



U.S. DEPARTMENT OF JUSTICE

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

Community Engagement Hearings

May 28, June 9 and June 18, 2020

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Community Engagement Hearings Documents Teleconferences

- **Thursday, May 28th, Community Engagement Tribal Hearing 2:00pm to 3:00pm, Eastern Time – Civil Rights, Oversight, and Community Engagement**
 - Farhio Khalif, Founder and Executive Director, Voice of East African Women in Minnesota
 - Susan Hutson, President, National Association for Civilian Oversight of Law Enforcement
 - Amy Blasher, Chief, Crime Statistics Management Unit, FBI
- **Tuesday, June 9th, Community Engagement Hearing 2:00pm to 3:00pm, Eastern Time**
 - Glen Gilzean, Central Florida Urban League
 - Norman Reimer, National Association of Criminal Defense Lawyers
 - Deena Hayes-Greene, Racial Equity Institute
- **Thursday, June 18, Community Engagement Panel Hearing 2:00pm-3:00pm, Eastern Time**
 - Scott Turner, Executive Director of the President's Opportunity Zone Revitalization Council
 - Reverend Charles Harrison, Senior Pastor, Barnes United Methodist Church, Indianapolis, Indiana and President, Indianapolis Ten Point Coalition
 - Reverend Markel Hutchins, President & Chief Executive Officer of MovementForward



Thursday, May 28, 2020

Farhio Khalif

Founder and Executive Director of Voice of East African Women in Minnesota



Farhio was born in Somalia, Moved to Italy at young age her mom sent her to live with her sister, who does trading business between Italy and Somalia then her sister left and Farhio was raised by a catholic priest, at this age she was raised to love humanity and work hard to make the smile infaces.

She made stops along the way, About 10 years ago, she arrived in Minneapolis which she decided as her destination in order to join its vibrant Somali community. Farhio is a well-known and recognized leader in the East African and Somali communities. She is particularly known for her leadership role in representing and advocating for East African women and children.

She is the founder and Executive Director of Voice of East African Women (VEAW) non-profit organization founded in 2012 by Farhio khalif to offer shelter, support, advocacy, prevention and education services to survivors of violence as well as to help create a community to overcome abuse and succeed in their renewed lives. We know that the development of this comfort zone is critical, as cultural and language barriers are severe and severe to dissuade East African and Muslim women from seeking services that they need in the outside world. VEAW offers also Healing Hands Wellness Center to care for women, and families.

In September 2017 VEAW opened Farhio House shelter for homeless domestic sexual abuse center for East African women, children, and all women; and has started a healing and wellness center for women, a domestic abuse advocacy program that navigates the many complicated systems that impact victims, and regular Circle of Mothers meetings where East African women explore issues and concerns. Farhio has made VEAW a strong, viable organization for East African women and children.

Since 2013 Ms. Khalif at Voice of East African Women (VEAW) has been organizing and advocating for women and youth issues and building bridges between the Somali community and the law enforcement community. She worked closely with the US Attorney, the law enforcement and Imams to hold town hall meetings to bring the community together to build relationship and to address Issues such as female genital mutilation, (FGM) discrimination, terror youth recruitment, hate crime and Islamophobia.

Ms. Khalif is a survivor of Female Genital Mutilation (FGM) and she is a tireless advocate for prevention of FGM. She has also produced and hosted a Somali language TV show addressing the many issues facing the Somali community in Minnesota.

She is currently President of the St. Paul Branch of the NAACP and second vice president of the MN/Dakota Area Conference NAACP. She has served as the Political Action Chair of the MN/Dakota Area Conference NAACP, She is a member of United Black Legislative Agenda-UBLA, Member of Somali American Partnership. And co-chaired the Somali American Task Force

Written Testimony

To

The Presidential Commission on Law Enforcement and the Administration of Justice

May 28, 2020

By

Farhio Khalif

Founder and CEO of Voice of East African Women (VEAW)

President of the St. Paul Branch of the NAACP

Bush Foundation Fellow

I was born in Jilib, Somalia and for 15 years was part of a society in which men held all the power and decision-making authority; where men could have multiple wives while women's roles were to bear children and serve the men; and where men could easily divorce a wife leaving the woman economically vulnerable and socially isolated. During those 15 years I was beaten whenever I had an independent thought or did something reserved only for boys and men, like riding a bicycle or climbing a tree. At age 8 I was subjected to the culturally accepted practice of female circumcision, more appropriately labeled Female Genital Mutilation (FGM). At age 14 it was decided by my father that I should marry an older man which would have taken me from school and set me on a course of early and frequent childbearing. Fortunately, my mother recognized in me the need and the ability to do more, so she surreptitiously helped me flee the country to preserve my physical and emotional health.

My childhood experiences were the experiences of every young girl in my hometown. Growing up in Jilib, I saw firsthand the toll that being voiceless and devalued took on the hopes and dreams of all those girls. I saw their spirits dulled and many of their talents and skills wasted. I saw the sadness in their eyes as they realized that everything in their community conspired against them being anything but wives and mothers. I also saw the physical and psychological consequences of FGM on these girls and the risks this created years later when they were giving birth to their children.

Even at the age of 8, experiencing Female Genital Mutilation brought into sharp focus the differences between religion and culture, power, and vulnerability, right and wrong. I knew in my soul that what had been done to me was wrong – in so many ways. Yet, it was celebrated as a significant “rite of passage” in our community. The physical and emotional effects of FGM impact me even today and the dissonance that it created in my mind still resonates. All those childhood experiences energize the work that I do to eliminate the practice of FGM and give voice to the voiceless women in my community.

In 2010, after spending some time in Italy and in the state of Virginia, I came to Minnesota which has the largest Somali population in the United States. When I arrived in Minnesota, I realized that Somali women in this country face some of the same issues as they did in their native land. They continue to be economically dependent on their husbands and suffer severe poverty and isolation if they are divorced. Housing and food insecurity have become a major concern among women who have become separated from their husbands. Women continue to experience domestic abuse at unacceptable levels. Community members tell me that Female Genital Mutilation (FGM) continues to be practiced even though it is illegal in this country. Women continue to struggle to have their voices heard.

In trying to build a life in a new country, immigrant women in Minnesota also face some new challenges. Language is a huge barrier to accessing the information needed to succeed in U.S. society. It is a barrier to education and to accessing needed health and social services. The stresses and bureaucratic challenges of being an immigrant in a country that has become less tolerant and accepting of immigrants has taken an emotional toll, particularly on the women. Combine that with a growing level of Islamophobia and hate crimes and you get an increasing level of fear and anxiety about venturing out into the larger society. Linked with that is the fear of radicalization of their children by ISIS and other terrorist groups.

Since coming to Minnesota, I have been working diligently to honor my mother's sacrifice and her desire that I give voice to voiceless women and children. It is because of her and my love of helping women and children that I do the work that I do and why I established Voice of East African Women (VEAW), an organization dedicated to empowering women to overcome and prevent future abuse and provide the support needed to help women and their children succeed. As part of that effort, Farhio House Shelter was established in 2017. It is the first shelter for East African women in the state of Minnesota and a place where women and their children find safety, shelter, counseling, and other services to improve their health and well-being. Domestic abuse advocates working out of the shelter and the Hennepin and Ramsey County family courts, provide support to many women who are facing homelessness and abuse and help them navigate the complicated systems that are impacting their lives.

VEAW and Farhio House also serve as the hub of culturally sensitive services that provides advocacy to help women navigate systems and gain information about and referral to other community agencies. VEAW also has available the "Helping Hands Wellness Center" which provides healing and wellness services for East African Women and for any woman, no matter where she is from, who needs these services.

To address the unique challenge of recruitment of Somali youth to terrorist organizations, VEAW has sponsored community forums and discussions to bring Somali mothers together with Minnesota's Governor, state representatives, the U.S. Attorney, and many branches of law enforcement to open a path of communication. These meetings have empowered women to take a more active role in defining problems and solutions. In addition, a monthly "Circle of Mothers

Roundtable” brings together women in a supportive environment where they can discuss issues and concerns that impact them. This has met an urgent need for East African women to have a place where they can be safe, experience the healing that they need, and be empowered to deal with the challenges in their lives. They find support by connecting with other women facing similar challenges.

What I’ve learned in all of these efforts is that many of the issues faced by the Somali community: economic insecurity, poor educational achievement, unstable and unsafe housing, racism, and disrespect by law enforcement are not unique to our community but are shared by other communities of color and indigenous peoples. That is why I’ve become involved with the St. Paul NAACP and other advocacy organizations working to raise the voice of the voiceless and bring affected communities to the decision-making and policy-making tables that impact the health and well-being of our communities.

In my work I’ve become aware of some of the things necessary to improve the health and welfare of these communities – things that the Presidential Commission on Law Enforcement and the Administration of Justice should know about as it prepares its recommendations to the Attorney General and the President.

Most importantly, trust needs to be developed between law enforcement and minority communities. This can only occur when law enforcement engages in active listening to community needs and community ideas. Too often law enforcement assumes to know the reasons for and the answers to a community’s problems before verifying those assumptions with the community. Developing mutually respectful relationships with community leaders is the first step in the process of building trust. Getting to a point where law enforcement trusts community leadership and vice versa, is an essential element in preventing, reducing, and addressing the problems in a community.

However, trust is difficult to build when too often we experience events like that which occurred on Memorial Day when an African American was killed by a Minneapolis police officer. Most African Americans and African Immigrants have a distrust of law enforcement because they believe that the police are out to get them even if they did nothing wrong. They believe police will either arrest them or even kill them without justification. Addressing this urgent issue should be the top priority of the Commission and in doing that it must be as a partnership between law enforcement and community leaders from the African American and African Immigrant communities.

