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## Reforming the Ranks: Policy Initiatives to Ensure Police Accountability & Improve Police and Community Relations

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**Reforming the Ranks: Policy Initiatives to Ensure  
Police Accountability & Improve Police and  
Community Relations**

TRANSCRIPT OF PROCEEDINGS held at Northwestern University School of Law, Thorne Auditorium, 375 East Chicago Avenue, Chicago, Illinois, on the 13th day of November, A.D. 2015, at 2:00 p.m.

MODERATOR: MS. ALEXA A. VAN BRUNT, Clinical Associate Professor of Law at Northwestern University School of Law; Attorney at the Roderick and Solange MacArthur Justice Center;

PANELISTS:

MS. URSULA PRICE, Deputy Police Monitor, Independent Police Monitor (New Orleans);

MS. LISA THURAU, Founder and Executive Director, Strategies for Youth (Baltimore);

MS. KYUNG-JI RHEE, Deputy Director, Center for NULeadership on Urban Solutions (New York);

MR. TRACY SISKKA, Executive Director, Chicago Justice Project.

PROFESSOR VAN BRUNT: Hello. Good afternoon. My name is Alexa Van Brunt. I'm an attorney at the MacArthur Justice Center and a clinical professor at Northwestern Law. We are presenting what we've colloquially called the policy panel, which was titled, "Reforming the Ranks: Policy Initiatives to Ensure Police Accountability & Improve Community and Police Relations." Hopefully, our panelists can address some of Professor Paul Butler's concerns and points on these issues in the course of their talks, and also, the Q and A. Each of the panelists here are renowned in their field, but each come at this issue of policy reform in different ways.

Lisa Thureau is the founder and executive director of Strategies for Youth in Cambridge, Massachusetts. The organization is a nonprofit advocacy and training organization, dedicated to improving police and youth interactions. She has worked with this organization with police throughout the country, has published many articles on youth and police issues, and is a technical advisor for the Office of Juvenile Justice and Delinquency Prevention.

Ursula Price is the deputy police monitor with the Independent Police Monitor (IPM) in New Orleans. The IPM is an independent civilian police oversight agency created in 2009 and its mission is to improve police-community relations and citizen trust in the New Orleans Police Department (NOPD). Ms. Price has worked to promote criminal justice reform in Louisiana since before Hurricane Katrina. And she has been instrumental in building the police monitor office.

Kyung-Ji Rhee, or K.J., is deputy director of the Center for New Leadership on Urban Solutions in New York. The center is an independent research training and advocacy human justice think-tank. It was formerly at Medgar Evers College at CUNY, City University of New York.

Ms. Rhee formerly oversaw the Institute for Juvenile Justice Reform and Alternatives, the Center's Youth Justice Division. She is nationally recognized for her expertise in juvenile justice advocacy, policy development, and dynamic youth development and organizing training.

Last but not least, Tracy Siska is the executive director of the Chicago Justice Project here in town. That organization is a nonprofit and independent research organization that accesses and analyzes data from criminal justice agencies to promote evidence-based reforms that meet the needs of local communities. Mr. Siska founded that organization. He's formerly of the Better Government Association of Chicago. And he has two decades of experience researching criminal justice issues and is focused on the use of technology to better cover policing issues.

So now, I will turn it over to Lisa Thureau, please.

MS. THURAU: Thank you very much for inviting me. I'm very happy to be here today. I want to explain that I'm a lawyer, but I'm very nice. And I'm also an anthropologist.

In 2001, I brought a lawsuit to sue the MBTA Transit Police in Boston for their really disgusting violation of children's civil rights. They kept charging them with trespass, locking them up for hours before letting them call their parents. And they were charging them with trespass for taking public transit, which is the only way kids could go to and from school.

When we got to court, the attorney for the Transit Police said to the parents, "I'm going to destroy each and every one of your children on the stand if you don't settle." And I mention this because it explains in part why I did not stick to litigation as a sole method of challenging the way police treat young people and I decided to go towards training. Anthropology also has informed my approach here because I've come to understand that with different groups, different methods and different challenges to their powers work differently. And sometimes, co-optation and use of their own rhetoric against them can be most effective. And so, that's what I did when I started *Strategies for Youth*.

I just want to talk to you a little bit about some of the things we do in the field and some of the things you might do, too, or support us with. We're always looking for young people and I really urge you all to go spend a day a month helping young people charged in court as this young woman keeps begging you to. That way, you understand what these kids are up against and how really most kids in America have truly no rights.

Why is this necessary? Well, I'll tell you why. Sixteen- to nineteen-year-olds are a small percentage of our population and account for one-third of use of force by police. That's way too much. That's shameful. And the problem with that is that this use of force often results in them being arrested and being charged with resisting arrest or disorderly conduct. And that begins a cycle of their being pushed into the system. This isn't even adequate data because the age at which most kids encounter police is fifteen, so you can imagine what the real numbers are.

But if we need more evidence, we can look at these recent interactions with youths. And I won't go over them here because you know them, but we know that use of force with kids and an inability to interact or get them to do what officers want is a hallmark of American policing.

And so, what we wanted to do is change that. We wanted to do something in recognition that litigation was necessary, but not sufficient. We wanted to go to police where we thought they lacked skills—and I'll show you how they lacked skills. We wanted to use a Section 1983 model

of trying to change them, first by looking at their policies because most police departments don't have any about dealing with kids. I've just been in one of the biggest cities in the Midwest—zero policies on how to interact with juveniles.

We thought we'd look at training, and then, we'd look at supervision because those are the three pieces of a Section 1983 suit—were the officers guided by a policy, were they trained to follow that policy, and was supervision making sure they adhered to it. And what we looked at for policies for patrol officers were statutes, state standards, and national police organization standards. And I can tell you for patrol officers, there are very few statutes or state standards in which the state says, “I want you, as a patrol officer—I, the State of Illinois—to treat youth in a developmentally-informed, trauma-informed approach because the treatment of our young people is key to the safety of our nation.”

