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RACE RELATIONS, COMMUNITY POLICING, AND TECHNOLOGICAL INNOVATIONS

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P R O C E E D I N G S

MS. WILLIAMSON: Good morning everyone. Thank you all for coming and I am supposed to thank our Internet audience too and our online -- The Magic of Internet audience joining us as well. Today we are going to be having a conversation about policing in America, race relations, community policing and technological innovation. And this topic you know -- and there is a lot to cover. I think most obviously there is been a lot of criticism of policing in America, particularly excessive violence towards civilians, shootings most -- especially unarmed, shootings of unarmed civilians and the disproportionate effect that it has had on the African American community. And at the same time there is been a real push to see if technology can be used to address some of these issues, right. Most famously I think, body cameras, but you know, lots of usage of data, both on the training side and then also the analysis of policing and of course, important calls for policy change in terms both of training and officer sanctions to address some of these issues. We are extremely lucky today to have an all-star panel ready to talk about these issues, both from a research perspective and from a lived experience. So, I will just get right started and talk to you about each of our guests today. First of all, Captain Joe Perez, he is the president of the Hispanic National Law Enforcement Association. He is retiring today, as a captain of the Prince Georges County Police Department, that is after 25 years. And so, he served in a number of different roles and I think they will all be really informative for us, starting as a parole officer, patrol officer, but also working in internal affairs and in training in education. So, he has really broad experience of different aspects of policing. He holds a BS and MS in management from Johns Hopkins University. Next to him is Dr. Nancy La Vigne, who is a Vice President for Justice Policy at the Urban Institute. Her research publications include *Prisoner Reentry*, *Criminal Justice Technologies, Crime Prevention Policing and Spatial Analysis of Crime and Criminal Behavior*. She is a graduate of the LPJ School at the University of Texas at Austin. In addition to a Ph.D. -- in addition she has a Ph.D. in criminal justice from Rutgers. She has also served in any number of important policy roles, including as executive director for the bipartisan Charles Colson Task Force on Federal Corrections Reform. And Rashawn Ray, my colleague here at Brookings, Dr. Rashawn Ray is a David M. Rubenstein Fellow in Governance Studies at The Brookings Institution, formerly a Robert Wood Johnson Foundation health policy research scholar at UC Berkeley. His research address is *The Mechanism That Manufacture and Maintain Racial and*

Social Inequity, with a particular focus on police-civilian relations and men's treatment of women. He is in addition an associate professor of sociality at the University of Maryland College Park and is the executive director of the Lab for Applied Social Science Research. So, let us give a round of applause to welcome our guests. (Applause) So, I want to start with a really broad question and I hope it will lead to a fruitful discussion. What do you think are the biggest challenges that are facing us on policing today? And I want to start with you, Mr. Perez.

MR. PEREZ: First of all, good morning and thank you for having me. It is an honor to be here. This is -- I could sit here and talk for two hours just about that one question, you know, just a little piece of it. But, what I think the biggest challenges today are the culture of heavy-handed policing which is condoned by the leadership, the executive leadership of most of these police departments and I will kind of give you an overview, is that you know, we begin the academy and the first thing we do at the training academy is, we get these officers into the mindset of it is us against them in the community and everything we do in training revolves around your safety, you know. We jump out from corners and we kidnap people during training to show them that, you know, there are threats out there and it is the community. So, that you know, that right there is what we have got to change. We have got to get away from that type of culture. And you have got to remember back in the day when it was even more heavy handed, you know, these guys are now your leaders. These are your police chiefs. These are you know, the sons of those people from back in the day, you know. So, we have got to get away from that.

MS. WILLIAMSON: I think that is exactly right. I mean, and that gets to recruitment, right? So, who are you recruiting and also the research literature talks about the difference between the warrior mentality and the guardian mentality and I think you were talking about the tradition approach to policing is the warrior mentality and so, you think about who is attracted to a job where they identify as being a warrior. I am protector of safety and justice and you know, right there you could do so pretty good screening to find you know, is that who we need on the front lines because it is not. The truth of the matter is that police are shouldered with all manner of societal ills, whether fairly or not, they are probably the first to respond to all manner of problems, not necessarily public safety problems, but the problems that people encounter in their day-to-day lives and this can include things like interacting with someone without a home who suffers from mental illness, or responding to a lot of calls that are substance use,

overdoses and you know, they are necessarily trained for that. They are trained to be warriors and that is the problem right there. Recruiting different people who have different backgrounds and different philosophies you know, a lot of the old guard talks about how, well, I did not sign up to be a social worker, when in fact, what we need are more social workers in the policing field.

MR. RAY: Yes, I mean, I'll further double down on both of these great points. I mean, I think that the biggest challenge to policing today is a lack of police accountability. And Joe really spoke to it as it relates to the organizational structure and culture within police departments. You mentioned the Lab for Applied Social Science Research in Maryland. Several of them are here. We have done a lot of work over the years, from interviewing hundreds of police officers to doing dozens of implicit bias trainings to evaluating the implementation of body worn camera programs. And unfortunately, these programs fall short because they do not really address the root causes of what leads to -- what we consider to be one of most heinous acts, which are officer involved shootings, particularly the disparity between African Americans and whites. And so, when we think about this I think there are a couple of examples. One, we were discussing earlier, which is when police departments have video footage, when they have evidence that they can give the public, there is nothing that makes them or forces them to give up that information, to actually be transparent with the pubic in a way that they want the public to be transparent with them. This erodes trust. And I think that is a fundamental problem. I think another good example of how we see a lack of police accountability is related to civil payouts. So, of course, we have recent incidents that we will talk about, from the Amber Guyger situation to what recently happened with Mrs. Jefferson in Fort Worth, but oftentimes officers aren't necessarily even brought to trial, the grand jury does not even indict. That is the norm. But what is also becoming the norm are civil payouts. And these civil payouts aren't anything that police department or police officers are responsible for. Instead, these funds come from taxpayer dollars. So once again we see people, or a group of people, or an entity, an organization as a police department, commit an act and they are essentially ameliorated from any of the consequences of that act and the people who are held accountable for it are the same people who actually pay their salaries are taxpayers. So, we see this conundrum where we see this lack of police accountability. And then we have departments like Chicago, that actually appropriate funding for police brutality. This is something that when I talk to people in the City of Chicago they have no ideal about and they are deeply

disturbed by it. But these are the ways that police departments have not been held accountable and it does a disservice not only to the public, but it also does a disservice to the men and women who put on that uniform who really want to protect and serve and at times their own departments and organizations work against them.

MS. WILLIAMSON: So, I think everyone of you raised this question of culture and I think that can be really hard for civilians like myself to understand and sort of put yourself in the position of an officer. And so, I was wondering if you would be willing to talk a little bit about your experiences, or the experiences -- for instance, like, what's the day-to-day like both as the patrol officer, which I think is what most of us have in mind when we are thinking about day-to-day policing, but also from an administrative perspective.

MR. PEREZ: Okay. Well, you know as a patrol officer, you know, there is no like one size fits all. It is about what you are going to do from day-to-day, you know. Sometimes you come into work and before you get there -- you know, we have take home cruisers so, you know, you could be driving to work in your cruiser, in your uniform, ready to go, you know, you start at 6:30 and it is 6:00 and you are on your way and you are already hearing calls on the radio that, you know, you may need to assist with. So, there are days you can go from call to call to call, you know, whether it is domestic, whether it is an assault, a theft at Seven Eleven, you know, you could just go from call to call to call and then writing reports and then other times, you know, you could be sitting for a long period of time, you know, you could just be, you know, waiting for something to happen and you know, you are just conversating somewhere by the Seven Eleven. So, you know, there is no set thing that happens, but you know, you are -- when you are called to these dangerous situations, or for dangerous people, or incidents, you know, that is all of a sudden. That is a split second, you know, you might get called to like a bank robbery, or something like that and happen to pull up when the guy is coming out with a gun, you know, and then you have to react. So, you could go from zero to 100, 110, in a matter of seconds, you know. And you know, like I said, going back to the heavy-handed policing, all right, where we are taught to you know, the community is our enemy, you know. They do not say it, but you know, in the way that they train us they make us feel that way, you know, and you know, you are a good officer and you get rewarded if you know, you make a lot of arrests, you know, and if you use force during those arrests that,

you know, that makes you a good officer, you know. The guys that are working community policing and are talking to businesses and they know everyone in the neighborhood, those people are not recognized, you know, because I guess, because you know, that is something that you do not really track, you know. You do not track the absence of crime, you know, you track the statistics and you know, the administrative people believe that heavy-handed policing really reduces crime, you know.