The Commission should also understand that community leaders are not restricted to just the men of the community. Most often, women are the best source of information about community needs, expectations, ideas, and opportunities. For example, when we created a group of “Mothers Against Youth Recruitment” we were able to successfully develop the partnerships necessary between the community, families, and law enforcement that helped mitigate the problem.

Without the involvement of women, families would have been hurt and antagonism between law enforcement and the community would have increased.

No one organization or agency by itself has the capacity or ability to do all the things necessary to create a healthy and thriving community. Partnerships are essential – partnerships within a community; partnerships between diverse communities; partnerships with organizations in different sectors; and partnerships between local, state, regional, and federal agencies. Sadly, too often issues of power, control, turf, and finances turn potential partnerships into confrontational relationships. All this does is further divide organizations and communities and exacerbate existing problems.

To rectify or prevent this situation, there must be “bridge builders” – people (both men and women) who are willing to work outside of their organizational, professional, or community siloes to foster, create, and strengthen partnerships. Most communities have some well-know bridge builders and these individuals need to be supported. In addition, agencies who work with a particular community could enhance bridge building by hiring individuals from that community. The relationship between law enforcement and the African American community is the most pressing and urgent example of where bridge builders are needed. Simply hiring and training more individuals (particularly women) from these communities to serve in those communities would be a powerful step in gaining trust and building the needed bridges.

Because the problems facing minority communities are sometimes large and seemingly intractable, governmental, and non-governmental funding agencies too often look to large organizations to address those problems, leaving small organizations struggling for survival. Experience has shown me that small organizations often understand the issues of the community better than anyone else and are amazingly effective in navigating community politics and building community capacity to make change. They are often led and staffed by people from the community and who know the community. However, their small staffs make it difficult for them to compete with larger organizations for grants and contracts. For example, a small organization like Voice of East African Women (VEAW) has a great track record of building bridges between law enforcement and the community yet does not have the staff to navigate the complexity and bureaucracy of grant applications. With limited resources we focus on providing urgent and needed services at the expense of efforts to raise necessary funds to keep us operating. Even though the larger organizations occasionally contract with small community organizations, the overall leadership of the efforts comes from outside the community while the real need is for community leadership. Governmental and foundation funders should remodel their grant procedures to give small community-based organizations a better chance to secure the funding that is vital to their survival and the well-being of the communities they serve.

One of the major issues facing minority communities, especially African American communities, is the number of people who are incarcerated. Having so many people extricated from their communities leads to family degradation, economic deterioration, and a sense of hopelessness

and despair. It is common knowledge that African Americans are disproportionately incarcerated regardless of the metric used. This has been a disaster for these communities. While this is a complex issue, the COVID-19 pandemic has given us an example that should stimulate us to rethink many of the policies of our criminal justice system. If we can release incarcerated individuals from prison during a national crisis, why can't we do that in face of an on-going community crisis? It also raises the question, why are so many people from these communities there in the first place? These are questions, among many others, I urge the Commission to address.

Finally, as I said at the beginning, my life's work is to raise the voice of the voiceless and bring affected communities to the decision-making and policy-making tables that impact their health and well-being. I cannot end my testimony without mentioning that Female Genital Mutilation continues to be one of the most blatant examples of what needs to change. Although it is illegal in the United States, community members tell me it is still occurring, perpetuated by cultural norms in many societies and performed in this country by secret practitioners or by returning to their home country for the procedure. While many want to punish the parents of the child the real problem is the cultural norm that keeps this practice alive. If anyone is to be punished, it should be the practitioner of this violent procedure, but the real effort should be to educate communities that this is not a practice condoned by any religion but rather a cultural tradition that has significant negative consequences. Law enforcement could play a major role in helping address and change these cultural norms.

For over 400 years African American communities have been denied many of the benefits that our society provides to white and wealthy inhabitants. That has resulted in health, social, educational, and economic disparities that are unconscionable in a country that is as rich as ours and founded on the principle that all people are created equal. COVID-19 is showing us that these disparities must be a concern for all of us, not just the minority population, because we are recognizing that no one will be safe from the pandemic until everyone is safe. Fortunately, the broader community is recognizing that this is true for all health, social, and economic issues not just for COVID-19 and is finally taking to heart what Frederick Douglas highlighted 150 years ago when he said; *"Where justice is denied, where poverty is enforced, where ignorance prevails, and where any one class is made to feel that society is an organized conspiracy to oppress, rob and degrade them, neither persons nor property will be safe."* It is this understanding that we are all in this struggle together and that health and well-being will be achieved only when everyone is included in our definition of community that gives me encouragement to keep working and gives me hope for the future.

Thank you for your attention.

Susan Hutson

President of the Board of Directors National Association for Civilian Oversight of Law Enforcement (NACOLE)



The City of New Orleans Office of the Independent Police Monitor welcomed Susan Hutson as the Independent Police Monitor in June of 2010.

Prior to accepting the position in New Orleans, Ms. Hutson worked at the Los Angeles Police Commission's Office of the Inspector General as an Assistant Inspector General and as the Acting Police Monitor at the Office of the Police Monitor in Austin, Texas.

Prior to working in police oversight, Ms. Hutson was a general practitioner, defense counsel, prosecutor, and assistant city attorney handling labor matters.

Ms. Hutson holds an undergraduate degree from the University of Pennsylvania and a J.D. from Tulane University School of Law.

Ms. Hutson was elected to a two-year term as the President of the National Association for Civilian Oversight of Law Enforcement (NACOLE) in September of 2019 and is a Past-President of the International Law Enforcement Auditors Association (ILEAA).

Statement of the National Association for Civilian Oversight of Law Enforcement

On behalf of the Board of Directors of the National Association for Civilian Oversight of Law Enforcement (NACOLE), I want to express my thanks for this important invitation from the President's Commission on Law and the Administration of Justice.

We are looking forward to an informative and collaborative sharing of information with the Commission and wish the Commission success in its mission to equitably change our criminal justice system for the benefit of law enforcement and all other community stakeholders.

Established in 1995, NACOLE is a non-profit organization that works to enhance accountability, transparency, and community trust in law enforcement. In the United States, NACOLE is the preeminent civilian oversight association and our members and Board of Directors are the leading experts in civilian oversight.

NACOLE supports our members, some of whom are current and former law enforcement, in a number of important ways. Our annual conference brings together the growing community of civilian oversight practitioners, law enforcement officials and other accountability experts to meet and exchange information and ideas about issues facing civilian oversight and law enforcement. Topics that we have discussed include trauma informed policing and policing during national emergencies.

In addition to the annual conference, NACOLE provides member support and training throughout the year with regional training opportunities, pertinent and ongoing research, and outreach, as well providing resources and community specific training to jurisdictions creating oversight and those reviewing the authority of civilian oversight agencies.

Finally, NACOLE's support of our membership often includes opining on effective independent civilian oversight practice legislation and subsequent support for increased independence, authority, and resources to ensure effective oversight practice. More information about NACOLE can be found on our website, www.nacole.org.

NACOLE would like to thank the U.S. Department of Justice, Office of Community Oriented Policing Services (COPS) for their support of NACOLE's report "Civilian Oversight of Law Enforcement: Report on the State of the Field and Effective Oversight Practices." This report is expected to be published in the coming months.

This important project highlights the need for civilian oversight of law enforcement as an effective component in public safety. The stated goal of this Commission is to "serve the important function of studying ways to make American law enforcement the most trusted and effective guardians of our communities." As the NACOLE report states, "civilian oversight of law enforcement is a mechanism that builds greater trust between the community and law enforcement by promoting accountability, transparency, and legitimacy."



Respect for Law Enforcement

Over the past decade, viral videos of seemingly routine police encounters depicting tragedy have sent shockwaves through both communities and law enforcement agencies across the country, setting off a national conversation on the relationship communities have with law enforcement. At the national level, these encounters have coincided with reduced public confidence in American policing, particularly among youth and minority populations. While low levels of trust have existed in certain communities throughout history, the most recent wave of high-profile incidents has prompted widespread calls to meaningfully address issues of community concern, such as officer-involved shootings and excessive use of force, discriminatory policing, aggressive crime fighting strategies, and fair accountability for misconduct.

Across the nation, law enforcement leaders, academics, and government officials have seemingly reached a consensus that addressing such issues with a focus on public trust and legitimacy are integral to fair and effective public safety in an increasingly diverse nation.

The response by local and state governments, law enforcement executives, community groups, and technical advisors to the challenge of mending police-community relations have been significant. In the aftermath of unrest in Ferguson, MO and elsewhere, President Barack Obama established the Task Force on 21st Century Policing to identify policing practices that promote public safety and build community trust in law enforcement. The Final Report of the President's Task Force on 21st Century Policing, published in May 2015, recommended that civilian oversight of law enforcement be established in accordance with the needs of the community and input from local law enforcement stakeholders. In addition, it offered several recommendations, including many relating to public trust, procedural justice, and legitimacy; accountability and transparency; community policing efforts; and the inclusion of community members in policy development, training programs, and review of force incidents.

Civilian oversight of law enforcement can contribute significantly to the development of public trust, legitimacy, cooperation, and collaboration necessary to improve police-community relations and enhance public safety.

Community efforts to address the issue of police-community relations increasingly include civilian oversight of law enforcement as a means of building trust and legitimacy for law enforcement. Traditionally, high-profile incidents have spawned the creation of new or strengthened civilian oversight. Decisionmakers in jurisdictions throughout the country are increasingly establishing civilian oversight proactively in recognition of its ability to promote public trust in law enforcement and reduce exposure to the risks of misconduct.

