



2016 ANNUAL NACOLE CONFERENCE:
CONFRONTING SYSTEMIC INJUSTICE
SESSION SCHEDULE, SUMMARIES & SPEAKERS

General Session 1 | 2:45 p.m. – 4:00 p.m.

An Introduction to NACOLE, its Founders, and Civilian Oversight of Law Enforcement

With the increasing attention on civilian oversight of law enforcement, NACOLE has seen an increase in the number of attendees at its events and an increase in its membership. It is apparent that the number of those committed to enhancing accountability and transparency in policing and building community trust through civilian oversight of law enforcement is increasing at an exponential rate.

With such growth there has been a greater demand by attendees to know more about oversight and the national organization that supports those working in and around the field. In response, NACOLE has added a session that will provide an overview of civilian oversight, the history of NACOLE, and the information on how to best navigate the conference and networking opportunities. It is hoped that the information from this session will provide a base of knowledge that attendees will build on over the next four days of the conference.

Although this session is geared towards first-time conference attendees and new members, all are welcome.

Speakers:

- Robin Lolar, Founder, NACOLE, Atlanta, GA
- Cameron McElhiney, Director of Training & Education, NACOLE, Indianapolis, IN
- Damon Scott, Administrator, Office of Professional Standards, Cleveland, OH

Opening Remarks and Featured Speaker | 8:00 a.m. – 9:45 a.m.

Featured Speaker:

- Kristin Clarke, President and Executive Director, National Lawyers' Committee for Civil Rights Under Law, Washington, DC

Kristen Clarke, president & executive director of the national Lawyers' Committee for Civil Rights Under Law (Lawyers' Committee), leads one of the country's most important national civil rights organizations in the pursuit of equal justice for all. The Lawyers' Committee's seeks to promote fair housing and community development, equal employment opportunity, voting rights, equal educational opportunity, criminal justice, judicial diversity and more. Throughout her career, Clarke has focused on work that seeks to strengthen our democracy by combating discrimination faced by African Americans and other marginalized communities.

Featured Speaker:

- Albino Garcia, Jr., Executive Director, La Plazita Institute, Albuquerque, NM

Albino Garcia, Jr. is the Founder and Executive Director of La Plazita Institute, Inc. - a non-profit grassroots organization in Albuquerque, NM. La Plazita engages New Mexico's youth, elders and communities in a comprehensive, holistic, and cultural approach. Designed around the philosophy of "La Cultura Cura" or "Culture Heals," La Plazita's programs engage individuals and communities to draw from their own roots and histories to express core traditional values of respect, honor, love, and family.

General Session 2 | 10:00 a.m. – 11:30 a.m.

Community Model for Moving Law Enforcement Reform Forward: Essential Elements of APD Forward

This panel will examine two community efforts to promote accountability within the Albuquerque Police Department (APD), especially around officer use of lethal force. APD Forward is a coalition of community stakeholders that aims to ensure APD's adherence to the terms of a settlement agreement with the U.S. Department of Justice (DOJ), filed in late 2015, to address the department's pattern and practice of excessive use of force. The DOJ intervened after a four year period (2010 to 2014) during which APD officers shot 41 people, 28 fatally.

In early 2015, the Albuquerque City Council restructured the City's Police Oversight Commission to provide closer scrutiny of APD's performance and respond to patterns of police misconduct. Together, the Civilian Police Oversight Agency (CPOA) and the Police Oversight Board (POB) represent Albuquerque's third attempt to establish effective civilian monitoring of city police in order to avoid patterns of abuse like that which prompted the DOJ's intervention.

Participants will learn about the essential elements of APD Forward's success building credibility and routine access to decision makers, from the Mayor, Police Chief, DOJ, federal monitor, police union, City Councilors, and members of both the Police Oversight Board and NM Congressional Delegation. They will also learn about the changes that were made to the CPOA and POB to make them a more effective oversight mechanism. At each phase of the workshop, participants will have an opportunity to explore implications and lessons learned in

Albuquerque for their own organizations and communities. The ACLU's and Strong Families' national affiliations will also lend examples of how community influence of police reforms has worked (or not) in a range of diverse communities and circumstances across the United States, historically and today.

Speakers:

- Adriann Barboa, Field Director, Strong Families New Mexico, Albuquerque, NM
- Peter Simonson, Executive Director, ACLU of New Mexico, Albuquerque, NM
- Leonard Waites, Committee Chair, Police Oversight Board, Albuquerque, NM
- Brad Winter, City Councilor and Interim Secretary of State for the State of New Mexico, Albuquerque NM

Concurrent Session 3 | 12:45 p.m. – 2:15 p.m.

Procedural Justice, Part I: The Cambridge, Massachusetts Experience

On July 16, 2009, Harvard Professor Henry Louis Gates was arrested on his front porch in Cambridge, Mass. for disorderly conduct – after a neighbor thought he was a criminal breaking in – at his own home. Six days later, President Barack Obama weighed in on the incident, which intensified the national conversation about race and policing. Opinions in Cambridge and across the nation quickly became polarized, and hopes of having a productive dialogue seemed elusive, but helped lay the groundwork for what has become the Black Lives Matter movement.

That September, Cambridge's city manager appointed a 12-person "Cambridge Review Committee" of residents and experts to identify what lessons could be learned from the experience of July 16th and then make recommendations to the city and the larger national police community. In June 2010, the committee released "Missed Opportunities, Shared Responsibilities," a report created with the Police Executive Research Forum (PERF) examining the underlying issues of race, class, legitimacy, and procedural justice behind the arrest – and how the city could do things differently going forward. It also introduced the concepts of procedural justice and legitimacy into the work of the Cambridge Police Department.

