

August 24, 2017

Seth Wayne  
Trial Attorney, Special Litigation Section  
U.S. Department of Justice

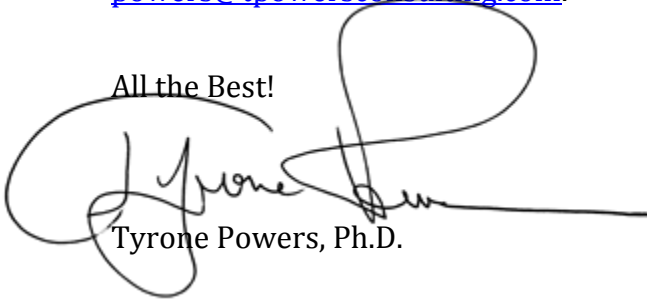
Dear Mr. Wayne:

Please accept our attached responses to the *compiled community questions* forwarded to us by you. We are very excited over the volume of questions offered by the citizens and organizations - as it is a clear indication of their sincere interests about the monitoring applicants and about the overall process. We continue to be very enthusiastic about the community's level of participation in this project.

We reviewed each question carefully and determined that a few were either answered by us during the public forums on August 15<sup>th</sup> and 16<sup>th</sup>; or that they were specifically directed at another applicant. Consequently, our responses to such questions do not appear among our responses.

Again, we thank you, fellow citizens and other important members of our community for allowing us to play such a significant role in this process. If you or others have additional questions or concerns, please feel free to contact me at [powers@tpowersconsulting.com](mailto:powers@tpowersconsulting.com).

All the Best!



Tyrone Powers, Ph.D.

1. BALTIMORE ACTION LEGAL TEAM

- **Some of your team are from PG County and may have a working relationship with Commissioner Davis. How are you going to separate your interests?**

The Powers Consulting Group is built with a diverse set of members drawn from local and national talent. For members who have worked with Commissioner Davis, they have committed to being fully transparent and objective in the fulfillment of this endeavor. Second, the diversity of the team provides for internal, consistent cross-checks to ensure that the best interest of the community is severed above all else.

- **What steps will you take to address any distrust felt by Baltimore residents who have been victims of police misconduct and may not want to communicate with team members because of their law enforcement backgrounds?**

The Powers Consulting Group fully understands the distrust sentiment held by some that have been victims of police misconduct of others in law enforcement. To this end, we have members who are not or have not served as law enforcement officers. This affords an opportunity to still gather the information while building a bond of confidence in the process. Secondly, we will be providing a “tip-line” whereby members of the community may leave information anonymously if direct contact and trust are issues. The tip-line is also available to good police officers who wish to report anonymously against bad officers. Finally, we will be conducting outreach through local ministers and others who have the confidence of the community who may be able to support, urge, or assist us in better communication with those that feel threatened or marginalized.

- **To what extent that your law enforcement team members have been named as defendants in law suits or have been the subject of misconduct complaints, how will you assure the parties and Baltimore Communities that these team members are qualified to assess and recommend policing reforms detailed in the consent decree?**

Regarding the question of misconduct complaints, we fully affirm that our team is free from any current, pending or legal suits or complaints for more than the last three decades. The Chief Monitor has fully reviewed all members’ backgrounds to ensure their qualifications as well as their integrity in the performance of the proposed monitorship.

## 2. CAMPAIGN FOR JUSTICE SAFETY AND JOBS

- **How will your community liaison(s) interact regularly with Baltimore residents and the monitor team?**

The Powers Consulting Group intends and is already in the process of being fully integrated into the community. We noted during our public presentations that not only is the Chief Monitor a full-time resident in Baltimore City, but many key team members are as well. This gives the Powers Consulting Group the opportunity to interact daily with community in many venues. Additionally, the Powers Consulting Group will be placing several satellite offices around the city to ensure that our actual interactions are bolstered beyond the traditional, and expected attendance at community meetings.

- **How will your team select an individual or entity to design, distribute, and analyze the community survey required by the consent decree? Do you plan to, or would you be willing to contract with community based organizations to conduct the annual survey?**

Dr. John Hudgins, Professor in the Social Science Department at Coppin State University, is also a member of the Powers Consulting Group. His experience is renowned regarding survey design and validation, implementation, and data collection. He will assist in guiding the Powers Consulting Group through the survey process. We are open to community based organizations being part of this vital process.

