



U.S. DEPARTMENT OF JUSTICE

President's Commission on Law Enforcement and the Administration of Justice

Community Trust and Respect for Law Enforcement

July 8, 2020

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**Community Trust and Respect for Law Enforcement Panel Hearing Teleconference –
July 8, 2020**

- **Wednesday, July 8, Community Trust and Respect for Law Enforcement Panel Hearing 2:00pm-3:00pm, Eastern Time**
 - Brian Marvel, President, Peace Officers Research Association of California (PORAC) and Police Officer with San Diego Police Department
 - Dr. Paul Lilly, Judge, Brown County, Texas
 - Mick McHale, President, National Association of Police Organizations (NAPO)
 - Christopher Cook, Lieutenant, Arlington Police Department, Texas



Brian Marvel

President, Peace Officers Research Association of California (PORAC) and Police Officer with San Diego Police Department



[Brian Marvel](#) is a Police Officer III with the San Diego Police Department (SDPD). After joining in 1999, he served ten years in patrol operations at several divisions. He worked in several specialized assignments that included the Bravo Team (demonstration control unit), the Psychiatric Emergency Response Team (PERT), and eight years as a Terrorism Liaison Officer. His last assignment was in the Wellness Unit and as the Military Liaison officer for the department. He is a veteran and an adjunct professor at the San Diego Regional Police Academy.

Brian's first elected PORAC position, in 2015, was President of the [San Diego-Imperial Counties chapter of PORAC](#), covering federal, state, and local associations from the Pacific ocean to Arizona along the California-Mexican border. In 2017, Brian was overwhelmingly elected President of PORAC. He also serves on the Governor's Medal of Valor Review Board. Brian is the fourth PORAC President from the SDPOA.

Prior to his election as PORAC President, Brian was elected in 2009 to the first of five two-year terms as President of the [San Diego Police Officers Association](#) (SDPOA), representing 1,850 plus members. He was the longest serving President in the 108-year history of the SDPOA. He was originally elected to the board in 2007 as a director.

Brian is the Past-President of [Californians Against Slavery](#), which spearheaded the passage of Prop 35 (2012), the Californians Against Sexual Exploitation Act, which was the most successful ballot initiative since California began the process in 1914.

**Written Testimony of Brian Marvel
President, Peace Officers Research Association of California (PORAC)**

**President's Commission on Law Enforcement and Administration of Justice
Wednesday, July 8, 2020**

Chairman Phil Keith, Vice-Chair Katharine Sullivan and Members of the Commission: Thank you for holding this hearing to collect insight on best practices for policing throughout the country, and thank you for giving the [Peace Officers Research Association of California \(PORAC\)](#) the opportunity to speak and engage on this matter.

The tragic and unnecessary deaths of Mr. George Floyd, Mr. Eric Garner, Ms. Breonna Taylor and countless others are simply inconsistent with the mission, standards and goals of law enforcement. As peace officers our role is to serve and protect — a responsibility that we cannot fulfill without the trust of the communities we have sworn an oath too. When that trust is broken by officers whose actions are inconsistent with the missions and goals of our profession, we too are outraged—and we have a duty to intercede, an obligation to speak out and a moral imperative to hold those officers accountable.

Our nation is at a critical tipping point. We have a real opportunity to challenge ourselves to find meaningful solutions that can make lasting impacts in the communities we serve across this nation. We are eager and ready for the opportunity to work together with lawmakers, advocates and stakeholders from across the country to create a more just and equitable criminal justice system that works for all.

For those who are unfamiliar with our organization, PORAC represents more than 77,000 public safety and peace officers across California and is composed of more than 920 public safety associations. Founded in 1953 as a federation of state, local and federal law enforcement agencies, PORAC is now the largest such statewide association in the nation.

PORAC is proud of our long history as one of the nation's forward-thinking and innovative public safety organizations. In 1959, just six years after its founding, PORAC became the first association to develop a "peace officers standard setting agency," now known as Peace Officers Standards and Training (POST). The rest of the nation soon followed suit.

We carry that same energy and focus of reform into the present day. Just this last year, California took a comprehensive look at how we could change our policies to minimize the use of force. We spent over a year surveying best practices nationwide and collecting input from legislators, the American Civil Liberties Union

(ACLU), our attorney general, diverse experts and impacted stakeholders. We made the table as big as possible to include everyone who wanted a seat, and together, all stakeholders had a hand in developing a legislative package to address our shared goal of protecting all Californians.

We were successful with the passage of two bills, [Assembly Bill 392](#) and [Senate Bill 230](#). AB 392 changed the standard for lethal force by a peace officer to only justifiable “when necessary in defense of human life.” SB 230 established new statewide reporting requirements, higher training standards, uniform guidelines for when officers are authorized to use force, and specific policies across all departments requiring de-escalation, an officer’s duty to intercede, rendering medical aid, proportional use of force and more. Together, these two laws represent the most significant change in California’s use of force policies since 1872 — and provide a framework of the principles that should be embodied in a federal reform bill. As California is one of the largest and most diverse states in the nation, we know from our own experience that enacting federal legislation is achievable, but it will require genuine listening and collaboration.

Overview of PORAC’s Immediate Recommendations — Being Proactive in our Approach

As our federal leaders continue the dialogue about improving the practice of law enforcement, and respect for law enforcement, throughout our communities, PORAC respectfully offers our experience and knowledge to help develop the best path forward. Our three immediate recommended policy priorities include:

1. **National Standards:** Establishing new national standards for training, recruitment, and the use of force.
2. **Funding:** Aligning funding for law enforcement departments with the standards we want our law enforcement officers to uphold.
3. **Community Programs:** Placing an increased focus on, and funding for, mental health, addiction and homeless services in America.