You don't see that in any statute in America. You see minor state standards in three states which are, oddly enough, South Dakota, Virginia, and I've forgotten the third because frankly, it doesn't matter. They're not implemented. And then, you have some really excellent national police organization standards which are often ignored.

Policies for school resource officers are now blooming. And they exist by statute, by state standards. And police organizations also have created some of those. But frankly, if you look at this child here—he's the little eight-year-old from Kentucky. Kentucky has the best state standards, and they're completely unenforced.

So this country is really good at rhetoric and really bad at implementation.

Kentucky is a fine example. Send them my love. The reason we're seeing more standards there is because we have more advocates in the public schools caring about kids. But that doesn't mean we need them only there. We need them in the streets, too. And unfortunately, we don't pay as much heed to what's happening with patrol officers as we're doing right now to school resource officers.

So we believe that a comprehensive set of juvenile policies was a key first step in changing the way police interact with youth and being able to hold officers and departments accountable. And we want it developmentally-informed, trauma-informed, and a positive youth justice model.

And we're developing a national standard. We've been rejected by the Federal government every time we've proposed it or suggested it. And that's a reflection of something very key in America, which is we believe policing should be decentralized and should be a local matter. That goes such a long way to keeping us divided and [is] a real source of the failure for true reform.

So we're developing this. And when we work with the police department, we offer to rewrite all their policies to make them reflect these goals. I'm really proud to say that some departments have completely wholesale adopted our approach. So then, we have one leg of the stool in place.

We also do training. And the training is necessary because we don't have any in America. The International Association of Chiefs of Police (IACP) looked in 2011 and said, “Guess what, there is no training of in-service officers—that means veteran officers—about how to work with kids.” And that was in 2011 when we already had three major Supreme Court cases saying you must, if you're a juvenile justice system stakeholder, adopt a developmental approach. Nothing. And I have yet to see one police department aware of any U.S. Supreme Court decision like *J.D.B. vs. North Carolina*, which deals with how you Mirandize children aware of it, including the city that brought that suit.

So what we looked at then in Strategies for Youth was what are academies training officers to be aware of? And we found that an average of six hours is spent on this—1% of academy time

basically is spent on juvenile justice, but most of that time is spent on juvenile law. And nothing really is spent on mental health or disproportionate minority contact which is a Federal obligation—just saying.

So what we looked at, well, where are the requirements for training? Where are the states in this? We know the Feds are nowhere—no policies, no obligations for training. Well, some states have statutes, some have posts, and some have public safety regulatory commissions, but they're all over the place. And again, there is no standardization.

So Illinois has ten hours or 2% of the total academy time. They say that they do all this. But someone had asked about the transparency of training. We don't know if that's true because they often won't disclose the curriculum. And we find that mental health experts are alleged to be involved in the curriculum in Illinois, but some practices of Illinois police would suggest otherwise. Finally, there is no training on disproportionate minority contact in a state that is severely troubled with it.

But you think that's bad, let's look at California. Three hours for one of the nation's most populous states is spent on juveniles, or 0.5% of the total academy time. And it's juvenile law only, and nothing on how to interact with juveniles or mental health.

So we developed a training which is two days, and it's an interdisciplinary approach where we're trying to give officers skills to deescalate, to read signs of prevalent mental health issues with youth, and to dig deeper into frequent fliers. These are homes you go to fifteen, seventeen, thirty times. And as one police officer said, "I guess our intervention each of those times didn't help." Well, yeah, because it's not a law enforcement matter.

And yet, let's be really clear—in America, we've killed the safety net, so we're driving this all over to the police's hands, and then, we don't equip them to deal with kids. So all our social and domestic policy failures, we dump in the laps of police. And how very odd they use a law enforcement response, which is not a good one for kids.

So typical Day One training is on normative brain development compromised youth, which we talked about. There are mental health issues, trauma-exposed youth, and how to assert authority effectively with this age group because it's not the way you do it with adults. There are many key things to consider differently. This is presented by a psychologist or a psychiatrist, an expert in adolescent development. So we're explaining, you're not working with a lot during this age period. And a whole bunch of slides are not showing up for some reason. And so, what we want people to understand is how do you deescalate a kid whose amygdala—which is the fight, flight, or freeze part of the brain—is overriding their frontal deliberative decision making section of the brain, which isn't fully developed? That's what we teach officers.

Day One, we talked about the brain or Jell-O. Day Two, we're talking about nurture or the Jell-O mold—what is forcing kids to make the choices or react the way they do? And I really resent when I hear these are individual decisions or choices that we like to blame kids for. Well, we talk about these things and it's remarkable to me how little police know about juvenile law. They have no clue how the system works. They don't know about juvenile detention alternatives or reforms. And they know nothing about community assets in their area. We find that they know nothing about alternatives to arrest or programs that could help them with frequent fliers—or kids who just need some alternatives.

So we bring this to them in this two-day training. And we find huge changes. This is what I want you to come out of here feeling hopeful about.—there are changes possible. But please hear me when I say no change is forever unless you are vigilantly watching it and demanding it and

holding people's toes to the fire, okay? So don't think that anything I fixed in one place is going to stay that way unless I keep going back and hassling them to fix it.

And we see an 85% decrease in arrest in MBTA Transit Police. Wahoo! 646 kids in 1999, seventy-four arrested in 2009; 60% decrease in Cambridge, Massachusetts, 80% decrease in runaways because we're having police say, "This is a kid in need, not a bad kid. This is a kid who needs support, not punishment."

Changing that mindset is key, but it's really hard to do that in parts of America where we are all punishment uber-allies. The accountability mechanisms are as key here. What you have to do is get your leaders here to change the philosophy. We don't go to places where the leaders won't accept our change in philosophy, that you should have as few kids in prison as possible. Because if we don't have leadership behind us, we can't get the rank and file behind us.

But I'll tell you what, if you have no policies, you will have no metrics for supervision and no way of ensuring that you change the approach of officers. There are many ways of trying to have accountability mechanisms. One is organizing. You should all be doing six hours a month in court. That is your responsibility. That's your way of changing this. I'm echoing you because I go all over the place and beg for help. We always want volunteers if you want to come over to Cambridge, Massachusetts—and I would understand why you didn't.