- **What steps do you plan to take to ensure that you are inclusive of ALL Baltimore residents, including youth, immigrants, people with disabilities, and others who may be more difficult to reach?**

We noted during our public presentation (*as perhaps one of the only teams to directly speak to the immigration issue*), that we would conduct specific outreach to these communities to include some former incarcerated community members as well. We expect to be in neighborhoods through community meetings; our established satellite offices; out-reach to civic and local organizations that serve all populations; the ministerial – church/ mosque based organizations; and specified legal/ advocacy support organizations.

- **Baltimore is a city of neighborhoods. How do you plan to engage people in every corner of the city? Who do you have on your team that has the depth of local knowledge and connections to local grassroots organizations and neighborhood leaders to be able to accomplish this?**

We noted during our public presentation that not only is the Chief Monitor a full-time resident in Baltimore City, but many key team members are as well. This gives the Powers Consulting Group the opportunity to interact daily with community. Second, the Powers Consulting Group will place several satellite offices

around the city to ensure that our actual interactions are bolstered beyond the traditional, and expected, attendance at community meetings.

### 3. DISABILITY RIGHTS MARYLAND

- **How do each of the applicants' view their role in monitoring BPD activities as distinct from their role in providing technical assistance to BPD?**

The Consent Decree Court Monitor will be responsible for independently and objectively assessing and reporting on whether the requirements of the Consent Decree are being implemented, and whether this implementation is resulting in the constitutional treatment of community residents and increased community trust of BPD. Technical assistance is a support service often rendered by Consent Decree Court Monitors to aid in crafting policy, advising on integration of technology to aid in reporting and transparency.

- **What does each applicant, or their relevant subject matter expert, see as the most relevant experience they bring to the issue of police interactions with people with disabilities?**

The Powers Consulting Group believes that it has a wealth of experience that is locally based, broader, and more innovative than many of the current firms vying for the same monitoring opportunity. Being locally based is an obvious advantage as it gives the Power Consulting Group the advance of "being aware and up to speed" on relevant issues; concerns and sentiment felt by the residents in the city of Baltimore. Second, the Powers Consulting Group members jointly possess over 300 plus years of experience in auditing, public safety management and policy design and implementation.

- **How will each applicant define successful community engagement?**

Community engagement is the process of working collaboratively with individuals and groups to achieve specific goals. To this end, The Powers Consulting Group will seek and achieve an open venue for discussion; the ability to have two-way dialogue; transparency in results and actions; and successful interactions to reach the goals of the Consent Decree.

- **For DLA Piper and Powers Consulting: Please explain your decision to not have a formal community advisory panel or community council to assist in your community engagement process. For CNA Consulting and Exiger: Please explain the criteria that will be used to select members of the community advisory panel or community council to provide community input to Monitor positions and activities?**

In addition to interacting and working with the community at large, The Powers Consulting Group will also consistently engage with specific individuals in an advisory capacity who have broad, community influence. We expect to

receive valuable guidance and recommendations from this advisory group that will help the Powers Consulting Group work more efficiently with the BPD and with the members of the community.

- **Please explain how each applicant will approach the disparity of police practices experienced by the "wealthier and largely white neighborhoods," and "largely African- American communities," in obtaining community input and engagement in implementing the Consent Decree?**

The Powers Consulting Group will closely monitor the *stop data* and relevant statistics to initially determine citizen vehicle stop-rates measured against local (neighborhood) population. Second, we will want to hear from community members from all neighborhoods as to the treatment that they have received during an encounter with the BPD. We will attend community meetings; have satellite offices; and a "tip-line" to aid in our ability to listen to the progress of the BPD through the community. We will gather, review and assess this information against BPD's articulated policy to ensure compliance. We fully intend to use these results to hold BPD accountable for their performance and progress toward Constitutional Policing as established by the Consent Decree.

- **Each applicant discusses dispute resolution methods for differing opinions and recommendations on the monitor teams. To what extent will community input be sought in addressing disputes of opinion or recommendations within monitor teams?**

Dispute resolution will more keenly be focused on internal resolution of how to adopt specific policies or the acceptance of recommendations on technical matters. The Powers Consulting Group will eagerly seek community input to determine if and how new policies are being followed, and reform practices are being consistently demonstrated in accordance with the Consent Decree.