MS. WILLIAMSON: But that is not really true across the country, right? There are some progressive minded police chiefs who are trying to instill a different kind of culture and response, right?

MR. PEREZ: Right, there is very few, I mean, there is very few that actually do it. I mean, they want --

MS. WILLIAMSON: Right, and I think the challenge is that even if the chief has bought into a different way, a different culture, it is hard to have that permeate all the way down to line staff. Dr. La Vigne I wonder if you want to jump in a little more and talk about what can be tracked. Since you know what in the culture is hard to track. But what are -- what sort of metrics that are available to us?

MS. LA VIGNE: Well it could be tracked. Not much is tracked in a way that is easily available and the publicly disseminated. I think that is the big problem, right. So, we have recently at the Urban Institute finished up a sixth-sight evaluation of this thing called the National Initiative on Building Community Trust and Justice. It was an Obama era, Eric Holder legacy project to instill training in this concept called procedural justice, which is interacting with people in a respectful way, obviously in compliance with the law and constitutionally, but also, explaining the reasons why you are pulling someone over and also concepts of implicit bias, which of course, we all have, but recognition of those biases and how they affect how we interact with people, and then this notion of reconciliation which is essentially going to the communities that have the most fraught relationships with the police and vice versa. So, largely communities of color with long histories of tensions that date back to the police's role being complicit in looking the other way with lynchings, enforcing Jim Crow, you know, all the things that people wearing the uniform did back in the day and owning the fact that because I wear this uniform I know that I represent that even if that is not what I am, or what I believe in. We need -- I want to hear from you. I want to understand how you experience policing and I want to share what I am trying to do differently. So, I know that is not the answer to your question. But, this initiative is really fascinating

because we set out to try to evaluate it and had a really hard time doing it in a rigorous manner because of the lack of data that we are able to inquire on things like use-of-force by race, of citizen versus race of officer and you know, the types of things you really want to dig into, very little data to work with. We ended up working with data derived from surveys of residents who live in those communities and I can tell you more about that later.

MS. WILLIAMSON: Yes, so this is really interesting to me, right. So, not only can you -- is it hard to track things like culture, that is really nebulous, but even stuff that you could be tracking, we are not necessarily making that kind of data available.

MS. LA VIGNE: Correct.

MS. WILLIAMSON: I want to bring in Dr. Ray to talk about what I always think is some of the coolest data that is being collected, and he is -- in particular on the question of officer mental health, right? So, we were talking about, you know, you are doing this job, that is like, okay, I have got to like, you know, deal with these incidences that are like at this level of energy and then suddenly there is this sudden bump up and I have got to handle something really stressful. And, so, a bunch of your work addresses this question and those sort of implications for officer mental health. I want, I would just love to hear more about those projects.

MR. RAY: Yes, sure, I mean I think on the two fronts that were just made I think part of the problem is that the reward structure is off. So, the public wants a reward structure that actually is rewarding what we consider to be policing that might be reducing crime, when in-house, the reward structure is about arrests and things, and so in many regards we have deficit data. We do not have date on positive outcomes. So, what we tried to do at Lasers, we created a virtual reality decision making program so that we can aim to determine what are positive factors that lead to outcomes that the general public as well as police officers consider to be good outcomes. So, as an example, we know a lot about -- well, we do not know enough about it because we pretty much only have data when it comes to officer involved shootings from 16 states, give or take depending on how you look at it, but, overall, we do not have a good -- we do not have good information on what are the factors that do not necessarily lead to officers engaging in these types of acts. We have information, at times anecdotal about what officers do, but what this program does is take officers into a virtual world that allows for them to be immersed in a

360 degree environment and we can measure a host of things, not only their behaviors, but we can also track their physiology, their eye movement, their heart rate, their stress level, their decision making, the distance that they might have to a character, their tone of voice, the words they use. And then we are able to give departments back information that says that these are the officers that might be performing in ways that you might expect, and these are officers who are performing in different ways. And, I think what's key is these are characteristics, you know, we can also get at attitudes. So, we are not trying to pinpoint one particular officer, but I think what we are trying to do is say, we are getting a lot of information on officers who do things that we consider to be bad. But we do not have any information on the officers who do things that we consider to be good and that is ultimately what we need because when it comes to training, we need to be able to replicate some of the characteristics that we see that are positive outcomes.

MS. WILLIAMSON: Could you image also using that at the point of recruitment --

MR. RAY: Yes, of course.

MS. WILLIAMSON: -- as far as candidates?

MR. RAY: Yes, and this is what's interesting --

MS. WILLIAMSON: You say you are not waiting until after the fact. You are working with you know, there is always going to be some share of bad apples, right?

MR. RAY: Yes.

MS. WILLIAMSON: And screening them at the beginning could be really helpful because once they are on the force there is -- I mean, you could speak to this I am sure, very hard to find then --

MR. PEREZ: Yes, it is.

MS. WILLIAMSON: -- an exit for them.

MR. PEREZ: And the unfortunate part is that you know, we cover up for the habitual offenders because usually the ones that are you know -- I can tell you this, I mean, I do not know any of these folks that are involved in any of these high profile incidents across the country, but when people ask me, well, do you think that was wrong? Do you think you know, what he did was egregious, and on the surface, yes, but I guarantee you that when you check these officers' backgrounds they've been involved in other stuff, you know, and it has been stuff that we swept under the rug, and I am giving you that from

the Internal Affairs perspective, all right, because Internal Affairs, I was in there as a sergeant, which is low level, just investigating officers, to a captain, where I was the commander -- I wasn't the top person, there was one more above me, where I had a little more influence on these cases, and what I always saw as I was going up the ranks was, you know, you get an officer that always got the same complaint, the same type of use-of-force with 10 different people, 10 different incidents and right away what you hear from the top when it goes up the chain of command is, oh, he is a hard charger, he is a good worker, you know, and then they sweep it under --

MS. WILLIAMSON: There is a lot of protection.

MR. RAY: Right. And had we done what we were supposed to do from the beginning, you know, we may have prevented some of these high profile incidents.

MS. LA VIGNE: So, my question is, is the question that we need better data, or would better data not help, because when you have this information it is not getting acted on, at least in some instances?

MS. WILLIAMSON: Or more transparency, right? Talk about that.

MS. LA VIGNE: Yes, I mean, there are civilian oversight boards in many jurisdictions. Some of them have a lot more power than others but requiring the public dissemination of this type of data is what needs to happen. You are just shining a bright light on this. The more the data gets out there, the more we can hold police agencies accountable.

MS. WILLIAMSON: Are there sort of incidences where you have seen data be used well, or times when you are like, if we could have gotten this data used correctly it would have made a difference?

MR. PEREZ: Well, it depends on what you are talking about. If you are talking about fighting crime, you know, we have nowadays, we have a lot of data. We can tell you where crime is located. We could pinpoint it down to, you know, a small area, a time of day, you know, so that works well. And in my opinion, you know, the cameras work well as well.

MS. LA VIGNE: The body cameras?

MR. PEREZ: The body cameras, yes, the mobile video cameras, they work very well, you know, and I think that kind of keeps people honest, you know what I am saying? And like I said, the

bad apples, all right, they are always going to do what they are going to do whether there is a camera or not, but for the rest of us, you know, when you know that that camera is there, then you, you know, you might think twice before you lose it, you know, you are having a bad day, you know that camera is there, you might think twice.

MS. WILLIAMSON: What's interesting is that the research does not necessarily bear that out. The very early evaluations suggested yes, that cameras have what's called a civilizing effect on both officers and the people they interact with, but then subsequent studies suggested not so much, including I think, the largest and most rigorous study that occurred right here in D.C. So, what does that mean? Does it mean we should stop investing in this technology?

