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Operator: Good day and welcome to the President's Commission on Law Enforcement Administration of Justice conference call. Today's conference is being recorded. At this time I would like to turn the conference over to director Phil Keith. Please go ahead.

Phil Keith: Thank you, Michael and good afternoon, and thank everyone for joining us today. I'll call the President's Commission on Law enforcement and Administration of Justice to order. On behalf of Attorney General Barr, we thank each of you for joining us today for this important Commission teleconference meeting.

The focus of our - today's panel I should say is community relations and respect for law enforcement. Yesterday's hearing was very robust and the witnesses provided a great deal of information and facts for this Commission to deliberate and discuss. Today's discussion will be nothing less. So we're looking forward to today's panelists. At this time I'll ask our Executive Director, Dean Kueter to conduct the roll call of Commissioners.

Dean Kueter: Thank you Mr. Chairman and before I call the roll, I'd just like to remind everybody to the once again, today's event is open to the press. And for any members of the media that are on the call if you have any questions or need clarification on anything, please contact Kristina Mastropasqua in the Justice Department's Office of Public Affairs. And with that, I will begin the roll, Commissioner Bowdich? Commissioner Clemmons?

James Clemmons: Present.

Dean Kueter: Commissioner Evans? Commissioner Frazier?

Frederick Fraizer: Present.

Dean Kueter: Commissioner Gualtieri? Commissioner Hawkins?

Gina Hawkins: Present thank you.

Dean Kueter: Commissioner Lombardo?

Kim Nerheim: Kim Nerheim on behalf of Commissioner Lombardo.

Dean Kueter: Commissioner McDonald?

Erica McDonald: Present thank you.

Dean Kueter: Commissioner Moody?

Ashley Moody: I'm here.

Dean Kueter: Commissioner Parr?

Nancy Parr: I'm here.

Dean Kueter: Commissioner Price?

Craig Price: Good afternoon. I'm here.

Dean Kueter: Commissioner Ramsay?

Gordon Ramsay: I'm here.

Dean Kueter: Commissioner Rausch?

David Rausch: I'm here.

Dean Kueter: Commissioner Samaniego?

John Samaniego: I'm here.

Dean Kueter: Commissioner Smallwood?

James Smallwood: I'm here.

Dean Kueter: Vice-Chair Sullivan?

Katharine Sullivan: I'm here. Thank you.

Dean Kueter: And Commissioner Washington?

Donald Washington: Here.

Dean Kueter: Mr. Chairman, that completes the roll call.

Phil Keith: Thank you Dean. Any other announcements today?

Dean Kueter: No sir. We are good to go.

Phil Keith: Thank you. We're - we again want to acknowledge the continued commitment of our Commissioners and certainly our working groups, the witnesses here today as well as those that appeared other hearings, and the federal staff for making this historic Commission a reality. On behalf of Attorney General Barr, we thank each of you.

As noted on previous calls, we encourage Commissioners to take notes during the testimony of the panelists, and we will then open for questions from Commissioners after the last witness. Our first distinguished panelist today is Dr. Luann Pannell who is the director of Police Training and Education at the Los Angeles Police Department. Dr. Pannell began her career with the LAPD as a police psychologist in 2000, and in 2006 was promoted to director of Police Training and Education by then Chief William Bratton. In this role, she is responsible for the review and evaluation of all LAPD training curricula to ensure relevancy, continuity, and compliance with state and federal criteria and departmental policy. She researches best practices and police training and adult learning to continually improve and advance LAPD training.

Dr. Pannell is a distinguished instructor in several of the LAPD schools, including the LAPD and LAFD leadership programs and the command development course. While teaching in numerous departmental schools Dr. Pannell also consults in the selection and training of instructors and conducts evaluation research to improve the training methodology and content continuously for LAPD. Thank you for joining us today Dr. Pannell and you're recognized.

Luann Pannell: Thank you so much Director Keith, Vice-Chair Sullivan and distinguished Commissioners, Executive Director Kueter. Again thank you for having me today. In my role as director of police training, it's continually evolving and just by way of background the LAPD has approximately 10,000 police officers and 3,000 civilian employees to oversee public safety for roughly 4 million people in the city of Los Angeles.