#### 4. NAACP LEGAL DEFENSE FUND

- **What is your team's opinion about the appropriate role of school police officers?**

The Baltimore City School Police play a critical part in creating and maintaining a safe and orderly school environment for students, their parents and the surrounding communities. In addition, according to the Consent Decree, "in particular, BPD has a collaborative relationship with the Baltimore City School Police Force in which BPD authorizes BSP to exercise law enforcement powers beyond BSP Primary Jurisdiction, to encompass the entire City, under specific circumstances" (p. 150). As such, the Powers Consulting Group will

remain obligated to ensure BPD's and BSP's compliance with the Consent Decree, and will assist BPD and BSP to accurately assess their current partnership. The Powers Consulting Group will also support the two agencies in improving the way they train and work together.

- **Should all police officers who patrol city streets under contract with the BPD be held to the same training, disciplinary, and data collection standards? If not, why not?**

The Powers Consulting Group recognizes that all training; and data collection and analysis must meet the highest quality standards as established by professional and government regulating agencies. They must consistently result in improved skills; increased knowledge; accurate and effective officer practices; higher levels of professionalism; and better overall agency operations and culture. All sworn officers who have the authority to influence the quality of life of citizens, must be held to the same high standards with the guiding principle of "preserving sanctity of life." The Consent Decree establishes that, "A robust and well-functioning accountability system in which officers are held to the highest standards of integrity is critical to BPD's legitimacy, and a priority of the Department" (p.112). Therefore, The Powers Consulting Group is obligated to ensuring that BPD achieve compliance with all material requirements and outcomes listed in Section XIV. *Misconduct Investigations and Discipline* (p. 112) – ensuring that disciplinary measures are created and administered in accordance to the Consent Decree.

- **If you are selected as the independent monitor, would you commit team members who will serve full-time over the course of the monitoring term?**

Yes. All members of the Powers Consulting Group will remain fully accessible to the parties, and the community.

- **Have you identified these team members? If so, who are they and what will be their responsibilities?**

Tyrone Powers, Ph.D., C.E.O, Monitor  
Judge C. Phillip Nichols, (ret.), Deputy Monitor  
Patrick Oliver, Ph.D., Deputy Monitor

#### TEAM LEADERS

Phyllis McDonald, Ph.D., Technology & Statistical Analysis  
Leslie Parker Blyther, Project Management  
Chief Robert Plummer, Training & Use of Force  
Leonard Lucchi, Esq., Policy Research & Writing  
John Hudgins, Ph.D., Community Liaison

## SUPPORT MONITORS

Michele Mendez, Esq., Latino Community Liaison  
Chief Michael Blow (ret.), Prince George's County Police  
Annette Douglas, Ph.D., Clinical Diagnostician  
Major Neill Franklin (ret.), Baltimore City Police; Maryland State Police  
Anthony Washington, Esq., Federal Oversight Compliance Officer  
Susan Blow (ret.), Federal Oversight Compliance Officer  
Deputy Chief John Moss (ret.), Prince George's County Police  
Penny Shiver Foster, Information Technology Specialist

### **What steps will you take to address any distrust felt by Baltimore residents who have been victims of police misconduct and may not want to communicate with team members because of their law enforcement background?**

The Powers Consulting Group acknowledges the systemic problems and harm that has led to Baltimore citizen distrust and the absence of confidence – not only distrust with the police department but warranted suspicion of officials promising change who never seem to deliver. Consequently, the Powers Consulting Group knows that we are accountable, not only to the Decree parties and the Court, but also and especially to the community. We are committed to earning your trust by being forthcoming and transparent about the monitoring process – progress and obstacles we face.

- **To the extent that your law enforcement team members have been named as defendants in law suits or have been the subject of misconduct complaints, how will you assure the parties and Baltimore communities that these team members are qualified to assess and recommend policing reforms detailed in the consent decree?**

Members of the PCG were vetted by the Chief Monitor and have not been the subject of law suits or misconduct complaints in the performance of their duties in their respective areas of expertise. All members of the team have impeccable credentials, accomplishments and are subject matter experts in their fields.