MR. PEREZ: And I can tell you at least, from my experience, you know, Prince Georges County Police Department was one of the early adaptors of the mobile cameras, and officers -- and you know, the thing is, and it starts at the top, the command staff, you know, did it because they had to do it, you know, and then when it trickled down -- when we are presenting you the cameras and we are saying okay, we have to do this because of the Department of Justice, or whatever reason, you know, that minimizes the importance of that camera, you know, but when I was a patrol officer and they put that camera in the car I loved it. I loved it because there were so many times, more often than not, that I would walk up to a person after, you know, during a traffic stop and they would curse at me and moan and groan and say all this stuff, and I would tell them you know, you are being recorded, there is a camera, audio visual, you know, we had a spiel. I said that and nine times out of 10 they would look back and you know, all of a sudden it would calm down. So, I always thought that the cameras were great. And then also when it -- later on as I moved up the ranks when we came to Internal Affairs, we always looked for the camera. And again, nine times out of 10 on some of these minor complaints, when people say, yes, he called me, whatever, we'd go back and look at the tape and you know, nine times out of 10 he did not say that. So, it was great.

MS. WILLIAMSON: But what if there is no tape?

MR. PEREZ: And that, and that is a whole different --

MS. WILLIAMSON: Like in the case of body cameras, and I know this is common knowledge, but officers have the discretion to activate those cameras or not. They are not running 24

seven. So, at what point and time are they thinking, oh, time to activate my camera. Policies vary widely across the country. When they are in that like most extreme fight or flight mode, it is probably the last thing they are thinking about, or they are strategically not turning it on. So, it is like this almost false promise.

MR. PEREZ: Yes.

MS. WILLIAMSON: Yes, so I mean, there clearly have been instances where at minimum what body cameras have done is made the public aware of things they normally do not get a chance to see. Whether that actually resulted in accountability, not clear very much at all. But I want to bring in Dr. Ray, who I know has been doing some thinking on this question.

MR. RAY: Yes, I mean, I think really what we are talking about is policy implementation versus cultural change. So, chiefs are forward facing people. They are like elected officials. Typically, they get appointed by the mayor, the county executive, or what have you. So, they come up with a strategic plan, policy changes on what to implement. And they want to give people, they want to get the public in particular, all excited, we are going to implement body worn cameras; we are going to do implicit bias training for the whole department; we are going to do all these things. Yes, but the people implementing it are the captains, lieutenants, the sergeants and they are sitting up saying, yes, you are the seventh chief I have had.

MS. WILLIAMSON: We can wait this out.

MR. RAY: Yes, you are coming and going. So, it is similar to what we have seen in other social institutions, where we have a policy mandated from a particular level but implemented at a lower level and we see that kind of across the board. So, I think that is one thing to think about. I think the other thing to think about is, when it comes to body worn cameras, yes, its provided more transparency, but, to Nance's point, it hasn't necessarily shown that it has changed behavior outcomes. But, that is interesting to me as a social psychologist because police officers think that it has, even though it hasn't necessarily changed their behavior. So, it is a disconnect between attitudes and actual behaviors. Which suggests to Joe's point, when they are sitting in the car they might be thinking consciously, oh, yes, these things matter for me, and then the minute they turn those sirens on, the minute they get the call, they go into a particular mold that they behave a particular way based on the way

they've been trained to do for so long. And I think really when we look at, when we have seen change in policing, it is typically when we have seen so type of federal oversight. So, I mean consent decrees is really when we see it and why do we see it, because if departments do not adhere to that, they actually lose funding. So, see that is accountability. Typically, when we see the changes is when we actually see accountability. And yes, in most cameras, officers have the ability to turn them on and off, I mean people can argue whether they should be able to do that. Some you turn on, they roll back 30 seconds. But I know Taser has a model, for example, that stays on 24 seven and you can actually see it live when they are actually doing it. The problem is those are really, really expensive cameras. Large departments oftentimes do not have the funding or the infrastructure to use them, mid-size departments do. And so that is been --

MS. WILLIAMSON: The unions also object to that.

MR. RAY: Oh, yes, the unions definitely object to that. And I think that is something we haven't talked about are unions.

MS. WILLIAMSON: [Inaudible 0:46:08] They do have a right to privacy during their shift. I mean, [inaudible 0:46:10] --

MR. RAY: Yes, without a doubt.

MS. LA VIGNE: -- they need to take bathroom breaks.

MR. RAY: Yes, and then they might go into a place that needs to be private and you know, officers have in their discretion to do that could be really, really important. But that is something we haven't talked about is the union. I mean, we are putting all the emphasis on the internal organization of culture of the department, but the Fraternal Order of Police becomes another beast in a sense, where definitely unions are extremely important particularly for protecting members and members rights. But when it comes to policing we see a different outcome. So, as an example what just happened in Fort Wayne, when I asked people what was the first thing you noticed when that incident happened, and people said all kinds of stuff, but it is one thing studying police that I really noticed, FOP told the officer to resign. Why did they say that? Because in some states if you get fired you can't work again and some states you actually can. But, if you resign, even if something happens, you have the ability to go work again. And like with the Tamir Rice situation, with the incident in Pittsburg, we have seen that when these

officers have worked for other departments, and to Joe's point, had a behavior of engaging in these types of acts and the organizational culture allowed them to proliferate and move on they get emboldened. Like, when you get away with something, you do not all of a sudden say, [sound], that was lucky. I got away with that. No, you say, I got away with that, I might do that again. And I might do it worse the next time. That is just the way in which we are socialized to think.

MS. WILLIAMSON: Now, maybe Mr. Perez you can talk a little more about the relationship between sort of the union and the official leadership, because I think that is something from the outside that is really hard to perceive.

MR. PEREZ: Well, you know what is funny is typically, you know, and correct me if I am wrong on this, but typically the police chief and the unions are kind of adversarial, you know, because you know, the union is protecting the members, you know, and the police chief is supposed to be protecting the community, serving the community. And, you know, I think that it becomes a problem when the two are so close together, you know. In our agency, you know, every time the police chief does something or holds a press conference the union's standing right there with him, you know and you know, the relationship is too cozy, so when you have to do something, when you have to discipline somebody for doing something they shouldn't do, then do you actually do it, or do you work out agreements with the unions, you know, like, most agencies do not have that tightness with the unions and it is, you know, and I understand the union and you know, as a captain you elect to be a union member or not, and I am a member, you know, because they protect your rights if you need them, but, you know, there has to be a happy medium somewhere, you know.

MS. WILLIAMSON: Now, you have talked a little bit, Dr. Ray, about changing funding structures and I wonder if you think that that might help. Would you address this question of the relationship with the union and the leadership, or like the sort of costs associated with particular incidents, malfeasance or misconduct?

MR. RAY: Yes, I do. I mean, I think changing funding structures will matter a lot. So, again, currently when there is a use-of-force incident, not only of course, does the jurisdiction, the county, or the city, or what have you, or the state, if it is at the state level, now represent the officer and the police department, that makes sense. But, then when there is a civil payout or the criminal justice system finds

the police department or the police officer liable, taxpayers also take that burden on, police departments do not. Unlike say, in a medical model where a physician might do something, we consider it malpractice and other sorts of things, and it is not always intentional when they do it either, sometimes things happen. But insurance covers that and then based on the likelihood of more incidents occurring at that hospital, or with that physicians, premiums go up, costs go up. So, now all of a sudden that leads to changes because you are hitting the hospital in its pocket, that does not happen with police departments currently. And people have touted other types of solutions like, maybe you deal with FOP dues or maybe you deal with pensions. I mean, I tend to think that police officers are underpaid and over stressed and overworked to begin with, so going in that direction might not necessarily be the best way to do it. But I do think that there are additional ways to hold police officers and police departments accountable, because you have certain places like in Nebraska, a rural area in Nebraska, there was a big civil payout issue where they, I mean, it was a lot of people who were falsely accused of a crime and the city went bankrupt because it did not have the money to payout the civil penalty. And so, we see this across the board. Smaller departments could ban together as kind of a conglomerate in a sense. We see this in other social institutions. We see this organizationally. I do not know why we think we can't see it when it comes to police. And I think part of it is the lack of transparency. Like, when I tell people that taxpayer money pays out civil payouts, the look on their faces when I tell them that is utter shock and they are thinking, why have I never heard of this before. You know, and to your point, I think of something that you asked me about earlier that I want to quickly mention is about officer mental health. This is something that we do not talk a lot about and doing this work, I mean, I have seen all of these policy changes that happen and we are making all these changes, but we do not focus on the person. And as a person who has a lot of police officers in his family, I mean, I know the impact that the job can have. I think it is probably the most dangerous job we have mentally, physically, emotionally, in a lot of different ways and there is a recent study that came out, I have been preliminarily playing around with the data and what they show is that 80 percent of officers have some type of chronic stress: depression, anxiety, sleep problems, marital problems, relationship problems, and nearly one out of six are suicidal and one out of six have substance abuse problems, but 90 percent never go seek help. This is another example of how we see the organizational cultural working against people to create this warrior environment. If you go

see a psychologist then supposedly you are week, you are weak minded. Instead of, it should be normalized that going to see a psychologist might actually make you a better officer.