At its core, civilian oversight can be broadly defined as the independent, external, and ongoing review of a law enforcement agency and its operations by individuals outside of the law enforcement agency being overseen. Civilian oversight may entail, but is not limited to, the independent investigation of complaints alleging officer misconduct, auditing or monitoring various aspects of the overseen law enforcement agency, analyzing patterns or trends in activity,



issuing public reports and conducting broad stakeholder engagement, and issuing recommendations on discipline, training, policies, and procedures. Taken together, these functions can promote greater law enforcement accountability, increased transparency, positive organizational change, and improved responsiveness to community needs and concerns.

By acting as an independent and neutral body reviewing the work of the law enforcement agency and its sworn staff, civilian oversight of law enforcement offers a unique element of legitimacy that internal accountability and review mechanisms simply cannot. Because civilian oversight agencies operate outside of the overseen law enforcement agency, and report to local stakeholders outside of its chain of command, the findings and reports of an oversight agency are free from the real or perceived biases that are often the source of mistrust in a law enforcement agency's internal systems. Similarly, a civilian oversight agency's impartiality, neutrality, adherence to findings of fact can alleviate officer skepticism in internal systems and bolster procedural fairness within the law enforcement agency as a whole.

The organizational structure and authority of the civilian oversight agencies in the United States vary widely. While civilian oversight agencies can be broadly categorized, no two oversight agencies are exactly alike. There is no one-size-fits-all approach that makes one form of civilian oversight better than another.

Effective civilian oversight systems will reflect the particular needs of their local partners and incorporate feedback from community members, law enforcement and their unions, and government stakeholders in order to achieve the most sustainable and appropriate structure. As the field of civilian oversight grows in sophistication, cities are frequently combining various aspects of traditional models of oversight to produce forms best-suited for their local context.

On a daily basis, our membership work with law enforcement and other community and governmental stakeholders on matters related to the Commission's working groups, including:

- Social Problems Impacting Public Safety, such as persons who are homeless and suffering from mental illness;
- Law Enforcement Recruitment & Training, in areas such as de-escalation, CIT, trauma-informed policing, improved tactics, and least necessary force;
- Police Officer Health, including officer wellness, early intervention services, as well as supporting anti-retaliation measures for officers who seek help and/or denounce inappropriate policing;
- Reduction of Crime, through community led policing initiatives and procedural justice principles;
- Criminal Justice System Personnel Intersection and Victim Services, including working groups made up of prosecutors, defense attorneys, judges, police, advocates, and crime victims;
- Juvenile Justice and Youth Crime, including alternatives to detaining children, harm reduction and trauma informed care, and responsive rehabilitation initiatives.



- Data and Reporting, including one of the most important core tenets of oversight, transparency.

NACOLE was founded on the belief that effective independent civilian oversight leads to more effective policing and safer communities. NACOLE firmly believes that an investment in strong, independent oversight is an investment in public safety and an investment in law enforcement. While the establishment of civilian oversight alone cannot restore law enforcement's legitimacy, it is difficult, if not impossible, to maintain public trust without it. As such, developing effective and adequately resourced civilian oversight is among the several strategies that must be employed to rebuild community relations with law enforcement.

Again, I am thankful for the opportunity to address the Commission on behalf of the members of the National Association of Civilian Oversight of Law Enforcement. I look forward to working with the Commission and the Department of Justice to advance effective practice and policy for fair and accountable comm



Amy Blasher

Crime Statistics Management Unit, Federal Bureau of Investigation



Amy C. Blasher is the Unit Chief of the Crime Statistics Management Unit in the Global Law Enforcement Support Section of the Federal Bureau of Investigation's (FBI) Criminal Justice Information Services Division. She is the program manager for the FBI's Uniform Crime Reporting (UCR) Program and manages the FBI's Crime Data Modernization initiative which was tasked in February 2015, to improve the nation's UCR crime statistics for reliability, accuracy, accessibility, and timeliness.

Ms. Blasher joined the FBI in 1995; throughout her FBI tenure, she has held many senior leadership roles in addition to the FBI UCR Program. Ms. Blasher was assigned to the National Instant Criminal Background Check System (NICS) Section and was involved in many policy and new initiative developments. Additional senior leadership roles held by Ms. Blasher have included oversight of the NICS Quality Assurance Program, legal administrative functions, and liaison/outreach activities.

During her tenure, Ms. Blasher has received the Outstanding Supervision/Manager in an Administrative Series award at the 2012 Excellence in Government Awards Program, recognized by the Pittsburgh Federal Executive Board. Ms. Blasher received the Silver Award for Outstanding Supervisor in an Administrative Series and the Outstanding Team Award for the National Use-of-Force Data Collection Team at the 2017 Excellence in Government Awards Program. Most recently, Ms. Blasher received the 2018 Assistant Director Award for Outstanding Program Management.

Ms. Blasher graduated from West Virginia University in 1994 with a Bachelor of Arts and Science in Liberal Arts.

Amy C. Blasher
Unit Chief
Uniform Crime Reporting Program
Crime Statistics Management Unit, Federal Bureau of Investigation
Panel #3: Hate Crime Overview

Hate Crime Statistics History

The Federal Bureau of Investigation (FBI) Uniform Crime Reporting (UCR) Program's Hate Crime Statistics Collection is a voluntary, national data repository of hate crimes reported by participating federal, state, local, tribal, and college and university law enforcement agencies throughout the nation. Congress passed the *Hate Crime Statistics Act* on April 23, 1990, due to an increase in the occurrences of bias related crimes. The Act required the Attorney General to collect data "about crimes that manifest evidence of prejudice based on race, gender and gender identity, religion, disability, sexual orientation, or ethnicity, including where appropriate the crimes of murder, nonnegligent manslaughter; rape; aggravated assault, simple assault, intimidation; arson; and destruction, damage or vandalism of property." The FBI UCR Program was tasked with collecting, publishing, and archiving the hate crime statistics.

Additional Hate Crime Act Amendments and Criminal Justice Information Services (CJIS) Advisory Policy Board (APB) Recommendations

The *Hate Crime Statistics Act* and its subsequent amendments mandate the types of bias reported to the FBI UCR Program. These amendments include:

- The *Violent Crime Control and Law Enforcement Act of 1994* amended the *Hate Crime Statistics Act* to include bias against persons with disabilities.
- The *Church Arson Prevention Act* was signed into law in July 1996 and mandated the collection of hate crime data to become a permanent part of the UCR Program.
- Congress further amended the *Hate Crime Statistics Act* by passing the *Matthew Shepard and James Byrd, Jr. Hate Crimes Prevention Act of 2009*, which added the gender and gender identity biases, as well as, hate crimes committed by or directed against juveniles.
- The CJIS APB added seven new religions and an anti-Arab bias motivation in June 2013.

The Hate Crime Statistics Collection uses traditional offenses motivated by the offender's bias. For example, an offender may commit an aggravated assault because of his or her sexual orientation bias. Therefore, law enforcement agencies collect hate crime data by capturing additional information about offenses already reported to the FBI UCR Program.

Law enforcement agencies are not required by law to report bias or other crime statistics to the FBI's UCR Program. As a result, hate crime data, like all data of the FBI UCR Program, depends upon the voluntary contributions of these law enforcement agencies. When reliable statistics are computed, it enables local law enforcement agencies to understand the types of hate crimes occurring in their jurisdictions. This, in turn, assists law enforcement agencies in developing preventative measures to combat these crimes. Furthermore, quality data and statistics help the FBI provide a representative picture of hate crimes to inform, educate, and strengthen communities nationwide.

Mandated Bias Categories

The *Hate Crime Statistics Act* and its subsequent amendments mandate the types of bias reported to the FBI UCR Program. The table below lists the bias categories by bias types and codes.

<i>Bias Category</i>	<i>Bias Types and Code</i>
Race/Ethnicity/Ancestry	Anti-American Indian or Alaska Native (13)
	Anti-Arab (31)
	Anti-Asian (14)
	Anti-Black or African American (12)
	Anti-Hispanic or Latino (32)
	Anti-Multiple Races, Group (15) ¹
	Anti-Native Hawaiian or Other Pacific Islander (16)
	Anti-Other Race/Ethnicity/Ancestry (33)
	Anti-White (11)
Religion	Anti-Buddhist (83)
	Anti-Catholic (22)
	Anti-Eastern Orthodox (81)
	Anti-Hindu (84)
	Anti-Islamic (Muslim) (24)
	Anti-Jehovah's Witness (29)
	Anti-Jewish (21)
	Anti-Mormon (28)
	Anti-Multiple Religions, Group (26) ¹
	Anti-Other Christian (82)
	Anti-Other Religion (25)
	Anti-Protestant (23)
	Anti-Sikh (85)
	Anti-Atheism/Agnosticism (27)
Sexual Orientation	Anti-Bisexual (45)
	Anti-Gay (Male) (41)
	Anti-Heterosexual (44)
	Anti-Lesbian (42)
	Anti-Lesbian, Gay, Bisexual, or Transgender (Mixed Group) ²
Disability	Anti-Mental Disability (52)
	Anti-Physical Disability (51)
Gender	Anti-Female (62)
	Anti-Male (61)
Gender Identity	Anti-Gender Nonconforming (72)
	Anti-Transgender (71)

¹ Anti-Multiple Races, Group is reported if more than one victim in the incident is a different race. This also applies to the Anti-Multiple Religions, Group category.

² Lesbian, Gay, Bisexual or Transgender is referred to as LGBT.

Definition

The FBI UCR Program defines hate crime as a committed criminal offense that is motivated, in whole or in part, by the offender's bias(es) against a race, religion, disability, sexual orientation, ethnicity, gender, or gender identity.