- **How will your community liaison(s) interact regularly with Baltimore residents and the monitor team?**

During our public presentations, the Powers Consulting Group highlighted several members (including the Chief Monitor) who are full time residents of Baltimore City. This gives PCG an opportunity to interact daily with the community. Additionally, PCG committed to opening satellite offices in the City to ensure our interactions with residents exceed traditional venues, such as community forums...etc. Lastly, PCG has an extensive historical knowledge and understanding of the diversity of Baltimore communities and its challenges, which will allow team members to immediately identify and interact with the formal and informal leaders throughout the City.

- **How will your team select an individual or entity to design, distribute, and analyze the community survey required by the consent decree?**

Dr. John Hudgins from Coppin State University is assigned as a Monitor Team Leader and will serve as the Community Liaison for the Powers Consulting Group. Dr. Hudgins is from Coppin State University and will lead the task of constructing, administering, implementing and analyzing the data gathered from surveys. Dr. Hudgins is renowned in the field of survey design, data collection and analysis, validation and implementation.

- **If necessary, would you be willing to expand the number of community liaisons for your team through a transparent selection process?**

The Powers Consulting Group welcomes involvement from all aspects of the community and will diligently seek to include various members from community to advise and work with us.

## 5. IMMIGRATION OUTREACH SERVICE CENTER

- **What would a micro-community plan for immigrants look like?**

Ms. Michelle Mendez will serve as the Community Liaison for the Latino community. As a former member of the Mayor's Hispanic Commission, Michelle Mendez assisted in the creation of the 2016 "Welcome to Baltimore City A Guide to Services and Resources for Immigrants and Refugees" resource, accessible here: <https://mayor.baltimorecity.gov/sites/default/files/MIMAWelcomeGuideEnglish2016.pdf>. The plan involves reaching out to all the stakeholders in this guide and 1. asking them what they are hearing from immigrants in the city regarding police interactions, 2. if they have little to no information regarding this issue from the particular immigrant or refugee group, asking them to incorporate this question into their general intake procedures, and 3. asking them to hold events during which members of the police can be present to answer questions. These events will ideally include food dishes for the community to share with the police thereby teaching the police about culture in the process. The goal is to humanize one another and create trust. Such trust-building will further ignite a passion within immigrant youth to become police officers. In turn, diversity within the force will lead to better treatment of the immigrant and refugee community.

- **How would it be implemented?**

The stakeholders, all of which know us or are one degree separated, know where the immigrant and refugee communities live. For example, Latino immigrants in Baltimore City are primarily located in the Patterson Park, Highlandtown, and Greektown neighborhoods. Outreach and implementation of a plan will be accomplished through immigration legal service stakeholders and community organizations as well as schools and the churches offering foreign



language services.

- **How will you (as a candidate for independent monitor) ensure that established immigrant voices (those who have struggled with the immigration process, been successful, and have a wealth of experience) be included in the development and implementation of the plan?**

Ms. Michelle Mendez will serve as the Latino Community Liaison for the Powers Consulting Group. In her prior role in the Mayor's Hispanic Commission and in her personal life as an established immigrant, Attorney Michelle Mendez met individuals who are themselves established immigrant voices or are connected to these voices. These established immigrant voices tend to be entrepreneurs in Baltimore City so they are already known and visible in the community. As such, it will be easy to reach these individuals. They will want to participate in our efforts because a safer, fairer, and more just Baltimore is good for business.

- **How will you guarantee that immigrant voices that may be undocumented might be included in the conversation and plan?**

With the increase in immigration enforcement and racism, many more undocumented immigrants or those in limbo in the immigration process have become insular. This means that the Powers Consulting Group will reach them at home-- in their neighborhoods-- and at places they prioritize attending such as schools and churches, and Latino grocery stores. The press is also instrumental in reaching them as many immigrants watch television or, at the very least, listen to the radio (El Zol is one Spanish radio station). Through her job, Attorney Michelle Mendez, Community Liaison for the Latino Community, has maintained a long-standing relationship with the local and national Spanish-speaking press. She even had an immigration law column in El Pregoner (based in DC) with the goal of empowering the community and preventing them from being defrauded. Ms. Mendez intends to work with the press, including Somos Baltimore Latino, to get the message out. She intends to contribute to a local Spanish newspaper like Mundo Latino to keep the Latino community informed of the monitoring progress.

