issue seriously and produce results.

- The community wants to be able to trust that the Task Force is sincere in taking these issues seriously, but some have their doubts.
- The community wants to know that the Task Force will not deliver empty promises, but that they will use their power to ensure that change will take place.
- Some citizens thanked the Task Force members for starting this dialogue in their communities.
- A few citizens commented that they felt that they were not really being heard by the Task Force.
- Several speakers noted the importance of having youth included on the Task Force when recommendations are being made, as youth are most often the individuals targeted and stereotyped by law enforcement.

Accountability is important.

- Law enforcement need to respect the law and the citizens they serve.
- Problems arise when there are no consequences for officers who break rules.
- Legislators should also hold people who make false reports accountable (referencing the Beaver Creek incident).
- There needs to be more prosecutorial accountability. Perhaps an oversight committee for prosecutors would be beneficial.
- There needs to be a change in the grand jury process.
- The system needs to ensure that there is no conflict of interest with regard to prosecutors' investigation of law enforcement.
- Citizens should be able to monitor progress and oversee changes that occur within law enforcement agencies.
- Data should be collected in order to identify problems within law enforcement agencies, such as use of force. A police commission should be created to investigate use of force cases.
- Parents also need to hold their kids accountable.

Law enforcement and the community must be engaged.

- Law enforcement officers should live within the communities they serve.
- There needs to be more summer and after-school programming (including anti-violence programming) and activities, especially for youth, in order to keep them occupied and to expose them to positive role models.
- Youth need to be taught how to interact with law enforcement, and they need occasions to interact with officers in a positive way. This is also true of youth involved in foster care.
- The dynamic between the community and law enforcement must change. There must be mutual respect.
- Law enforcement must find ways to build respect and trust.
- The police are not the only ones to blame-the community needs to take responsibility and learn respect.

- How do we change the culture of our society so that it places importance on the things that matter most? Community members need to be responsible and informed.

Resources and training are vital for law enforcement.

- There is a need for community oriented policing, but a lack of resources is holding agencies back from implementing elements of community oriented policing.
- Several speakers noted the importance of training for law enforcement, including cultural sensitivity training, de-escalation training, mental health training, and implicit bias training.
- Department protocols are needed for use of Tasers and for interacting with persons with mental illness.
- Departments must find ways to teach law enforcement how to manage and reduce stress.

Law enforcement must be sensitive and respectful.

- Law enforcement need to value human life. Too often they lack compassion.
- This is a human issue, not a racial issue.
- Law enforcement may not always respect citizens, but they should at least respect the law.
- Law enforcement is trained to enforce the code, not protect citizen—this should be questioned.
- There is a need for qualification standards to become a law enforcement officer. Candidates should be tested for racist attitudes.

There are larger systemic issues at play.

- Too much money is spent on incarceration, and not enough on education.
- The focus needs to be on restorative justice.
- The 'War on Drugs' and associated drug laws are racist. Marijuana should be legalized.
- Inequality is the biggest problem—if you are not seen as equal, then you are treated differently.
- Education is an important tool for creating change.
- Poverty and education are the real issues.
- Racism and sexism is at the heart of the issues we are struggling with. The community and law enforcement need to communicate in order for system change.

Public Testimony Suggestions and Recommendations

For the Task Force

- Include youth on the Task Force. Ensure their voices are heard.
- Look closely at the Cincinnati Collaborative Effort and promote the work that they have done to improve community-police relations.

For Law Enforcement and Prosecutors

- All officers should read The New Jim Crow, by Michelle Alexander.
- Data collection is important. Crime data should be collected and analyzed to inform community oriented policing strategies. Use of force data should be collected and reviewed to identify problems with officer behavior.
- A few recommendations were made to address the perceived conflict of interest between law enforcement and prosecutors in use of force cases, including the creation of a commission or special panel for the investigation of use of force cases, or the use of federal prosecutors to investigate local cases.
- Officers should live in the community they serve.
- A citizen complaint authority should be established to allow citizens to file complaints against officers for misconduct. This authority should consist of citizens, attorneys, and investigators. In Cincinnati, the CCA has been shown to be an effective tool that seeks justice and builds trust.
- Law enforcement agencies should make their statistics, as well as policies and procedures easily available to the public.
- Training is very important for law enforcement. Recommended areas of training include mental health, de-escalation, cultural sensitivity, and implicit bias training. Training and resources are also recommended to cope with stress.
- There should be qualification standards to which all officers must be held. Testing for racial bias should be included.
- A citizen monitoring board should be formed representing a cross-section of the community to oversee changes made in any agreement for continual improvement of use of force policies and performance by police.

For the Community and Schools

- Promote anti-violence and other programming for youth, especially after school and in the summer.
- Encourage positive interactions between youth and police, either at school or through other programs. Encourage mentorships between police and youth involved in foster care.
- Find ways to bring citizens and the police together to talk openly about their differences.

For the Governor's Office, State Agencies, and Lawmakers

- Legislators need to focus their efforts on restorative justice.
- Research is needed on identifying strategies to reduce poverty.
- Legislators should look at ways to hold third parties accountable in officer-involved death cases (reference to the John Crawford III case)