Because one of the things you can do here is data collection. One of the very simple things we can do is help someone like this young lady whose name I forgot look at who the officers are making those arrests. What days are those happening, what time of day, what area? That's the kind of data collection you all can do by hanging out six hours a month in an office.

We need to establish feedback loops between juvenile justice system agencies. Police have no idea how many of their arrests are dismissed. District attorneys have no way of feedback—feeding back to officers what does and doesn't go forward before judges. These systems are easily broken and act in isolation because no one is forcing them to work together.

And things like the juvenile detention alternative initiative have been a huge turning point in these systems in some states because it said to officers, "We're taking away what you like, which is to lock a kid up. We're going to give you some alternatives. And now, you have no justification for arrest. We're going to push back on you." So it's like putting a dam in the water of a kid flowing into the system.

You've got to monitor. You have to get parents out there watching, too. You have to get parents out and teachers out at public transit stations and everywhere else where kids are being over-policed or under-protected. And finally, you have to survey young people and ask what's happening. What are officers doing wrong? What are they doing right? These are things young people can do.

These are things that you can do as law students. There are many, many ways of getting involved and reaching out and teaching youth, including something we're always looking for: people to play our juvenile justice Jeopardy game with young people so that they better understand the legal consequences of some behavior and so they don't think they have rights they don't have because I can tell you what, we really don't have a lot of rights. In the last twenty-five years, we've seen them go up in smoke under this colorblind claim of criminal justice and the protection of officers as you just heard Professor Butler describe. But these are things you can do. Tracking complaints—in Massachusetts, in Boston, on average, a complaint takes seven years not to resolve. That's too long.

If you're in a place where kids are being arrested for walking in the road—and let me tell you that happens all over America. That happens in Mississippi. It happens in Elkhart,

Indiana. I just was there, watching that happen. Well, then hundreds of you need to be out in the middle of the street, not walking on the sidewalk which doesn't exist, so that's why you have to walk in the road anyway.

So get out there. Organize. These are things of doing. And if anyone wants to know how to make a police department really unhappy, thanks to social media and press coverage, just call me because I'm really good at that.

For instance, in Spring Valley High School—that's the high school where they dragged the girl across the classroom. Do you know how long we have been begging to train them? Since April 10, 2015, when so many advocates had said to us, "Terrible things are happening there. Could you help us?" So we sent that to the *New York Times* and said, "See, we offered it to them." And they said, "No. We don't have enough money." And we said, "Oh, here. We'll raise money for you." And they said, "No, we don't want you to raise money for us. We don't really need the training."

It's really easy to make some people squirm. And frankly, I enjoy it.

Now, you can't do any of these changes without each other. If I have training without policies, if I have policies without training, if I have no accountability mechanisms watching it all, and if I don't have a community engaged to think that now they are in charge of the police because that's how it's supposed to be.

Remember Mr. Peel, who said the community tells the police what to do, not vice versa? We've got to switch that in America because, boy, have we lost track of that.

Without those things together, you can never hope for meaningful reform. It's not simply a matter of communication. It's about rebalancing a terribly imbalanced power balance. You have to have all those pieces together. And you must be constantly vigilant. Together, those approaches can lead to some really helpful, good change for young people and keep them out of the system.

Thank you.

PROFESSOR VAN BRUNT: Thank you. I'm actually going to turn it over to Ursula Price now who will be coming at the issue from a slightly different lens.

MS. PRICE: Good afternoon, everyone. I'm coming from the City of New Orleans independent police oversight mechanism. I'm going to talk to you about professional independent police oversight as an option for police reform.

I want to start off by saying I absolutely believe in police oversight. And I'm going to advocate for it in my remarks today. However, there are some very big questions that every community is going to need to ask itself if it is pursuing police oversight, many of which we are still in the middle of asking ourselves in New Orleans six years after passing our initial law.

So [there are] some questions—especially as I was listening to Paul and others speak today—that I definitely want you to keep in your mind as we talk.

First of all, we need to figure out what we mean by public safety and whose safety we're talking about. Our community is struggling with all sorts of violence. And we're struggling with an uptick in what looks like rampant violence for the first time in my lifetime in New Orleans. And so, every time one of those acts occur, there is a push/pull against the police reform efforts, so we need to be discussing those things when we think about what reform we're pursuing.

I also agree with Paul—we have to be clear about what problem it is we're trying to solve. I'll get into it a little later.

But when we were forming police oversight in our city, the initial thinking was we need some mechanism to root out bad apples, right? And then, it became we need some mechanism to improve the relationship between the police and community, or is it the mechanism to actually reform the institution of the police department, right? Those three things are three completely different goals. And they don't always live in the same place.

Also, I think it's important to think about—put it this way: we are in the middle of thinking about who is qualified to do what in the oversight community. And I encourage everyone to check out the National Association for Civilian Oversight of Law Enforcement—that's our national organization that various forms of police oversight are members of. Right now, we are in the middle of having a conversation about professionalism and qualifications and, honestly, this concept that an adequate police oversight practitioner should be dispassionate and removed and not impacted by the issues that they're trying to address. So something to think about.

We're also thinking about intersections and how effective our strategy of police oversight is if there is not also robust community involvement and also a robust legal community that is clear about what is it trying to achieve, right?

So those are things I'm going to be addressing as I just tell the story of how New Orleans got police oversight.

First, I need to start with the caveat that New Orleans is a very unique place. Some people say that we are the northernmost Caribbean city and not really a part of the United States. There is good reason for that. There are still parts of town that are the American section of town.

Certainly, our race dynamics are more Caribbean than American. We are still a majority black city with a majority black police department. I think that makes the conversation about racism in policing in New Orleans—makes New Orleans—a very unique example of institutional racism as opposed to individual racial attitudes, right?

And I also think it's important to note that we got police reform at a very interesting moment in our city's history. Police reform was directly connected to Hurricane Katrina and the rebuilding of our city. And it was in a moment where we were given a lot of national attention around all the things that were going wrong in our community. We are now experiencing a little bit of rollback ten years after Katrina where the narrative is “Okay, everything is fine now.” So those are some caveats that you should keep in mind that my story will not absolutely fit your own, but is something that maybe you might glean something useful from.