## 6. BARBARA TUNSTALL

- **Who among you are Baltimore city residents? For those (if any) who are, speak to an interaction with BCPD. What was the reason for that interaction? How did it begin? What was the end result?**

The following members of the Powers Consulting Group are natives, currently reside, and or work in the city:

Tyrone Powers, Ph.D., Chief Monitor  
Leslie Parker Blyther, Monitor Team Leader, Project Manager  
Neill Franklin, Support Team

Michael Blow, Support Team  
John Hudgins, Ph.D., Community Liaison Team Leader  
Phyllis McDonald, Ph.D., Data, Statistical Analysis & Technology

Each of these members have had both favorable and unfavorable encounters with police.

7. BETTY ROBINSON

- **Since we know that the DOJ identified racist practices as a crucial area for the BPD to address, how will you ensure if you are selected as the Consent Decree Monitor that you are taking account the underlying factors of structural racism and white supremacy when evaluating compliance?**

Per our public presentations, the Powers Consulting Group will review policies and procedures developed and/or revised that address areas including (but not limited to) stop and frisk, vehicle stops, field interviews, searches and seizures and arrests. These areas were prominently highlighted in the DOJ report and subsequent Consent Decree. The Powers Consulting Group will collect and analyze data in each of the preceding categories to ensure racial profiling, unjustified detentions/searches and other areas of concern highlighted in the Consent Decree have been addressed; and constitutional policing becomes the business model of BPD.

8. HILARY HELLERBACH

- **Given this case [Tyrone West], how would you change policies to insure that accountability of the officers is addressed, that the CRB receives all requests for investigations of police brutality/misconduct, enabling them to enact disciplinary measures if necessary, and work to make sure that this response and trauma doesn't happen again to another family? What would you do if selected, to hold those officers involved in Mr. West's death accountable now?**

The Tyrone West case is a sad occurrence for the City of Baltimore and for Mr. West's family and friends. This matter, however, falls outside the responsibilities of the court-appointed Monitor. Those seeking relief specifically for Mr. West must work within the framework of the legal system. The Monitor, nonetheless, will be examining the work between the Civilian Review Board and the Community Oversight Task Force as they work together to improve civilian oversight of the police department.

## 9. DAVID CRAMER

- **Would you be willing to adjust your budget to include such a local hiring option?**

The Powers Consulting Group takes community involvement very seriously – recognizing it among our top priorities. We have allocated significant funding each year for various community engagement initiatives including finances for satellite office staffing and operations; community canvassing stipends; public forum and focus groups; survey development, administration; data retrieval, analysis and reporting; information distribution; community advisory boards, etc...

- **Would all of you be willing to incorporate your written and verbal commitments?**

Yes. All members of the Powers Consulting Group agree to maintaining the highest level of commitment, excellence, and integrity during their tenure throughout the project.

- **Would you identify and make public your community liaison person before a final monitoring candidate is selected?**

Absolutely. Our Community Liaison is Dr. John Hudgins of Coppin State University. He will head a team of support community liaisons – committed to community engagement. Dr. Hudgins is available now for questions and discussion, and may be contacted through our Project Manager, Leslie Parker Blyther at [lpblyther@aacc.edu](mailto:lpblyther@aacc.edu).

## 10. JEROME BRISCOE

- **I ask that Venable LLP explain the nature of the multiple malpractice suits filed against it over the past decade; how many of those suits were settled and why; what were the provisions of those settlements?**

The Powers Consulting Group encourages transparency from all applicants as it pertains to their integrity, qualifications, and capacity to successfully complete the monitoring project.

## 11. KARIS HASLAM

- **What is your team's position on current Baltimore City policy that prohibits persons who receive cash settlements in police brutality cases from speaking out publicly – or talking to the media? Note that this policy is currently under challenge by the ACLU?**

As monitors of the Court Decree, our prime directive is to ensure that the Baltimore City Police Department and the City of Baltimore comply with the

Court Decree and all its material requirements and outcomes toward constitutional policing and “rebuilding trust between BPD and the communities it serves.” While we recognize that settlements in police brutality cases may be of interests to many citizens, it is not the role of the monitor to review, investigate or be involved in such matters.