Even if the offender was mistaken in his or her perception that the victim was a member of the group he or she was acting against, the offense is still a bias crime because the offender was motivated by bias against the group.

Reporting Principles

When reporting to the FBI UCR Program, law enforcement agencies are required to report certain facts about each hate crime incident coming to their attention within their jurisdictions. For UCR purposes, the legitimacy of UCR hate crime incidents are determined through law enforcement investigations and not through the findings of a coroner, court, jury, or prosecutor. The investigation must reveal sufficient objective facts to lead a reasonable person to conclude the offender's actions were motivated, in whole or in part, by bias.

Data Submission Principles

The FBI UCR Program crime data collection begins at the local agency level when law enforcement officers submit administrative and operational data to their records management personnel from hardcopy or electronic incident reports. The local agency records manager then compiles the crime data and submits it to their state UCR programs.

The FBI UCR Program relies on local participating agencies to submit all investigated bias crime incidents determined to be a hate crime to the applicable state UCR Program, who then forwards the data to the FBI.

Publication

The FBI UCR Program serves as the national data collection repository which compiles and publishes the hate crime data received from law enforcement contributors on a yearly basis. The most current publication, *Hate Crime Statistics, 2018*, was published on November 12, 2019, on the FBI.gov website. This data is also available via the Crime Data Explorer, or CDE at: <https://crime-data-explorer.fr.cloud.gov/>. The CDE is an interactive platform that provides users with easy access to FBI UCR data.

The number of hate crime incidents reported to the FBI UCR Program decreased slightly from 2017 to 2018. Law enforcement reported 7,120 hate crimes to the FBI's UCR Program in 2018, down slightly from the 7,175 incidents reported for 2017.

Trainings

The FBI UCR Program offers a training program for our law enforcement community. During these training sessions, the FBI provides an overview of the hate crime statistics collection and hate crime scenarios, the two-tiered decision-making process, bias motivation indicators, and discusses the importance and benefits of reporting hate crime incident data. The FBI UCR Program hate crime staff also reinforces the importance of reporting all of the bias types

collected by the FBI regardless of their state and local statutes, as well as the importance of updating their records as the hate crime investigations progress.

These instructional opportunities allow FBI staff to meet with the law enforcement community from reporting agencies. The training demonstrates the need and benefits of the Hate Crime Statistics Collection, and in turn, encourages participants to discuss this important topic with law enforcement colleagues within their local agencies and communities. The overall goal is to increase participation in this data collection.

The FBI UCR Program offers a Hate Crime Training Manual for all law enforcement agency participants. The manual is located on the FBI.gov website at: <<https://www.fbi.gov/file-repository/ucr/ucr-hate-crime-data-collection-guidlines-training-manual-v2.pdf/view>>.

Analysis

By Bias Category and Bias Type

Table 1

Bias Category	2018	2017	2016	2015	2014 ¹
Single-Bias Incident Total:	7,036	7,106	6,063	5,818	5,462
Race/Ethnicity/Ancestry	4,047	4,131	3,489	3,310	3,216
Religion	1,419	1,564	1,273	1,244	1,014
Sexual Orientation	1,196	1,130	1,076	1,053	1,017
Disability	159	116	70	74	84
Gender	47	46	31	23	33
Gender Identity	168	119	124	114	98

¹ The seven new religions (Buddhism, Eastern Orthodox, Hindu, Jehovah's Witness, Mormon, Other Christian, and Sikh) and the Anti-Arab bias motivation were not collected in 2014.

Table 2

Bias Type	2018	2017	2016	2015	2014 ¹
Anti-Black or African American	1,943	2,013	1,739	1,745	1,621
Anti-Arab	82	102	51	37	-----
Anti-Asian	148	131	113	111	140
Anti-Jewish	835	938	684	664	609
Anti-Sikh	60	20	7	6	-----
Anti-Gay (Male)	726	679	675	664	599
Anti-Transgender	142	106	105	73	58

² Anti-Arab and Anti-Sikh data was not collected in 2014.

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Table 1 above shows a five-year analysis of hate crime by bias category and bias type. In 2018, there were 7,036 single-bias incidents. A percent distribution of single-bias incidents shows that 57.5 percent were motivated because of the offenders' race/ethnicity/ancestry bias; 20.2 percent were motivated because of the offenders' religious bias; 17.0 percent were motivated because of the offenders' sexual orientation bias; 2.4 percent were motivated because of the offenders' gender identity bias; 2.3 percent were motivated because of the offenders' disability bias; and 0.6 percent were motivated because of the offenders' gender bias.

Table 2 depicts the individual bias types for which the FBI UCR Program routinely receives the most data or media requests. The reasons for these media requests vary from large reporting increases, to current events, to academia studies and comparisons.

The preliminary numbers for 2019 show an overall increase in single-bias incidents of 10.2 percent. All bias categories increased with the largest shown in gender identity and religion.

Recommendation

The FBI recommends that the nation's law enforcement agencies fully support a transition to the National Incident-Based Reporting System (NIBRS) to improve understanding hate crime, its characteristics, and create a framework for better assessment of crime reduction strategies. The FBI is working vigorously with law enforcement agencies nationwide to help them transition to incident-based reporting. In fact, the FBI—with the support of national law enforcement organizations—has established January 1, 2021, as the goal for all UCR contributors to submit their data via NIBRS. At that time, the FBI will retire the historic Summary Reporting System (SRS) in favor of the more detailed data collection.

NIBRS provides a more comprehensive view of crime in the United States and offers greater flexibility in data compilation and analysis. When used to its full potential, NIBRS can identify with precision when and where a crime occurred, details about the crime, and the characteristics of its victims and offenders. It simply provides much more detail than the traditional SRS. The richer data submitted via NIBRS provides two important elements: accountability and transparency. In terms of hate crime, the NIBRS eases the law enforcement agencies ability to collect hate crime data as it is included in the record layout, versus having to fill out a separate hate crime report, as is the case in the traditional SRS.

Law enforcement agencies can use the data to address the concerns of community members regarding crime, and they can use the data when deciding how to allocate resources. In addition, NIBRS provides a common platform for critical data sharing among law enforcement that can facilitate meaningful relationships and partnerships through task forces and interdepartmental collaboration.

Additional Sources for Information

The FBI publishes its hate crime data and associated policies for law enforcement and the public on publicly accessible websites.

- For more information on the FBI UCR Program: <<https://www.fbi.gov/services/cjis/ucr>>
- For more information on Hate Crime Statistics: <<https://www.fbi.gov/services/cjis/ucr/hate-crime>>
- To access the FBI UCR Program's Hate Crime Data Collection Guidelines and Training Manual: <<https://www.fbi.gov/file-repository/ucr/ucr-hate-crime-data-collection-guidlines-training-manual-v2.pdf/view>>
- To access the FBI *Hate Crime Statistics* annual publication: <<https://www.fbi.gov/services/cjis/ucr/publications>>

The FBI CDE is a web-based platform to improve and modernize the user experience, expanding the UCR user base and promoting the benefits of NIBRS, Law Enforcement Officers Killed and Assaulted, and other data, to a wider audience. The FBI will release a Hate Crime Explorer page

on this platform in the fourth quarter of 2020. To access the FBI Crime Data Explorer:
<<https://www.fbi.gov/cde>>.

Tuesday, June 9, 2020

Glenton “Glen” Gilzean Jr.

Central Florida Urban League



Throughout his career, Glenton "Glen" Gilzean Jr. has been recognized as a courageous leader and advocate for disadvantaged youth and families.

At the age of 26, Glen created an educational non-profit organization with the mission of ensuring that disadvantaged youth had a safe and nurturing destination after completing the school day. Over three years, Educate Today blossomed into a multimillion-dollar organization serving hundreds of youth across the state of Florida.

In 2012, Glen moved onto his next challenge and brought his advocacy skills to Florida's largest educational non-profit organization Step up for Students, serving as Vice President of Family and Community Affairs. Along with his team, Glen worked tirelessly in Tallahassee to ensure that families had the right to choose the education path that best met their needs, guaranteeing the best development for their children.

Glen has received six gubernatorial appointments throughout his career. Most recently, Governor Ron DeSantis appointed Glen to the Re-Open Florida Task Force to ensure the urban community was properly represented in Florida's recovery plan for the COVID-19 pandemic.

Previously, Governor Ron DeSantis appointed Glen to the Florida Census Complete Count Committee (2020) and the Florida Commission on Ethics (2019). Previously, Governor Rick Scott appointed Glen to the Pinellas County School Board (2012), the Florida Agricultural and Mechanical University (FAMU) Board of Trustees (2013) and to the Ninth Circuit Judicial Nominating Commission (2016).

Additionally, Glen is a fellow of the James Madison Institute (JMI) and is a member of the American Enterprise Institute (AEI) leadership network.

In 2019, Glen was named one of Central Florida's CEOs of the year by the Orlando Business Journal; recognition of his work as the President and CEO of the Central Florida Urban League (CFUL). Since beginning his tenure at the CFUL in 2016, Glen led the rebirth of the organization. Saddled with \$1.2 million of debt, in under two years, the CFUL became debt-free and re-established its place as a community leader.

Glenton "Glen" Gilzean Jr. holds a Bachelor's Degree in Biomedical Sciences from the University of South Florida and a Master's Degree in Entrepreneurship from the University of South Florida's Center of Entrepreneurship.



***Empowering Communities.
Changing Lives.***

June 05, 2020

**Glenton Gilzean Jr.
President and CEO
Central Florida Urban League**

**Testimony to the Presidential Commission on
Law Enforcement and Administration of Justice
Special topic: Community Engagement**

As evidenced by the events in recent days and weeks, the importance of President's Commission on Law Enforcement and the Administration of Justice has never been greater. As the President and CEO of the Central Florida Urban League, I applaud the President of the United States, Donald J. Trump and the Attorney General, William Barr, for having the foresight to convene this commission and address very real and pressing issues affecting our country today.

