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Moderator: Dennis Stoika

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Operator: Good day and welcome to the President's Commission on Law Enforcement and the 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 Ryan and good afternoon. And thank everyone for joining us today. I call the President's Commission on Law Enforcement and the Administration of Justice to order. On behalf of Attorney General Barr, we thank you for joining us today for this important Commission teleconference meeting.

I need a quick check. Everybody check the mute on their device. Thank you. The focus of today's hearing will be law enforcement accreditation. We look forward to hearing from these exceptional and remarkable leaders today. As many of you know on June 16th, the President signed an Executive Order on Safe Policing for Safe Communities.

Last week we heard testimony about use of force including excessive use of force, an area of focus in the President's Executive Order. That robust discussion has helped us lay the framework for this Commission to develop a deeper dive into the issue and look at recommendations for improvements in addition to the other Executive Order implementation work that lies ahead.

This panel is uniquely qualified to discuss the topic of accreditation and will provide this Commission with their insight and expertise. I have no doubt the panelists will deliver the same level of dynamic testimony as they share with us their expertise on accreditation, a principal tenet of the President's Executive Order.

Just as a note, joining us today, Chief Jeff Hughes from Brentwood (Tennessee) Police Department is joining us today. He lost an officer in the line of duty last week and is making a special effort to be prepared for this meeting and join us today. Our prayers and thoughts are with Chief Hughes and his entire department.

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 everyone that today's event is open to the press. And for any members of the media on the call, if you have any questions for need clarification on anything, please contact Kristina Mastropasqua in the Justice Department's Office of Public Affairs.

And with that, I will call the roll. Commissioner Bowdich. Commissioner Clemmons.

James Clemmons: Present.

Dean Kueter: Commissioner Evans. Commissioner Frazier.

Frederick Frazier: Present.

Dean Kueter: Commissioner Gualtieri.

Robert Gualtieri: I'm here.

Dean Kueter: Commissioner Hawkins.

Gina Hawkins: Present. Thank you.

Dean Kueter: Commissioner Lombardo.

Regina Lombardo: I'm here. Thank you.

Dean Kueter: Commissioner MacDonald.

Erica MacDonald: Good afternoon. Present.

Dean Kueter: Commissioner Moody. Commissioner Parr.

Nancy Parr: I'm here.

Dean Kueter: Commissioner Price.

Craig Price: Good afternoon. I'm here.

Dean Kueter: Commissioner Ramsay. 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 concludes the roll call.

Phil Keith: Thanks Dean. Commissioner Moody and Ramsay will be joining the call late. Any other announcements?

Dean Kueter: No, Sir, we are good to go.

Phil Keith: Thank you. We again want to acknowledge the continuing commitment of our Commissioners, certainly the working groups, and the witnesses we have today, and previous Commission hearings, and the federal staff towards meeting the goals of this historic Commission. 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'll then open for questions from Commissioners after the last witness.

Our first distinguished panelist today is Director Dean Register. He is the director of the Florida Department of Law Enforcement and also serves as the Peace Officer Standards and Training director for the State of Florida.

Director Register oversees the competency and professional conduct of Florida's criminal justice officers as well as the training for Florida's criminal justice community and the Florida Department

of Law Enforcement members through the Bureaus of Professional Development, Training, Standards, Policy, and Special Programs.

Director Dean Register earned his Bachelor's Degree from Florida State University. He has 35 years of law enforcement experience. Thank you for joining us today Director Register. You're recognized.

Dean Register: Thank you Mr. Chair and I appreciate that introduction. You covered sort of my background of where I come from and also we provide staff and support to the Florida Accreditation Commission. I'm proud to say that Florida has a long history of embracing and supporting accreditation.

Also glad to say the very first agency that was accredited by CALEA was a Florida agency back in the early 1980s. Currently Florida has 45 agencies who are accredited by CALEA, and in 1995 the State of Florida created their state accreditation process

Florida accreditation programs accredit both law enforcement, correctional facilities, pretrial and probation and Offices of Inspector General. Currently Florida has over 250 entities that are accredited by our state accreditation system. I would like to spend my time today looking at the other speakers.

I think we're going to hear about the value of accreditation and what it does for an agency but I would like to spend probably most of my time talking about the process itself. As was stated in the testimony I am providing, we feel there are several key components that are required to build and maintain a successful accreditation process.

And that's where I would like to spend my time, going through and hitting some of the high points on the testimony that I provided. First one that we come up with that we think is very important is

legitimacy. The Florida program was formed by the legislature with significant input from the Florida Police Chiefs Association and Florida Sheriffs Association.

The Florida Accreditation Program is supported by state statute. It subsequently created extensive bylaws and also a comprehensive policy and procedures manual to guide in the carrying out of the accreditation process within Florida. Early on, it established very clear objectives that were formed back in 1995 and they still continue to guide the commission today.

Those objectives, as listed in your material, are establishing and maintaining standards that represent current professional law enforcement practices, increasing effectiveness and efficiencies, establishing standards that address and reduce liability, and establishing standards that make an agency and its personnel accountable to the community they serve.

The second tenet that we come up with was independence. The accrediting body, in our view, needs to have some form or level of independence. Florida statute 943.125 is basically the statute that lays out the accreditation process and also lays out the commission and also states that the Florida Accreditation Commission shall remain independent from any law enforcement agency.

.The commission that makes up our accreditation commission consists of five sheriffs appointed by the Florida Sheriffs Association, five police chiefs appointed by the Police Chiefs Association. We have one representative appointed by the State Law Enforcement Chiefs Association.

We have one member who is either a mayor, city commissioner, city manager, or other representative who's appointed by the Florida League of Cities. We have a county commissioner appointed by the Association of Counties. And we have an appellate or circuit court judge who is appointed by the Florida Supreme Court.

Lastly making up our commission is one representative appointed by the Office of the Chief Inspector General, which is within the Executive Office of the Governor. These men and women make up a commission. Each one of them comes from an accredited agency and I can assure you the commission is invested in the process as much as the accreditation managers and the rest of their staff.

Additionally, assessors that we use in Florida are carefully selected and trained. They are chosen from the ranks to include from command staff members, accreditation managers, and other invested parties from accredited agencies across the state. Assessment teams are formed with consideration of diversity and also possible conflicts of interest to ensure that they're carrying out the duties of the commission.

Next tenet that we come up with was remaining relevant and current. Standards used - excuse me - standards used currently are the results of over 20 years of continuous development here in Florida.

As stated earlier, we've got right around 250 standards that our Florida agencies have to comply with. The Standard Review and Interpretation Committee was formed and consists again of command staff members, accreditation practitioners, and other invested parties.

