



Interfaith Council
for Peace & Justice

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2017 Priority Action items for the Law Enforcement Agencies of Washtenaw County on Policing and Racial Justice

In May of 2016, the Washtenaw Faith Leaders Forum (FLF) and the Interfaith Council for Peace and Justice (ICPJ) issued a Statement on Policing and Racial Justice

(<http://www.washtenawfaithleadersforum.org/statement-on-policing-and-racial-justice/>), which stated, "To build good relationships between our communities of color and our law enforcement officers we need to systematically address such issues as:

Grassroots Movement
-Diverse
-Informed
-Active
-Persistent
-Holistic

Barriers
- "That's not a problem here"
- Funding
- Lack of trust
- "We've always done it this way"
- Non transparency
- Racial disparities
- Lack of law enforcement
- Addressing law enforcement?

Just & Equitable Public Safety
- Policies
- Procedures
- Relationships

- The use of force guidelines in our county police departments;
- Citizen oversight of our police departments;
- Independent prosecutors for situations where law enforcement officers are potentially being charged with crimes;
- The mandatory training of all police officers in such areas as implicit bias, interacting with mental illness issues and how to de-escalate situations that have the potential to become violent so that the priority is always to protect lives;
- The perception of an active code of silence hindering good policing, transparency and accountability among our law enforcement officers;
- The jailing of people who have not been convicted of a crime and pose no risk to the community;
- Over-policing in low-income and people of color communities;
- The lack of transparent statistical data of racial variation at traffic stops, arrests, charges and sentences.

After issuing this statement ICPJ and FLF launched a period of public education, research, and priority setting to identify specific, actionable policy recommendations that could be implemented over the next 6-18 months. Throughout this process ICPJ and FLF have:

- Hosted several public forums with police officials;
- Held in person meetings with law enforcement professionals;
- Researched emerging best practice recommendations from sources such as the President's Task Force on 21st Century Policing (21st Century Policing), the Police Executive Research Forum (PERF) report on Reengineering Use of Force, Campaign Zero, and the Ann Arbor Human Rights Commission report on civilian review of law enforcement;
- Met individually with civil rights and racial justice leaders;
- Surveyed members of our organizations.

Based on this research and community input, the Washtenaw Faith Leaders Forum and Interfaith Council for Peace and Justice identify the following priority action items for law enforcement agencies in Washtenaw County. These items were selected based on the priority given by survey respondents, specific input given by community leaders and racial justice experts, and consideration of which changes could help pave the way for future improvements in equity and trust.

In our interactions and research, we also observed that there is a trust gap between law enforcement and some community members, so mere assurances that an agency is prioritizing de-escalation or bias mitigation training are unlikely to fully satisfy skeptical members of the community. We therefore also identify specific actions and measures that can help community members verify these practices and build community trust.

Priority 1: Ensure that use of force policies and practices prioritize de-escalation, are publicly understood, and are adequately supported with significant, quality training on de-escalation and less lethal tactics

Use of Force training and practices was the highest priority identified by Faith Leaders Forum and Interfaith Council for Peace and Justice members. Our meetings with law enforcement indicated that many positive steps are taking place regarding this issue, but the lack of transparency regarding policies and practices limits the level of trust in the process and thus far has prevented community members from verifying that all reasonable steps are being taken to prioritize de-escalation and minimize use of force.

The national literature has identified several emerging best practices regarding de-escalation and use of force. Our immediate priorities regarding this are:

- **Adopt de-escalation first as a formal policy** (21st Century Policing 2.2.1, PERF principle 4).
- **Ensure that use of force policies are clear, concise, and openly available for public inspection** and cover training, investigations, prosecutions, data collection, and information sharing. (21st Century Policing 2.2). These policies should include protections such as prohibiting police from using deadly force against individuals who pose a danger only to themselves (PERF principle 9).
- **De-escalation should be a core theme of an agency's training program.** (PERF Principle 17). Use of force training should be based on the critical decision making model, and should be based on distance, cover and time rather than outdated concepts such as the "21-foot rule" and "drawing a line in the sand." (PERF principles 5, 15, 16).

In order to build community trust and ensure accountability, we also recommend that law enforcement offices adopt the following verification measures:

- Public posting of use of force policies.
- Public process for review of use of force policies to ensure that key provisions (e.g de-escalation first) are in policy and policy meets community needs.
- Reviewing practices in use of force incidents (including those that do not result in injury) that include review of dash cam and body cam video by a command officer.

- Annual public reporting of the number of hours of training officers receive in de-escalation, communication, and less lethal tactics, the ratio of less lethal and de-escalation training to lethal tactic training, and the percentage of the force receiving training in less lethal tactics and de-escalation.
- Describing process for ongoing coaching and supervision to reinforce de-escalation concepts on an ongoing basis.
- Allowing community members to observe de-escalation and use of force training.

Priority 2: Ensure adequate and ongoing training on dealing with diverse communities, mitigating implicit bias, and addressing mental health issues

Law enforcement officers are called to serve communities that are increasingly diverse, where residents' cultural practices may lead to misunderstandings when officers are not familiar with cultural norms, and where the human tendency to act on implicit bias even when explicitly committed to fairness challenge the officers ability to provide just and equitable service. Racial disparities in the criminal legal system and police departments' histories of enforcing racially unjust and discriminatory laws increases the need for ongoing and effective training of officers to address the diversity and equity needs of the community. Finally, many of the incidents that have raised national and local concern have involved individuals with mental health conditions, which highlights the need for comprehensive training for officer in dealing with such individuals.