About the Central Florida Urban League:

The Central Florida Urban League was founded on August 5, 1977. Our chapter was created by respected community leaders who believed that Orlando's African American community would benefit from professional, economic, and social support.

Our organization is a member of the Florida Consortium of Urban Leagues, which is comprised of the Central Florida Urban League, Jacksonville Urban League, Pinellas County Urban League, Tallahassee Urban League, Urban League of Broward County, Urban League of Greater Miami, Urban League of Palm Beach County and Derrick Brooks Charities. Together, our organizations provide services in 19 counties across the state, representing two-thirds of the Florida's population.

The Central Florida Urban League is a proud affiliate of the National Urban League movement, which was founded in the early 20th century to assist African Americans in who had fled the segregationist South, only to discover that racial discrimination has no geographic boundaries. Its first agency opened in 1910 in New York City and is headquartered there today, leading the efforts of its local affiliates through the development of programs, public policy research, and advocacy. Today, there are 90 local affiliates in 36 states and the District of Columbia, directly impacting the lives of more than 2 million people nationwide.

Adapting to the new realities in both society and in our community, the CFUL has honed its mission to focus on the *Three Es*: Education, Employment and Entrepreneurship. These pillars guide all CFUL programming and initiatives, ensuring that our organization can truly make a difference in the fight to end generational poverty in our community and beyond.

To realize our *Three Es*, we run programs that focus solely on Community Justice and Job Training.

For over 36 years, the Florida Office of the Attorney General has funded a cornerstone of our Community Justice programming, aimed at preventing youth engagement in criminal behaviors through tutoring, character building, anger management, employability skills training, teen summits and law enforcement meetings. This programming



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is critical and has delivered results. While African American youth are still disproportionately represented in Florida's juvenile justice system, over the last five years, there has been a 20.4 percent decline on average in the number of offenses by African American youth and a 26.7 percent decline on average in the number of African American youth arrested. Furthermore, 85 percent of parents surveyed reported positive changes in their child's behavior following the program participation and 94 percent of residents and stakeholders surveyed reported improved relationship between law enforcement and the community.

The CFUL's Job Training initiatives provide individuals with the support they need to jumpstart their future careers. Working alongside many other community partners, we assist individuals hone their professional or vocational skills to properly prepare them for various positions in the workforce. Furthermore, we offer more than a simple job placement, by providing guidance and coaching has ensured that career seekers find a job that is perfect for them.

Our Reality:

I have been asked to provide testimony to the Commission on the topic of bridging the gap between the African American community and law enforcement, but before we begin to address how we come together, we must address our current reality.

Like so many, I am both angry and saddened by George Floyd's murder. Unlike the many injustices that have occurred before, the murder of George Floyd has led us to a tipping point. This is evidenced by protests and vigils, not just across Central Florida, but around the world. We have witnessed a demand for change in the African American community.

Derek Chauvin, the officer who murdered George Floyd and the three others who stood idly by must be held accountable and prosecuted to the full extent of the law. However, I also know that these individuals do not represent all the brave men and women of law enforcement. Whether local, state or federal, I have had the honor of working with many of these heroes throughout my career. While sadly, George Floyd's murder is not an isolated incident, we must still refrain from grouping the terrible actions of a few with the kindness and bravery of the many.

George Floyd's murder has led to a schism in our society. While the statistics do not indicate an epidemic, they nonetheless indicate a problem. The emotional toll that each incident takes on the African American community leads individuals down a path of mistrust in the very institutions that are in place to keep us safe. However, without trust in these institutions, we will never be able to build the necessary foundation to lift our entire community.

Hence the importance of this Commission. For the past five years, one of the challenges I have faced in Central Florida has been to establish a foundation of trust between the African American community and law enforcement. This challenge continues to evolve and unfortunately, despite our successes, incidents like the murder of George Floyd have negative repercussions in our region. Yet, due to sustained efforts, not all has been lost. In fact, I can confidently say that as a result of our continuous work in the community, I believe we will emerge stronger and more united.



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Importance of Youth Programs:

The reality for all Americans is that safety comes in different forms. There is the safety that we feel when amongst friends and family, there is the safety we feel in the workplace or in school and there is the safety that comes with personal economic success.

One of the first lessons of safety taught to our youth is that should they ever feel in danger, they should seek out the help of law enforcement. This is more than a saying from parents or teachers, this is a fundamental lesson to implicitly trust law enforcement. As such, this is where the Central Florida Urban League began our efforts.

I am keenly aware that a strong foundation, established at a young age, will lead to an overall reduction in crime, especially amongst at-risk youth. As such, I instituted an annual event entitled *Lt. Debra Clayton Honoring Our Heroes awards*. Each June, at-risk youth who were mentored by law enforcement in school are asked to nominate these officers for community-wide recognition. In their nomination forms, the youth must demonstrate why the officer is deserving of said award and how this officer has made a positive change in their life. The stories are meaningful, but most importantly, they demonstrate a fundamental positive shift in the mindset of these youth towards these officers and law enforcement in general.

Yet, as our youth grow older, they begin to develop a certain level of skepticism, brought on by nefarious influences in the media and in the community. As such, local law enforcement has opened its doors to adolescents through our Teen Summit. This activity enables at-risk young adults to spend time with police officers and develop meaningful relationships. This mentoring program has led to real change. Respect for our law enforcement has increased, and we are working together to find solutions for local injustices.

Importance of Community Engagement Programs:

These programs operate alongside other joint projects such as Coffee with a Cop, which allows our community to engage in healthy conversation with law enforcement, without any preconditions. This has made law enforcement more approachable and has begun the process of alleviating fears and concerns.

Thus, if trust is being established amongst youth, who then return home to parents who have also had positive interactions with law enforcement, we are on a true path towards change.

Yet, positive interactions with law enforcement is only half the battle. As noted earlier, I believe there are four fundamental forms of safety: familial, workplace, educational and economic. While many Americans have the luxury of experiencing all four forms of safety on a daily basis, an overwhelming number in the African American community do not. I contend that the mistrust that some in our community place on law enforcement is truly a mistrust for society in general. These individuals feel like their country has forgotten about them and the anger that results from their personal life situation is misdirected at the wrong entity.

That is exactly why I run my organization built upon a foundation of education, employment and entrepreneurship. These pillars are the key to ending d generational poverty and in turn, solving many societal issues, including the deep divide between the African American community and law enforcement.



**Central Florida
Urban League**

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Solution: We will solve criminal justice through economic justice

A sustained investment must be made in organizations that focus on personal responsibility and helping individuals cease their dependency on the government programs. Once individuals learn to take pride in themselves and their futures, the tide will begin to shift. This investment must come in the form of access to education and resources for African American entrepreneurs to realize their dreams and establish a business. Furthermore, the efforts that the Trump Administration has already made, such as the Federal Opportunity Zone Program are a fantastic starting point. Encouraging private investment in these areas will not only stimulate the recovery of our communities in the short-term, but it will also serve as the foundation for long-term growth and transformation of some of our country's most at-risk neighborhoods.

In Central Florida, we are building opportunities daily. Our sustained investments in our community will eventually trickle-down and benefit future generations. Individuals who are given access to education and the opportunity to invest in themselves will not turn to nefarious activities to put food on the table. If these investments are made today, we will see a real change in our community tomorrow.

If a child regularly interacts positively with a member of the law enforcement community at school, he or she will have no fear in approaching him or her on the street. If an adult is educated and employed, his or her self-confidence will exude when interacting with law enforcement.

Eventually, when the protests dissipate and social media hashtag fizzles away, there will still be millions unemployed or underemployed and despite the world rallying together for a few days or weeks, many African American youth will still run in fear when they see law enforcement.

Together, let's begin a new chapter for our community with a foundation rooted in American values. The road forward will not be easy, but through mutual respect and an investment in our future, we will not only honor George Floyd and all who came before him, but our positive actions today will be seen as a watershed moment of clarity, guiding us towards a better tomorrow.

For further information please contact:

GGilzean@cful.org

(321) 300-0369



Urban League



Jacksonville
Urban League



Central Florida
Urban League



Pinellas County
Urban League



Urban League of
Palm Beach County, Inc.



Urban League of
Broward County



Urban League of
Greater Miami, Inc.



FLORIDA CONSORTIUM

OF URBAN LEAGUE AFFILIATES



ABOUT THE FLORIDA CONSORTIUM OF URBAN LEAGUES

The Florida Consortium of Urban Leagues (FCUL) is comprised of the following: Central Florida Urban League, Jacksonville Urban League, Pinellas County Urban League, Tallahassee Urban League, Urban League of Broward County, Urban League of Greater Miami, Urban League of Palm Beach County, and Derrick Brooks Charities (Hillsborough County). FCUL affiliates provide services in 19 counties across the state of Florida, representing over 16 million people.

The Urban League of Broward County serves as the lead administrative affiliate for the Florida Consortium.

EDUCATION

We value education as a key component for living a healthier and more prosperous life. Our education and youth development programs provide young people with the critical skills they need to excel academically, avoid at-risk behavior and become engaged members in their communities. Tutoring, college preparation, and leadership development are some of the many educational advancement tools offered.

JOBS

We are committed to strengthening the family unit by promoting economic self-sufficiency. Through training, career building, and job placement services, we help equip individuals with the tools needed to enter or re-enter the workforce. Our Center for Working Families offers a full range of essential economic resources for low-income residents to help them succeed in the workforce, stabilize their finances and build assets.