So how did we get police oversight in New Orleans? Our organization is very unique because we are the direct result of community organizing. Unlike other police oversight agencies that are also the direct result of community organizing, we are an inside governmental agency. A lot of other communities, when they push for police reform, get civilian review boards, which are citizen bodies that review police misconduct without actually being part of the public safety system. That can be an effective method, but we're different because we're actually inside the public safety system. We're part of the government. We're considered a criminal justice agency.

I'm going to talk in a minute about the advantages and disadvantages of that. But first, I want to acknowledge that we are very aware that we exist because of a push by the public. In fact, I came from the organizing community that pushed for police oversight, and that my community intentionally told me, “We want one of our own in there. You go take the hit.” So I did. And that played out really interestingly later on, right, because, you know, I joke about taking the hit, but it really was a hit, right? This is a much more constraining way to work. But it also came with more resources. I had to start wearing suits every day. I got paid more than the other community organizers. And that turned out to be a little weird, too, right? So to have to acknowledge what it

means to send our people to the inside and how we're going to hold them up if they're going to do that for us.

I also think it's an interesting part of the development of our story that just two years after we created independent police oversight in New Orleans, the federal consent decree hit our city. Most people viewed that process as salvation, right, and that federal intervention was going to mean a great deal for our community. And although it has still remained, it's still playing itself out.

There is one thing I want to discuss with y'all and keep in mind is that when you have federal intervention, power dynamics shift. And so, the federal intervention is right now the supreme power in our city—not the people, not local oversight, not the police department, right? And if you are trying to build a system of policing where the community leads the police, then you need to keep in mind how you're going to preserve that, even as you invite in more powerful, better-funded actors.

So let's talk about advantages and disadvantages. There is a lot of advantage to having professional police oversight. First of all, being inside comes with some good things. We have information access that others do not. As a criminal justice agency, no one can make the argument that we can't have things because they're not public record, right? And so, for instance, that very awesome GIS map that we saw this morning, they had to litigate to get that data. We have that data on hand automatically. And if you build your oversight agency with the understanding that transparency is one of its fundamental values, then that information access can come to the public.

So just as an example, about three months ago, a police officer in our city was terminated. He was taking a fifteen year old mentally ill girl into juvenile lockup. The girl had already been taken into custody and put in a secure facility, but she was angry about being arrested. No one ever answered her question about why she was arrested. And she started kicking the door.

The officer did not like that and let himself into her cell and beat her with some metal leg restraints and destroyed one of her eyes. The police department rightly made the decision to terminate him, but they refused to refer the information to the district attorney to see if he was eligible for prosecution.

So in response, our office released the video of that incident because it is a public record. And it was in our possession and it was in our rights to release it. Various elements of the criminal justice system, including the federal consent decree monitor, were very unhappy with us for doing that, right? So you have to keep in mind that on the other side of the information access as being part of the governmental system, there is the danger of drinking the Kool-Aid. There is the danger of becoming so much of an insider that you buy into the culture that says, "We are the best people to know, to handle, to have access." And we need to be careful about letting other people know things.

I also think another great aspect of being a police oversight agency is that you get to develop relationships with individual police officers who can become your informants. Our office works both sides of the system, so we deal with rights violations for individual civilians, but we also deal with rights violations for officers. Through that work, we've gotten many informants.

For instance, an officer contacted us once and linked an email to us in which his commander told him, "Stop all bicycles in the 'hood." And that led to lots of media, but also, exposure of the fact that our police department was flouting the federal consent decree's mandates around stop and frisk at a time, by the way, where we were attempting to document that, but their data was so flawed, it was impossible. So those police informants can be very valuable.

On the other side of that though, there has been some community pushback about us seeming to be too cozy with police officers. There was a moment where my boss, the police

monitor, was photographed in the media, hugging the chief of police. That did not go well for us. And so, we have to be careful about how we present because just as much as we have to seem impartial enough to be fair arbiters when an officer is accused of misconduct, the community needs to believe that we are not in bed with those who are oppressing them. So there is a balance, a tightrope that has to be walked there.

Another advantage is that the police department has sort of expanded our authority beyond the original laws written by invitation. So the best example I can give is that not too long ago, a very beloved officer in our community was transporting someone who I think he had a warrant for—or no, he had been involved in a domestic violence incident. He was transporting this guy to central lockup when the guy got out of his cuffs and shot him in his cruiser. That incident is not actually part of our office's mandate or purview, but the police department was so concerned about handling it well, they asked us to come and independently observe their investigation and their apprehension of their suspect. Because they felt the need to have an independent set of eyes there to just confirm or verify what they were saying about themselves, they gave us access to the larger investigation. We were able to talk to them about various issues of tactical concern, including the fact that responses to domestic violence are not adequate because this whole thing started by the responding officer not taking the domestic violence claim seriously and not searching the man for the weapon that his wife said he had.

On the other side of that, however, there is the issue that the police department—how do I put this—will tokenize oversight, right? It will try to pull it out and be photographed with—which, by the way, it's worthy of note that my office is entirely women and mostly women of color. So they'll cart us out for the photo op when it's useful and try to give themselves legitimacy just by our presence. So we have to be careful that we do not function as a way to legitimize dysfunction.

And that's something that I think non-governmental agencies have to think about as well. Whenever you're engaged in a partnership, you have to be careful about not being used and maintaining your principles. And so, it's best to be clear and upfront from the beginning of that partnership about what your roles are and what the rules of your game are going to be.

So a couple of more things I want to say. You need to be aware of the power differential. One thing our office struggled with is that we were charged with overseeing this police department, but they gave us no staff, no funding, and no power. And then, everyone was mad at us that we couldn't do what was expected of us. And so, I encourage people who have the opportunity to be intentional about building these institutions to think about power differentials and how are you going to balance an unnecessarily smaller and less-funded institution against the biggest budgetary item in your city. You have to really think through how you're going to make that happen because it's not easy. We're figuring that out as we go, right, but we wasted a lot of time spinning our wheels.