Attendees will hear the inside story of the events surrounding the arrest of Prof. Gates, learn how the community – city government, police, and residents – responded, and examine how Cambridge embraced the concept of procedural justice as a way forward. The presenters will examine how procedural justice has provided a framework for making change. This workshop offers participants a chance to learn from the experience of police, community members, oversight professionals, and academics involved in creating this effort. At the end, participants will be able to engage in dialogue about the impact of this incident and what lessons they can bring back to their own communities.

This is Part I of a two-part series, but attendees can benefit from attending this session without attending Part II.

Speakers

- Christine Elow, Deputy Superintendent, Cambridge Police Department, Cambridge, MA
- Marian Darlington-Hope, Former Member, Police Review and Advisory Board, Cambridge, MA

Moderator:

- Brian Corr, Executive Secretary, Police Review & Advisory Board & NACOLE At-Large Board Member, Cambridge, MA

Concurrent Session 4 | 12:45 p.m. – 2:15 p.m.

Using Technology & Open Data for Better Oversight

There is no doubt that transparency is crucial to building a bridge of trust between law enforcement and the community. But now more than ever before, the strategic use of data and technology can and must be included in successful efforts to build that transparency. Police departments and oversight agencies that overlook the value and importance of readily-accessible open data or the latest cloud-based reporting tool may quickly find themselves lagging behind the industry's best practices.

Examples of the new technology and methods that can be used by the oversight community and the public to help enhance accountability on the part of law enforcement agencies include apps that record interactions with law enforcement and seamlessly submit the recordings to a secure site, databases designed to identify patterns of misconduct over time, and internet-based complaint reporting platforms to assist in the systemic and uniform classification and disposition of public complaints.

This session will focus on some of the most promising advancements in civilian oversight technology. Panelists will discuss practical ways in which new technology can help attendees better collect, investigate, analyze, and share crucial oversight data. Special emphasis will be placed on how these tools can help oversight practitioners be efficient and effective while also navigating various confidentiality rules, regulations, and laws with regard to law enforcement personnel records.

Speakers:

- Peter Bibring, Director of Police Practices, ACLU of California, Los Angeles, CA
- Cynthia Conti-Cook, Staff Attorney, Legal Aid Society Special Litigation Section, New York, NY
- Steve Silverman, Founder, Flex Your Rights, Silver Spring, MD

Moderator:

- Mark Smith, Constitutional Policing Advisor, Los Angeles Sheriff's Department & NACOLE At-Large Board Member, Los Angeles, CA

Concurrent Session 5 | 2:30 p.m. – 4:00 p.m.

Procedural Justice, Part II: Implementing Change, Improving Policing, and Challenges to Legitimacy

To further explore procedural justice, this workshop will examine: how Cambridge implemented legitimacy and procedural justice; how Seattle has addressed implicit bias in policing; and how Peoria have used standards and training to create policing more responsive to community needs. All three panelists will explore how improved communication and community engagement have affected their policies, procedures, and practices. They will also discuss the changes made in policing, the results in the community, and the internal challenges that as the departments work to move from a warrior mindset to a guardian model. These can serve as case studies of how incorporating the concepts of procedural justice, legitimacy, and understanding and recognizing implicit bias in police departments can build community trust by improving interactions, increasing compliance with the law, as well as improving the internal systems for compliance, better training, and effective discipline within police departments.

This session will benefit a wide audience by addressing the theoretical, political, and practical implementation of procedural justice and building and maintaining legitimacy.

This is Part II of a two-part series, but attendees can benefit from attending this session without attending Part I.

Speakers:

- Carmen Best, Seattle Police Department, Seattle, WA (invited)
- Christine Elow, Deputy Superintendent, Cambridge Police Department, Cambridge, MA
- Roy Minter, Chief of Police, Peoria Police Department, Peoria, AZ

Moderator:

- Brian Corr, Executive Secretary, Police Review & Advisory Board & NACOLE At-Large Board Member, Cambridge, MA

Concurrent Session 6 | 2:30 p.m. – 4:00 p.m.

Monitoring Protests: A New Role for Civilian Oversight

As witnessed by the events in Ferguson, MO, Baltimore, MD, and Chicago, IL among others, members of the public, community groups, and advocates are increasingly using the power of protest to challenge police-related incidents and demand effective reform. Given the frequency in which such demonstrations are occurring nationwide--along with the resulting tensions between law enforcement and those assembled--it is crucial that citizen oversight agencies are familiar with police protocols regarding the handling of such assemblies and become actively engaged in the monitoring of these events. This session will discuss police strategies for handling First Amendment assemblies and oversight's role in observing these demonstrations.

Because law enforcement handling of First Amendment assemblies, as well as oversight's role in ensuring that those gathered are allowed to exercise their rights to free speech and assembly, are issues of increasing national importance, this session is suggested for a general audience. At the session, the panel will discuss practices and techniques that attendees can consider using at their own respective agencies.