HOUSING

We are dedicated to building thriving communities through strong economic infrastructure. Our housing programs offer families long-term, sustainable solutions that focus on building assets through savings and homeownership. Our wealth accumulation services include financial literacy education, budgeting, credit counseling, homeownership, foreclosure prevention, and loan modification.

HEALTH

We believe that health and wellness education is the key to optimal growth for our children and families. Our health programs are designed to ensure that preventative care advances and vital health resources reach those who need them most.

SMALL BUSINESS DEVELOPMENT

We believe that small businesses play an integral role in the sustainability of our neighborhoods. Our Entrepreneurship Center provides minority small business owners with the tools needed to grow and develop their businesses. Through training, workshops and individual counseling sessions, we unite an alliance of entrepreneurs, financial institutions and partners to accelerate our efforts in giving entrepreneurs access to M3 (Money, Markets and Management).





Urban League



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Pinellas County
Urban League



Urban League of
Palm Beach County, Inc.



Urban League of
Broward County



Urban League of
Greater Miami, Inc.



COMMUNITY JUSTICE

YOUTH CRIME PREVENTION AND INTERVENTION

For over 36 years, the Florida Office of the Attorney General (OAG) has funded the Youth Crime Prevention and Intervention (CPI) Program. The CPI program aims to prevent youth engagement in criminal behaviors through tutoring, character building, anger management, employability skills training, teen summits and law enforcement meetings. We have demonstrated positive changes in 8 of the largest metropolitan areas in the state of Florida through our programs.



- Anger management workshops promote self control and alternative ways to manage emotions
- Gang resistance education programs improve self-esteem, self-confidence, and ability to hand peer pressure
- Advocacy meetings to implement crime prevention strategies in community

KEY RESULTS | 2016 - 2018

85%

Parents surveyed reported positive changes in their child's behavior following the program participation

94%

Surveyed residents and stakeholders in communities served by CPI reported improved relationships between law enforcement and the community

\$563,000

Additional funds and in-kind support leveraged by the Florida Consortium of Urban Leagues in the 2017/18 contract year

1,610 VOLUNTEERS DEPLOYED

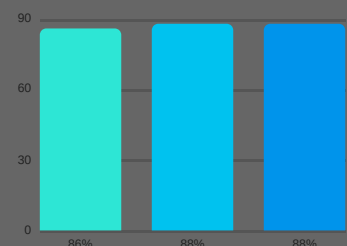
For a total contribution of 6,870 hours of community service

\$9 - 12 MILLION

The amount Florida can save over the life of youth, if 90% of CPI participants receiving tutoring graduate from high school.

NEARLY 33,000

Florida residents served by Urban League Affiliates in 2017/2018 contract year



Over 86% of students received passing grades in reading, math and science

\$1,560,000 in nonrecurring funds to the Florida Consortium of Urban Leagues under the Minority Communities Crime Prevention Programs. This request, along with \$2,440,000 in recurring funds from the Office of the Attorney General, will allow the Florida Consortium of Urban League Affiliates to continue its efforts to provide programs that lower the number of Black youth arrested and reduce the number of crimes committed in our communities.

*Over the last five years, there has been a 20.4% decline on average in the number of offenses by Black youth and a 26.7% decline on average in the number of Black youth arrested. Despite these great strides, Black youth are still disproportionately represented in Florida's juvenile justice system.

Last Updated: February 2019



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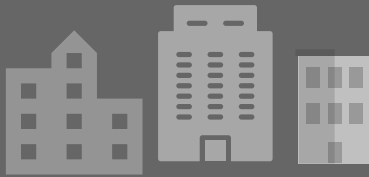
Urban League of
Greater Miami, Inc.



ECONOMIC DEVELOPMENT

SMALL BUSINESS & WORKFORCE DEVELOPMENT

Through job creation, innovation and overall economic growth, small businesses play an integral role in the sustainability of our neighborhoods. The Entrepreneurship Center and Small Business Loan Fund bring together an alliance of business owners, corporations, community partners and financial institutions to accelerate our efforts in giving entrepreneurs access to money, markets, and management. Our collaborative approach allows us to work closely with our clients to better understand and respond to their business' unique needs and create wealth in historically disenfranchised communities. Through training, career building and job placement services, we help equip individuals with the tools needed to enter or re-enter the workforce, stabilize their finances and build assets.



- Expanded opportunities for businesses in urban metro areas
- Improved business climate for minority-owned businesses
- Increased availability of and access to capital for minority businesses
- Invested in workforce and vocational trainings leading to jobs in current and future industries

KEY RESULTS | 2016 - 2018



2,033

Florida residents have received job skills and workplace readiness training



481

Florida businesses received one-on-one technical assistance



2,150

Entrepreneurs have participated in group education sessions

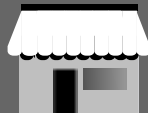


\$9.25 MILLION

Private capital available for the Statewide Small Business Loan Fund (a 4 to 1 return on state investment)

266

New businesses created



\$1.8 MILLION

Lent to minority owned small businesses since 2017 (0% default rate)



\$2,000,000 for the Entrepreneurship/Financial Empowerment Centers and the statewide Small Business Loan Fund under the Department of Economic Opportunity.



Last Updated: February 2019



URBAN LEAGUE SUCCESS STORIES

JOB TRAINING AND CERTIFICATION

Mez Mondesir had previous work experience in the tech field but lacked qualifying credentials and was often overlooked by employers. Within three months, Mez completed our Urban Tech Jobs Program, which provides information technology, case management, career counseling, and enrollment assistance in short-term IT certification programs. He is now employed with a local data company and facilitates peer-led study groups to help others become certified.



SMALL BUSINESS. BIG DREAMS.



Keel Russell landed a major purchase order with Walmart as part of the National Urban League Conference in Fort Lauderdale. Keep needed capital to fund the purchase and merchandising of products. Keep approached several banks, but he could not get a loan.

The veteran entrepreneur secured a \$250 K business loan through the Urban League's Capital Access Fund. The loan enabled Keel, along with his two business partners to innovate and better market their products to other big retailers including Target and Bed, Bath & Beyond.

COMMUNITY EMPOWERMENT

Over 200 community members attended, The Justice Project Operation: Trust, an event hosted by the Urban League of Broward County to engage law enforcement and the community at large in an in depth discovery of principles and practices of restorative justice. After several workshops and numerous conversations, the Taskforce discovered that teens were more concerned with their day to day encounters with police than what they saw in media. Participants shared personal experiences and potential solutions that would strengthen community and police relations.



SERVING MINORITY AND WOMEN ENTREPRENEURS



After more than a decade in the beauty industry, Conchita Peasant leveraged her industry experience and launched her own line of high-quality hair care products for women of color. Conchita turned to the Urban League of Broward County's new Capital Access Fund, not only for a loan but also to learn business strategies from experts in the field. Nefertiti's Secrets received \$50k through the Capital Access Fund of Florida, which funded the company's working capital need associated with both existing and future wholesale/retail accounts.

Norman L. Reimer

Executive Director of the National Association of Criminal Defense Lawyers (NACDL)



Norman L. Reimer is the Executive Director of the National Association of Criminal Defense Lawyers (NACDL), the nation's preeminent criminal defense bar association, and NACDL's related Foundation for Criminal Justice (FCJ).

Since joining NACDL in 2006, Norman Reimer has overseen a significant expansion of the Association's educational programming and policy initiatives, cultivated external support and launched a major capital campaign. He has led major initiatives to promote public defense reform, oppose over-criminalization and inadequate intent requirements in criminal statutes, seek

pretrial justice reform, confront flawed forensic science, and address various injustices that contribute to mass incarceration and disparate impact on communities of color and the poor. Mr. Reimer was a founder of Clemency Project 2014, one of the largest pro bono projects ever undertaken by the legal profession. The Project secured sentence commutations for nearly 900 individuals, saving more than 13,000 years of imprisonment. In 2018, NACDL joined with Families Against Mandatory Minimums (FAMM) to launch a state clemency initiative. Under Norman

Reimer's leadership, NACDL has founded a Fourth Amendment Center to create resources and build a legal infrastructure to safeguard critical privacy rights against government abuse in the digital age. Recently, NACDL launched several initiatives to provide pro bono assistance to prisoners at high risk of mortality from the COVID-19 virus in seeking compassionate release. Mr. Reimer also serves as the publisher of NACDL's acclaimed *Champion* magazine.

Prior to assuming this position, Norman Reimer was a practicing criminal defense attorney for 28 years and a recognized leader of the bar. He is a past president of the New York County Lawyers' Association (NYCLA). In his work at NYCLA, he played a pivotal role in undertaking litigation against the State and City of New York that upheld the right of a bar association to sue on behalf of indigent litigants and resulted in a judicial decision declaring New York's under-funding of indigent defense services unconstitutional. Mr. Reimer has also served as a delegate to both the American Bar Association House of Delegates and the New York State Bar Association House of Delegates. Mr. Reimer has played leading roles on several other reform efforts on issues ranging from mandatory recording of custodial interrogations, a moratorium on death penalty prosecutions, judicial independence, preservation of *habeas corpus*, to collateral consequences of criminal convictions.

Norman Reimer taught Trial Practice as an Adjunct Professor of Law at New York Law School from 1990 until 2004. He received his B.A. *cum laude* from New York University's Washington Square College and his J.D. with honors in criminal law from New York University School of Law.