Professionally I'm in a strategic and critical position to influence the whole department through the design and development of training from recruits in the academy through to command staff officers. In my role, I've had the opportunity to also share best practices with agencies across the country. And it is my hope today that I do not just comment on the challenges that LAPD has had but also sharing with the - my colleagues across the country on some of the challenges facing law enforcement today, particularly as it relates to our key item today on community engagement.

I view training as one of the primary vehicles for influencing organizational change and impacting community trust. And I'm hoping today that we can also look at the training that we do for officers. Is it actually preparing them for the current environment of law enforcement that we are facing today? And what if by how we train we don't just have officers pass courses, but we actually get them to thrive in their chosen career and profession as well?

I do think that through our training efforts and our collaboration with community we can foster the growth of resilient and healthy communities through trust and public safety partnerships. But it's going to take a strong inward look at ourselves and who we are. Before I continue any further please let me point out that my comments made today are a reflection of my own professional experiences and do not necessarily represent the official position of the Los Angeles Police Department. So to continue further the focus of my testimony today will be on re-imagining policing, evidence-based policing, and community engagement. At the end I'll convey some recommendations related to re-imagining policing.

For me when we re-imagine policing we have to begin with the academy and training as a fundamental framework that starts the expectations and cultural mindset of every officer. In general, law enforcement has inherited a method and model for training that met the needs of a different generation of recruit, of society, and a different environment with different policies, laws, and procedures. When you look across the country, many state agencies or individual departments

established their academy framework roughly 30 to 40 years ago. And that framework has been reinforced over the years by state governing bodies.

For example even in the last 15 years since I've been in this position, California has added additional requirements for officer training related to mental illness, principled policing, medical first-aid, the expansion of new technology, new laws, the explosion of homelessness, legalization of marijuana, and prior to COVID we were seeing on a national level school shootings occur every week. However, the required number of hours in the state of California has stayed the same at 664 hours.

And one of the challenges I think many of our departments face is that while most agencies train more than the minimum required, it still leaves both the public and to permit leaders with a faulty perception that a six-month academy provides adequate training because it's more than the state-required minimum. So for us to raise the bar at an agency level we actually need the profession to reassess the roles and expectations of an officer in the current environment and raise that bar on a state level as well.

As with many departments across the country, LAPD is impacted by a young patrol workforce with a need for recruit officers to better assimilate quickly into field operations and adapt to the constant changes in policing. Additionally, this generation of officer tends to have great electronic communication skills and they are extremely comfortable with technology while they generally need more development on interpersonal and conflict resolution - interpersonal skills and conflict resolution.

Typically, they operate with the expectation that they are able to question authority while they also want to join and be a part of something larger than themselves. In order to maximize the skills of this generation, of this kind of officer, a dramatic shift was needed from the traditional lecture-based academy to the new culture that focused on the facilitation and development of community-

engaged critical thinkers and problem solvers. The article I attached with my testimony outlines the comprehensive changes that were made, first in academy training and now over the past 12 years throughout our in-service training as well. Key topics such as ethics, leadership, core values, community engagement, teamwork, and procedural justice have been infused throughout training into scenario practice.

We had to stop training in singular blocks of instruction that were based on meeting the needs of testing or lecture-based curriculum and shift to meeting the need of individual and team competencies. There seems to be misinformation on the public level and even with our city councils that the number of training hours equates to the significance or the outcome of training. And that's just not true. The quality and caliber of training that will matter most when it comes to optimal performance in the field is what should be driving every training hour that we received. We should be questioning if it's teaching them to master and replicate the same skills in the field. And I think most of us can agree that a lecture-based classroom is not going to necessarily translate into field performance.

One of the analogies I would say is that as we - we would never just talk to football players, give them a lecture, and give them a video on how to play football. You have to get out in the field to play football. And in that respect, are we training to meet requirements and expectations but not giving the field practice that every officer needs and deserves? We have to ask ourselves if we're looking to increase positive community engagement, are we sending mixed messages if we train recruits to sit at attention but don't teach them public speaking skills. Ironically, public speaking is one of the number one fears in America and we hire from the general population. We need to be training not just to learning domains but to skill sets that we see make a productive and successful officer.