I will close with saying that we have landed on a few things that I think are useful to think about.

First of all, if you're going to define the problem, we have decided that the problem, our approach to the problem, is institutional, right? So we are not going to get caught up in the bad-apple theory of policing problems, not only because our police officers are also members of our community and came out of the same public schools and the same public housing projects and the same failing institutions that the people they are arresting are, but because it comes right down to discretion for us.

Another, by the way, benefit of being a governmental agency is that we get access to things like training that other people don't. I heard a question about that in one of the previous things. You would be shocked if you sat in on police training.

So as an example, I went to a federal training provided by the Department of Justice. And in this training, they were talking about signs of threat. The whole training was about this premise that officers are under attack at greater rates, and that these are all the things we've learned about how you can be prepared for a threat and what is an indication of threat.

And in this training, I heard them say both that a person who stares at you too long is an indication of threat, and a person who looks away from you is an indication of threat. There were so many things, right, that were very illuminating to me.

And it came right down to this: We give our police officers a ton of discretion, right? They make discretionary arrests. They have discretion around uses of force. And yet, we teach them absolutely nothing about good decision making. Even this use-of-force training gave them these hard and fast rules of human behavior—when that is not how human beings actually behave—and then, gave them absolutely no tools about how they discern, based on the individual interaction.

So these are just some lessons I've learned. Thank you.

PROFESSOR VAN BRUNT: Thanks, Ursula. Lisa talked a lot about data collection, so a man who can speak to that is Mr. Tracy Siska.

MR. SISKA: Hello, everyone. So I'm the founder and executive director of the Chicago Justice Project (CJP).

We come at accountability a little differently. We're not looking to open up one agency's data, right? We look at it as there is no way to understand what any one agency—including whether it's the Independent Police Review Authority (IPRA) here, the Police Board, the police, prosecutors, whatever it is—there is no way to really know what that one agency is doing truly and as deeply as we need to know it without having the other agencies' data. You need to know inputs. You need to know outputs. That's kind of revolutionary.

So when I founded CJP, our goal has always been to open up the entire local system's justice data from a call for service through adjudication, maybe incarceration, and to be able to connect those data sets across both agencies and over time.

So to view as a great example, then, unfortunately, we have been given, it would be like Ferguson. The biggest point to actually create reform besides the movements that came out of there, not looking at them, but the biggest point out of there was basically the Justice Department data that the professor showed, right, those stops, the overwhelming, unbelievable racial bias, right? That was an everyday occurrence.

Now, if you're in communities of color—especially in Chicago, but I'm sure in any urban city, and even in rural now— you are going to hear all kinds of stories and allegations about what the police department is doing or what the justice system is doing. But they're very rarely, if ever, empowered to be able to prove that systemically, right? And it's nearly impossible to this point to get data from the entire system, right?

And this is how bad it is. The police—and they use it in their system and our reform efforts here—the agencies can't get data from the other agencies, right? So the police, when you bring up a problem, and let's talk about like sexual assault in Chicago. We know there is a huge racial disparity in how the police departments respond to victims. And because we're such a segregated

society here in Chicago, you can easily just go by neighborhood, right? And depending on the race of the victim, how they respond is completely different.

We know that from years of work of advocates. But when advocates go to advocate for changes, they have no evidence that that's actually occurring, right? And they certainly can't connect it to say that there is a systemic issue. When they call 911, it happens when the police come out and it happens at the detective level. It happens entirely throughout the police department. And then, it happens through the prosecutorial level, too. And then, it may even happen between that and the courts.

We're trying to totally redefine the idea of accountability, and hopefully, activism to some degree around this to be more systemic, to get away from heater cases, to get away from the single case that may make the news, which is great if a social movement is born, but what that social movement needs then is evidence that what was happening is not a freak occurrence. What's happening is not a problem of, "You just don't understand the circumstances." No. I want to be able to [show]—you know, ideally, CJP wants to be able to give the Black Lives movement here in Chicago—the fact that, you know, there is racial disparities in drug prosecutions or how drugs are handled the whole way through [the system], by district, by community area so that they can go and advocate not only about one case or two cases or five, or about innuendo or about what people have said on the street. But they have ten or fifteen or twenty years of proof of that. That's our goal.

Now, obviously, the agencies have a whole other argument to that. One of our biggest problems that we face is we hoped it would help us—we were trying to exploit the fact that they all hate each other. As much as they operate in this system—they can do really evil things and continue to do really evil things, to one extent or another—the agencies really don't get along. And believe it or not, we're having some success with that.

This is the first of our projects. Now, unfortunately, this is only one agency's data, but hopefully, it's coming soon. This is fifteen years of decisions from the Chicago Police Board. So you can sort them—I'm not going to go through the website, but really quickly, you can search by officer name. Coming soon—early next year, hopefully—you'll be able to search by complaint registry number. You'll be able to keyword search across all the decisions and charges to look for patterns on domestic violence, decisions, all of that.

Now, this is a small piece. What we really need to make this powerful is the data that Craig and Jamie have started to make public, coming from the Independent Police Review Authority. But there are about six more steps in that because what most people don't know is that [with] most of the cops, the suspensions are small, which Craig said. They don't go through the formal accountability system. They grieve it through the union process. So most of this is just clouded and in the shadows that you'll never know. So you'll think when you open something like this, you look at this, that this is, wow, we have all this data, it's great, when in reality, unless you know the system really well, you won't have all the information you need to know to advocate for the change you want.

Just recently, this end of last week, we received a letter from the chief judge here in Cook County. And this letter is going to allow us—if the clerk gives us it and we don't have to sue for it—all criminal court data since the day they started collecting it. So from what we've heard from the judge's office, that's either [since] 1980 or 1988. That's a huge release. Nothing like that has been seen. Now, this is Chicago, so the proof is in the pudding about whether we actually get it, but we have a piece of paper saying we're supposed to get it.