Speakers:

- Eric Daigle, Principal, Daigle Law Group, Southington, CT
- Denise Hatchell, Senior Investigator, Office of Police Complaints, Washington, DC
- Anthony Lawrence, Senior Investigator, Office of Police Complaints, Washington, DC
- Jessica Rau, Investigator, Office of Police Complaints, Washington, DC

Moderator:

- Michael Tobin, Executive Director, Office of Police Complaints, Washington, DC

Concurrent Session 7 | 8:00 a.m. – 9:30 a.m.

Legal Updates 2016

This panel will provide an overview of recent and pending court decisions that are relevant to police oversight. Participants will hear from recognized legal experts about how courts are interpreting constitutional principles in reviewing cases involving search and seizure, detentions, and the use of force, with an emphasis on decisions rendered by the U.S. Supreme Court and federal circuit courts.

The use of technology, individual privacy rights, and the debate shaping up state by state as to how much information can and should be shared with the public about investigations into police misconduct will also be addressed.

Speakers:

- Ezekiel Edwards, Director, Criminal Law Reform Project, ACLU, New York, NY
- Timothy Mygatt, Special Counsel, U.S. DOJ Civil Rights Division, Washington, DC

Moderator:

- Dawn Reynolds, Vice President, Elite Performance Assessment Consultants & NACOLE At-Large Board Member, Salem, OR

Concurrent Session 8 | 8:00 a.m. – 9:30 a.m.

INDECOM - Six years of Jamaican Police Oversight and the Investigation of Police Related Killings

The introduction of INDECOM was a seminal event for Jamaica and demonstrative of Parliament to secure good governance. It was borne amongst much resistance and against a culture which failed to effectively provide any effective accountability or transparency of the police. Numerous international Human Rights groups had continuously sought change. The presentation provides a singular case study of reform at a national level and is a transferable lesson for many oversight bodies in the United States who seek to address the continuing high level of police related killings across the States.

This session will introduce attendees to the historical context surrounding the culture of police killings in Jamaica and the necessity of why INDECOM was created. It will examine the legislative framework and powers that were introduced and where they were drawn from - within a Human Rights, 'Right to Life' framework; it will explore the challenges and resistance to such an oversight and investigative body and how those difficulties were/are being overcome. In addition, panelists will examine the strategic and tactical approach that has been taken to address and reduce the level of police shootings; the case analysis adopted to investigate certain shootings; an examination of planned police operations and their contribution to the volume of deaths; and how a 60% reduction in police killings has been achieved in the past two years.

Speakers:

- Terrence Williams, Commissioner, Independent Commission of Investigations, Jamaica
- Hamish Campbell, Assistant Commissioner, Independent Commission of Investigations, Jamaica

Concurrent Session 9 | 8:00 a.m. – 9:30 a.m.

Models of Correctional Oversight

As the call for correctional oversight increases, it is important for all to know more about existing mechanisms and how they function. This panel will discuss the various forms of oversight within a custody setting and describe how various custody oversight models are effective at exposing issues, ensuring compliance with consent decrees/jail standards and promoting alignment with best practices for conditions of confinement. Each panelist will describe where they derive their oversight authority and discuss the corresponding benefits and limitations of that authority. Each panelist will discuss the issues that their organization focuses on within the custody setting. In addition, each will describe their relationship with the law enforcement body that they oversee in an effort to deduce how each model is effectively creating accountability mechanisms, including reporting and investigative mechanisms.

Speakers:

- Cathleen Beltz, Assistant Inspector General, Los Angeles County Office of the Inspector General, Los Angeles, CA
- Kate Eves, Deputy Ombudsman, British Prisons Ombudsman (on sabbatical), San Francisco, CA
- Brandon Wood, Executive Director, Texas Commission on Jail Standards, Austin, TX
- Aaron Zisser, Consultant on Oversight and System Reform, Oakland, CA

Moderator:

- Stacey Nelson, Monitor, Los Angeles County Office of the Inspector General, Los Angeles, CA

General Session 10 | 9:45 a.m. – 11:45 a.m.

Policing and Communities of Color: Confronting Systemic Injustice

Over the past several years, dozens of high-profile incidents have focused national attention on the lack of trust and broken relationships between police and the communities they are sworn to serve and protect. It is one of the most pressing challenges currently facing our society. Especially in communities of color, policing practices that are experienced as overly harsh, unjust, or unfair, whether or not those practices are deemed lawful, undermine legitimacy of police. When individuals from one racial or ethnic group are significantly more likely to be stopped, searched, arrested, or even shot by the police, building and maintaining trust is extremely difficult – if not impossible.

Although they have recently gained increased attention, these incidents are only the latest manifestation of a long-standing history of injustice. The history that has worked to not only foster distrust of the police and the criminal justice system by many communities of color has created a lack of faith in the ability for the system to change.

Speakers:

- Susan Hutson, Independent Police Monitor, Office of the Independent Police Monitor, New Orleans, LA
- Chris Magnus, Chief of Police, Tucson Police Department, Tucson, AZ
- Jodie Roue, Associate Professor, John Jay College of Criminal Justice, New York, NY

Keynote Luncheon | 12:00 p.m. – 1:30 p.m.

Featured Speaker:

- Roy Austin, Jr., Director, White House Office of Urban Affairs, Justice, & Opportunity

Roy L. Austin Jr. is Deputy Assistant to the President for the Office of Urban Affairs, Justice, and Opportunity at the White House Domestic Policy Council and was appointed to that position in March of 2015. In his first year on the job, he addressed, among other things, the Police Data Initiative; the militarization of police departments; 21st-century policing; homelessness; foster care; STEM education for marginalized youth; the expansion of legal aid services; worker's rights; big data; and a variety of issues related to juvenile and criminal justice, including reentry issues for formerly incarcerated people and support for children of incarcerated parents. He has also been very active in advancing the initiative established last year by President Obama, My Brother's Keeper, which engages community leaders along with philanthropic organizations and businesses to build ladders of opportunity for all youth, including boys and young men of color.