Within our department, it's been stated that roughly 50to 60percent of our front-line officers have five years on and less. And that translation means that we have a significant amount of our service

and public contact being managed by the youngest and least experienced officers. Many of you with law enforcement experience will know that many advanced officer trainings were not even made available to you until you had five, six, seven years on the department. In that framework, we've already missed our window to reach these critical moments of learning and expectation that are happening before our eyes.

Our department response to this phenomenon was to flip our training paradigm and provide a new foundation for the first five years called police sciences and leadership. This program provides an extra training boost to officers within their academy class after 11 months in the field right before they complete their probation. In this way, it replicates how other professions might utilize field internships to supply classroom - supplement classroom learning.

The first week provides enhanced training of procedural justice, interview skills with victims, community perspectives, legal updates. And the second week is focused on a 40-hour mental health intervention training. Two years later that same group of officers will come back together as a class to reassemble police sciences and leadership 2. Eventually that curriculum will be developed for police sciences and leadership 3, fundamentally giving a foundation for the first five years for every officer.

In preparation for this testimony, I reviewed the testimonies you've already heard about police training so I'll restate that - I will not restate all the same information but I would echo the need for evidence-based policing not just for training but in policing practice and for community engagement. If we are going to possibly re-imagine policing we should do it on a more comprehensive level and consider if we are training officers to do X but expecting Y. Are we asking the right questions? Do we even have the right equipment or facilities to do what is being asked? And do officers think they are doing it already? Are we expanding critical thinking capacity of officers to thrive in the next generation of policing? And are we incorporating resiliency, health, and well-



being is an important skill to develop? Again we want our officers to thrive not just for a class but for their career.

So in closing I'm going to move on to the recommendations hopefully that will be a consideration for this Commission. When we look at some of the things that inhibit us from moving forward or engaging the community, there are about seven things that I want to have us look at. One would be the culture and training, the field training officer program so we can train however we train in the academy but we really have to look at the officers who are doing that internship, field experience training, on the job training in the year that is after academy training.

Are we picking FTOs based on their ability to teach or are we picking them based on their reputation as a productive officer? And what does that mean in different departments? Once we select our FTOs, are we supporting them with comprehensive training to ensure that the qualities and skills that are being passed on are in support of the larger department and community missions and purpose? It is possible that small agencies are better positioned to manage this effort but I certainly know that this is an ongoing challenge for ours and many large departments.

Secondly, the kinds of forms and boxes that we require officers to complete also shape how they think their job is important. There are no boxes available for LGBTQ persons on our field intake forms. Is it possible that our forms influence how officers think while engaging with that very community member. Our field data report includes seven categories for race. Is that adequate to meet the number of, the need in society today. If we have spaces to capture the number of arrests but on the other hand we don't capture the number of referrals for diversion, isn't it just more likely that officers will make more arrests than referrals?

The third item, the systems that we lean on to demonstrate accountability. Many of these systems have been created for good reason, but they can outweigh what happens in a classroom. A prime example of this for us is CompStat where it's transformed the accountability in American policing

as it relates by numbers. It looks at the incidence of crime but on the same hand are we measuring what matters most in the community?

What are the quality of those community contacts? Are we placing crime reduction ahead of positive community relationships and trust building? Is it possible to enhance CompStat in a way that will capture more than just our crime numbers?

The fourth item I'd look at is the systems that formally and informally identify who is a good officer. If we end up defining a good productive officer as one who handles a lot of calls, has a short response time, and makes a lot of arrests, how does that impact community engagement? And what is the impact on the frontline officer who's got the idea that they cannot spend more time explaining a stop to an elderly driver because they're worried about responding to the next call? This is some of the feedback that we've received from our police sciences and leadership program at 11 months. Our officers are coming back and saying, We want to be this kind of community-oriented officer but some of the things that are happening in the field are that the systems that we have in play that say this is how we need you to respond minimize the kind of time that might need to enhance those community contacts."