Peace officers are an integral part of the communities they serve — and we believe that smart policies along these lines can mitigate force by law enforcement in our country, begin to restore trust in and respect for law enforcement and ultimately lead to safer and stronger communities.

Establishing National Standards for Recruitment, Training & Use of Force

To truly improve public safety outcomes, we need to recruit, license, train, and retain the best men and women for the job — and we need every officer to continuously meet high standards for how they protect their communities.

Recognizing the tremendous responsibility officers have to make split second life or death decisions under incredible scrutiny, and the impact those decisions can have, we must do more to ensure our officers, both prospective and current, have the mental fitness and emotional empathy to carry out their duties impartially. We need to take a deep dive into the kind of individuals we deem qualified to pursue a career in law enforcement, and into the training those prospective officers must receive before being certified to practice law enforcement in our communities.

One of the most vital changes we can make to the nation's law enforcement policies is to implement new national standards for training and recruitment, as well as implementing a national standard for how and when officers are authorized to use force.

As it stands now, each state, locality, and sometimes even agency has its own set of standards for training, recruitment, and authorizing the use of force. Yet, we live in an increasingly nationalized media and political environment. When law enforcement does something wrong in one state, it affects all of us. Implementing collaborative national standards will ensure that peace officers across the nation are held to the same high standard of conduct and improve the role peace officers play in our communities.

PORAC supports unified and heightened national recruitment standards, longer and more robust training programs prior to an officer's certification, more stringent mental health screenings, enhanced implicit and explicit bias training for both prospective and current officers, expanded training on de-escalation tactics and hiring practices that seek to mirror the demographics of communities served by individual departments.

Additionally, a major part of any national standard of police conduct should include the immediate abandonment of all formal and informal quota systems that tie an officer's success to tickets, arrests and traffic stops. PORAC has long held that quota systems, either formal or informal, have only served to disproportionately impact communities of color and other minority groups. Statistically and historically, these groups and communities have been targeted by command staff attempting to meet frequently arbitrary numbers that are not at all indicative of an officer's success in keeping the peace.

Aligning Funding with Our Missions and Goals for Law Enforcement

National standards for recruitment, training, and the use of force are, however, ineffective if not coupled with the funding needed to ensure adequate implementation. National standards must be accompanied by the federal funding needed for state and local law enforcement agencies to comply.

Addressing Mental Health, Addiction & Homelessness

Among the most overlooked factors in tragic and deadly law enforcement encounters are the issues of how and when peace officers respond to calls relating to individuals dealing with a mental health diagnosis, drug addiction, or homelessness. In the absence of a proactive and comprehensive approach to addressing the mental health, addiction, and homelessness crises plaguing far too many Americans, law enforcement officers have been forced onto the frontlines of these complex challenges.

The sad reality of this unacknowledged crisis is that, for all the training peace officers receive, we are not equipped to serve as full-time mental health professionals or social workers. Yet, we are constantly tasked to do so. Too often, peace officers are put into dangerous situations that require professional mental health assistance. Sadly, some of these situations end in tragedy.

According to the National Alliance on Mental Illness, nearly two million individuals with mental health issues are jailed every year. Severe mental illness is present in anywhere from 25%-50% of fatal encounters with law enforcement nationwide, and a report from the Los Angeles Police Department found that 37% of all officer involved shootings included a mental health component.

PORAC believes that one of the most important ways to improve public safety outcomes is to address the mental health, addiction and homeless crises in this country. There is a nationwide need for more mental health centers, more mental health workers, and increased access to mental health programs for those in crisis. Additionally, PORAC supports increasing funding for programs that partner law enforcement officers with mental health and social work professionals when interacting with at-risk members of our communities.

Conclusion — Starting a New Chapter in Policing

As a proud member of our nation's law enforcement community, I recognize that there are flaws in our system and areas where we absolutely must improve. Since its inception, law enforcement has been in a constant state of reform. PORAC has a long history of advocating for victims' rights, higher training and recruitment standards,

fair trials and parole hearings, the elimination of quotas and more community-based policing – to name a few. We have made progress, but we are also facing new challenges.

We've recently seen huge declines of dedicated men and women wanting to start their careers in law enforcement. They realize that law enforcement is a dangerous and unappreciated line of work. In a recent [survey](#) of 10,000 officers, only 7% said they would recommend law enforcement as a career. We've seen attitudes, tones and aggressions change towards law enforcement. Conversations and deliberations have turned into screaming matches and disrespectful slurs — making a difficult and complicated job even more complex. Disrespect toward law enforcement has become a cultural norm nationwide. It has become acceptable to yell racial slurs at African American officers. In New York, we saw people defending the actions of a woman who firebombed a parked car filled with four NYPD officers.

Our nation's law enforcement community has challenges that we must address – but they are challenges that we cannot begin to address if we cannot recruit and retain good men and women into the profession. Collectively, we all must work hard to change the narrative around policing in this country – which will require us to shine a light on the good and rebuild what is broken. We should foster an approach focused on being respectful, courteous and grateful to those charged with putting their lives on the line to keep our families safe.

What is needed now is a calm and thoughtful dialogue. To make real progress, we must seek counsel from those whose backgrounds, beliefs and experiences are different from our own, which is why PORAC encourages its members to participate in programs like [Game Changers](#) or [Coffee with a Cop](#) to bring together community members, law enforcement and diverse stakeholders to discuss community problems and formulate possible, localized solutions. It is through actions and initiatives like these and others that we can help hold ourselves and our communities accountable.

Implementing national training, recruitment and use of force standards – among other policies – will improve the practice of community policing. But we also need support from our communities and lawmakers to provide the resources and willpower necessary to ensure new policies and programs succeed.