Concurrent Session 11 | 1:45 p.m. – 3:15 p.m.

Basic Investigative Skills for Investigators and Members of Boards & Commissions

This presentation will offer a nuts and bolts description of how to conduct an oversight investigation. It will describe the basic steps, from taking the complaint to identifying relevant issues and crafting an investigation plan, to interviewing witnesses and officers. It will identify the evidence and documents relevant to an investigation, describe how to document evidence, to locate witnesses and to overcome obstacles. It will discuss interviewing techniques, credibility assessment, and the use of matrices and timelines to evaluate and analyze evidence.

This interactive session will provide those who conduct oversight investigations (especially newcomers to the field) and those who review or evaluate investigations (auditors, members of boards & commissions) an understanding of what a thorough and effective investigation should look like. Participants will be provided with materials that may be adapted to their respective jurisdictions based on best practices.

Speakers:

- Sharmaine Moseley, Executive Director, Citizens' Review Board on Police Practices, San Diego, CA
- Jayson Wechter, Investigator, Office of Citizen Complaints, San Francisco, CA

Concurrent Session 12 | 1:45 p.m. – 3:15 p.m.

Police and De-Escalation: Culture, Training, and the Use of Force

During this presentation, Ontario Ombudsman Paul Dubé will discuss a major systemic investigation conducted by the Special Ombudsman Response Team into how law enforcement can better use de-escalation techniques to reduce the number of deaths and serious injuries. The investigation was launched after an 18-year-old, who was holding a penknife and in mental distress, was shot 9 times by an officer, and killed. The shooting, which was caught on video, caused a widespread public outcry, much of it condemnation of the actions of the officer, who was charged with second degree murder. The incident also raised serious questions about the training officers received into how to de-escalate situations such as these, as well as prevailing police culture.

Mr. Dubé will set out the methodology used to conduct the investigation, which involved hundreds of face-to-face interviews with front-line police officers, police use of force trainers, family members of those killed in interactions with police, mental health experts, and academics. Investigators surveyed best practices at law enforcement agencies across North America, as well as Australia and the UK, and attended use of force training programs focusing on de-escalation. Once the investigation was complete, Mr. Dubé made findings and recommendations to improve police training on de-escalation.

During the presentation, he will discuss what works for de-escalation - and what doesn't. He'll explain why law enforcement leaders and overseers should develop a culture that focuses on de-escalation instead of force, wherever possible, and address the types of training and skills officers need to make defusing a situation job one.

Speaker:

- Paul Dubé, Ombudsman, Ontario Ombudsman, Toronto, Ontario

Concurrent Session 13 | 1:45 p.m. – 3:15 p.m.

Jail Safety

Critical jail safety issues, including suicide in custody, inadequate medical care, mental health, inmate violence, excessive/unnecessary use of force, and youth in adult jails are topics that have been frequently in the news in the last year. This has especially been the case since the death of Sandra Bland in a Texas jail cell and the abuses that have taken place on Rikers' Island in New York City.

Panelists will discuss evidence-based suicide prevention strategies for all size jails, including ways to implement a more effective intake screening process. The panel will also discuss how jail staff should be managing inmates with mental illness and responding to inmates who have urgent medical needs. The speakers will address policies and practices regarding the housing and management of youthful offenders. In addition, they will highlight how an effective inmate behavior management plan can reduce the incidence of misconduct and violent encounters between inmates and staff. All best-practice information presented at this session will be based on years of extensive research and investigations of hundreds of deaths in custody.

Speakers:

- Wayne Dicky, Jail Administrator, Brazos County Sheriff's Office & President, American Jail Association, College Station, TX
- Michele Deitch, Senior Lecturer, LBJ School of Public Affairs, University of Texas, Austin, TX
- Kate Eves, Deputy Ombudsman, British Prisons Ombudsman (on sabbatical), San Francisco, CA
- Martha King, Executive Director, New York City Board of Corrections, New York, NY

Concurrent Session 14 | 3:30 p.m. – 5:00 p.m.

The Cyclical Nature of Civilian Oversight

Whether oversight is instituted as a result of a crisis or is established in a more proactive manner, it is often born out of calls from the community for greater police accountability and transparency. Once implemented, however, the community often feels that the oversight mechanism is more a tool of the establishment than of

the community. What might be seen by some as simply unbiased work, others deem it to be the work of a pro-police or pro-community entity - all depending on who the investigations and audits favor. Eventually many oversight mechanisms find themselves falling out of favor with the communities they were established to serve and as the scapegoat for many issues facing cities in regards to police-community relations. Panel members will discuss their experience at different points in the life cycle of a civilian oversight mechanism. Audience members will be provided information that will help them to avoid some of the potential issues that oversight mechanisms will encounter throughout their life cycle which may allow them greater success and longevity. In addition, community members in attendance will leave with a better understanding of what it means to be a successful oversight mechanism and bring back information to their communities on what types of activities can be instituted so that oversight can better serve the needs of community as a whole.