The fifth item, I would just say true community engagement changes hearts and minds more than training or Ted Talks. You can be in the classroom but the shift of training on community engagement should also include the opportunity to engage with the community. There's a huge push on training for implicit bias right now but presently the research is very, extremely varied on how effective classroom training can be on this topic. And while it's important to increase awareness to - what we know from the research is that it's the actual contact from somebody who's different from us that helps us to shift our thinking and interactions with them. Ideally, those interactions should be opportunities to engage the very common problems that bring us together.

A sixth item would just be communication. When we look at, especially what happened during the protests, how do people communicate today? And if we are waiting for press conferences to give our perspective on information, we're already behind the curve. And I would say most departments are really struggling with having a modern era use of modern technology and communication. Often we are quite behind the curve of what is being put out by other entities.

And then a final item I feel like needs to be mentioned, many departments come and talk to me about training and emphasize that they - that after people make it as captain they might send their captains outside to training but there is often not a unified ongoing effort to continue training for command officers. I think that that is something that - a discrepancy that they often and see in the field and that officers speak to, why doesn't my command officer get the same information? I recognize that we pull command officers in so many different directions it's often a hard thing to do but at the same time if we're going to talk about procedural justice outside of the department, we have to look at internally and how our command staff plays into ensuring that there is internal procedural justice as well.

So right now there's an emphasis on the divisions within American society and more pointedly between the community and law enforcement. But starting with our shared mission to keep our communities safe, it's remarkable how strong our ties are to each other. We just had two community focus groups this past week and while many hurts and disappointments were conveyed, there was overall a sense of hope of how we could move forward. We truly need each other and we can't be experienced through classroom training lectures alone. Sometimes the best intervention and training is to build something worthwhile together perhaps through re-imagining policing. In the words of Dr. Maya Angelou, we are more alike my friend than we are unlike. And that concludes my testimony. Thank you.

Phil Keith: Thank you Dr. Pannell for your valued testimony today and certainly for your service. Our other distinguished panelist today is Mr. Sean Sheppard who's the founder and chief executive officer of

Game Changer. Game Changer formally utilizes community residents to train members of the California law enforcement community in community policing and interpersonal communication. His program is accredited by the California Commission on Peace Officer Standards and Training. The program has amassed over 500 hours of video-recorded focus group interactions between civilian members of the community members of law enforcement with a focus on discussing problems and devising solutions together.

Prior to serving the community Mr. Sheppard served as the urban marketing consultant for the San Diego Padres for two years and spent the better part of ten years as a strength and conditioning coach at the collegiate level where he provided guidance and instruction to hundreds of student athletes. Thank you for joining us today Mr. Sheppard. You're recognized.

Sean Sheppard: Thank you for having me. I want to thank all the Commissioners for this opportunity today.

Game Changer is an experiential learning model rooted in behavioral psychology that's designed to bring about changes in perception which leads to changes in behavior which would lead to changes in outcomes. And the outcomes that we want are more peaceful interactions between law enforcement and community residents. It's also designed to educate and enhance communication skills on the parts of law enforcement and community residents. And I want to add that the model is now virtual as a result of the COVID-19 social distancing measures.

So what takes place at a Game Changer event? Three hours before the start of a collegiate or professional sporting event, members of the general public and members of law enforcement come together to participate in a moderated focus group. The first thing that we have everyone do is complete a pre-perception survey so that we can measure what folks are thinking as it relates to law enforcement-community relations. Our moderator then gives instruction and rules of engagement and then we spend the first hour of our time together discussing problems. We typically then take a ten-minute break, provide dinner to everyone, and we spend another 45 minutes participating in a working dinner. if you will. in small groups that we call the solution session.

Each small group must have at least one member of law enforcement in the group so that the solutions that are devised are reflective of both law enforcement and general public thinking. Once we're done devising solutions together we then get back into our large group and each small group reports back as to what problem they addressed and five solutions to those problems. We then give everyone in the room a chance to share what they learn new during our time together. And then we go to the game together. The game represents an opportunity to communicate in a more casual environment, an environment the friends would spend time in. And it's during that time that we administer the post perception survey so we can measure whether or not anyone's thoughts and beliefs regarding law enforcement-community relations have changed as a result of our time spent together.