Let me just end by reiterating our fundamental belief that peace officers are an integral part of a community, not separate from those we serve. While we may not have the ultimate answer on solving systemic racism or inequality issues in our country, we are committed to playing a role in finding a lasting solution to better our law enforcement agencies to better serve our communities. We again thank this Commission for the opportunity to

be part of this vital conversation, and to provide our own thoughts on how to best reform and improve law enforcement practices.

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Paul Lilly

Judge, Brown County, Texas



Chief Paul Lilly was born in Fort Worth Texas and is 50 years old and now resides in Brownwood, Texas. Chief Lilly began his law enforcement career in anything but the normal manner. He worked as a patrol officer working the late night shifts as he attended college during the day. Then Officer Lilly was soon identified as having a special talent in the field of the rapidly rising ideology of **Community Oriented, Evidence-Based, and Problem Oriented Policing**. Prior to even graduating college with an emphasis of study in this very area, then Officer Lilly became known in the law enforcement circles as a rising expert in this new field of “community policing” and “special policing environments” (tourism, universities, schools, hospitals, and etc.) and one of the few to actually study the ideology formally in a college/university setting. This is in the same time-frame that outgoing President Bush (Sr.) and incoming President Clinton began to fund millions of dollars in federal grant monies to law enforcement agencies that formally adopted and practiced the science of community oriented policing. Unfortunately in the early 1990’s most chief’s had no idea how to meet the strict community policing standards required by the Dept. of Justice in order to qualify for the funds. It is here that Officer Lilly’s star began to rise. Soon he had a list of agencies waiting for his services to formally organize their policies and procedures, mission statements, and general ideology/approach to policing in such a manner that they too could qualify for the large federal grants that were available. Further, as mentioned Chief Lilly has become a recognized national expert in the fields of **Community Policing** and **Special Policing and Investigative Environments** such as schools, universities, courtrooms/buildings, hospitals, and etc. Today he is one of the Nation’s leading instructors and practitioners of **Special Policing Environments, Geographic and Problem Oriented Policing Ideologies** and **Public Integrity Investigations** and is a recognized expert in the ability to dramatically reduce local crime rates through these programs and leadership style. Further, Chief Lilly also serves as a **Mental Health and Mental Services Officer, Hostage Negotiator** and as a **Forensic Criminal and Psychological Profiling** expert.

In 1994 Chief Lilly graduated from Texas Wesleyan University in Fort Worth with a Bachelor’s Degree in Political Science and Law, with an emphasis of study in community policing. Also that same year, while only 25 years of age, he was selected over 74 other applicants to become the Chief of Police for the Dallas area suburb community of Kaufman, a city of approximately 10,000 residents and the county seat of Kaufman County. This made Chief Lilly the youngest Chief of Police within the State of Texas. Chief Lilly’s primary function was to use his talents to

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curb the seriously rising crime rate in this suburban community on the southeast side of Dallas. Astonishing to almost everyone, within six months of his assuming office and through the use of Community Oriented Policing, the City of Kaufman had experienced a 63% decrease in the overall crime rate, with crimes related to narcotics and property crime down almost 90%. Shortly thereafter media outlets ran a highlighted story about this incredible progress, and before long Chief Lilly was inundated with requests for him to come and achieve similar results and several cities within the state. Soon Chief Lilly became known as a “**Reform Chief**”, which is one who aids and leads agencies with the restoration and/or improvements of the public's faith and trust and with the investigation of internal administrative and criminal violations. To date, due to his high level of success, Chief Lilly has been called upon to aid more than fifteen (15) governmental agencies with these and other efforts and has served as a Reform Chief in six municipalities, all of which achieved great success.

Chief Lilly has also served as a consultant to the cities of Fort Worth and Austin's police departments, and has directly managed budgets exceeding 20 million dollars annually and indirectly aided in the management of budgets exceed 500 million dollars annually. While still serving as a Police Chief, Chief Lilly also returned to school and achieved his Master's Degree in Criminal Justice and Criminology from Texas State University (2002). Additionally, he is also a graduate from the **Texas Law Enforcement Leadership and Command College** at Sam Houston State University (1999). Shortly thereafter Chief Lilly began serving as a Public Safety Consultant to several Federal, State, and local Law Enforcement and Governmental Agencies, specializing in the fields of constitutional law, policy and procedure, the use of force, arrest, search, and seizure, and ethics.

In 1998 Chief Lilly had the distinct honor of being inducted into the American Police Hall of Fame and awarded the **Distinguished Service Medal** for his success in the fields of Community and Problem Oriented Policing. Additionally, Chief Lilly has also been the recipient of a **United States Congressional Commendation** (again for the Community Oriented Policing); the **Purple Heart Medal** for life-threatening injuries received in the line of duty; and the **Medal of Valor** for courageous conduct under fire. In September 2015 Chief Lilly was awarded the **J. Edgar Hoover Gold Medal for Distinguished Public Service** honoring his more than 25 years of public safety service to the State of Texas and the United States of America.

In 2004 Chief Lilly was recruited by the United States Department of Justice to travel to war-torn Bosnia – Herzegovina as a part of the International Criminal Investigative Training and Assistance Program (ICITAP) to assist with investigations and to lecture on modern democratic policing, law enforcement ethics, and public service leadership. Further, in 2008 Chief Lilly was selected to join the Law Enforcement Management Institute of Texas' team of Police Chiefs to travel to Italy and present western technologies and ideologies to the Italian law enforcement community. Finally, just prior to retirement as a municipal police chief, Chief Lilly was selected by the United States Department of Justice to be commissioned as a **Special Deputy United States Marshal** (Supervisory) and assist in a leadership role in the safety and security of the January 2009 Presidential Inauguration in Washington D.C.