This committee meets three times a year and makes recommendations to the commission regarding new or amended standards. I'm proud to say that our standards do remain current and continue to move with the times and the trends.

The next tenet we speak of is attainable and undue burdens. The fiscal impact of accreditation are not unavoidable. However, where possible, we feel that with our standards that we must keep in mind that when writing standards we cannot make them to where a normal common agency cannot

comply with them. Specific procedures or processes, hardware, software, infrastructure, and other requirements should be carefully evaluated.

And where we go with that is just like a typical standard will say you have to track your training throughout the agency. Some agencies may go out and spend \$100,000 on a learning management system to meet that standard. But we submit to you that another agency of smaller size can do the same thing with an Excel spreadsheet and a filing cabinet. So there again, a lot of times our standards are going to state what has to be done but always trying to remain mindful of the infrastructure that it takes to do it and the expense that we're passing onto an agency for accreditation.

Next is accountability. Obtaining accreditation is only the first step in maintaining accreditation and successfully navigating the re-accreditation process is a true test. That's a very true statement and the fact that we see agencies come in, they obtain the initial accreditation and as an assessor we always tell them that work has just begun.

The true proof is when we come back in three years later with an assessment team from an independent body that literally goes in, reviews the agency from one end to the other, and confirms their compliance with the standards. The accountability component must be present. I like to say, accreditation is not a process where everybody gets a prize.

Unfortunately, there are occasions when agencies fall outside of the standards and compliance but it's important for the process to have a means to monitor, re-evaluate, and to bring those agencies back on board. Also in cases where it's required, it is required sometimes for an agency to lose their accreditation and rightfully so.

So, in conclusion, wrapping-up, we submit to you that any successful accrediting entity must have a formal structure. They need to maintain their independence. They need to maintain up-to-date with state and national trends. And also their standards must be attainable by a wide range of agencies. And lastly, the accrediting body must hold the participating agencies accountable. And with that I will stand down for the next presenter.

Phil Keith: Thank you Director Register for your testimony today and for your decades of service to law enforcement. Our next distinguished panelist today is Sheriff Michael Adkinson of Walton County Florida Sheriff's Department. Sheriff Adkinson is a sixth generation native of Walton County and a 25-year law enforcement professional.

In 2012, a team of state law enforcement assessors reviewing operations of the sheriff's office reported that under Sheriff Adkinson's leadership the Walton County Sheriff's Office has become one of Florida's premiere law enforcement agencies.

He is a past president of the Florida Sheriffs Association and is a current member of the Board of Directors for the National Sheriffs Association. Additionally, Sheriff Adkinson is a member of the Florida Criminal Justice Executive Institute and police fellow at Radford University. Thank you for joining us today Sheriff Adkinson. You're recognized.

Michael Adkinson: Thank you sir for this opportunity to present testimony before you today. You know, you heard Director Register kind of go over the technical issues involved with accreditation. I want to take more of a 30,000 foot view, if you will, and try to provide for you some of my experience as a past commissioner, how that influenced best practices and policy in organizations across the state.

There are approximately 18,000 law enforcement agencies in the United States of which roughly 838 are accredited. Pragmatically speaking, less than 1% of the agencies in his country hold some

form of accreditation. That's a stunningly low number when you consider the scope of services and duties and really the expectations of the public that we serve.

Truthfully, not all accreditation is created equal and it's important that we realize that. But as Director Register said, he actually touched on three things that I think are the most important things about accreditation. Which is, it provides transparency, accountability, and the quality of standards.

I want to give you a little background, if you will. In 2005 I was invited to speak at Florida A&M University which is a historically black college located in Tallahassee, Florida shortly after the grand jury report from Ferguson came back. And I'll tell you, it was one of the most richly rewarding and challenging speaking events of my life but I learned a lot there.

And one of the things I think is important to share in reference to accreditation with you is this. Those kids were asking a lot of the same questions. They had a lot of anger about certain policies and practices. And when I walked through the contextual reasons behind some of these things, it was amazing how many kind understood and even agreed with certain practices.

And going through the day there was one student who really summed up the whole issue for me which was this. He said, Sheriff, why isn't anybody telling us this? And it struck me, that is our failure as a profession to not be open about how and why we're doing things And equally important is to do what we say we're going to do.

The time has passed for us to be able to hide our policies and procedures cloaked entirely under the mantle of officer safety. There's a time and a place for officer safety, but the reality is we have an obligation to the public to explain to them how and why we do business.

That's how we earn what agencies really run on. They don't run on budgetary dollars. I mean, obviously we do at some level, but what we really operate on is a currency of trust. And if you want

to build a currency of trust you have to be transparent. Accreditation provides that opportunity when your policies are publicly reviewed and when you're held accountable for what you say you're going to do.

Director Register touched on something in Florida that I think is absolutely vital, which is agency accountability that is provided by the independence of the Florida Accreditation Commission. That statutory independence is critical. I can tell you over my time in the commission I've had the opportunity to see agencies large and small come before that assessment team.

And it's a very powerful thing to see mayors, police chiefs, sheriffs, county commissioners standing up and accepting responsibility for their organization, whether that is an action improvement plan, whether that is in the worst case scenario, whether that is taking of accreditation.

And I'll tell you that accountability, you know, it struck me a couple of years ago, the commission took the accreditation of the fourth largest sheriff's office in the nation. They held them accountable. And that independence was the reason I believe they were able to do that without any form of undue influence or bias caused by things like fee based support for accreditation.

If you look across the country, some of the organizations are strictly fee backed. In other words, they support themselves with fees. That's something we want to watch and guard against, that the independence of an accreditation commission and their review ensures agency accountability by relieving them of undue bias. Incredibly important.

You know, it's not just about when agencies do things wrong as well. I want to point this out, and I think Director Register touched on this. This issue of best practices was one of the most rewarding things that I saw during my time as a commissioner.

It's where we had an opportunity to see reimagined policies and things that benefited the citizens we serve. Innovative, technical things that agencies brought forth and was highlighted in front of the commission. It was an opportunity to say what is the best and brightest in what we do as our profession continues to evolve.

I highlighted a couple of programs that we adopted at our organization but one specifically I want to address which is the early intervention program. You know, we know that when officers engage in breach of conduct, very rarely was it spontaneous. In other words, there were indicators somewhere along the line and someone failed to take action.

What we did with this type of intervention program is we used rudeness as one of the indicators. So, should an officer or a deputy get a certain number of complaints in a defined period of time for rudeness, it automatically triggers a review of that officer. That's critically important for two reasons.

One for the officer, because it gives us the opportunity to see, is this a training issue? Is there other things going on? Do we have a problem here? It's important to the public that this is addressed. It's an indicator. It's not the sole indicator, but an indicator of future behavior.