When the game is over within 24 hours, everyone receives an email from us encouraging everyone to stay in contact with one another. We also share five action items that we have accumulated over the years that we are looking to implement as a result of time spent in previous Game Changer events. About five weeks after the event everyone gets a follow-up survey so that we can measure what their thoughts are, what their perceptions are, and what their behaviors are as a result of spending time at a Game Changer event. And we also encourage people to participate more than once.

So some of the benefits of participating are three-way education and exposure. The education exposure that takes place between law enforcement toward community residents, the education exposure that takes place from community residents to law enforcement, and then thirdly the education exposure that takes place between residents. And this is an added bonus to our model because we cast out a pretty wide net into the community to ensure that there's a great level of diversity that's present in the room so that Game Changer represents an opportunity for people who wouldn't otherwise spend time with one another to hear from one another and to learn from one another.

Another benefit is that members of law enforcement have reported back that the Game Changer experience has proven to be both therapeutic and cathartic for them. And, as was mentioned at the beginning, the program is accredited by the California Commission of Peace Officers Standards and Training so every member of California law enforcement that participates in Game Changers that has a POST ID will receive five hours of community policing continuing education units as well as continuing education units in interpersonal communications, which is part of the Perishable Skills Program.

We utilize sports to bring people together because that's exactly what sports does. It brings people together. Also we're aware that athletes are extremely powerful social influencers. And another reason that we created sports to roll out the Game Changer model is because it provides the opportunity for corporate America to be involved in solving a societal issue and serving as a help for civic engagement in a manner that they've never been asked to do before.

So over the last three-plus years we've had 1,200 unique Game Changer participants including 385 unique participants from law enforcement on a local, state, and federal level. And we've touched down either in person or virtually in eight different states across the country. So in the interest of time, I'm going to share just a couple of data points. San Diego State University Institute for Public Policy has conducted their second data analysis and this one is reflective of the 1,200 participants that have come through our model. So 443 civilians completed pre-and post-surveys. More than half were male and more than half of those males were African-American.

And on their post-surveys they were more likely to agree with the following when compared to their pre-surveys. They believe that law enforcement is respectable; they believe that law enforcement shows respect for all committee members. In their post-surveys they believe that law enforcement understands the needs of the communities that they serve better than they did walking in the door. They believe that law enforcement has good intentions and that they are just and fair.

According to the summary score from San Diego State, 64% of respondents reported more beneficial attitudes towards law enforcement after the event than they did before the event. A further note is that respondents were less likely to believe that the mental health of law enforcement was adequately addressed. And to that measure, members of law enforcement when asked to self-report were also less likely to believe that their mental health needs were adequately addressed when compared to their pre-surveys.

So want to share some examples of behavior change, and they're all communications related. The civilian participants reported more balanced comments on social media. And in this day and age that is a huge change in behavior. They've also reported that they're sharing new law enforcement knowledge with friends and family. As it relates to the behavior change that's taken place with law enforcement, law enforcement has reported back that they are communicating more with citizens between calls, they're communicating more with citizens outside out of their patrol cars, and they're also reporting that they're being more descriptive during traffic stops.

So I have dozens and dozens of recommendations but I'm going to whittle them down to a handful. The first one I want to touch on is that Game Changer-type communication training should be mandatory at the academy level. It should also be mandatory for all field officers and they should receive at least 30 hours of communication training with residents each year. And that equates to one five-hour Game Changer events every other month.

I'm also recommending the federal partnerships with all professional sports leagues and the NCAA take place. As I shared, our athletes in this country are huge social influencers. And the leagues that they play in can also play a role in serving as hubs for civic engagement. I'm also recommending that mandatory psychiatric evaluation take place every two years for all field officers. And believe it or not that's coming straight from members of law enforcement. They feel

very strongly about that. Making it mandatory would eliminate the stigma that is often associated with psychiatric evaluations.

Another recommendation is that we lean more heavily on female members of law enforcement and ask that they play a more prominent role in law enforcement reform. And I say this because generally speaking they rely more on their communication skills than their male counterparts to police effectively. Another recommendation would be that federal standardization of traffic stops and issuing rights and responsibility cards. We have to have an understanding of what's expected before the interaction takes place, and there needs to be a level of communication that takes place before we ever literally start communicating.