MS. WILLIAMSON: Yes, in some cases there are real professional consequences for those seeking help for that kind of thing, right?

MR. RAY: I mean without a doubt and I know Joe could talk about that. I mean, the consequences become, if you are not ruled capable of going back out you get put on desk duty and getting put on desk duty -- and you hear that statement in the news, right, administrative duty, that is not a good thing. And so, when that happens all of a sudden, if you are not cleared, that is put in your personnel file. So, now all of a sudden when Nance comes up for promotion, I will look in her file and I am like, I do not know, this thing happened a few years ago. Instead, I think what we need is to normalize it. This is part of changing the culture. Instead of just going to see a psychologist or a psychiatrist after a use-of-force incident, officers should go every 90 days. It should be normalized that they should go multiple times a year. So, now all of a sudden when I see Joe in the office, I do not think something bad just happened to him. Instead I just think, oh, this is just his quarterly time to go. I think those -- these are the types of changes we need because if we want police officers to adequately protect and serve, we actually have to give them the human resources to protect and serve themselves.

MS. WILLIAMSON: Mr. Perez do you have thoughts about how you have seen that play out at all?

MR. PEREZ: Yes, and like our particular agency, you know, if you use force you have to see the psychologist, you know, and you know, I think like Dr. Ray says, that does not go far enough, you know. There has -- I do not know what the time limit should be, especially when you have a large agency, you know, we have 1700 officers, so putting them through every couple months may not be feasible, you know, but, you know, there should be, you know, we go to in-service training once a year. Maybe once a year, you know, you are set to go, you know, and it does not -- it is not so much of a burden. And I know Dr. Ray, in particular, has been around a lot of officers. Just imagine -- most people see officers as stoic you know, and kind of unapproachable and stuff like that, but once you start talking to officers they will tell you all kinds of stuff, you know, in reality, you know, right?

MR. RAY: Yes.

MR. PEREZ: So, if you make them go once a year, you know, there is a possibility that they can go in there and tell the psychiatrist, hey, you know, I am having these issues and then that gives management a tool to maybe give this guy a break, you know, maybe he is in a particular unit that is high stress. Let us put him somewhere, some administrative assignment where, you know, he is doing statistics or policies, you know, policy and research, something like that. And then the second piece of that -- it has to be two pieces, and maybe I was not really clear on this, but the leadership, all right, when they put the policy out, all right, you have to make sure that people understand that that is what you really want. You are not just saying it, you know what I am saying? Like, when you implement implicit bias training and then you tell people behind the scenes that it is not important, or you insinuate that it is not important, you know, how do you think that officer is going to react, oh, we are just doing this because we have to. It is not important. So, you know, good policy, but also you know, the leader sets the tone. He has to set the tone that this is what I want and this is important.

MS. WILLIAMSON: So, you said something just now, it is the word, he, and I was sitting here thinking about how there is an increasing number of female chiefs as well as women in rank and file positions. I am curious -- I am not an expert, but I am curious with my fellow panelists, like whether you think that will change the culture in anyway.

MR. PEREZ: Let me -- I have worked for quite a few women in law enforcement, and I will be honest with you, I mean, I am sorry, I am going to be honest, I am going to profile a little bit, but, women have been more compassionate, more detailed, you know, in my experience compared to some of the men. We got that macho attitude about how we have got to do things and women are more, I do not know, you know, they think things through, the ones that I have worked with. I mean, every time that I have been transferred and you know, you see it on the transfer list that you are going to work for this woman you will hear male officers --

MS. LA VIGNE: -- complain.

MR. PEREZ: -- yes, oh man, you are going to work for her, oh. I have never -- I have always enjoyed and prefer to work for a woman because, you know, they were more balanced for the most part and I am not saying it was all of them, but the ones that I have worked for been great. And I think that would be a piece of changing that culture.

MR. RAY: Yes, I think, you know, it is interesting because it, I think, gender obviously matters. It always does, similar to race. And in a profession where we have seen so few women, obviously we can think that it would matter more and I think it matters in a few ways. One is optics do matter, so even if we do not see outcome change, it is kind of like body worn cameras. The fact that they are there they matter in some ways. I think the second way is what Joe just mentioned about policy and administration. Okay, that is another way in which we might see a change. But then another way we might see gender mattering is as it relates to actually on the street and interacting with people, which is -- I think it is an empirical question and I think the question is still out, I mean, we have some evidence to suggest preliminarily that maybe when it comes to actually interacting with people on the street, that maybe gender does not matter as much. It could matter during the interaction in different ways, but in terms of how the officers behave, if they are trained the same way, we can think of why it might not matter as much as we might think. I think the other thing is hegemonic masculinity impacts men and women, so no matter who you indoctrinate into a particular cultural environment, that you train people to be a warrior, women are going to respond to that similarly, so while doing administrative desk work where you are implementing policy and thinking through that, we might see different aspects of our childhood socialization come up as it relates to gender. But when it comes to say, use-of-force and interacting with people, we might see gender not mattering as much, but it is an empirical question.

MS. LA VIGNE: [inaudible 0:58:55] the letter too on race --

MR. RAY: Without a doubt --

MS. LA VIGNE: [inaudible 0:58:56].

MR. RAY: Yes.

MS. LA VIGNE: I said wow, where you know, a lot of people say, oh we just meant the officers need to represent the demographics of the community that they are serving --

MR. RAY: Does not change anything.

MS. WILLIAMSON: The research suggests that, what is the saying, that blue trumps black, essentially. That once you affiliate with the police culture that is the overriding factor in how you interact with residents.

MR. RAY: Without a doubt and we have some research on this. So, we have had

officers go through implicit association tests. We are currently analyzing another round of data. But some that we have had over the past few years, we had some police recruits who were at different levels, some were just coming in, some were further along in their process and we had them take the implicit association test, which for those who do not know, these are tests that can get at peoples' unconscious biases. They either do not want to admit to, or at times they do not necessarily know that they have. I would suggest that everyone go do them. You can search IAT in Harvard and you can go through it. Yes, all of us them in different ways. And what we found is that officers regardless of race were more likely to associate weapons with African Americans than they were whites with African Americans and it did not matter whether or not the officer was white, black, a man or a woman, we seen that same pattern, but because optics matter, people want to see police officers represent their community and it could be something to that, beyond race, which is not necessarily just about race, but it could be about how racial segregation and classism operate in our society. So, if you take an officer who is from a neighborhood and now they are going back to that neighborhood, that could matter. So, we could think of all of where you are from, you intimately know the neighborhood, you know people, so we might be actually using race as a proxy for how neighborhood segregation actually operates, which I think would get to something as it relates to community policing because right now officers cannot afford to live where they work. So, not only do you have them stressed out at work, they are over worked, they are underpaid, then they cannot afford -- like, officers cannot afford to live in D.C. Most of us cannot afford to live in D.C. So, I mean, and then you put officers, and you put them here, and then part of what happens is, now they are living an hour away. Like we were talking about how we get to work earlier today. And so, if you have been on a shift and you have worked a nightshift and then you go home and you have got to take your kids to school, then you have got to come right back to work, and then you have got to drive another 30 minutes to the district where you are at, just think about how exhausted you are and how tired you are, and then give a person a weapon and the authority to do something to someone else.

MS. WILLIAMSON: And then not having the knowledge of the community because you do not reside in there.

MR. RAY: Exactly.

MS. WILLIAMSON: Although I imagine that could go two ways, right, because on the

one hand you could be -- if you come from that community, you could be a role model. You understand better the issues and challenges. But, on the other hand that it could also expose an officer to corruption.