Here's the other thing. There is a time and a place to say, maybe you need to find another career; this is not the right place for you. But the early intervention program allows us to do that in a fair and unbiased manner early on when the problem is first noticed before it becomes a major issue. It's critically important.

Then an educational based discipline program. I've listed that in my written testimony. I think it dovetails nicely with the early intervention program. But the education based discipline was a program that came out of the Harvard Kennedy School from L.A. County Sheriff's Office and yet it's adopted here in Florida.

It is a fantastic program that allows us to make deputies and officers better not bitter which benefits the public we serve as well as our staff members. I want to close with this. I've given you a couple recommendations that I think are important but the one singularly most important thing is that state commissions be independently, statutorily chartered and have the funding necessary to conduct themselves in a manner that upholds the best and brightest in our public policies and accountability. Thank you.

Phil Keith: Thank you Sheriff Adkinson for your valued testimony today and certainly for your many years of service to law enforcement. Our next distinguished panelist is Chief Jeff Hughes of the Brentwood (Tennessee) Police Department. Chief Hughes began his career with the Brentwood Police Department in February of 1986 and is now in his 35th year with the City of Brentwood.

Chief Hughes has a total of 37 years of law enforcement experience having started his career with the Fairview Police Department in 1983. He has earned an undergraduate degree from the Tennessee State University and is an active member and past President of the Tennessee Association of Chiefs of Police and the International Association of Chiefs of Police.

He also serves as the Legislative Chair for the TACP and very actively involved in his community. Chief Hughes is recognized by his peers in Tennessee and throughout the country for his leadership and guidance on challenging issues. He was instrumental in the development of the state accreditation program in Tennessee and serves as a subject matter expert on accreditation.

The Brentwood Police Department has been accredited through the commission on accreditation for law enforcement agencies since 1989 and also accredited through the Tennessee Law Enforcement Accreditation Program with the Tennessee Association of Chiefs of Police since 2015.

Thank you for joining us today Chief Hughes and you're certainly recognized.

Jeff Hughes: Thank you Director Keith. And thank you for your kind comments at the onset about the loss of our officer last week. A little bit more about the Brentwood Police Department We are proud to be the most tenured agency in the state of Tennessee to be accredited through CALEA.

We received our initial award in 1989 and, of all the agencies that are certified through CALEA, no one has been accredited longer through that credentialing body. We also are accredited through the state program, the Tennessee Law Enforcement Accreditation Program and have been since 2015.

In Tennessee, you have basically two options to become certified by two different credentialing bodies, one being CALEA. The other being The Tennessee Association of Chiefs of Police through the Tennessee Law Enforcement Accreditation Program.

If I could wave a magic wand and give everyone the resources necessary and the ability to be nationally certified through CALEA, that would be wonderful but we know that's not feasible and certainly not practical for most police departments in the country.

And that primarily was the reason that Tennessee Chiefs Association looked to develop a program that would involve those agencies within our state that could not afford to be CALEA certified or they didn't necessarily have the time and the resources that CALEA put on them.

In Tennessee through our CALEA program we currently have 59 accredited agencies and we have 18 other agencies that are in the self-assessment phase. And to kind of give you a breakdown of the demographics, 200 plus agencies in the state of Tennessee have ten or less police officers.

So, when you ask an agency to look at accreditation as an option for improving the professionalism and excellence within their department, you're talking about folks that, you know, their primary concern is staffing the street and answering calls.

And, you know, their budgets are tight and they don't have the ability to deal with the demands, the process itself that accreditation puts on you. So, we look to utilize the members within our association to make that a more palatable opportunity for smaller agencies and I think by the numbers that we have involved in over about a ten-year period, we've done a really good job to get where we are currently at.

Obviously, I'm a huge advocate for accreditation. I support any vehicle that will allow for the promotion of excellence and professionalism in law enforcement. In the TALEA program, we pared our standards down to 164 compared to CALEA who requires 459. And obviously some of those are optional standards or may be considered not applicable.

But in Tennessee we wanted to focus more on the core standards that address the high risk critical tasks that impact law enforcement operations and create exposure to liability litigation and focus on those things that we thought were of the utmost importance to bring everyone in the State of Tennessee up to a level of standard that makes us all look good within the state. Trying to bring those that are maybe weak in policy development or in training, areas of training, and getting them some guidance and some baselines to work toward improving within their own departments.

So, in Tennessee we actually contracted with a third-party vendor to prepare legally sound policies that address every standard in our program. And that was paid for by our association. And we provide those policies to every chief in the state of Tennessee at no cost. And we've got a legal officer section in our Chiefs Association that is tasked with reviewing those policies and making sure that they are current and still legally sound.

That takes a huge burden off of those chiefs of police who don't have the administrative staff within their departments to create those policies. And if they do create them or if they borrow them from

a neighboring agency and simply put their name on it, they don't have the time to review them routinely and make sure that they're current and up-to-date and still applicable.

We look to accreditation as keeping us relevant and transparent to those that we serve and I would also - if I could backup just for a second, we were talking about the state level compared to CALEA. We also participate in a national network called AccredNet. And it's my understanding there are approximately 35 of the 50 states that participate in this network.

And CALEA accredits about 5% of all law enforcement agencies in the country. That's a very, very low number but they account for about 25% of all law enforcement officers which tells you that their target for obvious reasons is larger departments, people that can't afford or don't have the resources to participate in CALEA.

So, it's been our experience as with our state program, TALEA, and looking across the country and networking with these other 35 states, that more agencies are involved in state programs than are involved in the national program. That's not saying one is better than the other. It's just saying that it's probably more feasible for agencies to participate in the state programs than CALEA. Obviously the smaller the agency, the bigger the challenge.

Accreditation, it is a voluntary process. We all know that. Why would any agency want to take on that additional work? What is the value of it? That's kind of the big hurdle in selling this to smaller agencies and trying to get people on board. And until you truly understand the internal and external benefits you don't really wrap your mind around what that looks like. That's why I would stress the importance of incentives when looking at encouraging agencies to become accredited. They should want to become accredited and not have to from a regulatory standpoint.

I would like to touch on the recommendations that was noted in my testimony - my written testimony and it kind of follows up on what I have just said. I think that we've got to look at ways for providing

financial incentives to accredited agencies or to those agencies that want to become accredited. Recognizing that the majority of those agencies are small departments that struggle just to take care of the basic task in serving their communities, the administrative struggles that come with that, and not to mention the financial obstacles.

Certifying credentialing bodies. You know, we know everyone knows about CALEA and they are certainly reputable and well known not only in the United States but even throughout the country.