Chief Lilly continued to aid Texas Law Enforcement Agencies until he reached his 20th year of service in 2009, after which he elected to retire from full-time law enforcement service and pursue his second professional calling, this being to complete a doctorate degree and to serve in the academic arena teaching at a senior university. Chief Lilly has also now become Dr. Lilly having completed a doctorate in Forensic Psychology and Criminology. From 2011 until 2019 Chief Lilly served as a full-time **Associate Professor of Criminal Justice at Howard Payne University and as the Chief of Police** and Director of Public Safety for the University. However, when called upon and time permits, Chief Lilly continues to serve as a consultant to the Federal Government and their subcontractors and as well to various State and Local governmental agencies, primarily concentrating on issues of Public Integrity and Forensic Investigations.

In 2018 Dr. Lilly was elected the **Constitutional County Judge of Brown County** by the largest margin in county history. Dr. Lilly was sworn into office on Jan. 1, 2019 and now presides as the Chief Executive Officer of the county government and as well presides over the County Criminal Courts.

Good afternoon. It is an honor to speak before you today, especially on a subject that I hold so dear to my heart.

My name is Dr. Paul Lilly. I am a 32-year veteran of law enforcement, 23 of those which I served as a chief of police. I have served in county, city, and special policing environments including public schools, universities, and hospitals. I also hold a doctorate in psychology and criminology and have served for the last decade as an associate professor teaching criminal justice and criminology. I am now a sitting Judge here in the State of Texas. I mention my qualifications only for the purpose of verifying that I do in fact have a great deal of knowledge and wisdom of what I am about to speak.

I would like to speak with you briefly about a very important aspect of community and police relations. In fact, I feel that it is a topic of such importance that it has far reaching influences well beyond community relations.

I am speaking about the importance of the appearance of our law enforcement officers today. In the past decade or so, there has been a trend to uniform our law enforcement, most especially at the local levels, in what is often described as “Battle Dress Uniform” (BDU’s). These of course are just as the name describes, a uniform that is designed to be worn when in fact a person is going into battle or at the very least, a very dangerous situation where additional equipment and etc. is needed to subdue an enemy force. Immediately you see where this can be in conflict with the ability of an officer, much less an entire agency, to foster trusting and lasting relationships with the community they serve. Many agencies also permit their officers to wear additional battle dress gear such as exterior tactical vests and other equipment.

Due to my very limited time, I will be frank. It is my professional opinion that the way in which we uniform our officers has a direct correlation between how the officer behaves and how the officer is perceived by the community.

Enclothed cognition is a term used in psychology today to describe the systematic influence that clothes have on the wearer's psychological processes. The term was introduced in 2012 by Dr. Hajo and Dr. Galinsky. In an experiment conducted by Dr. Hajo and Dr. Galinsky, physically wearing a physician style lab coat increased selective attention compared to wearing a painter’s lab coat or not wearing a lab coat at all.

Thus, both authors conclude that the current research suggests a basic principle of enclothed cognition—it depends on both the symbolic meaning and the physical experience of wearing the clothes. In short, the experiments confirmed that clothes systematically influence wearers' psychological processes.

I realize that my time is short and I would be happy to come back and discuss this topic in greater detail at the Commissions' pleasure. I will conclude with this, if we dress our officers as if they are going into combat, or at the very least a SWAT or Tactical type of environment, that is exactly how most will behave. One can't help but wonder if this would cause a more aggressive behavior potentially resulting in more inappropriate conduct on behalf of the officer? It is certainly a possibility and worthy of greater study.

Further, let me pose a question to you. If you were the victim of a crime and called for a police officer. Would you be more willing to trust and feel comfortable with the officer if he/she were dressed in a sharp crisp traditional police uniform, or if the officer were dressed in BDU style wear with a an exterior SWAT vest on and all the normal SWAT equipment that is usually stored on the exterior of such a uniform? It is certainly worth consideration.

Lastly, there is also the ability and willingness of the officer to empathize with the community, or better yet the victim of a crime. Based on the aforementioned study, it is far less likely that the average officer would display such important traits. We must find ways to communicate and empathize with the communities we serve. Loyalty and trust within our communities will be more difficult on both parties (the police and the community) if our officers are dressed as if they are going to war. We are not at war with our communities. Our profession is not of solider or warriors, but rather we are the greatest and most noble peacekeepers.

Thank You.

Mick McHale

President, National Association of Police Organizations (NAPO)



Michael "Mick" McHale serves as the National President of the National Association of Police Organizations. Mick is currently a Police Officer at the Sarasota Bradenton International Airport and recently retired as an Administrative Sergeant in charge of the Canine, Marine Patrol, Traffic Unit and Honor Guard for the City of Sarasota Police Department, Sarasota, Florida. Mick is the President of the Southwest Florida Police Benevolent Association and Senior Vice President of the Florida PBA. Prior to becoming President of the National Association of Police Organizations (NAPO), Mick served as Executive Vice President, Recording Secretary, Area Vice President and Sergeant at Arms. Mick has also served on several committees, including as Chairman of the Committee on Political Education, where he was responsible for overseeing the evaluation and endorsement of candidates for elective office across the country.

Mick began his career with Sarasota P.D. in 1990 and has served as a Patrol Officer as well as a Narcotics Detective (for 10 years), prior to being promoted to Sergeant. Mick also served as a Commissioner with the State of Florida Criminal Justice Standards and Training Commission for a 6 year period after being appointed as a rank and file representative by then-Governor Charlie Crist.

The National Association of Police Organizations represents some 1,000 professional police associations and units and 241,000 sworn officers throughout the United States. NAPO serves its members through the advancement of federal legislation and policy, legal advocacy, and education.

**President's Commission on Law Enforcement and the Administration of Justice
Hearing on Community Trust and Respect for Law Enforcement
July 8, 2020**

Statement of Michael McHale, President, National Association of Police Organizations

This testimony focuses on community education programs, such as “comply, then complain”, hiring programs to address agency diversity, establishing national standards for transparent citizen complaint processes and officer due process, protecting officers against violence, and rejecting the call for defunding police.