MR. RAY: Well, I mean, it definitely could and I think in cities like Baltimore, for example, I mean, I think we have seen that and not only in Baltimore, but that is the one that is kind of closest to us and around the country. And I think part of what it does is, when we talk about community policing we talk about officers getting out their car, like playing basketball with kids. Like, when I think about community -- like that is nice. That is just having fun, doing something nice. When I think about community policing I think about being engulfed in that environment on a regular basis and we actually see that oftentimes in predominately white and effluent neighborhoods, where officers live there. And part of what happens there when they police there, is it leads to them having a slight pause to think of who they are interacting with, so they interact with someone and they think, you know this person kind of looks like the, one of the dad's in my kids' schools, and she looks like the woman when I walk into, you know, walk into my favorite restaurant who greets me, so that slight pause, you know this person looks like one of the people I go to church with. Those slight pauses are things that happen for white and black officers, Latino officers as well in predominately white neighborhoods that do not happen in less effluent neighborhoods that are black and brown neighborhoods. And I think that slight pause is how we see implicit bias playing out. So, we always talk about policing as a black and brown deficit and obviously research bears that out. But I think it is also another side and being honest about it is in many ways a white advantage. Like we see whites getting certain types of deference, so this is the reason I think, why we do not see the grand jury bringing more charges, because when you actually look at the policies that are in place, officers did what they were trained to do when they interact with black and brown people. As the public, we just have a problem with that. Like we think it was too much force, but it was actually in line with what they do. It is when they do not do things, so, as an example, Leonard Shan in Prince Georges County who was shot by 10 officers from three different departments, he had knives, he -- from my perspective he clearly had a mental illness, he was not treated that way. So, officers then viewed him as a person who was being non-compliant. It changed their rules and procedure for dealing with him. On the other hand, you add another white man in another state, who also had knives, who was coming at police, who they viewed as being mentally ill, they did not use any force on him. Now, people look at that

and they say it is race. It is not just race, it is the intersection between race and mental illness and the fact that African Americans and Latinos are less likely to be diagnosed with a mental illness and the gap in police shootings between blacks and whites is just as big, if not greater, between the gap of people who have mental illness versus people who do not.

MS. WILLIAMSON: Yes, I want to follow up on that because I think that when we are talking about communities that are experiencing over-policing, right, the use-of-force, they are also experiencing under-policing, a lot of the time, right?

MR. RAY: Yes.

MS. WILLIAMSON: They are not, you know, it is the same community that see, you know, these incidents of violence against local community members by the police and also crimes are not getting solved as often, right. So, that is a really problematic dynamic that is happening simultaneously. I wonder if you -- actually, I will turn to you, Dr. La Vigne, do you want to talk a little bit about some of the data work that you have been doing on the, getting the actual police work done, right, because we have been focusing a lot on the use-of-force, but like the gun shot detection, other sorts of technologies that might be helpful in terms of [inaudible 1:04:59] because communities both want police to behave respectfully and also crimes to get solved, right?

MS. LA VIGNE: Yes, we are -- my colleagues and I at the Urban Institute are just wrapping up, or actually did wrap up an evaluation of gunshot detection technology in three cities. I am really -- I geek out on police technologies not because --

MS. WILLIAMSON: You are in the right place, bring it.

MS. LA VIGNE: -- not because they are cool, but because I have been doing this for a long time and it is kind of like ground hog day. Cops love their new shiny toys and they always want to acquire the next thing that is going to be that silver bullet, and so, like many years ago I did the, I think, one of the largest studies in the U.S. on public surveillance cameras. I have done a lot of work on body cameras and of course, gunshot detection technology is another one of these new exciting like, [sound] this is going to solve violent crime, right? It is way more complicated than that and I think across all the evaluations of technology I have done, the one common factor is that the technology is most likely to work when the police agency is very thoughtful and intentional about the policies behind how technologies is

used, engaging the community before deployment, explaining what it is and what it is not, and really spending a lot of time on training and then holding officers accountable on how that technology is used and how it is not supposed to be used and by and large most agencies fall short on one or more of those factors.

MS. WILLIAMSON: This comes back again to the question of implementation. It makes me a little sad about the -- I am going to get one more question then I am going to throw it out to the audience, so start thinking of your questions for the panel. So, we have been talking a lot about the challenge of implementation of policy, right, and that just seems like this huge barrier to getting good policy, you know, good policies put in place, it does not matter if you do not implement, right? But, let us take a step back and what we -- what are the policy changes that we want to see on, you know, things like use-of-force, things like you know, better detection of where crime is occurring, or like what pieces, if implemented well would make a difference. Let us start there and then we can talk about some of the implementation.

MS. LA VIGNE: I am kind of more interested in talking about like, what the role of police should be, and whether we need as much policing as we have, and whether other people can serve some of the roles that police are currently serving, so --

MS. WILLIAMSON: So, that's a change, and the change would be shifting away from policing towards say, social work models?

MS. LA VIGNE: Yes, and like are there models or solutions that can be developed by communities, so that they can own their definition of safety and how to resolve a lot of problems that right now are not getting resolved by police, and I do not think any manner of policy change is going to change an entire culture, it is really complicated.

MS. WILLIAMSON: So, you are -- so are there places where there has been a move in the direction that you are talking about, in terms of shifting away from a policing model to a different kind of model of ensuring safety and security?

MS. LA VIGNE: Actually, there are seeds of efforts across the country, but nothing that I have seen that expands an entire jurisdiction. There is a lot of people who reside in these heavily policed communities, largely black and brown communities that as you said, feel like you know, you are there

pulling us over, stopping, frisking, arresting us for these low level crimes and you are not solving the violence that we are all experiencing, the trauma we experience, the vicarious trauma, all of that, and we want to develop our own solutions. And we think we know better what our community needs. So, I think that seeing more invasion in that regard would be very welcomed.

MS. WILLIAMSON: Go ahead Dr. Ray.

MR. RAY: Yes, I want to make a quick point on this, because this is a very important point. What we found is that part of what is happening is that when these changes happen, these policy changes happen, and the implementation, there is, primarily they are oftentimes solely put on police officers to implement them and they oftentimes do not have the skill set, or the purse and power to do it. So, part of what we are doing is, it is, I mean, look, I do statistics and it is one of those things where if you do not know statistics but somebody gives you a data set to analyze it, you are not going to be able to do anything with it. That is essentially what we are doing with police officers. So, we say, here is this new shiny toy, now go figure out how to use it, without a whole bunch of instructions, without a precedent, and then we wonder why it does not do well. Instead I think, we need not only more federal oversight to deal with establishing national standards, but then we also need local communities to partner with police departments in more deliberate ways to think about what does safety and protection look like in our community, which is different from calling it policing, right, which then deals with surveillance and over-policing. So, the concepts and the terminology we use are so key. So, back to your original question, there, in local communities there are so many resources for people who have these varying skill sets who can partner with police departments. But, police departments -- and some are open to partnering with the community -- but overall, they are not and they are not made to. And I think that is something that could happen because oftentimes when we have seen these consent decrees they have had to do things in the community, and I think that has been a large part of the change as well because they actually hear from people. When we would do these implicit bias trainings with police departments, we would bring in data about what the community thought. They literally had no idea that that is what the community thought, and it is because police officers primarily deal with, as they say, good people on their worse days. So, they are just interacting with negativity oftentimes on a regular basis, because they are sitting in their cars, because they have all this additional paperwork, they have 40 to 50 pounds of stuff on them now

that they have got to carry around. I mean, people do not really realize the daily stresses and this part of the mental health challenges that officers face. But there are community resources that could help police officers with their mental health problems as well. They are just literally not being used.

MS. WILLIAMSON: Mr. Perez you have thoughts about things you have seen.

MR. PEREZ: Yes.

MS. WILLIAMSON: At least optimistic?