But we've got states that have programs. Some are tied to their chief's association. Some are private entities that are not tied at all. I think there is value in certifying those credentialing bodies so that there is some universal norms in what we are trying to accomplish as law enforcement across the country. Thirdly, I think use of force is one of the things that we are all having to take a look at now in regard to our policies. This is a standard that requires a policy for those agencies that are accredited and we utilize the accreditation tool to force us to review those policies. Make sure those policies are in place. And address all the multifaceted issues as they are related to use of force.

It's not just, you know, use of force is an umbrella. You've got - you've got - under that umbrella you've got issues such as warning shots, rendering aid after you use force, training on your use of force policy, proficiency in your training, in-service training. You've got less-lethal options. You've got the reporting requirements. You've got the administrative review on those use of force reports. And then you've got the annual analysis.

And to that point accrediting agencies are already documenting this. I would propose that we create a use of force database so we track this information and we have real numbers, real data as to what we're looking at nationally as it relates to use of force in law enforcement. And we could report that through our state programs. Like in Tennessee, it's TIBRS and that could be forwarded on to NIBRS on the national level.

And finally, I would state that we've got to do a better job on the front end and again this is required through accreditation standards with our selection processes and our background investigations. We've got to get it right on the front end. To that point I would stress the need to mandate that every agency and every state be required to report to a national decertification database that officers and agencies could go to when they look at hiring potential applicants that have previously worked for another department so that you don't have these gypsy cops that are jumping from one agency to another, one state to another, and they perhaps have a less than desirable past that's coming with them.

Also to that point, you know, when you look at the officer that was involved in the George Floyd incident the - he had, if my memory serves me correct, 18 prior complaints or investigations in his file. I don't know the details of that but it concerns me that somebody that has that much in his file could still be employed as a police officer if those were substantiated. I'm afraid, especially in our union states, that once they get in the door sometimes unions, unfortunately, protect those that don't need to be protected. And I think we can do a better job on the front end with our selection processes and our background investigations. And I think that a national database on decertified officers and mandating that everyone use that would be very helpful.

And I've probably ran over my time. I hope I didn't ramble too much but I think I've covered primarily what I wanted to cover and I look forward to the opportunity to answer questions. Thank you.

Phil Keith: Thank you Chief Hughes for your testimony here today and certainly for your dedicated service to law enforcement. Our next distinguished panelist is director Tim Bourgeois who is the executive director of the Michigan Commission on Law Enforcement Standards, a position he has held since January of 2018. He retired from the township of Kalamazoo Michigan Police Department in December of 2017 after 41 years of service.

He started with the department as a cadet. Worked his way up through all the ranks and since 2003 he has been the chief of police. He is a past president of the Michigan Association of Chiefs of Police and served on several boards and commissions in the criminal justice arena. While chief he has also held four gubernatorial appointments to the Council of Law Enforcement and Reinvention, Michigan Intelligence Operation Center for Homeland Security, the Mental Health Diversion Council, and the Michigan Commission on Law Enforcement Standards.

Thank you for joining us today Director Bourgeois, and you are now recognized.

Tim Bourgeois: Thank you Chair Keith for that kind introduction and I consider it my honor and privilege to testify before you, Vice-Chair Sullivan and members of the Commission. I have two recommendations and hopefully some information that may be of assistance in your work. As the Chair mentioned, I'm the executive director of the Michigan Commission on Law Enforcement Standards so that is Michigan's POST, police officer standards and training agency.

I'm going to come at this from a little bit different angle today, speak to accreditation but also to standards. Now hope you'll indulge me because standards is the core of my agency's work. So to develop a standard we follow a defined deliberative process to produce a standard that fulfills its intended purpose, is valid and legally defensible.

When I came to MCOLES I joined IADLEST, the International Association of Directors of Law Enforcement Standards and Training, and right away I noticed an incredibly wide range in the authority, responsibility, programming, and funding our sister agencies in other states had. In some cases, behavior by a law enforcement officer which would lead to certification or license revocation in one state was not actionable in another.

So that bring me to my first recommendation to the Commission, and that is to support the development of nationwide standards for the selection, employment, training, licensing, retention,

and revocation of licenses for law enforcement officers, and to incentivize their adoption by the states. I believe the public has the right to expect the same professional, knowledgeable, and ethical service from law enforcement regardless of where they are in our country.

So those standards should include screening standards such as education, medical and nonmedical standards, psychological suitability, physical preparedness, and character fitness. You heard Chief Hughes speak to a background investigation; that's what determines character fitness probably the single most important thing we do in a screen. A standard that would allow full access to all state and federal criminal justice databases to screen applicants.

Amazingly right now, due to the rules and the code of federal regulations, not all academy applicants are screened against all databases. This is an issue that has been unsuccessfully addressed in the past. There is a perceived difference in screening for licensing versus criminal justice. I would contend licensing for criminal justice is a different matter. We are the gatekeepers for criminal justice employment.

I would include standards for a national decertification or license revocation index with mandatory reporting, including reporting voluntary relinquishment of a license or a certification in lieu of other sanctions. As Chief Hughes noted, that helps stop problem officers from moving from not only department to department but from state to state.

IADLEST does run a decertification index and has for the past 20 years. All that is really lacking at this point is a mandate to use it.

Standards for continuing professional education. This is necessary for any profession, particularly one that is as demanding and ever changing as law enforcement. Standards for physical readiness including medical and emotional health for officers. Law enforcement is very demanding physically,

mentally, emotionally, and we must help ensure that officers are fit for duty in every way and receive the care they need to remain that way.

And lastly standards for recruiting and community engagement. There is a need to recruit a law enforcement agency's members from the community and be reflective of that community. And such an agency will find it easier to engage the support of the community and build trust on both sides. And we must also recognize and attack some of the socio-economic roadblocks to attracting recruits from all segments of the society.

Now turning for a minute to accreditation. As we've heard there are a number of well-run accreditation programs and they are a proven way to ensure policies and practices are practical, effective, and up to date. In short, it helps ensure that best practices are in use. They improve service and they reduce liability. Therefore, my second recommendation to the Commission is to support the development of nationwide basic standards for the accreditation of law enforcement agencies, POST agencies, and training academies, and once again incentivize their adoption. With respect that POST agencies and academies I am familiar with IADLEST program which is very effective and I would commend that to your examination.

With respect to agencies, we've heard quite a bit of discussion already. There are clearly several excellent national, state, and law enforcement agencies accreditation programs in existence. I'm particularly familiar with the Michigan Law Enforcement Accreditation Program. It's relatively new. We started in 2016 by the Michigan Association of Chiefs of Police and patterned very closely after a similar program in New Jersey. They were recently joined by the Michigan Sheriffs' Association.