My last recommendation would be the independent investigations of all officer-involved shootings. And again that's coming from primarily members of law enforcement that have participated. So, with that I want to provide the opportunity for you to ask any questions. I want to thank you for my time today.

Phil Keith: Thank you Mr. Sheppard for your valued testimony today and for your commitment to service.

Commissioners, we're now open for questions for panelists. Commissioners with a question, please state your name prior to your question and direct that question to the specific panelist or both of our panelists. Just as a reminder to the Commissioners, your mics are hot at all times, and with that we'll open it up for questions from our Commissioners to our panelists. Questions from commissioners to our panelists?

Ashley Moody: Chairman, this is Ashley Moody from Florida. I had a question for Dr. Pannell.

Phil Keith: Yes ma'am, you're recognized.



Ashley Moody: Doctor, thank you so much for your testimony. Of note, I paid particular attention when you listed out the ways over the past decade or so that we have expected more and more and more from our officers. And with that came along additional training whether that was in substance abuse, medical training, mental health, homelessness. The list goes on and on. And I know that that takes certain caliber of person, meaning the capability of understanding all of the nuances of the job and absorbing the training materials and implementing those into their daily work.

Have you noticed that as more and more training has been required and more and more has been expected of our officers that that has corresponded with an increase in pay? And also has that corresponded with the ability to still attract the same number of recruits and retain that same number or has the increased training and the greater expectations had any detrimental effects to those areas?

Luann Pannell: Thank you for your question. I think a couple of things. I know across the nation the recruitment and retention is an ongoing challenge for our agencies. I do see that within our training, officers respond very positively to getting training that helps them to do their job better. Again, I was mentioning with our Police Sciences and Leadership, even after 11 months officers are coming in and saying that 65% to 70% of their calls are dealing with people who have some kind of mental illness crisis. So they are very receptive to getting that. I want to turn - so I don't think that there has been any parallel increase in pay that I'm aware of. It just - it seems that we're asking more. What is very difficult especially when you have an agency of our size trying to get everyone through and making sure that training is done across the board.

One of the other challenges I would say is that we should probably be a little more strategic. Often I think the departments are pushed to say, "I trained a whole department in one topic." But is that truly necessary? If somebody is assigned to an administrative position is that necessary for you to be trained in command and control if you're not using that skill set? Or maybe with detectives

instead of having them trained in command and control we should be doing more training on interview skills and the kinds of things that would help them to do their position better.

I think additionally one of the challenges, we have a higher expectation around compliance issues and our department because we went through a consent decree had a whole division devoted to compliance and oversight which again afterwards was redistributed through the department. Most departments don't have the kind of academic oversight that is needed to, you know, just look at measures of effectiveness.

And some of the challenges with evidence-based policing is while we can understand that there are some things that work better than others, we often have to network with outside entities or academic resources to do that which isn't bad in and of itself except for the people that we have in those positions in the department move so frequently that keeping the momentum and the continuity and the lessons learned often go away with the person who was in the job. I know that was kind of all over the place a little bit but I think there's a recognition that training does impact the kinds of output and quality contacts that we are able to provide.

Ashley Moody: Thank you and thank you, Chairman.

Phil Keith: Thank you. Other questions from Commissioners?

David Rausch: Chairman Keith, David Rausch.

Phil Keith: Commissioner Rausch, you're recognized.

David Rausch: Thank you and thanks to both of the presenters -- excellent information on a critical piece that sometimes gets overlooked and sometimes is overemphasized. But, you know, training is a critical part of everything that we do in law enforcement.

I think my question is for Mr. Sheppard, and your experience in the vast work that you're doing you mentioned independent investigation and I lead an agency that does that. And the one piece that I think is important, we also need to look at and I'd like your input and thoughts on this is the issue of prosecutorial discretion. You know, the independent investigation is critical but what happens with that investigation I think is where a lot of the disconnect is taking place. And so I'd be curious to hear your thoughts on that.