MR. PEREZ: Optimistically I can tell you like Montgomery County, my last assignment was planning a research and I went to quite a few body worn camera meetings and planning sessions and stuff like that and like, since I have that IA background, you know, my default is more oversight, you know, and what I noticed with Montgomery County is that their body cameras are uploaded, but the state's attorney has that instant access to that video, all right. So now, they do not have to ask the police department, hey, Officer Jones had an incident, can I get that video? No, they log on and they get it themselves. They have interns -- when they explained all this to me, I was like wow, that is great, you know, that is awesome right there. They have got interns that sit there, because it is a lot of hours of video, you know, I mean, it is overwhelming, but they explained they have all these interns that come in and review this stuff and then they flag it, then an attorney looks at it. I mean, the process is -- it was so progressive and I will tell you, I mentioned this to our command staff in one of our meetings for the body worn camera policy and you know, you would have thought that I cursed at somebody's mom or something like that because they were like, no, you know, this is my data, no, we need to look at it first, no, you know, we need control of this. We are going to only give out what -- you know, like, and I was like, I just could not understand that mindset. So, I think that would be more oversight in policies. And you know, another flaw in the video and body camera -- because you talked about turning them off. But, you know what, if you have got more people with body cameras, more people with cruiser cams, come on, there is going to be one or two that are going to follow the rules.

MS. WILLIAMSON: Well, there is actual technology now where the camera will automatically activate as an officer exits his or her patrol car, or if an officer's camera activates, all the cameras on officers in the immediate vicinity activate as well, and you could even carry that further. You could link it to biometrics if they all wore these fancy watches.

MR. RAY: Exactly.

MS. LA VIGNE: And you knew that all of a sudden, their pulse rate accelerated, and, you know --

MR. RAY: Exactly.

MS. LA VIGNE: -- activate the camera, or when the revolver leaves the holster, activate that camera. There are ways to use technology I think to get what we want out of body cameras.

MS. WILLIAMSON: I am going to do one quick follow up on that because you said revolver leaves the holster and it reminded me I wanted to ask you guys about use-of-force standards. If you have specific thoughts about how those should be changed. I mean, we were talking generally speaking about changing the attitude in training, but are specific things that happen at the moment of an incident that we think should now be operating differently? Go ahead.

MR. RAY: I think one big thing and to this point about being able to track when weapons are moved and these sorts of things, this is what we have been doing with virtual reality. We have trackers on weapons that tell us when officers pull them, when they shoot them, down to the millisecond. This technology is available and police departments know that it is available. And instead of using it, because it will improve policing, they are actually scared of it because they think that some kind of way it is going to vilify them. But really what they think is that it is going to expose the skeletons in this organization culture that will lead to massive changes in policing, but as it relates to use-of-force standards, again, I think that there has to be some type of first, a federal standard, like the Department of Justice, NIJ, Congress needs to get involved because right now what happens -- if something happens in California, we were talking about the unfortunate incident in Fresno where after two years some video just came to light. Why is the public just now knowing about that a 16 year old got shot in the head two years later, after a civil suit now comes forward? So, there needs to be federal standards, and sometimes it is not exactly about what officers do in the moment, even though I think that needs to be changed a little bit. So, for example, one thing people do not realize -- well, first research shows that departments that have more use-of-force standards, in other words, more de-escalation tactics, that their outcomes are actually lower. And you have -- meaning in other words if you have more options, taser, even a baton -- which they do not use that much anymore -- but other types of deployments and if they actually implement de-

escalation standards where they aim to create time with space, then all of a sudden you see a smaller gap in say, racial disparities for example. So, we need federal use of standards. We -- there are departments around the country that are doing this well, and then there are states and cities like, Phoenix, Arizona that are doing this horribly. I mean, they have had, I mean there number of officers involved shootings has almost tripled and quadruped over the past like five to 10 years. I mean, these are things that should really concern everyone. And so, I think there has to be federal oversight. I think the second thing is when it comes to use-of-force, the big thing people do not realize is when officers deploy their less lethal options oftentimes they have to be within a certain distance, so they might actually compromise their distance from people because they want to deploy a less lethal option, and then if that does not work properly then they are oftentimes forced, based on their training to go to a more lethal option, and these are -- and that is the conundrum, I mean that has to be worked through, and I do not think people understand the complexities of policing that kind of leads to those outcomes. So, in other words you have a direct consequence and it leads to an unintended consequence that might actually make it worse.

MS. WILLIAMSON: All right, I am going to open it up to the audience so we got some folks with questions here. Sir, I saw you first, with the tie. Yes, oh, is there a microphone so that everyone can hear? Here we are -- sorry, I was so quick to get this started. And this gentleman right here with the yellow tie.

SPEAKE: Hi, Carl Gollovit [phonetic 1:17:34], a retired special agent U.S. Customs. I spent my last six years in Internal Affairs and I wonder -- I was even in doubt of using the term, law enforcement officer, trained at a federal law enforcement training center. I wonder if just the mindset of considering officers to be peace officers first, rather than law enforcement, keeping the peace being the primary objective, even of the law and that the standard any event as successful was whether the minimum amount of force necessary to resolve the situation and prevent its recurrence has been used. And officer, or Captain Perez if I could ask you to specifically contrast, is there a difference in these issues between police departments and sheriff's offices concerning particularly the political accountable of each, or if sheriffs, usually the sheriff is an elected official and hence may be the officers or deputies are more accountable to the population versus police chiefs who are usually politically appointed by

politicians?

MR. RAY: I do not have any data to tell you one way or the other, but it seems that policing is kind of similar across the board, you know. I mean, we are all facing the same types of issues, and you know, I think you are right it goes back to what I was saying how we train people in the academy, you know, that everyone is our enemy and you know, you have to watch your back at all times, you know, somebody is going to jump out of this dark corner and get you, and you know, we need to you know, like, use different words, you know, like peace officers, you know, we are there for the police -- for the peace, you know, and so you make a good point with that. I mean, words matter, you know, and when you change concepts then you start to change definitions, and then it starts to change culture and structure.

MR. RAY: And to your point, like one big thing that we noticed when we were studying police officers is they rarely had the time to be off, and what I mean by that, even when you all are off-duty a lot of places make it mandatory for officers to carry their guns and their badge with them at all times. So, when they go out to eat with their family they are trying to find the corner of the restaurant where their back is to the place and you are laughing because I am sure you have done this, and yes, this is what you do, always. So, when are you ever off? And so, when we talk about what we call things, I think the change is not only about officers interacting with the public, but it is also about officers interacting with one another, and aiming to humanize them in a way that we have not done in a very long time.

MS. WILLIAMSON: Other questions? I want to make a specific request that if you are from a group that is -- tends to be under represented and have much talk, maybe you talk today. Can you jump in? Okay. Hands up, you sir, over here.

QUESTIONER: Hi, I am Albert [inaudible 1:20:40] -- Hi, I wanted to see if you all can convey or share some of your experience and views with predictive policing, that leverage analytics, biometrics, algorithms, and their effects on over-policing, under-policing, race relations, because I think there is a general consequence that we do not do a very good job of capturing crime. We do a very good job of capturing crime that police report.

MS. WILLIAMSON: Great question, I do not how I am supposed to [inaudible 1:21:15].

MR. RAY: Yes, that is a great question. I mean -- oh, go ahead.

MS. LA VIGNE: Well, I kind of entered the field of criminology doing a lot of work in the spatial analysis of crime, and even back then we did some predictive spatial analyzes to see, you know, what data best predicts where crime and when it will happen next. And I think what remains today that we learned then, is that the best predictor is where crime already happened. But, that crime is not necessarily valid, right, because most of the crime data we have is generated in large part by where officers are, right, where they patrol, who they pull over, what crimes come to the attention of law enforcement. So, basically using these predictive algorithms to say, okay, the crime will be here in this neighborhood at this time, let us send more officers over just perpetuates a lot of this heavy police presence and bias policing.

MR. RAY: Yes man, I completely agree with, I mean, technology has a host of positives that could happen, but when it comes to policing it has a -- potentially a lot of advancements can actually lead to racial profiling and over-policing. So, I mean, not only do you have hot spot policing, but you have facial recognition. You now have the ability to use a private residence's camera that they have for their in-home security system and accesses it, at times without even telling them. You have the ability to track license plates. And to Nance's point, part of problem is that when police officers are oftentimes looking for crime, and even though they say that they do not have quotas we know that they oftentimes do have quotas, and what that means is that they are going to go to places where people are more exposed, and it follows the same pattern that we have seen with racial profiling, that oftentimes when they target people, so they are making stops, they are talking to people, at times brutalizing them, so a study of 700,000 police stops a few years ago in New York City, found that over 50 percent of the stops from stop and frisk involved some type of physical force and overwhelmingly the victims of these were black and Latinos that roughly 98 percent of the time, they did not find anything, no previous criminal record, nor was the person doing anything. So, we -- it begs the question about technologies. Two points, first point, is whether or not the technology is really put in place to reduce crime, or whether or not it is put in place to actually surveil people more. And as part of that surveillance happens is technology continues to go, the un-regulation of technology is highly problematic. It is like the wild, wild west right now, like, there is really no regulation, no standards that is going on and I mean, we really have to figure that out.