I heard Chief Hughes speak about agency size. In Michigan we have 583 agencies. Sixty percent of those agencies have 15 or less sworn officers. This is an example of an effective, affordable means of accreditation. It has 108 standards. And as mentioned it is a member of AccredNet, which I think is very important that federation of accreditation agencies.

If I can speak just to a moment about funding. Both Chief Hughes and I mentioned the word incentives when it comes to adopting standards and accreditation. Funding is critical to make these things a reality. State and local law enforcement training was largely underfunded prior to the pandemic, and since then state budgets have fallen off the cliff. The resources of the federal government are clearly needed here.

How that funding is delivered is key, and perhaps incentivization is a good model to look at. It provides agencies with the resources necessary to carry out this work, work that they want to do but they're in some cases prohibited just due to finances and staffing. Mandates without resources can do little to implement positive change in cash strapped state and local governments.

And lastly, a common theme on my comments has been about successful programs that are already in operation. Clearly, excellent professional resources already exist in these areas. I would respectfully suggest that the most cost- and time-effective method to move forward is to take stock of what currently exists, assemble, and where possible enhance best practices, and then incentivize their adoption.

Well, thank you for this opportunity to speak to you and I'd be happy to answer any questions you might have.

Phil Keith: Thank you Director Bourgeois for your testimony here today and certainly for your many years of service to law enforcement.

(Crosstalk)

Phil Keith: Brian, can you mute that?

Operator: Yes. I will locate that line.

Phil Keith: Thank you. Okay. Our last distinguished panelist today is Chief Vince Niski of the Colorado Springs (Colorado) Police Department. Chief Niski joined the Colorado Springs Police Department in February of 1989. After working patrol for a number of number of years he was assigned as an instructor in the training academy. He's worked in various positions throughout the Colorado Springs Police Department. Rose through the ranks in Colorado Springs Department and was promoted to chief of police in 2019.

Chief Niski holds a Bachelor of Arts degree from the University of Northern Colorado. He's a graduate of the Center of Creative Leadership and the Police Executive Research Forums Senior Management Institute for Police.

Thank you for joining us today Chief Niski. You're recognized.

Chief Vince Niski: Good afternoon. Thank you Chairman Keith and Commissioners. It's my honor to appear as a witness before you today. I appreciate the opportunity to discuss our experiences with credentialing through the Commission on Accreditation of Law Enforcement Agencies as well as my recommendations based on working in a department that has been voluntarily accredited for nearly 30 years.

My agency has had positive experiences with accreditation and we have made internal changes based on a deeper look at issues brought forward in the CALEA assessment processes.

I have found CALEA to offer our agency a framework for continuous self-assessment and improvement. Our participation in CALEA also provides the benefit of independent, informed oversight of our most important policies, practices, and training.

Even with these benefits, my recommendations today may sound more like cautions or critical considerations for accreditation rather than endorsement of mandated national standards. That would be a fair characterization of where I land on this topic.

I have detailed six specific recommendations in my written testimony. I'll cover them briefly and then follow up with more information.

My first recommendation is to focus standards on the most important policing issues rather than all issues related to policing. As others have mentioned, ensure the standards are attainable by all sizes of departments.

Secondly, focus standards on what components must be included in the policy practice or training but do not dictate specific languages for all departments.

Recommendation three, be cautious when requiring something in a standard that goes beyond the Constitution and case law. And if you must go beyond that, please be sure the requirement is based on scientifically valid information.

My fourth recommendation is to view the accreditation process as a learning and improvement process rather than a process tied to federal oversight when an agency has areas that need to be addressed.

Please consider offering grant funding for programs to become voluntary accredited. As others have mentioned, the cost of accreditation can be pricey and I'm not sure a lot of smaller agencies across the country can afford it without having the opportunity to have grant funds afforded to them.

Finally, I recommend that you intentionally include the perspective of law enforcement officers in the field when moving forward. You need a perspective from those that work in law enforcement day to day that are on the streets dealing with their communities to move forward with this process.

I want to say a bit more about my third recommendation, which is about standards staying in the range of legal requirements. I know you have had witnesses testify specifically about the use of force and I don't want to step too far into that realm, but I'm concerned in my own state of Colorado and then looking at some other states. There has been a tendency to place constraints on our officer's use of force to go way beyond the objective reasonableness standard from the United States Supreme Court.

I certainly am not suggesting that the law or policy standards should remain static or that we should never require more than the law. However, we should be cautious in piling requirements on our officers, particularly those that are not evidence-based.

For example, de-escalation policies, practices, and training are generally viewed as necessary in the use of force. To my knowledge, there is no empirical evidence that de-escalation policies and training results in fewer and less severe incidences of use of force.

We are hearing more about codifying a requirement in state laws that officers have to exhaust all possible de-escalation options before using physical force which I think completely disregards the realities of what happens in the field.

I fear that more areas in the future such as accreditation standards may reflect this view. I think this is going down a dangerous path for public safety.

Lastly, I would like to echo Sheriff Adkinson's comment that law enforcement has not educated their communities regarding what they do and how they do it. This is another area of improvement

that law enforcement has to take across the country. I fully agree with his comment. I think we have not educated our communities well enough so that they understand what we do and how we do it.

With that, I conclude and thank you for your time today. I'm happy to answer questions during that portion of today's hearing.

Phil Keith: Thank you Chief Niski for your testimony here today and certainly for your years of service to law enforcement. Commissioners, we are now open for questions to the witnesses. Commissioners with a question please state your name prior to your question and direct the question to a specific panelist or the entire panel. Just as a reminder to the Commissioners, your mics are hot at all times.

With that Commissioner with questions for our panelists.

Commissioner Price: Director Keith, this is Craig Price.

Phil Keith: Commissioner Price, you're recognized.

Commissioner Price: Thanks and this is a general question to the whole group and I appreciated their input. I have been a believer in accreditation for a long time in certain components of public safety. But my question would be this, how do you - any of you - envision an agency being accredited having an impact on preventing a scenario such as the George Floyd incident?

Phil Keith: Thank you, Commissioner. Let me start with panelist Director Register for his response.

Dean Register: Well, Commissioner Price, thank you. How would it prevent it? You know, number one, I don't think this is a - well, you know, our standards require training. Our standards are going to deal with, and I see it now, I think a lot of the accrediting bodies is going to deal with the chokeholds and

so forth. So on the simplicity part, I think that would play into it. However, you know, our standards if we don't have them now we are going to have standards with de-escalation.

I can tell you in Florida we have standards dealing with aftercare. Nothing that you saw in that video would even come close to the aftercare requirements that are associated with our standards. So that's a very broad question Commissioner but, yes, I think it would help. It most certainly would, and there is a number of standards that would touch on what you saw in that video.