Chairman Keith, Executive Director Kueter, and distinguished members of the Commission, thank you for inviting me to speak today on this vitally important issue. My name is Mick McHale. I am a Police Officer at the Sarasota Bradenton International Airport and recently retired as an Administrative Sergeant in charge of the Canine, Marine Patrol, Traffic Unit and Honor Guard for the City of Sarasota Police Department in Sarasota, Florida. I also serve as the President of the National Association of Police Organizations (NAPO) and President of the Southwest Florida Police Benevolent Association.

As a national coalition of police unions and associations, NAPO represents over 241,000 sworn law enforcement officers from across the country. I am here to testify on their behalf.

I would first like to address the situation in which we find ourselves today: Unequivocally, what happened to George Floyd was egregious. There was no known legal justification, self-defense justification, or moral justification for the actions of the officer. We, as rank-and-file officers, support improving policing practices to ensure what happened to Mr. Floyd is never repeated. However, in the weeks since this horrible incident, rank-and-file police officers have uniformly been vilified and abused. While some leaders and politicians stand up and recognize the dedicated and ethical services of the men and women in law enforcement, the entire premise of the national dialogue thus far has largely been that all cops are bad.

It was just 6 weeks ago that officers were being praised for their commitment to duty, bravery and sacrifice while serving on the front lines of the coronavirus pandemic. Now those same brave officers are being summarily thrown under the bus.

The consistent drumbeat by politicians, of distrust of the police, absolutely helps engender attacks on officers and encourages the public not to comply with police commands. It is becoming more and more common for persons who come in contact with the police to resist, obstruct, interfere, thwart and even attack officers. This is an unacceptable environment in which officers find themselves and it is impacting not just officer morale, but also retention, hiring, and officer safety and wellness. It is an environment that will not be changed by simply passing police reform legislation.

NAPO sincerely appreciates the opportunity to work with the Commission, the Department's COPS Office, the Attorney General and other appropriate stakeholders to advance the goal of safer encounters, and a conscious, higher public satisfaction with America's officers and agencies. Working with the COPS Office, NAPO intends on releasing a public service announcement promoting "comply, then complain." In Florida, departments have had success engaging the community by utilizing the services of community leaders to educate their particular constituencies or congregations to do just this. Confrontations and obstruction go down, so long as the citizen believes that a complaint the next day will be treated seriously, investigated, and evaluated fairly.

Further, police unions and associations should play an active part in these liaisons as they represent the officers who interact with these communities on a daily basis. It is the relationship between the community and the officers serving them that matters most. We also need to incorporate safe environments for violent criminals to turn themselves in to police. This promotes officer and community safety and is a proven way to de-escalate potentially violent situations

These efforts are more important now than ever. NAPO believes that this initiative will benefit the men and women who do so much incredible work each day protecting us and safeguarding our country.

Recommendation: Support efforts like NAPO's to educate the public on "comply, then complain" or similar programs that has law enforcement agencies, police unions and associations engage communities on respecting law enforcement, the law and how to have safe encounters with law enforcement.

To increase community trust, there has been a growing call from community leaders across the nation for police departments to hire more officers from the communities being served and that reflect the makeup of the communities they serve in. The requirement that candidates have a four-year college degree can be a hindrance to achieving that goal. Departments should be more flexible in their education requirements by creating programs that allow individuals to become officers while working towards meeting the education requirement. Departments can also use work experience to augment years in school to help potential candidates meet such requirements, much as they do with individuals who have served our country in the military. If departments want to look more like the communities they serve, they must provide opportunities for members of the community to become officers and be promoted within the department. This will improve community relations and lead to increased respect for officers on the street.

For example, take the [Los Angeles Police Department Cadet Program](#), which provides volunteer, leadership and vocational opportunities for youth through the age of 18, at which time they are eligible to apply to be an officer with the LAPD or earn scholarship money to go to college.

Recommendation: Create a best practices program through the COPS Office to help agencies establish programs to hire from within the communities they serve, including Cadet Programs like that in Los Angeles, and educational programs that provide funding to help candidate officers earn a two or four-year degree. It is important that these programs

augment but do not take away much needed funding from the COPS Hiring Program, which must remain focused on its original intent of helping state and local agencies hire, rehire and retain qualified officers.

There has never been a more challenging time in our nation's history for law enforcement officers. The crimes and physical dangers, assaults, and risks have always been with us. The National Law Enforcement Officers Memorial includes the names of officers killed in the line of duty as far back as 1786. The psychological toll on officers and their families as a result of confronting human misery and evil day after day has also been an associated risk for those in law enforcement. But today, many elected officials, including prosecutors and judges, academicians and media personalities, vocally and doggedly identify and highlight the police as though law enforcement is the sole source of racial and social injustice.

No one of us would condone shielding officers who have committed crimes, yet we must remain vigilant in protecting an officer's legitimate due process rights. These rights are crucial and necessary to preserve the integrity of the criminal justice system as a whole, particularly when media and political pressure lead to an irrational rush to judgment aimed at condemning law enforcement before all the facts are known.

We rightfully demand that officers treat others with impartiality, fairness, equity and justice. We expect officers to engage in dialogue and to do their best to consider all sides of a situation before making a judgment. Yet if officers are deprived of this same respect and worth within their own workplaces, we cannot reasonably expect them to exhibit and provide these qualities to the public they serve once they walk out the precinct doors.