Such observations are well in line with the national literature:

- **“Ensure both basic recruit and in-service training incorporates content around recognizing and confronting implicit bias and cultural responsiveness”** (21st Century Policing 5.9).
- **Implement a comprehensive agency training program on dealing with people with mental health issues** (PERF principle 19).

Verification measures related to these recommendations include:

- Annual public reporting of what levels of training officers receive in cultural responsiveness and confronting implicit bias, including the percentage of the force trained and the number of hours of training officers receive.
- Describing process for ongoing coaching and supervision to reinforce implicit bias mitigation, cultural competency, and appropriate mental health response concepts on an ongoing basis.
- Allowing community members to observe training in cultural responsiveness and confronting implicit bias.
- Developing and publicly posting training standards for officers and command staff related to cultural responsiveness and confronting implicit bias.

Priority 3: Ensure that police tactics and deployments do not erode community trust or lead to disproportionate negative police contact with people of color and low income communities

The federal investigation into the policing practices in Ferguson, MO brought national attention to the ways that police policies can have disproportionate impacts on low-income communities and communities of color. Such frequent policing of these communities can easily result in a culture of distrust between law enforcement and community members, especially when these policies are driven by the goal of generating revenue. Likewise, aggressive tactics that often disproportionately affect people of color such as stop and frisk policing can leave a strong negative impression on civilians who experience them, and contribute to an ongoing concern of over-policing in low-income communities and communities of color.

The Faith Leaders Forum and Interfaith Council for Peace and Justice call on area law enforcements to comply with the following recommendations:

- Law enforcement agencies and municipalities should **refrain from requiring officers to issue a predetermined number of tickets, citations, arrests, or summonses**, or to initiate investigative contacts with citizens for reasons not directly related to improving public safety, such as generating revenue. (21st Century Policing 2.9)
- **Prohibit “stop and frisk”** type activities that create a perception of police harassment.

Verification measures related to these recommendations include:

- Adopting and publicly posting policy against quotas for tickets, citations, arrests, or summonses.
- Describing how officer performance will be evaluated in the absence of a quota system.
- Adopting and publicly posting policy against stop and frisk and similar tactics.

Priority 4: Ensure strong methods for transparency and public accountability of law enforcement agencies

One of the most striking dynamics we observed in our community conversations is how little many community members knew about the training, functioning, processes, and outputs of law enforcement. We appreciate the steps local law enforcement agencies have taken to address this information gap, such as holding public forums, establishing citizen police academies, and offering ride-along opportunities. We also believe that additional steps would help ensure accountability and increase public trust. These steps include:

- **Mandate external and independent criminal investigations** in cases of police use of force resulting in death, officer-involved shootings resulting in injury or death, or in-custody deaths. (21st Century Policing 2.2.2, PERF principle 12).
- **Require public reporting of police killings** or serious injuries of civilians (Ex: [The PRIDE Act; Colorado law](#)).
- **Collaborate with community members in communities and neighborhoods disproportionately affected by crime to improve public safety.** (21st Century Policing 2.1) Properly-constituted civilian advisory boards or oversight bodies are one tool to enact this policy.

- **Departments should establish practices to document use-of-force incidents, review data and enforcement practices to ensure that they are fair and non-discriminatory,** (PERF principle 10) and publish a report on officer's' use of force at least once per year(PERF principle 11).
- Law enforcement agencies should at least annually **post on the department's website information about stops, summonses, arrests, reported crime, and other law enforcement data aggregated by demographics** (21st Century Policing 1.3.1).

We recognize that many of these are already standard practices by local law enforcement agencies (e.g. Chief Seto's decision to turn over investigation of the death of Aura Rosser to the Michigan State Police is an example of external and independent investigation). In areas where this is already standard practice, we believe that adopting the practice as a formal and public policy would build trust and ensure that the practices are followed in future incidents.

Verification measures related to these recommendations include:

- Adopting and publicly posting policies requiring external investigation of cases of police use of force resulting in death, officer-involved shootings resulting in injury or death, or in-custody deaths and reporting of police killings or serious injuries of civilians.
- Developing strong, locally-relevant methods for collaborating with community members in communities and neighborhoods disproportionately affected by crime to improve public safety, such as community review boards. Reporting annually how these methods affect policing practices such as deployments, training, and community engagement.
- Annual publication of a use of force report, including analysis to ensure they are non-discriminatory and a description of process for documenting and reviewing incidents.
- Public posting of information about police actions aggregated by demographics.
- At least annual public engagement process, through a civilian review board or other mechanism, to encourage public review and analysis of reported data.

Next Steps

Interfaith Council for Peace and Justice and the Washtenaw County Faith Leaders Forum will convene teams of concerned residents for a data gathering phase to engage with law enforcement agencies in the county to determine the departments' current policies and practices regarding these recommendations. These data will inform additional advocacy efforts moving forward.