Phil Keith: Thank you Director. Sheriff Adkinson, your response?

Sheriff Michael Adkinson: Thank you. Yes, unequivocally I think accreditation would manifest itself in a preventative manner, specifically as I discussed with the early warning criteria so in that case where there were 18-plus complaints. Those are known complaints just to the general public at this point. An accreditation policy that required both an early warning review as I laid out in our best practices model or a standard use of force tracking, something like blue team. Both having standards would have and should have caught that. Now that only works when you have the second form of accreditation which is accountability. So with the accountability component, something like that when you see this not addressed, that's when your opportunity exists.

None of this will ever correct criminal behavior. That's a separate issue and has to be dealt on a case-by-case issue. But for systemic accountability and transparency, accreditation should have gone a long way with independent rigorous review and that goes back to my comments, not all accreditation is equal. But rigorous independent review, doing what you say you are going to do, I think absolutely helps bring to light these types of issues. There is simply no excuse for that type of long-term derisive behavior. Thank you.

Phil Keith: Thank you, Sheriff. Chief Hughes?

Jeff Hughes: I certainly agree with what the Sheriff just said as it regards to the early warning system. I would say, generally speaking, accreditation is going to promote professionalism within the organization. And once it's institutionalized and it's a way of life within your department, it's going to change the culture within your department. There are going to be sound policies in place. There are going to be training mandates.

There is going to be a culture that, I think, will make those officers intervene unlike what we saw in the incident in Minneapolis. I believe that it kind of goes back to what I was talking about in regards to background investigations and the selection process, the importance of the selection process and doing a more thorough background, and making sure that the person that you're hiring is the kind of person that you want in your organization and in the culture that you're trying to develop.

You should be seeking out applicants with servant hearts and not those that might be otherwise heavy-handed or certainly not those that might have a past with another agency if they come over to your department as a prior certified officer.

Thank you.

Phil Keith: Thank you Chief. Director Bourgeois?

Tim Bourgeois: Just briefly, I certainly agree with and associate myself with the remarks that have already been made and perhaps go into another area with the standards for mandatory in-service training. Correctly selected, the topics could easily address this sort of thing. I agree with the comments about culture and I think, perhaps one of the glaring things here is supervision. Not knowing all of the details but hearing some of the media reports, you know, one has to ask about the first-line supervision there that allows that kind of behavior.

But I think it does come back to the professionalism and culture that's created by standards and accreditation.

Phil Keith: Thank you, Director. Chief Niski?

Vince Niski: I would agree with all the prior comments. I do think accreditation is an important part of policing. It forces you in a sense to review your policies and practices. I know for the Colorado Springs Police Department through one of our accreditation processes we identified issues with our own pursuit policy and were forced to look at that. I shouldn't say "forced"; we actually voluntarily looked at that after we made a report to CALEA and we changed it. We made it more restrictive. We looked at our practices and redefined how we did business based on our accreditation process. So I think it's very important to have.

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

David Rausch: Mr. Chair, David Rausch.

Phil Keith: Commissioner Rausch is recognized.

David Rausch: Thank you. I appreciate all the panelists today and their great testimony. There were a lot of great points made. There were two that struck out that I want to highlight and then have a general question for all of the panelists. The two points that I thought were particularly important for us to focus on is that mandates without resources have to be avoided and I think that's a strong statement that we need to completely embrace.

And then number two is that all recommendations need to be evidence-based, and that too is another I think recommendation that we should assure permeate through our process.

My question for the panelists is, how do we get buy-in from the officers, deputies, troopers, agents, and the agencies to embrace accreditation? What has been your all's experiences in being able to get that buy-in, and what's the importance of that?

Phil Keith: Thank you, Commissioner. We will start with Chief Niski this time.

Vince Niski: I think buy-in is very important. As I said for us, we've been here - we've been accredited for almost 30 years. I think the buy-in is knowing that, as an organization, you are following the standards that have been established in policing. Now granted we follow ours through CALEA. Other people have state standards. If there was a national standard it would be across the board: here are the standards that every law enforcement officer in the country follows. I think you can get buy-in with that. I think you can get buy-in that everyone is held at the same standard across the country and it's not just Colorado Springs Police Department being held to a standard that only 800 plus other agencies across the country is being held to.

Phil Keith: Thank you Chief. Director Bourgeois?

Tim Bourgeois: I would say that has to do a lot with leadership and culture in the organization. And if you're hiring for character these officers want that. They want that professionalism and I think it's just sold on that level. It's in their interest to work with people who are well qualified, are professional, are ethical. I think that's as simple as that.

Phil Keith: Thank you, Director. Chief Hughes?

Jeff Hughes: Well, as I said earlier we've been CALEA accredited since 1989 and we display our certificates like a badge of honor. It's something we take pride in knowing that we are the most tenured agency to be accredited and something that we don't take lightly.

But let me talk briefly about benefits - internally, externally and financial. Internally, you know, when you talk about where is the buy in, it has to come from the top but it has to permeate all the way throughout your organization. It does provide a greater accountability within your agency. It allows for improvement in the administrative function. It gets clear guidance through written directives and procedures. It provides improved training for officers. It gives you the ability to address operational readiness and it provides justification when you go before your legislative body and try to acquire equipment, training, or other funds for your budget. You know, to the community you've got greater accountability to the public.

Increases your level of service. Increases the community confidence and respect from citizens and from government officials. And then obviously, here in Tennessee, you've got the financial benefit which is you get a discount on your insurance premiums per officer which is certainly an incentive - a huge incentive that, almost - the discount alone almost pays for the annual cost itself.

Phil Keith: Thank you Chief. Sheriff Adkinson?

Michael Adkinson: Yes, sir. Thank you. You know, essentially I would summarize it this way: you know, leadership in this process of accreditation is about providing the culture or the vision whereas the management is literally the fundamental art of control and the way you do it. But for line staff cultural changes comes from the vision laid out by the leadership and frankly when you hold yourself to a higher standard from a leadership capacity it does permeate at all levels of the organization.

Anything that you work for or that you achieve, not everyone can have it, simply raises the level of pride and esprit de corps in your organization. So it's about really owning it all levels of the organization. It takes about three and a half years, has been my experience, in changing of the culture of organizations. And, you know, sometimes that requires a very tough decision of removing those individuals who are not on board, who does not share the leadership vision to help spread this because really that's where it's going to happen. You're not going to get saturation at all levels

unless your leadership owns it. Unless they empower and embody it across the organization. But that's how you get it at the line level is the sense of pride in what you do. It's a professional product if you will.

Phil Keith: Thank you Sheriff. Director Register?