There is a serious need for the implementation of national standards and procedures to guide both state and local law enforcement agencies and law enforcement officers during internal investigations, administrative hearings, and evaluation of citizen complaints. Too often law enforcement officers are subjected to the whim of their departments or local politics during internal investigations and administrative hearings. Some states, such as Florida, specifically protect officer due process in statute, and many individual collective bargaining agreements contain a Bill of Rights for member officers. But law enforcement officers in less than twenty states have been granted statutory bills of rights granting comprehensive procedural protections to officers in the complaint investigation and disciplinary process. These rights need to be uniform and guaranteed to officers throughout the country.

Further, national standards for complaint investigation and disciplinary processes would provide greater transparency and accountability to internal investigations, thus increasing public trust.

Recommendation: Enact a national "Law Enforcement Officer Bill of Rights". Please see the [Law Enforcement Officer's Procedural Bill of Rights Act](#), which recognizes officer due process rights as well as sets forth guidelines for openly processing citizen complaints, and the attached fact sheet on this proposal. Respect for law enforcement must include respect for officers' due process rights during both workplace and critical incident investigations.

In addition to supporting the legitimate workplace and adjudicative rights of officers, we urge the Commission to ensure greater protections for officers against violence perpetrated against them. Officers are targets for disgruntled individuals who harbor hatred for the profession and blame them for all of society's ills and for policies that the officers themselves have no control over. We have seen this most recently in the riots that have rocked cities across the country where officers have been targeted, injured, and even killed in the ensuing violence.

In general, law enforcement officer assaults, injuries, and deaths have increased sharply in recent years. According to a recent report from the COPS Office on officers shot in the line of duty in 2019, 32 officers were shot and 11 died as a result of being ambushed and another 84 officers were shot and 14 died in situations where the offender acted without warning in a premeditated/calculated manner taking an officer by surprise.

We believe there should be increased penalties on those who harm, or target for harm, public safety officers. Increased penalties make important differences in the attitudes of criminals towards public safety officers and can ensure protection for the community.

Recommendation: Enact new federal criminal provisions to address: (1) the assault and murder of and federally-funded local law enforcement officers, such as those officers whose agencies receive aid from the federal DOJ or DHS; and (2) the assault and murder of state and local officers engaged in the protection of federally recognized civil rights, such as those officers attacked while safeguarding protests.

Two examples of such legislation which NAPO strongly supports are: [the Back the Blue Act \(S. 1480 / H.R. 5395\)](#) and [the Protect and Serve Act \(H.R. 1325\)](#).

To further promote the protection of officers off duty, NAPO also supports the [LEOSA Reform Act](#), which will ensure that the Law Enforcement Officers Safety Act (LEOSA) is more fairly and broadly implemented. In a time when law enforcement officers are being targeted for violence simply because of the uniform they wear, allowing officers to carry their firearms off-duty for the protection of themselves, their families and our nation's communities is important to further the protection of officers who serve and protect others. LEOSA is not only a vital protection for officers, but it also recognizes the commitment to protect the well-being of the communities they serve.

Recommendation: Support expanding the Law Enforcement Officers Safety Act as laid out in the LEOSA Reform Act and ensure that it is fairly and broadly implemented across all 50 states.

Lastly, the calls to defund or even completely dismantle police departments across the United States are dangerously misguided at best, and a cynical attempt to create a power vacuum to be exploited at worst. Police officers know as well as anyone else, and better than most, the urgent need for better housing, health care, jobs creation and social services in marginalized communities. But that does not mean that the vital services for protection of life and property that police departments provide should be cut. It's a false choice. We need good, effective, ethical

and vigorous enforcement of just laws. We also need greater job opportunities, better schools, better access to mental health care and renewed infrastructure. We should be demanding both.

As recent experiments in several cities across our country have demonstrated, the withdrawal or prohibition of traditional police services has not resulted in anything like a peaceful utopia of brotherhood and plenty. Rather, the real-world consequences are a marked uptick in violent crime, the flight of local businesses, and the fright and despair of community members as their neighborhoods are overwhelmed by outsiders armed with an abundance of political slogans but with no ties to the people who live there.

We therefor urge the Commission to roundly reject calls for defunding or abolishing the police. Instead, recognize that the men and women who serve their communities as police officers are a vital and indispensable part of protecting and enhancing the health, safety and welfare of our towns, cities and states.

Recommendation: Fully fund the COPS Hiring Program to allow localities to hire additional officers to focus on community policing, developing relationships with the communities they are sworn to protect and serve.

Recommendation: Fully fund the Mentally Ill Offender Treatment and Crime Reduction Act to ensure officers, departments and the communities they serve have the tools and training necessary to improve responses and outcomes to interactions with persons affected by mental illness and substance abuse.

Defunding or abolishing police departments will not increase community trust or improve public safety. But by ensuring departments have enough officers to dedicate to community policing and by improving the ability of officers to recognize and properly respond to mental health and substance abuse crises, we can help to build essential partnerships with all sectors of the communities we serve.

I appreciate the opportunity to share these insights with you, and urge you to carefully consider them moving forward, as the Commission's recommendations will greatly impact our officers, their families, and the American public we serve.

Christopher Cook

Lieutenant, Arlington Police Department, Texas



Christopher Cook is an award-winning speaker and subject matter expert in the field of social media and media relations for public safety. As a Lieutenant for the Arlington Police Department, he oversees the public information office and has led the Arlington Police Department's public and media relations strategies since 2011. Lt. Cook has been interviewed numerous times on local, national, and international news networks and programs.

Lt. Cook serves as the current Chair for the Public Information Officers Committee for the Major Cities Chiefs Association. He is also the current Vice President of the National Information Officers Association and will be sworn in as President in August 2021. Lt. Cook also served as the Past Chair for the International Association of Chiefs of Police – Public Information Officers Section from 2016-2018 and was appointed to the IACP – PIO Section Regional Vice Chair overseeing Texas and surrounding states, a position still held today.