Speakers:

- Anthony Finnell, Executive Director, Citizens' Police Review Board, Oakland, CA
- Beth Pittinger, Executive Director, Citizen Police Review Board, Pittsburgh, PA
- Ursula Price, Deputy Monitor, Office of the Independent Police Monitor, New Orleans, LA

Moderator:

- Cameron McElhiney, Director of Training & Education, NACOLE, Indianapolis, IN

Concurrent Session 15 | 3:30 p.m. – 5:00 p.m.

Policy Analysis in Law Enforcement Oversight: Using Research and Data to Improve Accountability and Practice

Policy analysis is a critical component of proactive and effective law enforcement oversight. Through a combination of local laws, memoranda of understanding, and open records acts, oversight agencies and non-profits have access to unprecedented amounts of data on police misconduct, officer-involved shootings, and other issues related to policy and practice. Data analysis, coupled with reviews of best practices in the field, can be a powerful tool for identifying policy issues and developing recommendations for change. Each panelist will present an example policy analysis project and discuss its impact on policy and practice, including:

- A brief and accessible description of data and methodology
- Findings
- Recommendations
- Resulting changes in practice and/or accountability

For example, one panelist will present on a project whereby analysis of police use-of-force data from a body-worn camera pilot project identified significant gaps in both the policy and practice and allowed an oversight agency to make specific recommendations to improve the program before being adopted department-wide. A second panelist will discuss the Citizens Police Data Project, a public repository of misconduct data from the Chicago Police Department obtained through Freedom of Information Act requests, designed to serve as a model for transparency and accountability.

This panel directly relates to NACOLE's mission to enhance fair and professional law enforcement by providing examples of how community concerns and needs can be addressed, in part, through the use of data analysis and policy research.

Speakers:

- Jennifer Fratello, Policy Director, Office of the Independent Monitor, Denver, CO

- Matthew Buttice, Senior Policy Analyst, Office of the Independent Monitor, Denver, CO
- Jamie Kalven, Executive Director, The Invisible Institute, Chicago, IL

Concurrent Session 16 | 3:30 p.m. – 5:00 p.m.

Corrections Oversight Workshop

It was clear at last year's NACOLE annual conference that there is a growing number of professionals who work in corrections oversight. It was also clear that NACOLE plays a key role in assisting those involved to network, share, and build upon expertise and to learn from the more experienced law enforcement oversight professionals who attend the conference.

This third session in the corrections oversight track is designed to help participants at three different stages of corrections oversight:

- 1) Stage one- designing and implementing an oversight framework
- 2) Stage two- building capacity and capability
- 3) Stage three- increasing impact and influence

Through guided discussion groups, the workshop will help participants at all of the above stages to identify their primary challenges and examine the solutions that they have developed. The overall purpose of the workshop is to enable participants to explore and develop practical approaches to address the specific barriers that they encounter.

Facilitators:

- Robert Barton, Inspector General of the State of California, Sacramento, CA
- Cathleen Beltz, Assistant Inspector General, L.A. County Office of the Inspector General, Los Angeles, CA
- Michele Deitch, Senior Lecturer, LBJ School of Public Affairs, University of Texas, Austin, TX
- Kate Eves, Deputy Ombudsman, British Prisons Ombudsman (on sabbatical), San Francisco, CA
- Michael Gennaco, Principal, OIR Group, Los Angeles, CA
- Nicholas Mitchell, Independent Monitor, City & County of Denver & NACOLE At-Large Board Member, Denver, CO

Concurrent Session 17 | 8:30 a.m. – 10:00 a.m.

The Imperative of Bringing Community Stakeholders to the Table

Recent police reform agreements have included the need to establish independent civilian oversight of law enforcement, while many previous agreements did not. Most agreements superficially address the need for some sort of community stakeholder involvement overseeing compliance with reform agreements and overseeing compliance with police policy and protocol, while also playing the more proactive role of informing the reform process from the perspective of impacted communities. In almost all instances, law enforcement resists or actively blocks any effort to bring in community stakeholders. Stakeholders play the important role of informing and directing reforms processes from a constitutional community policing perspective. Their inclusion also stimulates trust and collaboration, while assuring a more transparent process. This presentation will address these issues and will suggest how to go about bringing in community stakeholders, and how to appoint and monitor the community interaction committees required by the USDOJ in police reform agreements.

Speakers:

- William Ramirez, Executive Director, ACLU of Puerto Rico, San Juan, PR
- Peter Simonson, Executive Director, ACLU of New Mexico, Albuquerque, NM
- Nahal Zamani, Advocacy Program Manager, Center for Constitutional Rights, New York, NY

Concurrent Session 18 | 8:30 a.m. – 10:00 a.m.

Oversight's Role in Understanding and Managing Police Use of Force in Los Angeles

The LAPD has had a challenging history that contributed to two riots and ultimately led to a Consent Decree. Under the Consent Decree, the Department was required to make major reforms that led to a positive institutional transformation. Despite its progress, the LAPD, like many departments, is facing a crisis of confidence with minority communities, particularly African-Americans. As a result of both real and perceived racial disparities in policing, there are deepening wounds in Los Angeles and cities across the nation. Officer-involved shootings were up 63% in LA from 2014 to 2015 (30 to 49), with 21 fatal. In addition, homicides, violent crimes, and property crimes are all rising in Los Angeles.

