HEARING NINE
Community Engagement
May 28–July 2, 2020

The following summary is intended to provide an overview and highlights of the testimony and discussion during the hearings. For a full and detailed account of the hearings, please refer to the Commission website and the audio recordings and transcripts located there.

Community Engagement and Respect for Law Enforcement, July 2, 2020

First Panelist*: Dr. Luann Pannell, Director, Police Training and Education, Los Angeles Police Department*

Highlights:

- 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.
- When you look across the country, many state agencies or individual departments established their academy framework roughly 30 to 40 years ago.
- In the last 15 years, California has added additional requirements for officer training related to mental illness, principled policing, medical first-aid, the expansion of new technology, new laws, explosion of homelessness, legalization of marijuana. And prior to COVID, we were seeing on a national level school shootings occurring every week. However, the required number of hours in the state of California has stayed at the same 664 hours.
- 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. And that a lecture-based classroom is not going to necessarily translate into field performance.
- Within our department, roughly 50–60 percent of our front-line officers have five years on and less. That means we have a significant amount of our service and public contact being managed by the youngest and least experienced officers. Many advanced officer trainings were not even made available to you until you had 5–7 years on the force; thus, we've missed our window to reach these critical moments of learning.
- Our department flipped our training paradigm and provides 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 supplement classroom learning.

Recommendations:

- We need to look at the culture and field-training officer program. 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 their reputation as a productive officer? Are we supporting our FTOs 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?

- We need to look at the kinds of forms and boxes that we require officers to complete, which shape what they consider in their job to be important. For example, our field intake forms don't have boxes for LGBTQ persons. Field data reports include only seven categories for race; is that adequate? If we have space to capture the number of arrests but not the number of referrals for diversion, isn't it more likely that officers will make more arrests than referrals?
- We need to look at the systems that we lean on to demonstrate accountability. Many systems created for good reason can outweigh what happens in a classroom. For example, CompStat looks at the incidence of crime, but are we measuring what matters most in the community?
- We need to look at the systems that formally and informally identify who is a good officer. For example, if we define 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? Our officers said they wanted to be community-oriented officers, but the systems in play about how to respond minimized the kind of time needed to enhance those community contacts.
- We need to look at how true community engagement changes hearts and minds, more than training or TED Talks. While it's important to increase awareness to implicit bias, ideally those interactions should be opportunities to engage the very common problems that bring us together.
- We need to look at communication. Most departments are really struggling with having a modern era use of technology and communication; often we are behind the curve of what other entities are putting out.
- Last, we need to look at the lack of a unified ongoing effort to continue training for command officers. If we're going to talk about procedure justice outside of the department, then we have to look internally, at how our command staff helps ensure there is internal procedural justice as well.

Second Panelist*: Sean Sheppard, Founder and Chief Executive Officer, Game Changer*

Highlights:

- 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. The outcomes 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.
- A Game Changer event takes place three hours before a sporting event, and members of the general public and of law enforcement participate in a moderated focus group. This includes (1) a pre-perception survey, (2) an hour discussing problems as one large group, (3) 45 minutes in small groups with an officer, (4) everyone sharing with the larger group the problem they addressed and five solutions, (5) people sharing what they have learned from this time together, and (6) attending the sporting even together. Follow-up efforts include post-participation surveys.
- Benefits include three-way education and exposure from law enforcement toward community residents, from community residents to law enforcement, and then between residents. We ensure a great level of diversity is in the room, so people who wouldn't otherwise spend time with one another can hear and learn from each other.

- Members of law enforcement have reported back that the Game Changer experience has proven to be both therapeutic and cathartic for them. They were also less likely to believe that their mental health needs were adequately addressed when compared to their pre-surveys.
- According to the summary score from San Diego State, 64 percent of respondents reported more beneficial attitudes toward law enforcement after the event than they did before the event.
- Examples of behavior change:
    - Civilian participants reported more balanced comments on social media, and they're sharing new law enforcement knowledge with friends and family.
    - Law enforcement has reported 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.