Lt. Cook began his career in law enforcement in 1995 and has served in a variety of roles and capacities. Speaking and executive training engagements include the International Association of Chiefs of Police, National Information Officers Association, Major Cities Chiefs Association, FBI, Law Enforcement Management Institute of Texas, Texas Crime Prevention Association, Institute for Law Enforcement Administration, Caruth Police Institute, Government Social Media Conference, the Social Media Internet Law Enforcement Conference, and numerous other law enforcement centric organizations.

He is a member of the Professional Photographers of America Association and the Texas Professional Photographers Association. Lt. Cook has won photo contests and is an expert photographer concentrating mainly on law enforcement, astrophotography and landscape genres.

**Lieutenant Christopher Cook, Arlington, TX, Police Department
Major Cities Chiefs Association Chair of Public Information Officers Committee
National Information Officers Association Vice President
International Association of Chiefs of Police Regional Vice-Chair Public Information Officers Section**

**President's Commission on Law Enforcement and the Administration of Justice-Community Trust and
Respect for Law Enforcement
July 8, 2020**

Dear Chairman Keith, Vice Chair Sullivan, and esteemed Commissioners:

Thank you for the opportunity to testify before the Commission and for your continued work to keep our communities safe and enhance trust with policing across America.

Law enforcement agencies are in a unique position in the current environment to build upon a foundation of community policing principles that seek to bridge the gap between police and citizens. Public sentiment towards police has seen varying levels of support depending on which time of history one is analyzing. In the current time period, civil unrest and waning support for policing is certainly evident across the country. It is now more important than ever to engage in strategies that maximize opportunities to promote collaboration and trust-building with all persons in our communities that we serve and protect.

I believe we are on the crossroads to a pivotal moment of reckoning in our history as it relates to community support and respect for law enforcement. The vast majority of officers conduct their duties in a noble and professional manner that reflect favorably on the profession. Unfortunately, the misdeeds and misconduct, sometimes criminal in nature, have a huge harmful effect on the positive inroads that the profession has made over the years. We cannot be deterred by the acts of a few and allow them to tarnish the badge and commitment that we uphold.

This is exactly why senior executives, agency heads, and public information officers need to be keenly dialed into effective communication strategies that project a genuineness of compassion and duty of service grounded in sound community policing principles. Law enforcement is a relational business. A commitment to valuing people, bolstering relationships with residents thereby forging strong bonds with the community at large ensures that citizens have an appreciation and respect for the job that law enforcement provides.

There has been a great deal of emphasis and training related to procedural justice by police departments. Essentially, by treating people with dignity and respect, regardless of the function at hand, the result is more community buy-in and support for law enforcement agencies. When we see people as people and work hard at building positive and sustaining relationships, in-turn, communities will continue to see law enforcement as people which will pay dividends down the road when a controversial force incident or egregious misconduct occurs.

The real question centers on how we get to the finish line of bolstering public confidence in policing and elevating trust and respect for the profession. There is no one size fits all approach, however I believe it does start with some basic principles of rebranding the profession as individual officers who come directly from the communities they serve. Law enforcement must engage communities where people are interacting in a social environment. The days of citizens only being afforded an opportunity to meet at in-

person forums are over. Neighborhoods and communities are connected more than ever through social media. The proliferation of technology, in particular the advent of social media platforms, has allowed people to express their emotions and anger directed at policing. In some cases, we have seen outright false information being circulated to undermine law enforcement authority which calls into question the legitimacy of the profession.

Law enforcement cannot remain silent on social media or take a haphazard approach to citizen engagement. Far too often has law enforcement been viewed as a rigid and secretive arm of the government. While certainly some agencies have broken down this perception of rigidity with a more open and transparent approach, others have not. Law enforcement executives need to have a methodical and strategic communication plan that places agencies in an advantageous position to bolster community trust.

I have been at the helm of three of the largest law enforcement communication groups in the world during my tenure as a commander over the Arlington Police Department's Media Office. I was elected as the Chair of the IACP-Public Information Officers Section from 2016-2018 and now serve as a Regional Vice Chair over Texas and surrounding states. I was elected as Vice President of the National Information Officers Association in 2019 and will be sworn in as President in 2021. I was also appointed as the Chair of the Major Cities Chiefs Association – Public Information Officers Committee in 2018 overseeing 78 of the largest agencies across the United States and Canada. I say all of this merely to project my experience in some of the action items that I would immediately recommend to the law enforcement profession. My love for this noble profession is unmatched by anyone and I have a personal desire to see the profession become better and do greater things that resonate positively with citizens from every walk of life.

Here are the few proposals and recommendations for this Commission to consider:

- **Humanize the badge:** Social media has brought about both challenges and opportunities for police. No longer does a PIO (Public Information Officer) have to rely on a written press release to convey messaging to a community. With social media, officers and employees are humanized based upon the fact or portraying the acts of compassion, heroism, and feel-good stories. Officers are viewed as “real and authentic” persons with families and ties to the community. There is no shortage of excellent police service being delivered throughout America. It is incumbent upon PIOs and executives to create opportunities to share these stories on social media platforms that in-turn build police legitimacy.
- **Create a Brand:** What does a citizen ponder and think of when they hear your police agency's name? I would argue that we need to do everything in our power and authority to brand our respective agencies in the highest regard of nobility and service to others. In Arlington, our motto and creed is Service Before Self, Honor Above All. A brand is more than the cars we drive or the uniforms we wear. A brand is the image that citizens undertake when they think of agency, when they are stopped on a traffic violation or when we respond to their home or place of business. How do we want to be known is the real question? In the aftermath of the murder of George Floyd, the brand of the profession is under attack from many segments of society. This illustrates the great amount of work that is before us and how important branding is as we move forward. When individual agencies do well in this area, the overarching theme resonates across the policing profession.