**NACDL Statement to the
Presidential Commission on Law
Enforcement and the Administration of Justice**

7 June 2020

The National Association of Criminal Defense Lawyers (NACDL) offers the following statement for the Commission's consideration. NACDL is the preeminent organization advancing the mission of the criminal defense bar to ensure justice and due process for persons accused of crime or wrongdoing. A professional bar association founded in 1958, NACDL's many thousands of direct members in 28 countries – and 90 state, provincial and local affiliate organizations totaling up to 40,000 attorneys – include private criminal defense lawyers, public defenders, military defense counsel, law professors and judges committed to preserving fairness and promoting a rational and humane criminal justice system. Critical to this mission are NACDL's efforts to identify and reform flaws and inequities in the criminal justice system, and specifically address systemic racism and its impact on the administration of justice.

As a criminal defense organization, we do not profess to possess expertise in policing practices insofar as those practices do not directly intersect with the criminal justice system. But many police practices do have a direct impact on the treatment of accused persons, the degree to which their cases are litigated justly, and case outcomes. Accordingly, we offer a few key insights, which we hope will find their way into the Commission's recommendations.

It is obvious that this is a fraught time to present testimony to this Commission. Two weeks ago, the nation first learned of the events leading up to the arrest and death of George Floyd in Minneapolis. NACDL's commitment to the presumption of innocence and due process requires that we refrain from comment on pending cases, but we must acknowledge that unfolding events have cast a long shadow over this Commission's work, and NACDL's comments are informed by Mr. Floyd's death and other recent tragedies. There is no criminal defense lawyer who has not borne witness to the racism that infects policing in this nation. Where police are deployed, how they are deployed, how they interact with the public, and how suspects and accused persons are treated, both physically and legally, all reflect a legacy of both implicit and explicit bias.

NACDL and its allies have commented on the pervasive resistance to clear-eyed self-examination, cultural change and meaningful reform that has undermined the law enforcement profession and sown public mistrust. In the same vein, many prominent civil rights organizations have pointed out that this Commission's composition, agenda, and limited public engagement foretell more of the same.¹ NACDL shares the concern that a commission dominated by law enforcement will only deepen the divide between law enforcement agencies and the communities they serve. Against the backdrop of recent events, without frank acknowledgements and bold recommendations, the Commission's report will lack credibility with the larger public. Failure to engage with communities and seek community input has contributed to the current crisis, and a commitment to implement tangible and meaningful reform in partnership with communities is the only road to reconciliation and national healing.

¹ As these groups have noted, the Commission is comprised entirely of law enforcement officials and all but 5 members of the working groups are law enforcement officials. Working group descriptions and opaque and inconsistent public notice and comments processes have further reinforced the perception that community views are irrelevant to the Commission's work.

Police Accountability and Transparency

First and foremost, NACDL challenges the administration and law enforcement agencies at every level to immediately reject the perennial resistance of so many in their ranks to greater transparency and accountability as relates to police misconduct. If the argument is that it's just "a few bad apples," then let the sun shine in so that the public – those the government is meant to serve in this democracy in the first place – can know the truth for themselves. But in most states that is not possible because misconduct complaints against police officers are handled internally and are treated as confidential employment records. Recent history shows, however, that many of these so-called bad apples have a long record of complaints – often involving excessive force and racial insensitivity. Accordingly, NACDL supports state legislative action to repeal these secrecy laws and policies wherever they exist. Further, the federal government should leverage funding for law enforcement to incentivize states to repeal laws that shield police misconduct from public view.

Second, NACDL urges the creation of a national database to track police misconduct. It should not be possible, as it is now, for a police officer to be dismissed from one police department for substandard or abusive conduct only to be rehired by another department oblivious to that history. NACDL itself is committed to developing police accountability databases for the defense bar. These databases are necessary for all stakeholders, including not just defense lawyers, but prosecutors, the judiciary, and the public. Transparency about police misconduct is vital to promote improved decision-making in every criminal case. Awareness of prior misconduct can inform every decision point, from the initial charging decision, to conditions of release, to judicial determinations about the lawfulness of a stop, a search, an identification procedure, or an alleged confession. This information can also affect the ultimate question of guilt or innocence and the appropriate sentence.

Overcriminalization and Overreliance on Law Enforcement

While transparency and accountability are critical to securing public trust, the police regulatory sphere must also be greatly reduced. Police are often called to respond to incidents that can be far more effectively addressed by social services and other direct community support. Responding to health and economic issues with policing is costly, ineffective, and at times fatal. Here are three prominent examples of this damaging misallocation of resources:

(1) Law enforcement resources and mental illness. According to the [National Alliance on Mental Health](#), 2 million people with mental illness are booked into jails each year and nearly 15% of men and 30% of women booked into jails have a serious mental health condition. Police officers are not equipped to address people who are experiencing a mental health crisis, and [studies](#) have shown that the risk of being killed while being approached or stopped by law enforcement in the community is 16 times higher for individuals with untreated serious mental illness than for other civilians. Even by conservative estimates, at least 1 in 4 fatal law enforcement encounters involves an individual with serious mental illness. Instead of relying on police officers, authorities should dispatch a crisis intervention team of medical workers or other service providers who are trained to de-escalate and center the person in crisis. If police are needed in certain situations, they should take direction from the medical providers and social

workers coordinating the response. Similarly, diversion of these cases from the criminal justice system should be a priority. The Commission should recommend that funding be provided to augment the capacity to provide these vital services.

(2) Law enforcement resources and addiction. The war on drugs has fueled mass incarceration, and drug laws result in wildly disparate outcomes for people of color and excessive sentences for possession and other criminalized acts arising from addiction. The National Institutes of Health [estimates](#) that one-half of all prisoners (including some sentenced for non-drug offenses) meet the criteria for diagnosis of drug abuse or dependence. By addressing a health crisis with a law enforcement response, resources are diverted from treatment and other harm mitigation to policing and incarceration, even though [studies](#) have shown that providing treatment for addiction is more effective at reducing crime. The smart approach is to decriminalize substance abuse and have police work with treatment providers and medical professionals to divert people into treatment rather than incarceration when they encounter individuals engaged in addiction-related criminal behavior.

(3) Law enforcement resources and homelessness. Cities have passed myriad laws [criminalizing homelessness](#) including vagrancy laws, laws against camping or sleeping in public, and laws against sleeping in cars. Homelessness is a result of economic factors, including the lack of affordable housing and living wages, but can also result from addiction and mental health issues. A [study](#) in Santa Barbara found that the cost to incarcerate a homeless person with mental illness is estimated to be approximately 25% higher than providing supportive services such as housing, medical care, and substance abuse and mental health treatment. The Commission should recommend that policymakers decriminalize homelessness and remove police officers from enforcing related violations; the focus should be on providing affordable housing and social services to address homelessness.

Law Enforcement and Technology

(1) Face recognition technology. Face recognition technology has enjoyed widespread use by police departments with little public information about how the technology was obtained and used. Notice is not given to the accused in criminal cases that the technology was used to identify them, frustrating their ability to challenge a technology that has been [shown](#) to misidentify young people, women and people of color at a much higher rate than white men. Due to the concentration of people, prevalence of surveillance cameras and frequency of police encounters, low income communities and communities of color are more likely to be captured on camera and also more likely to be investigated and processed by police. In addition, police departments have engaged in [outrageous manipulations](#) in order to generate a presumptive match. Even if the accused does have notice of the use of such technologies, access to the algorithms that identified their client is frustrated because the companies claim “[trade secrets](#)” protections. Face recognition is too faulty and the risk that it may implicate the innocent should foreclose its use by law enforcement.

(2) “Predictive Policing.” Police departments have been using tools and technologies that search and categorize large swaths of data to determine where to patrol and who to investigate. Sometimes labeled “[predictive policing](#),” these practices involve police searching

internal data and scraping publicly available data. One of the tools used by departments is [social media monitoring](#), where law enforcement agencies use technology to scrape social media and draw connections between people online. Police have used this information to [surveil](#) and criminalize people engaged in protected First Amendment activity and [label](#) people as gang members, later using that designation to charge them as co-conspirators. In one case, over [100 people](#) were indicted for a broad conspiracy charge based on likes and online associations.

Predictive policing is broken down into [two categories](#): “Place based,” which directs police resources to particular neighborhoods, and “person based,” which predicts who is likely to be a victim or perpetrator of crime. These programs use historical crime data as a significant part of their input (where crimes occurred in the past, prior arrest records, etc.) and as such necessarily [recreate systemic biases](#) in the system. In addition, the use of such programs is not disclosed to the accused. If their use is discovered, as with face recognition, when attorneys seek access to the underlying algorithms, they are rebuffed with claims of trade secrets. This data is supplemented with information gathered by private companies enjoying broad access to information that law enforcement would only be able to gather with a warrant, creating an end run around critical Fourth Amendment protections. Law enforcement agencies should not utilize tech tools that replicate existing biases in the criminal justice system, circumvent the Fourth Amendment, and undermine due process.

Standards and Training Concerning Use of Force

The Commission should support federal legislation to promote training and set standards for the use of force when police officers effectuate arrests or prevent escapes. While law enforcement is necessarily empowered to use force, including deadly force, when necessary to apprehend suspects and protect public safety, there must be mechanisms to ensure that the force used respects constitutional rights, proportionality, and fundamental respect for human life. And if there is to be any justice, these standards must be calibrated to differentiate both between the nature of the offense for which a person is arrested and the measure of force appropriate before an individual is effectively restrained and after.

Interrogation Practices and Intentional Deception in Custodial Interrogation

Perhaps one of the greatest stains on policing in this nation is the high rate of false confessions. A decade ago, when the Innocence Project in its 21st year recorded its 250th DNA exoneration, 40 of those (16 percent) involved false confessions; just five years later, an additional 26 DNA exonerations were determined to have involved false confessions.² The National Registry of Exonerations, which now records 2,624 exonerations since 1989, has determined that false confessions were present in 319 of those cases or 12 percent.³ Yet this is only the tip of the iceberg. Since 95 percent of all criminal cases in this nation are resolved by guilty plea, the actual instance of false confession is far higher. This problem should be of

² Garrett, Brandon L. “CONTAMINATED CONFESSIONS REVISITED.” *Virginia Law Review*, vol. 101, no. 2, 2015, pp. 395–454.