Sean Sheppard: Well from a community standpoint, it's simply a matter of trust. The community is well aware of how closely your typical district attorney works with each law enforcement agency in that county. And since they work so closely together and work so closely together every day, when you look at the statistics and look at how few officers are ever even indicted, there's a lack of trust. There's a lack of trust on the part of the general public because of that.

And so in order for there to be a gaining of trust between the general public and law enforcement, the process needs to change so that there's not unilateral authority for a district attorney to decide to indict or not indict when an officer has been involved in a shooting or some type of use of force event. So that's really where that's coming from. It really is coming from a lack of trust in the process, a lack of trust in the system, a lack of trust in government. And so that's really where that recommendation comes from.

And also and it's not just coming from members of the general public. Members of law enforcement feel the same way because at the end of the day they are members of the general public. No one came out of the womb wearing a uniform. They all came from some community and brought those experiences with them before they became members of law enforcement. So that's the feedback that I have on that and that's coming directly from folks that have participated in our program over the last several years. I hope that answers your question.

David Rausch: Yes sir. Yes and just a bit of a follow-up on that is, you know, what we're seeing I think is right now is the pendulum has swung a little bit too far to the other way. And my hope is that we can somehow come to an understanding somewhere in the middle of, you know, of just and fair. And I think that's the challenge that we have before us.

Sean Sheppard: Well I'd like to respectfully point out that it may appear that the pendulum has swung too far the other way but we're also talking about a four-week period of time compared to a couple hundred years. So in order...

David Rausch: Oh yes...

Sean Sheppard: ...for the pendulum - in order for the pendulum to truly have swung too far we need a lot more than just three or four indictments and firings of the members of law enforcement around the country over the past month.

David Rausch: No absolutely. I - and yes sir on that specific I agree. I think that what we've seen though is some independent utilization of discretion, of laws that may have clouded not - and not talking about with law enforcement but in general public that has addressed other pieces of law that are out there that have been either the decision is not to prosecute violations of law by independent prosecutors, that has really thrown the justice system into a bit of a wash.

Sean Sheppard: I can respect that. I can respect that and appreciate where you're coming from. Thank you.

David Rausch: Thank you.

Phil Keith: Other Commissioners with questions for our panelists?

James Smallwood: Mr. Chair this is Commissioner Smallwood.

Phil Keith: Yes sir. You're recognized Commissioner.

James Smallwood: For the same individual that just answered the question for Commissioner Rausch, apparently I missed something in the presentation. You're certainly not suggesting that the only way that we can build trust with our communities is by indicting police officers absent facts and information that shows that they've actually done their jobs and follow the law?

Sean Sheppard: No I certainly hope that's not what you gathered from my presentation. That's not at all what I said.

James Smallwood: Not as much from your presentation as I did from your answer to Commissioner Rausch where you said, you know, over the past couple hundred years in a few weeks we're not going to build trust until there's more indictments and prosecutions of police officers. And I just want to make sure that everybody's clear that while officers who have done - made bad actions who have committed crimes they should be prosecuted.

There's some false sense of folks thinking that officers should be indicted for following their training and following the law and I want to make sure we're all on the same page. And I don't think that's what you're saying but your answer kind of led me to think that maybe that's what you thought.

Gina Hawkins: Yes this is Commissioner Hawkins. I didn't hear that at all. What I did here is him answer Commissioner Rausch to the question and Commissioner Rausch I believe said something swung far to one way and he was responding to that. So I do think there is some interpretation on an individual basis.

Sean Sheppard: So and the record will show that that's not at all what I said. What I said was we need to move towards an independent investigation when there are officer-involved shootings so that there is more of a sense of trust that comes from the community towards law enforcement.

James Smallwood: Sure which I fully support that. I just I caught your answer and I - maybe I missed part of what you said and I wanted to make sure I had clarification on that.

Sean Sheppard: Well thank you and I'm glad you asked the question but thank you.

James Smallwood: Yes.

Sean Sheppard: But the record will show what I said.

James Smallwood: I appreciate your follow-up.

Sean Sheppard: Thank you.

Phil Keith: Thank you. Other Commissioners with questions or comments?

Craig Price: Director Keith this is Craig Price.

Phil Keith: Commissioner Price, you're recognized.