MS. WILLIAMSON: Sir, up here in the maroon sweater.

QUESTIONER: Hi, sir, I am saying the -- Dr. Ray touched on this a little bit, but I am interested in you all's thoughts on consent decrees and particularly with this past administration, has not gotten a lot of focus, especially with new consent decrees, but there are existing ones and I am curious of what takes you have on the effectiveness that they have had even while they are more a quiet space in the last three years, and then also, looking forward, if a new administration comes in with a reinvigorated focus on that, what is the opportunity there and what we would see that from picking up from where they were a few years ago?

MR. PEREZ: And I could touch on that just slightly. From being on the inside during a consent decree. I think it is important because it helps us in a couple ways, you know, again, it helps us in accountability and you know, with consent decrees they also provide monies for things like body cameras you know, and also they kind of -- I hate to use the word, force, but, you know, you are forced to make policy changes that they approve of. So, what it actually does is, it makes us better, you know, that is what I have seen. And the minute you take them away then you start, you know, I think these incidents start occurring more often.

MS. LA VIGNE: I think that is right and I have known more than one chief to say, I really would love a consent decree, which sounds crazy but, it is because you know, the chiefs -- many chiefs in big city police departments are reform minded, but they are balancing this, you know, pushing reform and having the support of the rank and file, so when they are forced to comply with a consent decree they get what they want, but it is not them. So, they can say, sorry guys, but we got to comply with this. I will also say there is at least one article I am aware that looks at the effect of consent decrees and finds that agencies that were subject to them were more likely to engage in reforms versus those who were not.

MR. RAY: Yes, I mean, I think I completely agree. A part -- I mean the chiefs who I have worked with, I mean, they have really aimed to be reformists, but the organizational culture at times has restrained them from being able to do the things that they have been -- that they wanted to do, and I think people do not really realize why consent decrees matter. So, the Department of Justice, not only do they send out this list of things that you -- that a department has to do, and then they allocate funding for different things, but then they mandate that you have to interact with certain entities. So, it might be a research data arm. It might be a community arm, and then really importantly they oftentimes put an

inspector general appointed by the Department of Justice to go into the department, work into the department and make sure that that is implemented. When I have interacted with departments that have had these inspector generals, which are mostly lawyers who know the law, who know -- who study, also criminal justice, that that is really where you see the movement. The minute those people are gone, I mean, you see the lack of accountability that happens because that person is reporting to the Department of Justice. They are not reporting to the chief, and that particular part of accountability is extremely important for police departments.

MS. WILLIAMSON: Ma'am.

QUESTIONER: I want to kind of link to issues that you guys talked about in terms of accountability and also the ideal of like, communities determining what they need in terms of safety and protection. I have been to some meetings for Black Lives Matter here in D.C. and they have engaged in a project that I think they call, Cop Watch, where they essentially train people to kind of like, surveil the police when police are getting called into their neighborhoods to essentially like provide counter narratives that they are hoping that can help hold the police accountable. So, my question in thinking about like, policy and moving forward, and giving communities more agency, is how effective do you guys think similar programs like that could be, and also what is the likelihood that they might be taken seriously?

MR. RAY: So, the way I think about it, I think it is a couple of things. I think on one hand, some police officers will say that say, a cop watch program could at times, endanger other people because people are coming up and watching. At the same time though, having additional people who observe, similar the way body cams operate can be extremely important, and I think laying it up to say, community or civilian oversight committees which is taking off around the country, I think that is extremely important. The problem is if you live in an area where you only get to respond to an incident after it has already occurred, and after the police department, the trial board, that is the internal board that makes decisions about police discipline and other sorts of things within police departments, if the community oversight committee is not responding till after that has happened, then you really do not have a whole bunch of power. Instead, it needs to be, oftentimes something that comes through the local government for these communities and civilian oversight committees to have the power to help make decisions and inform the process about what happens, including from the information that they have, because I found

that oftentimes in the moment it is very little at times that other people can do when they are standing around watching what is going on, but it is a lot they can do with the information they gather after the fact, and we need these civilian oversight committees to actually be able to play a stronger role, besides just saying, oh, we got the data from the police department. We reviewed it and this is what we think. Yes, see that is a lack of accountability because they are not changing anything. The police are not worried about that. The public might pay attention to it, but it then it is not changing the source of the problem.

MS. WILLIAMSON: Other thoughts on that question? All right, sir with the black shirt and the red.

QUESTIONER: Yes, hello my name is Sharee [phonetic] [inaudible] 1:30.25]. I am the representative from Freedom Fighters of the DMV. One of the questions I would like to ask the panel on, why has not the police across the country have a national database to document their incidents just like the doctors and nurses. I know there was also a cut down on the fact that if they have a license, just like doctors and nurses, when you have an infraction you lose your license, you lose your gun and you lose the opportunity to make money if you do bad policing. Why is it that you have a database at your station to be able to call in and say, give me the teletype on this vehicle, give me the teletype on this individual, and this is a national teletyping situation across the country, but you do not have a national database for police officers who are bad police officers, you know. Tamir Rice, a prime example. No one drives up on an individual, a kid, in an open carry state and shoots someone within three or four feet away, who allegedly was supposed to have a gun. No police in his right mind does that, you know, so how is that police still able to have his job and make the City of Cleveland pay money for bad policing. So, what about this database, what do you all think about that?

MR. RAY: Yes, I mean that is a really good example to provide because what people do not realize that the officer involved in the Tamir Rice situation had a track record and then even after the civil suit was done, because he resigned -- you remembered I mentioned that to you all earlier, he resigned. He then went to work somewhere else, and it was not until people realized that then they put public pressure, and he ended up resigning again. So, he is just waiting for things to die down. And the way I think about what you are saying, we definitely need national data from the Federal level. So, I mean, we know how many -- and Dr. David Johnson, who works with me in the Lab for Applied Social

Science Research, we talk about this and he has something to say. Like we know how many people get the flu every year. We know how many people get killed by jellyfish, but we do not know how many people get killed by the police. I do not know about you, but as a taxpayer that is just really disturbing. And so, part of it is not just the lack of accountability for police departments, it is also at the Federal level. Why is this needed, because again, it goes back to the fact that police departments and police officers are not trained to do this. The police departments I have worked with and I know Captain Perez has seen this, Dr. La Vigne I know you have seen this -- I have walked into police departments where they are like, yes, I mean, if you want to help us think about our data, we walk into a room this size and there are boxes filled up with white paper in it, and they are like, yes, I mean, if you want to help us, go ahead, because we are asking police officers to do something that they are not trained to do. And there have been some politicians, including some Democratic presidential candidates who have suggested that we should do this, and actually presented some legislation on it and that really needs to be doubled down. These are things that the public, as taxpayers can actually demand and ask for. And there is no reason why in 2019, we are talking about technology that can fly over people and track their face, that we do not know when a police officer shoots someone. It is a travesty.

MS. LA VIGNE: It is challenging though, because there is something like 18,000 independent law enforcement agencies in this country and they do not have to do anything that the federal government tells them to do. So, you need a different kind of federal leadership to actually incentives them to start collecting and recording that data. We will give you money for your shiny toys if you comply with our requirements for collecting and ensuring this data.

MR. PEREZ: Exactly and I think it is a great idea and it is important, you know, the State of Maryland implemented -- well, we have a training commission and most states have them, that you get certified through them to be a police officer and now Maryland is requiring us to send them use-of-force data and the thing about it is, you know, we have to make things mandatory and then we have to follow up and make sure that people are complying, because I do not know, last year there was an article in the posts about a couple of agencies that did not provide that data for over a year, I mean, we were one of them, you know what I am saying? So, you know, implementing these rules, making them mandatory is great, but now you have got to follow up and make sure that people are held accountable for actually

doing what they are supposed to do.