Dean Register: Yes. Thank you. I tell you Chief Hughes and the Sheriff hit on the big one I put on top was that it starts at the top down from the CEO, from the police chief, sheriff, and so forth. And then what I will say it goes all the way down to the bottom. We've got to catch our members as soon as they are coming on board. They have got to understand what accreditation is.

Accreditation has been around a while but most people - the common people and really the people coming into our profession, they are well aware of college accreditation. They certainly know if their college that they went is having problems with accreditation. They have heard of hospital accreditation and so forth. But a lot of them before they come in and are educated, they have no idea about law enforcement accreditation.

We have an opportunity here with what's going on nationally that I think law enforcement accreditation is going to take the front seat and - but we've got to catch those men and women as they're coming into the agency and explain to them the importance. It's just as important for that police department to be accredited as it is for the university or the hospital that they go to. Thank you.

Phil Keith: Thank you, Director. Other questions from Commissioners?

Gina Hawkins: This is Commissioner Hawkins. I just want to make a quick statement. That's all.

Phil Keith: Yes, Commissioner Hawkins. You're recognized.

Gina Hawkins: So I just want to thank everyone for your hard work and your recommendations. I know it's very difficult but I also know the reward that comes from accreditation and for our profession. I appreciate everyone's input, the responses to the questions and thank you for all that you did and all the work that you've done with accreditation and making sure our professional field is at high standards. So I just want to say thank you for your testimonies, everyone.

Phil Keith: Thank you, Commissioner Hawkins. Other questions from Commissioners?

Craig Price: Director Keith, this is Craig Price. I want to follow up to Dave Rausch's question if I may.

Phil Keith: Commissioner Price, you're recognized.

Craig Price: This is for Sheriff Adkinson as you might be the one that mentioned it although I'm sure all of you could answer the question. But I think it was mentioned there's 800 agencies out of the 18,000 roughly in the United States that are accredited. Do any of you - Sheriff, do you have an idea or a sense of why that's so low?

Phil Keith: Sheriff Adkinson, you're recognized.

Michael Adkinson: Yes, sir. Thank you. Yeah, I think in a general sense I think there is two issues here. There is certainly the financial issue, right? I mean the concern is the national accreditation for instance with CALEA, I think there is some cost to what – there is concern about the cost of that. And then also the relevance of a national commission and some - you know, it's so different in every state.

But, you know, I owe it to you to be honest in this regard because I will tell you I think another major factor here is a – to put it bluntly, I don't think it's a question of money in some regards. In some

regards it's a question of willpower and, you know, the willingness to have, to submit your organization to external review. I mean, that's a tough thing to do as a leader. I have done it in an organization that had less than 25 people. I have done it in an organization that had hundreds of people. it's a tough thing to do and so I think we are all - I think a lot of agency heads, particularly in smaller organizations, you know, there is a lot of concern that it is strictly a hammer. And if I painted it that way I want to make sure I'm clear that that is not necessarily the entire case for sure. It does have an accountability but it also has an improvement component of accreditation. But I would suggest to you that one of the largest issues is tied to finance but also this concern of external review which quite frankly is important to be successful to accreditation.

Phil Keith: Very good. Thank you Sheriff. Thank you, Commissioner. Other questions from Commissioners?

James Smallwood: Mr. Chair, this is Commissioner Smallwood.

Phil Keith: Commissioner Smallwood, you're recognized.

James Smallwood: So I heard a little bit today about accreditation steering the culture of an organization. And I'll preface my question with the fact that I come from a police department that has gold standard CALEA accreditation and we're very proud of that and I think it's a great thing to have. And I agree with a lot of the comments that it requires buy-in from the top and bottom and also the willpower to get the job done.

It is certainly very difficult and yet attainable task but I've also heard the comment of, unions are protecting folks that should not be protected and I guess my question is, if the culture is steered - the culture of an organization is steered by some of these CALEA standards, to what level does the union influence the standards that are set into place because my knowledge is there is none. Maybe I'm missing the point.

Phil Keith: Thank you Commissioner Smallwood. And was your question directed to a particular panelist?

James Smallwood: Any panelist that feels like they can answer that question. I would think any of them would be expert enough to know the answer.

Phil Keith: Thank you, Commissioner. That question is open to our panelists. Director Register, do you want to respond to that?

Dean Register: Well, I will submit to you that I don't see the occasion where the unions are driving standards not - certainly not in the Florida system . You know, most of our standards are based off of Florida law that has been put in place and also, you know, the Police Officers Bill of Rights is the closest thing that comes to mind when you talk about a union issue and driving standards. But I will submit to you that in my experience I do not see it as something being driven by the union. I'll certainly defer to the other panelists.

Phil Keith: Thank you, Director. Sheriff Adkinson?

Michael Adkinson: Yes. I think I want to bifurcate my response about this because I think at the accreditation level, I don't think it's a union issue at all at the accreditation level. But, you know, in full disclosure I work for again organizations that has large union presence and then and they just see like my current agency which is a will and pleasure agency, which there is a quite a few of those in Florida.

At the - I think what the previous presenter was discussing when he was referencing union was in regard to disciplinary retention of individuals. So when you hear, you know, of people having multiple, you know, for instance, dozens of complaints and we'll assume validated or not validated; for the purposes of this discussion I'm not sure that matters. The concern is whether or not you

could have a standard of accountability or a standard at the state level that addresses officer behavior and complaint intervention.

I think you could. I think it can be separate from a union issue but I do think it - I think clearly at the officer discipline level there is impact in that in the way it's contractually negotiated in some agencies.

Phil Keith: Thank you, Sheriff. And if I could remind everyone to check their mute button on their phone.
Chief Hughes?

Jeff Hughes: I was the one who, I think, put that in context and it was in reference to those officers that are retained, that are defended by unions. I think the point I was trying to make is I have personal knowledge of officers in departments and other parts of the country who for one reason or another ethically, let's just use an example that they have lied which is not criminal. But who wants an untruthful police officer on their department? Their credibility is destroyed and if that is - if that comes out in a court case or that comes out in the public and if your hands are tied and you can't get rid of that officer then I don't think that you can expect to have much buy-in, accreditation or otherwise from someone of that - my point was that I was stressing the importance of getting it right on the front end so that you don't have to deal with it on the back end.

Phil Keith: Thank you, Chief. Director Bourgeois?

Tim Bourgeois: I would agree with the previous comments. I don't think that unions have a big impact on accreditation. Michigan has a strong union state. Just a couple of thoughts: I do think that the issue is the return of terminated employees by arbitrators so the chief or sheriff or director has determined that that person doesn't meet the agency standards yet they have to return their employment. You know, my agency has a licensing standard and we recently received additional authority and right now that's an issue. The issue of employment versus licensing. If an arbitrator can order someone

back to work however if the state is the determinant based on character fitness, as to whether they have a license. So I see that as an emerging issue and something that's going need to be discussed and work towards that.