- **Does your team support statutory revision to include or specifically note that the following complaint types are covered: Failure to investigate when responding to a call; Police theft and/or extortion of citizens/detainees; Planting of evidence by police officers?**

As monitors of the Court Decree, our prime directive is to ensure that the Baltimore City Police Department and the City of Baltimore comply with the Court Decree and all its material requirements and outcomes toward constitutional policing and “rebuilding trust between BPD and the communities it serves.”. While we recognize that legislative matters may be of interest to many citizens, it is not the role of the monitor to review, investigate, support or be involved in such matters.

- **Does your team support a transparent process whereby all police misconduct complaints are shared with CRB to verify that reporting is compliant with the Civilian Review Board’s statutory jurisdiction?**

Established by the Court Decree (Section II: Community Oversight Taskforce), as the Monitor, the Powers Consulting Group will review the assigned operations of the Community Oversight Task Force and its reform and efficiency recommendations regarding the current system of civilian oversight in the city; and in particular, the Civilian Review Board. The Powers Consulting Group supports the intent of the Decree to improve community relations with the police department and to allow fair opportunity for citizens’ complaints against the department to be reported, reviewed and where appropriate, acted upon.

- **Will your team recommend that the Baltimore State’s Attorney’s Office re-open the Tyrone [West] Case in light of new evidence uncovered?**

The Powers Consulting Group is knowledgeable of and remains very sensitive to the case of Mr. Tyrone West; and the hurt and anger experienced by his family, friends; and by the Baltimore community at large. As monitors of the Court Decree, our prime directive is to ensure that the Baltimore City Police Department and the City of Baltimore comply with the Court Decree and all its material requirements and outcomes toward constitutional policing and “rebuilding trust between BPD and the communities it serves.” That responsibility includes monitoring the dozens of material requirements pertaining to the Use of Force (Decree: Section VII) by BPD to ensure its

constitutional use and to “uphold the value and dignity of all individuals they encounter” (Decree, p.43).

## 12. KIM TRUEHEART

- **One of the reforms noted in the Consent Decree is a Staffing Study to ensure a sufficient number of officers and supervisors: The BPD is promoting itself as the 8th largest department in the nation. If the results of the staffing study concludes that the department is over manned, will the monitor ensure the department is right-sized according to the study results?**

A major responsibility of the Monitor is to provide technical assistance to BPD – specifically pertaining to any material requirement under review. The Powers Consulting Group has several experts in law enforcement personnel and staffing patterns – including Dr. Patrick Oliver, author of Recruitment, Selection and Retention of Law Enforcement Officers (Looseleaf Law Publications, 2013). Dr. Oliver is highly experienced and well poised to offer technical assistance on staffing patterns, span-of-supervision, job-task analysis, etc...

- **One of the systemic violations noted in the DOJ Findings Report states that BPD Officers have engaged in “Retaliation against people engaging in constitutionally protected expression”. This practice continues today as exemplified by the overwhelming presence of BPD officers at a city council public hearing on July 11, 2017 on a proposed city ordinance imposing a mandatory minimum sentence for carrying an illegal handgun. It appears that the political officials who sponsored the public hearing requested this heavy police presence to restrict constitutionally protected expression. The morning of the hearing citizens were greeted by officers who formed a gauntlet-like formation on the sidewalk entrance to city hall; lined the hallway on the 4th floor outside the council chambers as well as numerous officers were posted inside the chambers, which all appeared as a clear attempt to intimidate citizens attending the council hearing and engaging in their constitutionally protected right to express themselves. Will the monitor address this violation which does not yet appear to have a solution identified in the reforms being undertaken by BPD?**

In Section X. *First Amendment Protected Activities*, the Court Decree requires that the Monitor assist the Baltimore City Police Department in complying with many material requirements that allow for public “first amendment expression that promotes the free exchange of ideas” (Decree, p.81). To this extent, the Powers Consulting Group will examine and assist BPD in the compliance of such material requirements so that the public may safely, lawfully and fully engage in first amendment expression.

### 13. KEESHA HA

- **Explain your process for the selection and role of Law Enforcement personnel chosen to participate on your team?**

Members of the Powers Consulting Group were selected and invited to be a part of the team based on several criteria including but not limited to their expertise; years of experience; ability to clearly communicate ideas; critical thinking skills, community-policing ideology, etc.... More importantly, Dr. Tyrone Powers, C.E.O., of the Powers Consulting Group required that a significant portion of his team be born and reared in Baltimore; currently lived in Baltimore and or worked in city. This criterion ensures a greater understanding, appreciation, and connectedness to the community.