We are moving on other fronts with litigation, suing against the State's Attorney. So probably for the first time, hopefully, if we win—our lawyers say we will—sometime in 2016, maybe 2017, the largest or second largest prosecutor's office in the country's data will be available. You'll be able to tell every case that's submitted to them for a process called felony review. And you'll be able to tell demographically what's happened at every kind of charge, hopefully, for long periods of time, and hopefully, going forward in perpetuity.

All this is to say is that we're hoping to connect all of this data, huge data sets as they are, and be able to really inform movements with trends.

I'm an academic, so I try to come from a very critical perspective. I tend to go into situations and research, not believing anyone, as bad as that is. I want evidence. I want proof. Hopefully, we're going to be able to deliver that all, right?

This is the first project of its kind. Traditionally, what happens—and you can tell just from what it took Craig and them to get this very large set of IFRA data—but one agency among a whole set of agencies, what it took for that fight. We're trying to make it one huge fight for all of the data, period, so that there is no hiding. And for now, hopefully, it will empower lawyers and others, federal defenders and stuff. You'll be able to search by officer, and you'll be able to find out every arrest they've made, not only find out every arrest they made, but be able to find out the demographics on all those people, what they were stopped for, when, where, what they are arrested for. And then, you'll get in there what was the final solution to all of those. No agency has that. They don't have data. They don't share data amongst each other. They have no clue.

So the Chicago Police Department, out of mostly purposefulness, but there isn't a data avenue available for them really, they have no idea how many arrests get thrown out when they come to the first court hearing by an officer. There is no loop back for them. So the CJP decided to create it. We're going to force it on them. And we're going to force it through a normal traditional police accountability system. We're going to force big data on the system, whether it likes it or not.

That's the bottom line. And they're resisting with all their powers. We've already been asked through legal papers to take this site down. I wouldn't be all that surprised if Craig gets something soon, too. Believe it or not, I guess us putting "Chicago Police Fund" on there is somehow a trademark infringement, so they've used that to try to have us take the entire site down.

We hope that we can grow CJP and replicate it, not necessarily done by us, but done by other people in other cities so we can start collecting this national level data. We hope to work with the agencies when we can. But when they don't, we're going to challenge them because we literally—it made me think when Ursula was talking—we want to know everything they can know, de-identified—de-identify the civilians. But police officers and the agents, the prosecutors, the judges, we want all their names. Public defenders—sorry, Harold—we want all their names. We want them connected to everything so we can find patterns, but all be identified. We want to push hopefully the reform debate, the trends, so that they can't argue about outs. "You don't understand the details. You don't understand on this."

Well, we're going to give them data so that there is no chance for them to argue their way out of it. I'm sure they'll find a new one in the process with it, but until then, it's all about trend data. So I look forward to answering your questions.

Thank you.

PROFESSOR VAN BRUNT: Thanks, Tracy. All right. Certainly, not least, but last, K.J.

MS. RHEE: Good afternoon, everyone. So we were invited here to speak about our arrest diversion program. But it would be doing it whole injustice if I didn't talk about who we are, what we do, and why we do what we do. So the first five minutes, I have to give you that foundational stuff. And then [with the] remaining five minutes, I'll talk about how this arrest diversion meaning alternative to arrest pilot has emerged.

And it's actually called the Bed-Stuy, which is where our organization is located. And it's a Bed-Stuy-based pilot. It's called Bed-Stuy Human Justice Initiative which brings me right to human justice, why human justice.

So I want to say a few words about Center for NULeadership on Urban Solutions. I'm going to talk fast because I'm trying to pack in a lot of stuff and to wake you up a little bit. It's the afternoon after lunch. It's not nap time.

So Center for NULeadership on Urban Solutions, it's probably the nation's first and only organization—I say "probably" because you never know, right—but first and only organization that was conceived, designed, developed, and founded by formerly incarcerated leaders. Our founder, Eddie Ellis, who some of you may know of, he's a prominent figure in New York. And I'm going to tell you the story of how Center for NULeadership got founded because it speaks to a lot of the questions that got bubbled up this morning and about power.

So Eddie was a Black Panther Party member in New York, one of the major leaders, one of the most prolific and astute writers and was completely, totally targeted by COINTELPRO along with seven other fellow Black Panther leaders and was incarcerated for twenty-five years for a crime he didn't commit. If you look at his court records, you law students, it's like kangaroo court, like you can't believe it, right, but this is the case for most COINTELPRO cases that you're going to look at from the time. So talk about state violence, that's a whole other story.

So in twenty-five years that he was incarcerated—he was also at Attica when the Attica rebellion happened which I'm not going to go into. If you don't know about Attica, please look it up. It's one of the landmark events in prison reform history. After Attica happened, which put the prison crisis and conditions on the map globally. All the politically conscious folks got sent to Green Haven, which is a maximum correctional facility in upstate New York.

When he landed at Green Haven in the '70s, to give you some perspective, he joined what was called the Green Haven Think Tank, which was a group of incarcerated men who formed a think tank to not only talk about kind of best practices in terms of what to do at the parole hearing, but to really engage in the critical questions of the prison crisis. And this was back in the '70s when we had 200,000 people locked up nationwide. Right now, we have 2.2 [million], right? Back then, '70s people said that's too many people locked up.

Now, it didn't take. With all due respect, it didn't take big data for people to figure out you're talking about people locked up for twenty-five plus years. You start to go to different facilities. You start to see, "Wait, we're from similar neighborhoods."

They did a research study that actually informs the mapping project that you see now, which is a whole other discussion. But they did a study called the Seven Neighborhood Study. It was called something else officially, but it's come to be known as the Seven Neighborhood Study, which basically said something, that's the same case for every state in this country. Even now—fifty years later, forty years later, however you count it—that 75% of people locked up in upstate New York come from seven neighborhoods in New York City. And 85% of those people are black and brown.

With this finding—which now, we're like, of course, right? Back in the '70s, it was the first time that there was a direct link drawn between poverty and crime, among other things that we talk

about now. Out of that came a call for stop prison construction. And out of that came a vision that said, “This is not the prison problem.”