Strong police leadership coupled with strong, effective oversight by the Police Commission can help. The civilian Police Commission, the head of the Department, relies heavily upon the Office of the Inspector General's (OIG) robust and independent investigations and audits. The Commission, with the help of the OIG, is attempting to better understand and lower the number of use of force incidents. To that end, the Commission directed the OIG to look at all aspects of the LAPD's use of force, including analyzing the Department's shootings and serious use of force incidents over the last decade, as well as its use of less-lethal force, its use of force policy, and training such as de-escalation, preservation of life, and more. This series of OIG reports will break down the various types of force used and detail the changes in training and policies that have occurred over that same period. The OIG will identify the rates of injury to community members and officers associated with uses of force, as well as the techniques and training in dealing with people suspected of being mentally ill.

Speakers:

- Matthew Johnson, Commissioner, LAPD Board of Police Commissioners, Los Angeles, CA
- Alexander Bustamante, Inspector General, LAPD Office of the Inspector General, Los Angeles, CA

Concurrent Session 19 | 8:30 a.m. – 10:00 a.m.

Understanding the Role of the U.S. Department of Justice Special Litigation Section

The Violent Crime Control and Law Enforcement Act of 1994, 42 U.S.C. § 14141, allows the United States Department of Justice to review the practices of law enforcement agencies that may be violating people's federal rights. If a law enforcement agency receives federal funding, the Civil Rights Division can also use the anti-discrimination provisions of the Omnibus Crime Control and Safe Streets Act of 1968, and Title VI of the Civil Rights Act of 1964, which forbid discrimination on the basis of race, color, sex, or national origin by agencies receiving federal funds. The Civil Rights Division -- and its Special Litigation Section -- works to protect the rights of people who interact with state or local police or sheriffs' departments. The Section receives dozens of reports of potential violations each month, including information from community members. It does not have authority to investigate federal law enforcement agencies. It also cannot assist in individual criminal cases, including wrongful arrest or convictions, appeals, or sentencing.

Settlements and court orders resulting from the Section's cases have led to significant change in law enforcement, including increased transparency and data collection; community-police partnerships; steps to prevent discriminatory policing; independent oversight; improved investigation and review of uses of force; and more effective training and supervision of officers.

These reforms created models for effective and constitutional policing nationwide, and provided significant, systemic relief, increased community confidence in law enforcement, and improved officer and agency accountability. Representatives of the Section will discuss their recent and ongoing work in cities like Seattle, Cleveland, and Albuquerque.

Speakers:

- Paul Killebrew, Trial Attorney, USDOJ Civil Rights Division, Washington, DC
- Christy Lopez, Deputy Chief, USDOJ, Civil Rights Division, Washington, DC
- Rashida Ogletree, Special Counsel, USDOJ, Civil Rights Division, Washington, DC
- Jude Volek, Special Counsel, USDOJ, Civil Rights Division, Washington, DC

Concurrent Session 20 | 10:15 a.m. – 11:45 a.m.

Building Bridges to Better Communication between Oversight Agencies and Police Departments

All those involved in oversight communicate on almost a daily basis with their respective police department, yet the relationship that exists between oversight agencies and the police department they oversee has not been addressed at a broader level. This panel will provide an open dialogue between oversight agencies and police departments that will be useful to all practitioners, investigators, board members, and police departments. The relationship between the two agencies can fluctuate over time and this presentation will focus on how to identify the problems they experience (i.e. getting timely access to documents, ensuring that an investigation is thoroughly done, etc.) and ways to resolve the problems without the relationship between the two being damaged. The topics to be covered by the presentation will include:

- Identifying the issues oversight agencies routinely confront when dealing with law enforcement agencies.
- Identifying the most effective way to communicate, as well as the appropriate parties to be involved in that communication.
- How to mediate problematic issues that have the ability to negatively affect the relationship between the two agencies.

Speakers:

- Diana Duffy, Lieutenant, Office of Professional Standards, Tucson Police Department, Tucson, AZ
- Walter Katz, Independent Police Auditor, San Jose, CA
- Joe Montoya, Commander, Denver Police Department, Denver, CO

Moderator:

- Denis McCormick, Deputy Monitor, Office of the Independent Monitor, Denver, CO

Concurrent Session 21 | 10:15 a.m. – 11:45 a.m.

Tackling Use of Force Issues through Systemic Review

This panel will examine and discuss use-of-force issues based on systemic reviews performed by three different types of oversight entities. The panel will be comprised of a senior member of OIG-NYPD, who will discuss the findings and recommendations based on the agency's detailed October 2015 report focusing on NYPD, which addressed issues related to policy, training, de-escalation, and discipline. In addition, Merrick Bobb, the court-appointed police monitor in Seattle, will speak about his ongoing efforts to assess use-of-force reforms underway in that city. Finally, a representative of the Special Litigation Section of the Civil Rights Division of the U.S. Department of Justice will discuss how the federal government's investigations can serve as a template for how law enforcement agencies – large and small – can improve their use-of-force policies and practices.

Through these presentations, the speakers will cover a broad range of tools in the police accountability toolbox that can be effective in bringing about systemic reform on issues involving the excessive use of force, including: policy development, training, supervision, discipline, reporting, and review. In addition, the session will highlight how data collection can enhance these reform efforts. By discussing how the reforms proposed by their organizations have effected change, the three presentations, as well as the question-and-answer session that will follow, will fit well with NACOLE's mission of educating oversight practitioners and others on how to successfully deploy similar strategies in their cities and counties.