Recommendations:

- 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.
- I recommend that federal partnerships with all professional sports leagues and the NCAA take place. Athletes are huge social influencers, and the leagues in which they play can also serve as hubs for civic engagement.
- I recommend that mandatory psychiatric evaluation take place every two years for all field officers. That's coming straight from members of law enforcement. Making it mandatory would eliminate the stigma that is often associated with psychiatric evaluations.
- I recommend that we lean more heavily on female members of law enforcement and ask them to play a more prominent role in law enforcement reform. Generally speaking, women rely more on their communication skills than their male counterparts to police effectively.
- We need federal standardization of traffic stops and issuing rights and responsibility cards. We have to understand what's expected before the interaction takes place.
- We need independent investigations of all officer-involved shootings, and again that's coming primarily from members of law enforcement that have participated in Game Changer events.

Question-and-Answer Session, July 2, 2020

Q: [Ashely Moody for Dr. Pannell]: Have you noticed that as more training has been required 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?

A: [Pannell]: Across the nation, recruitment and retention is an ongoing challenge for our agencies. I don't think there has been any parallel increase in pay that I'm aware of. It seems that we're asking more. What is very difficult, especially when you have an agency of our size, is trying to get everyone through and making sure that training is done across the board.

Within our training, officers respond very positively to getting training that helps them to do their job better. Even after 11 months, officers are saying that 65–70 percent of their calls are dealing with people who have some kind of mental illness crisis. So they are very receptive to getting that training.

We should also be a little more strategic. Is it necessary to train an entire department on one topic? Does someone assigned to an administrative position need to be trained in command and control if they're not using that skill? Maybe detectives should instead do more training on interview skills, etc.

Another challenge is that we have a higher expectation around compliance issues. Most departments don't have the kind of academic oversight that is needed to just look at measures of effectiveness.

A challenge with evidence-based policing is we often have to network with outside entities or academic resources, but the people we have in those positions move so frequently that the momentum and the continuity and the lessons learned often go away with the person who was in the job.

Q: [David Rausch to Mr. Sheppard]: You mentioned independent investigation, and I lead an agency that does that. I'd like your input and thoughts on the issue of prosecutorial discretion. The independent investigation is critical, but what happens with that investigation is where a lot of the disconnect is taking place. What are your thoughts on that?

A: [Sheppard]: From a community standpoint, it's simply a matter of trust. The community is aware of how closely the district attorney works every day with a law enforcement agency. When you look at the statistics on how few officers are indicted, that creates a lack of trust among the general public. To gain public trust, the process needs to change so 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.

In short, we need to move toward an independent investigation when there are officer-involved shootings so more trust can come from the community toward law enforcement. And that recommendation comes directly from feedback from folks who participated in our program—not only from the general public but also from members of law enforcement.

Q: [Craig Price to Mr. Sheppard]: When you mentioned an independent investigation, what do you define that as? Do you define that as by an independent third-party agency, or some independent community group or citizen group being involved in the investigation, or a combination of both or?

A: [Sheppard]: That remains to be determined. There should be some level of government oversight that's independent and separate from the district attorney, and that can be a Department of Justice and a community oversight group. A lot of community oversight groups and citizens review boards exist, but they have no power. So any effort we can make to have a third-party group that's a combination of government and citizens to determine whether or not to indict or not indict, that would be a healthy measure to take in terms of creating trust and transparency between government and the general public.

Q: [Donald Washington to Mr. Sheppard]: 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 or not to indict?

A: [Sheppard]: I'm going to go out on a limb 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 so much that the community needs to learn and wants to learn about law enforcement. The more time residents spend with members of law enforcement and vice versa, the more they can humanize one another. That's how we discovered there's a two-way lack of knowledge about one another. 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 knowledge base to be able to speak on the process.