Craig Price: Thanks. And for the most recent gentleman too I appreciate your feedback. And just for a point of clarity, when you mentioned an independent investigation what do you define that as? Do you define that by an independent third-party agency conducting the investigation? Do you mean that buy some independent community group or citizen group being involved in the investigation or a combination of both or? What's your definition of that sir?

Sean Sheppard: I think that that remains to be determined. But I think that there should be some level of government oversight that's independent separate from the district attorney. And that can be a Department of Justice and a community oversight group as well.

There's a lot of community oversight groups and citizens review boards that exist but they have no power. The commission here in Los Angeles, the Office of the Inspector General, they can only make recommendations but they have no power. So I just feel like any effort that we can make to have a third-party group that comes in that's a combination of government and citizens to make that determination as to whether or not to indict or not indict, I think that that would be a healthy measure to take in terms of creating trust and transparency between government and members of the general public.

Craig Price: Okay, so you're not suggesting that a non-law enforcement entity conduct the actual boots on the ground investigation. You're just...

Sean Sheppard: No sir.

Craig Price: ...suggesting maybe some type of oversight? Okay. Okay thank you.

Sean Sheppard: You're welcome.

Phil Keith: Other Commissioners with questions for our panelists?

Donald Washington: Phil this is Don Washington, a quick question.

Phil Keith: Yes sir Director Commissioner, you're recognized.

Donald Washington: Yes I just wanted to ask Mr. Sheppard another question. In your surveys and in your interactions with primarily the public, did you find whether there was an understanding or a lack of understanding of the grand jury system and the role of the grand jury in deciding whether to indict or not indict? Just curious as to the level of knowledge about the grand jury for the public at large.

Sean Sheppard: I'm going to go out on a limb, you know, tongue in cheek and say that there's not a whole lot of understanding on the part of the general public as it relates to government in general. There's a lot of education that needs to take place and in our post-surveys our community residents have indicated that 94% of them claim that they - report back that they have learned something new from spending time with law enforcement.

Myself included when I make this statement, most of us walk into a Game Changer event deaf, dumb, and blind as it relates to anything about law enforcement. And so there's so much that the community needs to learn and wants to learn, I think it can be beneficial all the way around. The more time the residents are spending with members of law enforcement and vice versa, again there's an educational process taking place and there's an exposure process taking place.

And the exposure process that takes place really comes down to the humanization of one another. And so that's what we have discovered over the past four years is that there is really a lack of knowledge. There's a two-way lack of knowledge due to a lack of exposure to one another. So as it relates to the grand jury, you could pick a topic when it comes to government and most members of the general public lack the education, lack the knowledge base to be able to speak on the process. I hope that answers your question.

Donald Washington: Thank you very much, sir, that does. Thank you.

Sean Sheppard: You're welcome.



Phil Keith: Thank you. Other questions from Commissioners? Other questions from our Commissioners?

Hearing no further questions, let me close by thanking our panelists once again for your time and your most valuable testimony today. Responses to the questions posed from our Commissioners is most sincerely appreciated. And on behalf of the Attorney General and his leadership team of Rachel Bissex and Jeff Favitta and all the Commissioners, your contributions provided today are most sincerely appreciated and will assist this Commission in their deliberations and work.

Also please check the President's Commission page for additional updates and documents and information on the main Justice website. We'll update it regularly when information is available for posting.

As previously mentioned, we will be holding an executive session next Tuesday, July 7. The Commissioners will be receiving an Outlook calendar invite for this two-hour session and we will only have one additional hearing next week which will be on Wednesday, July 8. More information on both those items will be provided to our Commissioners.

We want to once again thank the FBI for the use of their teleconference network and certainly their support of the Commission hearings. Any questions or comments from Commissioners? Hearing none, Commissioner Rausch, our thoughts and prayers remain with you, and if there's no further business before this Commission today the President's Commission is adjourned. Thank you, Commissioners, for your continued dedication and commitment to work for this Commission. I hope you have a wonderful Fourth of July.

Male: Thank you.

Male: Same to you.

(Crosstalk)

Operator: Thank you ladies and gentlemen for your participation. This concludes today's teleconference.

You may now disconnect.