- **In what ways have the recent disclosures by defense attorneys of a seemingly pattern and practice within the BPD that encourages the manipulation of evidence to the detriment of innocent citizens and subsequent criminal case dismissals affect your approach to the monitoring process as it relates specifically to the BPD?**

In its initial phase of operations, the Powers Consulting Group will work with the BPD Compliance Unit to – among other things – identify and initiate compliance processes for priorities from among the Decree material requirements. Constitutional investigations, and evidence collection and security protocols are cited throughout the Decree and will likely be among the priorities reviewed.

- **Reflecting upon your experience on statutory regulations involving the Law Enforcement Bill of Rights (LEOBR), in what ways are you prepared to overcome obstacles that afford officers protections?**

The Powers Consulting Group includes Attorney Leonard Lucchi who is an expert in Maryland's LEOBR and served as Prince George's County Maryland's Chief Labor Negotiator. Attorney Lucchi has worked closely with police officers throughout his career, and is very familiar with the Fraternal Order of Police. We are confident that Mr. Lucchi will serve as an asset in helping to secure support and buy-in from members of the FOP.

- **Under the assumption that that a monitoring teams' lead monitor(s) reflects an overall philosophy/approach in addressing the process specific to the needs of Baltimore, what does your selection reveal about your insight into the uniqueness of the challenges Baltimore faces that lead to the creation of the need for a consent decree?**

Dr. Tyrone Powers will serve as the Chief Monitor. His expertise in state and federal law enforcement, use of force, training, police leadership, criminal justice

ethics, etc..... shows a commitment to excellence in the execution of policing practices. He is also a native of Baltimore and is committed to quality, community engagement. Dr. Patrick Oliver is an expert in police personnel, law enforcement leadership, training, and organizational development. Dr. Oliver will serve as our Deputy Monitor and exhibits our commitment to quality and qualified professionals in the agency. Our second Deputy Monitor is C. Philip Nichols - a retired Maryland Circuit Court Judge. Judge Nichols presided over trials in twelve of Maryland's twenty-three counties and the City of Baltimore. He has presided over nearly 630 civil and criminal jury trials, over twenty of which were first degree murder trials and two capital murder cases. Judge Nichols will ensure that all compliance of material requirements is constitutionally sound.

- **In what capacity do you see the office of public defenders in assisting the monitoring of the consent decree?**

Where appropriate, and consistent with Decree requirements, the Public Defender's Office may provide valuable data and information to evaluate compliance progress in matters such as use of force, sexual assault reporting and or responding to citizens with behavioral health disabilities.

- **In what capacity do you see the States Attorney's Office in assisting the monitoring of the consent decree?**

Where appropriate, and consistent with Decree requirements, the States Attorney's Office may provide valuable data and information to evaluate compliance progress in matters such as police stops, searches, arrests, use of force, sexual assault investigations and reporting; and or responding to citizens with behavioral health disabilities.

#### 14. MARILYN HOWARD

- **Has or will Annette Douglas use her expertise as a behavioral scientist in a negative manner against minority communities?**

Dr. Douglas is committed to the integrity of the monitoring process; as well as to the lawful and ethical treatment of all citizens of Baltimore. Dr. Douglas will not use her skill and expertise to deny favorable opportunity from or impose harm to any individual or groups of people.

- **What role will she play or has played in protection of communities of color 1st Amendment rights involving law enforcements surveillance activities?**

Dr. Annette Douglas specializes in psychiatric diagnoses, neurotic behavior and substance abuse. Dr. Douglas has extensive practical experience as a Psychiatric Diagnostician and Addiction Specialist at the Brookdale Hospital Medical Center, Brooklyn, NY; and a Substance Abuse trainer for the Palm Beach

County Justice Division's Sexual Assault Response Team. Much of her clientele were people of color.

15. MARY JANE OELKE

- **Why there is not a DOJ restructuring and investigation into COUNTY police misconduct and violation of due process engaged in by COUNTY police. I am relieved to see Baltimore City police finally scrutinized, but the violations of citizens' rights by misguided police departments crosses the county line and you need these same hearings out in the county and finally allow community input from witnesses in Baltimore County as well as the city. When will this happen?**

As monitors of the Court Decree, our prime directive is to ensure that the Baltimore City Police Department and the City of Baltimore comply with the Court Decree and all its material requirements and outcomes toward constitutional policing and "rebuilding trust between BPD and the communities it serves." While we recognize that cross jurisdictional matters may be of interest to many citizens, it is not the role of the monitor to review, investigate, or be involved in cross jurisdictional matters.