- **Strategic Communication Plan:** This Commission should consider the publication of a strategic communication guidebook that can be individually tailored to the 18,000 agencies across the country. The belief that a critical incident that could bring the profession into disrepute could not happen in an agency is seriously flawed and will have damming effects on the entire profession. Lack of preparation and forethought can have serious consequences for the profession when an incident is mismanaged in the public realm. A guidebook and set of instructions for every agency represented could accelerate the potential for successful communication during such incidents. Each plan should analyze their respective communities and designate strategies and tools to bolster trust and respect through external and internal communication efforts. Many agencies have strategic planning processes; however, I have found in my experience that communication portions of a plan are often overlooked or omitted in their entirety. This should be a standalone document that guides the organization to be engaged in communication excellence with all segments of the community. It is a roadmap on how to message effectively for police departments.
- **Community Approach to Public Safety:** In my time leading our media team, I have always challenged our organization to put out messaging that reduces the perceived barrier of “us vs. them” mentality and intertwine connectivity and inclusiveness in our messaging strategies. Public safety is a shared community responsibility. Police cannot reduce crime alone and need the cooperation and assistance from communities. Through a robust communication program and social media, citizens can feel like they are part of the overall public safety team by keeping a watchful eye on neighbors and assisting with solving violent crime by providing tips. PIOs are in a great position to tailor this type of messaging through various social media platforms. Many times, a citizen cannot attend a community meeting, but almost always they have time to log in and interact with departments through social media. It needs to be a two-way dialogue and not just one-way pushing information out.
- **Youth Mentoring:** Our young people need ways to see police as human beings and share common experiences with one another to bridge the gap between young people and police officers. In Arlington, officers are allowed to work out with student athletes, and we have an array of youth programs that fit many needs in the community. The department also communicates regularly on the social media channels that youth participate with. As part of the strategic communication planning process mentioned earlier, agencies will determine quickly that Facebook and Twitter are not the main platforms that teens use. Quite the contrary, agencies may need to adapt and be open to emerging platforms such as Instagram, Snapchat and TikTok just to name a few. I presume that many agencies have multiple youth outreach programs. The difference is how these agencies communicate what they do to the broader community. If people do not have awareness of how to get involved and what agencies are doing to partner with youth, then it does not matter when an incident occurs that calls into question the effectiveness of building relationships.
- **Embrace Video:** Video allows agencies to tell a story in several seconds or a matter of minutes. The attention span for readers and viewers is relatively small and as such, video can facilitate meaningful and genuine conversations as well as communicate stories that can be shared

thousands upon thousands of times to generate higher message penetration and reach. As an example, when an agency is providing an update a critical incident to news media, that interview will likely be chopped down to just a few soundbites. The agency has the option of broadcasting the entire interview live and posting on multiple social media platforms so that the community obtains the whole story. This can bolster public confidence in the agency's ability handle and manage the scene.

- **Counter False Narratives:** Police executives and public information officers realize that there are some people that will never change their attitude towards policing. While we should still attempt to build rapport and make a positive difference to understanding each other's perspectives, there are additional cases of what I classify as pure hatred directed at law enforcement where individuals will engage in uncivil and deliberate falsehoods to smear the profession or achieve a political agenda. In those cases, the profession should consider on how to challenge false narratives and publish the actual facts of case. You see this oftentimes with viral videos on social media involving a use of force. The video may only show a partial view of the encounter with no context. Once an agency gathers the facts, these should be released as soon as possible to squash false information. While engaging in a back and forth with one person may not be beneficial for the agency, allowing individuals who deliberately spread false information to thousands of people on social media should be countered with the highest level of professionalism and candor vetted by facts.
- **Reach all Audiences:** The external communication networks that an agency adopts should be inclusive of all community members. This includes younger demographics as mentioned before. Agencies should also consider how they reach non-English speaking residents to ensure that all members of the community have equal access to information and can partner as a public safety team with the organization. Every member of the community should feel like they are part of the team and have a duty to become involved in the mission of ensuring public safety.
- **Transparency:** This category includes recommendations on the release of digital video and public reports. While law enforcement has made improved strides on the speed at which information and video is released, there are still organizations that sit on information based upon a variety of factors. In Arlington, videos related to force and deadly force are released within 24-hours of the incident. The department also publishes many reports of public interest including annual reports related to racial profiling, use of force, budget and community programs. Open government has many advantages including the release of factual events and incidents.
- **Critical Incident Management:** This recommendation is likely one of the most important aspects for consideration. When we see incidents play out on national television or viral videos on social media that involved the perception or in some cases, the reality of what transpired, many law enforcement agencies are behind the curve on managing the information side of the incident. Remaining silent or being slow to respond to critical incidents can cause a tremendous amount of harm to the profession. What happens on the west coast can affect middle America and vice-versa on the east coast can have underlying consequences for the pacific northwest. My point in all of this is that agencies need to be prepared to respond publicly to controversial, criminal, or

even righteous critical incidents that may be mischaracterized in the public arena. Associations like IACP, MCCA, PERF, and NIOA provide expert instruction and more importantly, networking opportunities to obtain guidance and assistance from peer agencies. Executives and PIOs should understand that it is okay to reach out to peers for help when needed. It is quite possible that smaller agencies may have never dealt with a similar situation or incident that they may be facing that brings heightened public scrutiny to the agency and profession. Critical incident management planning can be achieved through repetitious scenarios, canned messaging, and adherence to a robust strategic communication plan.

I want to thank the Commission for providing this opportunity to testify on what I hold dear to my heart. I have been in policing for 25 years and believe we can and will do better based upon the talent that is assembled with the Commission. If I can ever be of assistance, please don't hesitate to reach out to me.

Christopher Cook