Speakers:

- Philip K. Eure, Inspector General, Office of the Inspector General for the NYPD, New York, NY
- Merrick Bobb, Seattle Police Monitor & Director of PARC, Los Angeles, CA
- Steven Rosenbaum, Chief, USDOJ Special Litigation Section, Washington, DC

Moderator:

- Jayson Wechter, Investigator, Office of Citizen Complaints, San Francisco, CA

Concurrent Session 22 | 10:15 a.m. – 11:45 a.m.

Living Under a Consent Decree: The Role of Civilian Oversight

There are several NACOLE members who conduct civilian oversight in jurisdictions that are currently, or previously have been, under a Consent Decree. Given the current climate that exists between law enforcement and the communities they serve across the country, and with the advent of tools such as body-worn cameras, there may be additional jurisdictions that will enter Settlement Agreements in the near future.

This panel consists of oversight practitioners who are currently navigating the sometimes turbulent waters of a Consent Decree, finding their way, and trying to stay afloat. The discussion will focus on the role of civilian oversight once a municipality enters into a Settlement Agreement with the United States Department of Justice and will highlight how oversight can contribute to the overall success of such a relationship.

Panelists will share their experiences with NACOLE members and conference attendees who have previously worked under a Consent Decree, are currently doing so, or are working to achieve reform prior to the Department of Justice becoming involved. All attendees will benefit from a robust conversation about what role civilian oversight practitioners play in their respective jurisdictions.

Speakers:

- Edward Harness, Executive Director, Civilian Police Oversight Agency, Albuquerque, NM
- Damon Scott, Director, Office of Professional Standards, Cleveland, OH
- Constantin Severe, Director, Independent Police Review, Portland, OR

Concurrent Session 23 | 1:15 p.m. – 2:45 p.m.

Crisis Intervention Team Training

Law enforcement officers relate to individuals in mental health crises on a daily basis. The Crisis Intervention Team is a well-established and widely accepted model of intervention and training with an emphasis on creating partnerships between law enforcement, the community, and mental health care providers. Officers trained in the CIT model interact with crisis situations using de-escalation techniques with the goal of improving the safety of both the officer and the individual in crisis. In addition, law enforcement officers are trained in ways to redirect individuals in mental health crisis away from the criminal justice system and into appropriate treatment. This presentation will focus on the nuts and bolts of CIT - the model, theory, critical components, and strategies for building successful community and mental health care partnerships. But it will go beyond those basics to give a comprehensive overview of the type of training provided in a typical CIT curriculum. We will discuss the types of crisis de-escalation skills taught during CIT classes and give conference attendees the opportunity to participate in scenarios designed to challenge those skills.

Oversight professionals who have an understanding of the type of training programs available will be better equipped to advocate for these programs in the jurisdictions they monitor. In addition, oversight professionals who regularly evaluate citizen complaints or critical incidents involving individuals in mental health crisis will gain a better understanding of how law enforcement officers should ideally handle those situations.

Speakers:

- Charles Dempsey, Detective, Mental Evaluation Unit, Los Angeles Police Department, Los Angeles, CA
- Liesbeth Gerritsen, Training and Development Officer, Portland Police Bureau, Portland, OR
- Julie Ruhlin, Principal, OIR Group, Long Beach, CA

Concurrent Session 24 | 1:15 p.m. – 2:45 p.m.

Scrutinizing Investigations for Discrepancies that Change What Is Known

In order to perform competent investigations or conduct auditor and monitor functions, it is necessary for internal and external oversight professionals, Board or Commission members, and investigative journalists to painstakingly sift through evidence and identify discrepancies.

This session will describe the officer-involved shooting investigations of Thomas Hennelly in Philadelphia and Fridoon Nehad in San Diego that identified serious discrepancies. Presenters will show how use of timelines, and the comparison of witness and/or subject officer statement discrepancies were identified, and where this new evidence led.

Since the summer of 2014, both law enforcement internal investigations and internal/external oversight processes have been criticized as being "slap-dash" or "slip-shod" or too eager to overlook evidence that is clear. This presentation will point out ways to carefully scrutinize and compare statements and other evidence.

Speakers:

- Kelvyn Anderson, Executive Director, Police Advisory Commission, Philadelphia, PA
- Liam Dillon, Staff Reporter, Los Angeles Times, Los Angeles, CA
- Greg Moran, Staff Reporter, San Diego Union Tribune, San Diego, CA

Moderator:

- Sue Quinn, Past President, NACOLE, San Diego, CA

Concurrent Session 25 | 1:15 p.m. – 2:45 p.m.

Democratic Policing and the Policy Function of Civilian Oversight

High profile events over the last two years have rattled the public about policing. Civilian oversight has been a frequent topic of discussion. But for the most part when oversight bodies are in the news, it is in their investigative capacity. This panel explores the idea of Democratic Policing and the role oversight bodies can play in fostering it.

Democratic Policing is the idea of regulating policing more like other governmental functions. For most of government there are: (a) rules or policies in place before officials act; that are (b) public; (c) formulated with public input; and (d) meet some basic test of the benefits of those policies outweighing the costs. Policing agencies, on the other hand, have a tremendous amount of discretion on the front end. They are regulated mostly after-the-fact by judicial review, civilian oversight boards, inspectors general, court-appointed monitors, and (now) body cameras.

Under Democratic Policing, civilian oversight boards would play more of a role in helping police agencies and their communities come together to adopt mutually agreeable policies. The 21st Century Policing Task Force

called for this sort of community engagement. The American Law Institute has begun a project entitled Principles of Police Investigations to suggest such policies. The Policing Project at NYU Law School was created to foster Democratic Policing.