Phil Keith: Thank you, Director. Chief Niski?

Vince Niski: I don't work with a union at all. We just have associations here in Colorado Springs but I would agree. They don't have a say in the standards that are set for accreditation. But I would point out as this Commission moves forward, as you can see based on the comments you're dealing with different organizations across the country. You have some that are at-will employees. You have some that are civil service protected. You have some that have unions and some that don't.

I would just caution you to take all of that into play as you move forward in this process that this isn't just a one-size-fits-all. There are different organizations out there with different types of employees that you need to take into account when making decisions.

Phil Keith: Thank you, Chief. Other questions from Commissioners?

Donald Washington: Phil, it's Don Washington. I have a question.

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

Donald Washington: Thank you. First of all let me just thank the panel. This is excellent. You guys have done a lot of work across many decades of serving our communities. I heard the word serve, the people we serve, the communities we serve a lot in your presentations so I really appreciate it and I think I know where your hearts lie.

I have a really simple sort of narrowly-tailored question, and that is the duty to intervene or to intercede, is it directly assessed or evaluated or otherwise addressed in the accreditation process in your organizations?

Phil Keith: Thank you, Commissioner. Was that question to be directed to a specific panelist?

Donald Washington: No, sir. They come from various geographies and different commissions, different places and I just wonder how they are evaluating or dealing with this whole concept of intervention or intercession. That's a big, big issue today I think in many communities, you know. Does an officer stand by and do nothing or does he actually do something? And as a former prosecutor, I recall prosecuting cases involving and defending I would get that as well when I was a defense lawyer, defending cases involving the failure to intervene and, you know, from the Rodney King case forward to today, you know, this whole use of force concept is squarely on our plates right now. And this failure to intervene or intercede I think is a big issue for us to deal with given the cultural issues and the brotherhood and those kinds of things that we try to inspire in our organizations.

So. I'm sorry I have spoken too long already but, yes sir. I feel it was intended for the panel at large.

Phil Keith: Thank you, Director. Chief Niski, could I start with you?

Vince Niski: Sure. I wish I could tell you if it was or was not directly impacted by accreditation. But I can tell you we have had a policy for years about intervening and about reporting unauthorized use of force, use of force that wasn't appropriate. We've heard that as a policy for years and years.

Phil Keith: Thank you, Chief. Director Bourgeois?

Tim Bourgeois: I can't speak directly to the accreditation question because my agency does not do accreditation. However, I will say that that topic has been the subject of legislation in Michigan and

worked on that issue. And my only caution to the legislators is that seems to be very clear and when we see a very egregious example like we saw in Minnesota that's clear to everybody. But it's a very nuanced situation. Officers arrive at scenes at different times and possess different information. I think given the experience of this panel we've all been in times and places where you were literally shoulder to shoulder with somebody and had a different set of information than they did due to the circumstances.

So I think that overall that idea of duty of intervening is critical. However, as always, the devil is in the details as to how that's carried out.

Phil Keith: Thank you, Director. Chief Hughes?

Jeff Hughes: Yes, sir. I'm proud to say that on our challenge coin here at our department we have the tagline that says loyalty above all else except honor. And what I tell my guys is the meaning of that, I will die for you but I will not lie for you. And I think that has to start, you know, obviously with me at the top but I want every officer to know that, you know, to the lowest ranking line officer. We do have a standard in the TALEA policies but we are taking a look at pulling that out of code ethics and making it a standalone standard so that it gets more of an emphasis.

We have policies within our agency that address that but you have to talk about it and you have to instill that in young officers during the FTO program and you have to stress the importance of that to your supervisors so that it become part of your culture within your organization.

Phil Keith: Thank you, Chief. Sheriff Adkinson?

Michael Adkinson: Yes, sir. In short, it's covered in both accreditation and in Florida law that duty to take care in the care, custody, and control of people in your custody and to render aid. Additionally, just to point out the differences as we discussed earlier across the country, Florida has a relationship

where the deputy is the alter-ego of the sheriff so as such the sheriff can be held accountable for the conduct of a deputy. We've seen that happen in the state where the failure to take action results in disciplinary action against the sheriff and he or she may not be on the scene. So it's certainly codified in accreditation. It's also in Florida law in multiple locations where there is a high level of responsibility.

Phil Keith Thank you, Sheriff. Director Register?

Dean Register: Yes. Chief Hughes touched on the fact that both in our national accreditation and state we have ethics standards and ethics - requiring ethics policy and ethical conduct. Everybody on this call would certainly think that the events we witnessed certainly was an ethical issue. So specific standards, the question from Commissioner Washington was are there specific standards? I would submit to you they are not specifically with the requirement of duty to intervene. But I certainly do anticipate those coming to the different bodies, accrediting bodies both on the state level and on the national level hopefully in the near future.

Phil Keith: Thank you, Director. Other Commissioners with questions? Other Commissioners with questions. Hearing no further questions let me close by thanking our panelists once again for your time and your most valuable testimony and certainly your responses to the questions from our Commissioners.

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 the Commission in their deliberations and work.

Just as a note, please check the President's Commission's page for additional updates and documents and information on the main Justice website. And we will update it regularly when we receive information for posting.

Before we close I would like to make sure everyone is aware - all the Commissioners are aware that we will be holding an executive session next Tuesday, July the 7th. Commissioners will be receiving the Outlook calendar invite for this two-hour session. And we will only have one additional hearing next week which will be on Wednesday, July the 8th. More information on both will be sent to you later this week.

Are there any questions or comments from Commissioners?

James Smallwood: Mr. Chair, what's the time on that executive session?

Phil Keith: Mr. Smallwood, I think it's 2:00 p.m. Dean am I correct?

Dean Kueter: Yes, sir. We're scheduled for 2:00 start time.

Phil Keith: 2:00.

James Smallwood: Thank you, sir.

Ashley Moody: Chairman, this is Ashley Moody. I just wanted to let you know I joined late to the call but I was on the call and certainly appreciated all the testimony and was delighted to hear some of our very own - those that were testifying from Florida. So I just wanted to let you know that I joined the call late and I apologize for that.

Phil Keith: Thank you, Commissioner. Other questions or comments from the Commissioners? If there is no further business before us today, the President's Commission is adjourned. Thank you again, Commissioners, for your continued dedication and commitment to the work of this Commission.

Group: Thanks Phil

Phil Keith: Thank you.

Operator: Thank you. Ladies and gentlemen, this concludes today's conference. All participants may now disconnect.