MS. WILLIAMSON: I do want to just give a shout out to the media and to journalists. They have done so much to shine a bright light on what is happening in this country and doing a Freedom of Information Act request, and otherwise trying to get the data out there. It is not the solution, but it is really nice to know that they are out there doing that work. This gentleman up front here.

QUESTIONER: My name is Joshua, so, with the increased use over the emergence of facial recognition cameras, and that we all can acknowledge that the demographics in this country are changing, how would that effect policing in the future?

MR. RAY: I mean I think when it comes to facial recognition and artificial intelligence and these sort of things, part of the fundamental problem is that the data bases are not anywhere near complete and they mis-classify minorities. So, to your point --

QUESTIONER: Can I say one thing else sir. It can only accurately detect the features of white males, so it cannot detect the features of white women or other minorities?

MR. RAY: Well, part of the reason why it lacks the ability to detect is because the algorithms build on themselves and it is not enough people in the database to properly detect people. So, part of what people do not realize about technology and artificial intelligence is that as the machine learning program goes, then the more people that are in -- that are being calculated, so, if we bring technology in here that scans everyone's faces, now we are put into the database, but before that happens, we are not in the database. So, the less people they have that they are testing on, the less sites that they use, so, for example of that, out in Silicon Valley -- the United States does not look like Silicon Valley, it looks like what you just said. So, that leads to gaps in the technology and the problem with that -- this is what is key, -- is that it leads to misclassification and who might do something. So, if they are looking for me and they have scanned -- they have somebody who they think looks like me -- they might get you, because they think we look that much alike. So, I think when it comes to technology, the problem is that in order for it to get better, we actually have to -- the technology actually has to have the ability to have more people to include in the database and that is problematic for a lot of people because people consider these sorts of things privacy violations. But when we walk in airports, particularly like D.C., a lot people walk in DCA and they are like, wow, it is so open. For law enforcement

officials that is a good thing because they are using that facial technology. They are using the thermal type of technology they have that can scan peoples' bodies and actually see what is going on. They do this at the metro stations as well. So, everyone is being calculated when they are going in these spaces and people do not realize it. I think one way to solve it -- and Darrell West, who is head of governors studies here, -- he just put out a piece on technology -- one thing he said is when you walk into a space, not only does it need to say that it is being recorded, but it also needs to say that your facial -- that facial recognition technology is being used and there should be ways where people can opt in and out of that process.

MS. WILLIAMSON: Other questions? Ma'am, with the black jacket.

QUESTIONER: Good morning. My name is Beverly John and I am a member of a community justice coalition in Prince Georges County. I was wondering if the panel could speak to the issue of -- there is the Law Enforcement Officer's Bills of Rights, that I know is in Maryland. I am sure they are in other jurisdictions as well. Can you talk about the impact of maybe repealing that type of document and the impact that it has on actually preventing transparency and accountability in our police departments and is it possible that we could get a repeal on those types of documents?

MR. PEREZ: I guess I can touch on it. I think that you know, let me start by saying this. As an organization for the last probably four years, we have should up to Annapolis, all right, to testify in favor of bills that would strengthen those Law Enforcement Officers Bills of Rights, you know, for the community.

MS. WILLIAMSON: Can you talk about what is in one of those?

MR. PEREZ: Well, the jest of it is, it gives the officer a right -- and they changed it, well about two years ago or so, they changed it. We used to have 10 days. So, if I was involved in a shooting -- a police involved shooting -- I had 10 days before I had to give a statement, all right? So, you would have no clue of what happened, right, for those 10 days unless there was a video somewhere or, so other eyewitnesses, but if it was me and that person and he is dead, you know, you do not know exactly what happened, you know. So, they changed it to now we have five days, you know. And then another change which was good, I mean, it needs to be strengthened a little bit is, you could have one or two civilians on our police trial boards, you know, so when an officer gets charged with a particular violation

and he takes it to a trial board, at least now -- and it is at the chief's discretion, see, that is the problem. If, you know -- the only city that I know other than Maryland, is Baltimore. They actually have civilians on those trial boards, which is great because again, you know, like if I do something wrong and I am being judged -- let us say that I used force and I am being judged by what I call, those heavy-handed police officers, all right, that is who is judging me, what do you think they are going to say, you know. They are going to clear me -- oh, it was not that bad, you know, we did worse back in the day, and all that good stuff. But if you have some civilians in the room, right, they, you know, they are going in with a different perspective, you know. That might help us be more accountable.

MR. RAY: You know I think Captain Perez probably said something that shocks people that I think was really important, that if there is a use-of-force incident, that officers have a series of days before they give a statement. I want you all to think about that. That is highly problematic. Well, what happens during that time is they consult with the Fraternal Order of Police and they come up with a statement and byline that they want to give to the public. So, in the incident like in Prince Georges County with Donald Johnson who was just body slammed that paralyzed him from the neck down recently, this is one of these incidents where there was something that was put out and stated that is actually different from what actually happened, as more video footage is coming out. And I think what happens is we have to question ourselves as a society where if our law enforcement officials who are paid by taxpayer money are given days before they give a report and a statement about something that happened to someone who they are supposed to be protecting and serving. And this is why in many regards these Bill of Rights is problematic. Now, at the same time to Joe's point, what is key and the reason why Baltimore has civilians on their trial board is because of the consent decree. So, hopefully you are starting to see a pattern, right? So, Baltimore which, I mean, if you live in this area and you have just been paying attention, I mean, it has had a lot of issues over the past several years. But part of the consent decree that has been handed down is to put civilians on that trial board. That trial board is really key because trial board is the internal, essentially jury, that makes a decision on the reprimands and discipline of officers and having civilians on there for transparency is extremely important.

MS. LE VIGNE: You reminded me of something around, a controversy around body worn cameras, which is that as jurisdictions have begun implementing them there has been a question

about whether officers have a right to view that footage after an incident occurs --

MR. RAY: Right, before they actually give their statement.

MS. LE VIGNE: -- before they give their statement, which is just very interesting. Okay, cause the person you just killed does not have that opportunity and I think, you know, one compromise would be, have them give a statement immediately and if they want to then view the footage and modify that statement, go right ahead, but at least you get both versions.

MR. RAY: Great point.

MR. PEREZ: And I will tell you this, and I am a police officer, I have been a police officer for 25 years now, and when I first went to Internal Affairs, I was a little in shock because I went in as an investigator, low level investigator, even though you are a sergeant -- you had to at least be a sergeant to investigate other officers -- and you know, my first couple of cases, the person who is training me says, all right, before you interview him make sure that you show him all the video, all the evidence, the complaint and all of that. And I was like -- And then they -- the reason for it was that you know, you want him to refresh his memory as to what happened that particular day, you now. And then down the line we have had commanders -- and again, this is why what I say about setting the tone -- then we had commanders sending emails saying from -- you know, moving forward, you know, because there were times that we did not do that and there was reason for that. They would send an email down, you know, the boss is sending an email down saying from now on every officer that comes in here, we have evidence, we show it to them first, I mean, so, they are setting the tone of what we are doing, you know. And sometimes, there are times that you probably should not show that person a video, you know, and I could give a quick example we had. We had a guy who was chasing a guy who he thought was robbing a store, was going to rob a store, he chased him behind a building --this is about 10 years ago -- and back there the officer discharged his weapon. The officer said that the guy like, reached for his weapon, tried to take his weapon, and the gun went off and all this stuff, this whole story, right, and there were other officers also running behind the officer who discharged his weapon. Well, the short story is basically we charged this guy with attempted murder on a police officer -- all these charges -- and then one of our IA investigators found the video from a commercial building and what actually happened was, the officer is chasing right behind him, he is right behind him and the guy decided to stop and give up basically, he stopped, all he

did was turn around, he did not even raise his hand, next thing you know the officer -- you see it on video, the officer hitting the guy on the side face with the gun and it goes off. Not only did we drop the charges and all that, and you know, he got charged criminally, but guess what, he retired, you know, but that is an example there.

MS. WILLIAMSON: Yes, I think we are just out of time unfortunately. I am sorry we did not get to all the questions today but let us give a round of applause for superb panelists.

(Applause)

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