When we talk about any kind of prison reform, criminal justice, it has to fundamentally entail—and this is what informs our work now and the design of how we develop stuff—that it has to fundamentally entail community development and community organizing. Because right now, we're in an era of reform. And it's a precarious state. It's a Catch-22. System reform, all the funding that's coming down, invests a lot on having to kind of address the crisis, right? But we are doing this at the expense of investing in the communities and addressing the structural and everyday inequities and racism that exist in the community.

And so, for us, for the last ten years, it was how do we catch up to our own rhetoric about community power? Rather than being on panels, talking the good talk, and talking about the importance of community organizing, power dynamic, how do we actually demonstrate the so-called clean glass? How do we really walk the walk because that was the mandate that our founder brought to us all the time as a Black Panther Party organizer and as somebody who stayed with that and saw the matrix with like X-ray vision, as you could imagine as you get targeted by COINTELPRO and as he has done community organizing and as somebody who is a follower of and worked with Malcolm X. He engrained that into us, right? And everything is about power analysis, but not rhetorically only. But you have to apply that in your everyday in whatever capacity you are.

So fast-forward. He gets out after twenty-five years and it is a total miracle. He starts consulting for Open Society Institute, which if you know, it's one of the biggest foundations in the country, with George Soros. So he's sitting at all these elite policy tables. And he realizes—this is back in the '90s. Wow, some of the most major policy decisions being made are being made by people who are furthest removed from the everyday realities. So to your question, we're totally on the other side.

So he founded the Center for NULeadership to say, “If there is going to be any innovative and truth bearing and real deal solution that's going to be developed to answer the system, it's going to come from the people who are most directly impacted and closest to the problem.” And he said then, “We're going to bring together formerly incarcerated leaders, academics, with experience, analysis, and study and work on the ground.” It's not enough just to have experience. You have to do work on the ground. And you have to, also, you know, study everything that everyone else studies, right?

So how do we create a center where we really develop real deal leadership, not tokenized sitting at the table, testify at a congressional hearing about your experience, while every other expert testifies about the problem. And that's the legitimacy here—how do we revamp the expertise of this problem?

That's who Center for NULeadership is. Everyone at the Center for NULeadership—we're pretty small—everyone has been formerly incarcerated or we have family members who have. What that means is we have a 360 degree [perspective]. We don't have the luxury of just dealing with this. It comes from all aspects of our lives.

Now, since I've put that out, I'm going to put out a framework and talk a little bit about our arrest diversion program, how it came about.

So I have to put out two frameworks that got our work. We have a saying: from criminal justice to human justice. We don't believe that you can achieve justice when your starting point is criminal—constitutionally, historically, politically, economically, socially, psychologically, you

name it, you toured everything under the sun today. But if your starting point is human, your pathways of inquiry, understanding, and analysis are fundamentally different.

And if we're really going to achieve justice, and that begs the question of what do we mean by justice—and that's a whole like semester, symposium, everything—and that we have a formula for human justice. So our tenures for teaching is how do we introduce and promote and apply human justice because we're tired of coming up with aliases for the criminal punishment system.

So we can talk criminal punishment system, mass incarceration—we call it mass arrest now. We have to address [the] mass arrest phenomenon—prison industrial complex, school to prison pilot, education not incarceration, schools not jails. It is regressive. And we have to expose it. But we have got to start defining the vision for which we are fighting for.

We talk about all these tools, the tools to dismantle, but where the hell are we going? Because at the end of the day, we have to address the deeply internalized. None of us, none of us in this room, is untouched by the prisonization that has taken place in the history of slavery which is essentially what has [happened]. Someone asked the difference between mass incarceration—the history of criminalization has existed right alongside slavery. So that has continued explicitly through the prison system, right? And now, if you look at policing, how it happens.

But all that to say, the formula for human justice, we have a formula—human rights plus human development equals human justice. And we have that two-fold; one to say all the work that we're doing is really talking about addressing human rights. And it's important, but it's regressive.

As Lisa talked about, do we really have rights if you live in certain neighborhoods and are of a certain hue and of a certain class? Of course you want to say you do. It gets violated. So we work on rights protection. And it's totally important. We have to do it. But we also need to talk about human development in terms of our capacities and capabilities. And ultimately, it's about reaching our fullest potential. It's important especially to hold our so-called programs that we advocate for also accountable. This is what I'm telling you about repackaging. Just because you are changing an incarceration program, that doesn't mean you're not susceptible to repeating the same things that we see in the system.

Rather than just calling each other out, we have to have a community system for holding us accountable. And ultimately, what that comes down to—and this goes to human justice—what we say is that it's ultimately about pedagogy, as in how do we teach and learn when your child does something horrific. How would you want that dealt with, both in your family and in society? This is what it comes down to. All of us as parents, we deal with this except in different scenarios.

The other methodology for achieving human justice for us is CSI methodology. And everyone is going to remember it because it's crime scene investigation. No, it isn't. CSI stands for community empowerment, system realignment, and ultimately, reduction, and individual transformation. Essentially, that whatever we do has to offer it on three levels. So what that means is our arrest diversion program, Bed-Stuy Human Justice Initiative, we didn't call it arrest diversion for that reason because for us, it's about human justice. How do we actually implement that practice in Bed-Stuy?

Bed-Stuy Human Justice Initiative came out of a very unique set of circumstances. Looking at all the data that you guys talked about, that was outrageous. We had a very serendipitous intersection with a local precinct [officer] at the 79th Precinct. NYPD is huge, so the 79th Precinct is huge in Bed-Stuy. And Bed-Stuy is one of those seven neighborhoods.

He has two years left. And if you ask me, I think he wants a little bit of a redemption. And honestly, it wasn't his enlightening moment. It was really due to community ties and pressure. But

he has agreed to participate in this arrest diversion where he even asked us, "So what crimes do you want us not to arrest for?" which was kind of an interesting question.

But the process by which we're designing is a lot more. So basically from the beginning, a lot of police diversion programs all across the country are police led or mayor's office led. Ours is completely the opposite.