Participants will discuss Democratic Policing and the role oversight bodies can play in promoting it.

Speakers:

- Miriam Aroni Krinsky, Executive Director, Los Angeles County Citizens' Jail Commission on Jail Violence
- Barry Friedman, Jacob D. Fuchsberg Professor of Law and Director, Policing Project, New York University School of Law, New York, NY
- Matthew M. Johnson, President, Los Angeles Board of Police Commissioners, Los Angeles, CA

Concurrent Session 26 | 8:30 a.m. – 10:00 a.m.

The Transparency-Litigation-Liability-Oversight Connection

A police chief announces that footage from new body cameras won't be disclosed to the public unless by court order. A city attorney won't release a report critical of police tactics in a shooting until after the civil suit is settled. A city council votes that a consultant's "public" report on controversial police shootings will remain private. Such incidents have become commonplace.

Fear of increased liability is at the heart of these events. Conversely, the potential causal connection between strong police oversight and increased police liability has been examined rarely by the civilian oversight community. Recently however – notably in several jurisdictions including New York, Portland, and Los Angeles – oversight experts have flipped this connection and begun to examine police litigation as a potentially valuable source of data and trends that can contribute to police reform. The use of this information to point out specific areas where police policies and practices should be changed can lead to risk reduction, force reduction, and even reduced liability.

This cause and effect is still largely theoretical, but of obvious concern to government authorities and police reformers. The topic is timely and relevant, given the trends of (1) increased public pressure for transparency and strong civilian oversight, and (2) growing police litigation costs.

Speakers:

- Stephen Connolly, Principal, OIR Group, Los Angeles, CA
- Robert Miller, Deputy Inspector General, Los Angeles County Office of the Inspector General, Los Angeles, CA
- Sandra Musumeci, Deputy Inspector General, Office of the Inspector General for the NYPD, New York, NY

Concurrent Session 27 | 8:30 a.m. – 10:00 a.m.

Opportunities for Oversight to Impact Juvenile Justice Reform

Disproportionate minority contact (DMC) refers to the disproportionate number of minority youth who come into contact with the juvenile justice system. In the Juvenile Justice and Delinquency Prevention Act of 2002, Congress required that States participating in the Formula Grants Program (federal assistance) "address juvenile delinquency prevention efforts and system improvement efforts designed to reduce the disproportionate number of juvenile members of minority groups, who come into contact with the juvenile justice system."

As oversight agencies collect data and influence policy relating to law enforcement accountability and transparency, there is an opportunity to address systemic issues related to law enforcement responsibility in DMC and chances to address this issue systemically. Police officers are often the gatekeepers to the juvenile justice system for youth, and have a responsibility to understand the implications of that role and take measures to ensure that thought and intention is used when arresting youth. These implications are profound, as research demonstrates that youth charged on low-level delinquency and status offenses benefit from

diversionary programs, rather than formal justice system involvement, which cuts ties between youth and their families and communities, and puts undue financial and other burdens on families.

Several innovative programs exist nationally and are the response to calls by communities for improved relations between youth and law enforcement. This panel discussion will focus on DMC reduction initiatives and provide an opportunity for oversight to change the way we talk about racial profiling and DMC. By promoting a thorough understanding of the problem, working on policy for law enforcement departments and creating programming for officers and youth, oversight can play an important role in improving community policing, better community response from departments and increased law enforcement accountability to communities of color.

Speakers:

- A. Hasan Davis, J.D., Juvenile Justice Advocate, Berea, KY
- Michael Finley, J.D., Director of Site Management, W. Haywood Burns Institute, San Francisco, CA
- Kimberly Lovato, Sergeant, Denver Police Department, Denver, CO

Moderator:

- Gianina Irlando, Community Relations Ombudsman, Office of the Independent Monitor, Denver, CO

General Session 28 | 10:15 a.m. – 11:45 a.m.

Restoring Public Trust in Law Enforcement through Civilian Oversight

A conduit between the public and law enforcement, civilian oversight agencies nationwide are helping to restore trust in law enforcement. Many agencies find the delicate balance of having to meet the needs of both the community and law enforcement to be fraught with challenges. How can agencies best use their civilian oversight functions to advance legitimacy and community trust? Join our panelists to learn about recent research findings from a report developed by the National Association for Civilian Oversight of Law Enforcement (NACOLE) and the U.S. Department of Justice Office of Justice Programs (OJP) Diagnostic Center outlining innovative strategies and approaches to civilian oversight agencies are using to build communities of trust. The session, which will be moderated by Brian Buchner, will showcase how oversight functions can encourage public confidence in law enforcement. Additionally, the OJP Diagnostic Center will leverage their experience working with communities nationwide to share examples of civilian oversight successes and challenges.

Speakers:

- Brian Buchner, Policy Director, Mayor Eric Garcetti's Office of Public Safety & NACOLE President, Los Angeles, CA
- Katherine Darke Schmitt, Policy Advisor, U.S. Department of Justice, Office of the Assistant Attorney General, Washington, DC
- Joseph DeAngelis, Assistant Professor, Department of Sociology & Anthropology, University of Idaho, Moscow, ID
- Richard Rosenthal, Chief Civilian Director, British Columbia Office of Independent Investigations, Surrey, British Columbia

Conference Concludes | 12:00 p.m.