16. STAN BECKER

- In a rigorous statistical analyses of crime rates in 31 jurisdictions where DOJ has had consent decrees, Rushin and Edwards (2017) found significant increases in property crimes and violent crime in the period 0-3 years after the consent decree settlement. Subsequently (after year 3) there was a decline so rates were not significantly different from those in comparison jurisdictions. Baltimore seems no exception with a record number of homicides so far this year. **To what do you attribute these increases post consent decree and how do you think your monitoring will help bring down crime rates as fast as possible?**

The Powers Consulting Group is encouraged by you and other citizens who diligently research to pose important and "data-driven" questions.

A brief review of the Rushin and Edwards article, "De-Policing" (Cornell Law Review, 2016), revealed,

*"While this Article finds little evidence that scrutiny contributed to higher crime rates, it concludes that the introduction of external regulations is associated with a statistically significant uptick in crime rates in affected jurisdictions. This uptick in crime was concentrated in the years immediately after federal intervention and diminishes to statistical insignificance over time." (p.730).*

Consequently, following the successful monitoring period, according to Rushin and Edwards, Baltimore City may see fluctuations in crime rates. However,



the authors offer no conclusive evidence that there is a direct causation between external oversight and rise in crime.

The Powers Consulting Group is confident that the monitoring process will be successful and that improved constitutional and significant changes in police practices will lead to sustained reduction in crime.

#### 17. YVETTE MUHAMMAD

- **What makes your team so special for us to trust?**

The Powers Consulting Group is the only African American company among the monitoring applicants, owned by Dr. Tyrone Powers. Dr. Powers was born, reared and educated in Baltimore City. He continues to reside in the city with his family. He has invited six other experts onto his team who share the same Baltimore background and or who work in the city. Our commitment to the welfare of our town is unparalleled. We have an understanding, appreciation for and connectedness to the city. But trust is earned. And the Powers Consulting Group pledges to maintain a level of integrity and dedication throughout the monitoring process. We will work hard to earn and keep your trust.

- **Your team consists of who and were any pick from the community?**

Tyrone Powers, Ph.D., C.E.O, Monitor  
Judge C. Phillip Nichols, (ret.), Deputy Monitor  
Patrick Oliver, Ph.D., Deputy Monitor

#### TEAM LEADERS

Phyllis McDonald, Ph.D., Technology & Statistical Analysis  
Leslie Parker Blyther, Project Management  
Chief Robert Plummer, Training & Use of Force  
Leonard Lucchi, Esq., Policy Research & Writing  
John Hudgins, Ph.D., Community Liaison

#### SUPPORT MONITORS

Michele Mendez, Esq., Latino Community Liaison  
Chief Michael Blow (ret.), Prince George's County Police  
Annette Douglas, Ph.D., Clinical Diagnostician  
Major Neill Franklin (ret.), Baltimore City Police; Maryland State Police  
Anthony Washington, Esq., Federal Oversight Compliance Officer  
Susan Blow (ret.), Federal Oversight Compliance Officer  
Deputy Chief John Moss (ret.), Prince George's County Police  
Penny Shiver Foster, Information Technology Specialist

- **How does one become a part of the team?**

Members of the Powers Consulting Group were selected and invited to be a part of the team based on several criteria including but not limited to their expertise; years of experience; ability to clearly communicate ideas; critical thinking skills, etc. More importantly, Dr. Tyrone Powers, C.E.O., of the Powers Consulting Group required that a significant portion of his team were born and reared in Baltimore; currently lived in Baltimore and or worked in city. This criterion ensures a greater understanding, appreciation, and connectedness to the community.

- **Can I become a part of the team?**

Absolutely. We will meet with members of the community within 45 days of being selected as the monitor and after submitting the 1-year plan. The Powers Consulting Group welcomes you and any member of the community who offers creative insight and skills to help us design and coordinate needed community engagement initiatives. Please feel free to contact the Project Manager, Leslie Parker Blyther at [lpblyther@aacc.edu](mailto:lpblyther@aacc.edu) to discuss your role with the team.