And so, we have been planning for a year with a whole lot of what I call consultation groups. We're working with [several] groups: the 79th Precinct and the law enforcement officers who came to our office for consultation sessions where it was a conversation to hear them. And they literally thought it was a training. And they said it's the best training they've ever been to. And there was no training going on, so that was deep. The 79th Precinct officers, community members, and youth members of Bed-Stuy; that is our base that we're working with because ultimately, we want culture shift which is a code word, I'll be honest, for shifting power. If you want culture shift, you have to address power and balance.

So we're not going to bring police officers [together] with youth members until youth members feel that they have enough of the tools, the space, and the wherewithal to be able to interface with them in their terms as well and are ready to address issues of what it really takes to build community safety.

PROFESSOR VAN BRUNT: I've never heard somebody fit in so much information in 14 minutes. I know we're running near the end of our session, but I really need to open this up to Q and A. Any questions? Yes, sir.

A VOICE: I've been to a number of meetings to hear from the Chicago—I don't know what the name—Police Accountability Board, the people that review complaints against policemen.

PROFESSOR VAN BRUNT: IPRA?

A VOICE: Yes. Thank you. I'm interested in what folks on the panel think about [the IPRA] as an institution, how it's functioning, whether it is effective, or is it just the same old stuff?

PROFESSOR VAN BRUNT: Well, as Tracy is our only local panelist, I think you're probably best suited to answer that. Thoughts on IPRA in 30 seconds?

MR. SISKA: I've always thought that IPRA is pretty broken. It's never been created from the ground up to do what this community and citizens need it to do. It considers itself mostly part of the human resources process of the department rather than police accountability. So given a citizen and officer posing statements, they always go -- pretty much always go to the officer.

I think Chicago needs to get beyond that. Community Renewal Society is pushing a police auditor, kind of like New York's version of the Inspector General, to look at big data. So that's just kind of my two cents after trying to work on reforming IPRA for years.

PROFESSOR VAN BRUNT: And maybe Ursula can speak to that and the difference between IPRA and your organization.

MS. PRICE: Yes. That's the dichotomy I was talking about. There is value to these civilian boards, right, because you do want your community to be engaged and involved in the process. However,

they are disempowered from the beginning. And they often end up being staffed by police supporters instead of critical thinkers.

So I think it's interesting. I like what I'm seeing on the West Coast, like San Francisco and Portland, where they combine the professional inside/oversight agency with the civilian agency. They support one another in trying to get it done because I think that both are important. They both bring value. But acting alone, the insiders can get diluted, and the outsiders can get diluted.

MS. THURAU: Yes. Seattle is a perfect example of where it was totally internal, it totally failed, and led to a consent decree.

PROFESSOR VAN BRUNT: Yes.

A VOICE: A quick question for Tracy. How will sealing and expungement affect the collection of information since, of course, the point of it is to hide information that ruins people's prospects?

MR. SISKKA: Well, first of all, all of the data we're talking about is de-identified, so it doesn't have people's names. Second of all, there is a much bigger problem in the data collection and how it gets done here in Cook County. While they do buy the data from the Clerk's Office, they also have people in the Daley Center every day typing data in the databases all day. That's all they do. And that stuff isn't expungable, just so you know. So there is a much bigger issue related to data and awareness and legality and everything around expungement that I can talk to you about after this.

PROFESSOR VAN BRUNT: I have one final question I think if any of you can address: What are the pitfalls of working directly with the police in achieving the type of reform you've all been speaking about?

MS. THURAU: Well, I have this chart on that very topic which is the most dangerous police officer or police chief to work with is somebody who is really pleasant and doing just the opposite of what they say all the time because the social interaction makes you want to believe in them. And I much prefer a police chief who is nasty and doing nasty things because then I know exactly what I'm up against.

But it's when you get this mix and you find the social—and maybe because I'm female, too, I get more confused about trying to be polite—that's when it's difficult. And so, you always have to be careful not to be co-opted. And I'm always very clear not to get confused by saying, "I'm first and foremost a youth advocate. And whenever any of your officers or any of your systems do something that harms the kid, I'm going to hold you accountable." And that's what we do here. So I'll help support you to be expert, but when you don't do that, nothing has changed in this equation when I ask you to be accountable that way. So that's how I try and mediate it.

But frankly, the difficult thing about this work is you don't really know what's always going on, you know? Much as you try and change things, you don't always know what's going on.

PROFESSOR VAN BRUNT: K.J., do you have a thought on that?

MS. RHEE: Yeah, a lot of thoughts. Well, I think the one thing that I would put down there is that it's important because we're so used to—especially in what I call like advocacy—there are advantages and disadvantages in that kind of professionalized advocacy world. We have kind of

terminologies that have categorized people, so there are system stakeholders, and then, community stakeholders. And definitely, you know, police officers fall in that system stakeholder way.

I think that if it's going to be—and a lot of times, it's been in kind of these legal contexts or a policy or a research context. If you're really going to work on a local level, one, it can't just be an organization just dealing one-by-one. The strategy has to be much deeper than that. At the end of the day, you know it's the rank-and-file officers who deal with people of the community all the time. So don't fall prey to the whole, you know, this thing, and then, what's going on. So it has to be all through and through.

And then, you have to have a process that's more engagement of the community in a meaningful way. Deep dive is important right now, deep dive conversations in the community, because there is also a lot of disagreements and a range of questions that exist in the community. So I would have that space first and constantly rather than—because the thing is so awful that we want to just react. But it's going to come to a point where we have to address the divergences and the differences that exist in our community.

PROFESSOR VAN BRUNT: Ursula?

MS. PRICE: Amen to all of that. And I would just add that we've got to keep in mind that our police departments are not really freestanding. It's being held by the district attorney and the judges and all these other actors.

So even as our police department has been kind of beaten so much that they're almost eager to please and looking for approval, there are these other actors trying to hold up the way things have always been. I say trust but verify because NOPD will "yes" you to death. So you've got to remain firm in what your goals are and what your standards are and know where you're not willing to compromise. Because, for instance, NOPD will "yes" you to death by agreeing to do something by a certain deadline, and then that deadline keeps moving and moving and moving until it never happens. So you've got to be real with yourself about what implementation looks like and how long it should take and be firm about that.

That's just one example of a pitfall working with the police department.