³ <http://www.law.umich.edu/special/exoneration/Pages/browse.aspx>, last visited June 6, 2020.

singular concern to this Commission. Protection of the innocent from wrongful conviction should be the highest aspiration of law enforcement. But it has been long known and well-recognized that interrogation techniques widely used in this country are flawed,⁴ as evidenced by the alarming rate of documented false confessions.

NACDL urges this Commission to make tangible recommendations to improve interrogation practices. The object should be to secure convictions from actual perpetrators, not from innocent suspects. At a minimum, the following steps should be required: (1) all custodial interrogations of felony suspects should be video recorded in their entirety; (2) conditions and duration of custody should be humane and limited in time, with special sensitivity for vulnerable suspects, such as youths, adolescents, those with cognitive and intellectual limitations, and those suffering from substance abuse withdrawal; and (3) presentation of false evidence must be prohibited. This last factor, actively lying to suspects about the existence of other inculpatory evidence, is a significant contributing factor to false confession and wrongful conviction. Beyond that, this practice, which is not permitted in many democracies, ill befits the dignity and honor that the nation should expect of its law enforcement agents. If the goal of this Commission is to restore and preserve that dignity and honor, this is an issue that must be addressed.

Conclusion

The above recommendations are far from exhaustive, and NACDL urges consideration of the thoughtful proposals set forth in statements submitted by the ACLU, NAACP-LDF, the Leadership Conference on Civil and Human Rights and other civil liberties groups. Law enforcement faces an unprecedented and escalating crisis in confidence that requires transformative thinking and a rejection of deep-rooted self-protection and myopia. If the Commission wishes to participate in the national dialogue, it must evince a willingness to reimagine the role of law enforcement in civil society. This is much more difficult than the work undertaken thus far and will require greater community involvement and a willingness to listen to community voices without defensiveness. Barring such a step, the Commission will undoubtedly be sidelined by current events and the groundswell for significant reform.

⁴ Kassin, Saul M., et al., *Police-Induced Confessions: Risk Factors and Recommendations* (July 15, 2009). *Law and Human Behavior*, 2009; Univ. of San Francisco Law Research Paper No. 2010-13.

Deena Hayes-Greene

Racial Equity Institute



Deena Hayes-Greene is the founder and director of the Racial Equity Institute (REI), an alliance of trainers, organizers and institutional leaders who work to create racial equity within society.

Deena currently serves as a senior trainer and Managing Director for REI and has worked for over 18 years as a trainer and consultant, focusing on the structure and impacts of race and racism within systems, institutions, and organizations. She has presented keynote speeches, workshops, and seminars across the nation to organizations interested in addressing and eliminating racial and ethnic inequities. She served as a Human Relations Commissioner for the City of Greensboro and board chair for the International Civil Rights Center and Museum. Deena was elected for five terms to the Guilford County School Board, where she is the current chair of the board and has chaired the Achievement Gap Committee, the Historically Underutilized Business (HUB) Advisory Committee and the School Safety/Gang Education Committee. In September 2019, Deena was honored at the Council of Urban Boards of Education meeting and named the Benjamin E. Mays Lifetime Achievement Award Winner. Deena currently serves as a member of the Disproportionate Minority Contact (RED) (Subcommittee) of the North Carolina State Advisory Group on Juvenile Justice (SAG).

**Written Testimony to the President's Commission on Law Enforcement and the
Administration of Justice**

Submitted by Deena Hayes-Greene

Managing Director and Co-Founder of the Racial Equity Institute

June 9, 2020.

Good Afternoon, Chairman Chief Keith and members of the commission. I would be remiss if I did not extend a special greeting to Sherriff James Clemmons, Jr and Chief Gina Hawkins, representing my home state of North Carolina.

My name is Deena Hayes-Greene and I am the Co-Founder of the Racial Equity Institute based in Greensboro, NC. The Racial Equity Institute's team of trainers represents a range of identities as well as a range of expertise including but not limited to law enforcement, health care, education, corporations, for profit and nonprofit organizations.

I thank you for the opportunity to testify before the President's Commission on Law Enforcement and the Administration of Justice.

The Racial Equity Institute (REI) is committed to bringing an awareness and analysis of the root causes of disparities and disproportionality to create racially equitable organizations and systems. Even 50 years after significant civil rights' gains, the impact of race continues to shape the outcomes of all institutions.

REI trainers and organizers help individuals and organizations develop tools and processes to challenge patterns of institutional power and to grow equity within the institution We recognize many intersecting oppressions, but our belief is that racism is the glue that connects all oppressions, and thus our focus is on race and the injustices that stem from the racialized history and belief systems that are reflected in American culture and institutions.

There is no question that we are living in historic times, and the confluence of events of the recent months allows our society a golden opportunity to address a long festering problem that pervades every aspect of our lives - the racial inequity which has been established, nurtured, and yet mostly ignored during our 400 years of development as a country. What we are seeing today is the insidious nature of racial inequity occurring in all of our systems but playing out in our health care and law enforcement systems as people of color in this country are being disproportionately affected by Covid-19 both in number of cases and in number of deaths and in fatal outcomes in interactions with law enforcement.

The rigid persistence of the race-based system's enigma can be explained based on a historical race arrangement, the origin of which is 346 years old. The enslaved African population in this nation dates back to 1619. 1619-2020 is 401 years. How have we spent that time? Dr. Linda Clayton and Dr. Michael Byrd offer a chronology that begins with the period from 1619-1865, that's 246 years and about 62% of our experience in the United States; the status of people who would come to be racialized as Black were enslaved, chattel slavery. People who were racialized as White, during that period, had legitimate access to construct and participate in all of the systems that exist today, including, but not limited to health, education, medicine and judicial. The next phase is 1865-1965, that is 100 years of Jim Crow. Black people were citizens but had no rights. They couldn't sleep, eat, be buried, drive, swim, drink, sit, argue, patrol, treat, cure, learn or live in spaces and places designated for White people. That's about 25% of our experience in the United States. In total, that's 346 years, 87% of our experience in this country that has profoundly and disturbingly shaped our lives today. Law enforcement personnel face this history in their daily interactions with people and communities.

Today's inequities are rooted in this history and are described today in terms of racial and ethnic disparities and disproportionality. These inequities exist in every system in every state across the country. This pattern is the evidence that racism is systemic, replicable regardless of region, politics, population, socioeconomic status. In Charleston, South Carolina, shortly after Walter Scott was killed by a North Charleston police officer and the murder of black parishioners by White supremacist, Dylann Roof in 2015, local stakeholders established the Race and Social Justice Initiative (RSJI) to examine the state of racial injustice in Charleston County. They describe racial disparities as: "differences in areas of life (such as education, wealth, home and business ownership, education, health, school arrests, and policing) that result in one group having a disproportionate burden of negative life outcomes."

In 2017, RSJI published, *The State of Racial Disparities in Charleston County, South Carolina 2000-2015*. The report says:

"So far, there is not a single indicator in which African Americans' well-being is on par with that of white Charlestonians. This report covers the period from 2000 to 2015, and includes a fifteen-year trend analysis to determine if conditions in measures such as infant mortality, poverty levels, fifteen-year high school dropout rates, and so on, have improved, remained the same, or worsened."

This example is reflective of the systemic arrangement of race in this country.

Data-Research and Reports

Law enforcement

- Police involved shootings 2011-2014- found evidence of a significant bias in the killing of unarmed Black Americans relative to unarmed White Americans- 3.5 times greater probability if you are Black and unarmed.
- Of all of the unarmed people shot and killed by police in 2015, 40 percent of them were black men, even though black men make up just 6 percent of the nation's population.
- 8 of the largest city police departments kill black men at higher rates than the US murder rate.
- Black youths are 48 times more likely than White youths to be sentenced to juvenile prison.
- Data from 21 state patrol agencies and 29 municipal police departments, comprising nearly 100 million traffic stops, are sufficiently detailed to facilitate rigorous statistical analysis. The result? The project has found significant racial disparities in policing.

Health/Health Care

- Black people are dying of Covid-19 nearly 2 times higher than their population share.
- The more than 40 million African Americans who live in the US carry a disproportionate share of the nation's sickness burden. Sociologist David R. Williams, who has written extensively about the black-white health disparity, has repeatedly shown that African Americans not only have higher rates of sickness than Whites, but they also get sick earlier, have more severe diseases, and are more likely to die from their diseases Black people have higher rates of death than Whites for 13 of the 15 leading causes of death.
- Despite overall declines in the incidence of hip fractures and associated mortality, we found that there are racial and socioeconomic disparities in treatment access and outcomes

Human Services

- African American children are overrepresented in foster care at twice to three times the rate of white children. Scholars argue that racism underlie disproportionality. Yet federal studies indicate that child abuse and neglect is actually lower for black families than it is for whites.
- Across programs, the same racial and ethnic groups generally tend to experience poorer outcomes

To help leaders, organizers, and organizations stay focused on the structural and cultural roots of racial inequity, we developed the “Groundwater” metaphor and accompanying analytical framework to explain the nature of racism as it currently exists in the United States.

Fish, Lake, Groundwater

We use a “fish in the lake” analogy to illustrate our tendency to ascribe racially disparate outcomes to individual behaviors and decisions (a sick fish). If we locate the bad outcomes in the fish (the fish’s deficiencies, decisions, behaviors, culture), our remedy is going to be to try to “fix” the fish. We are a nation of “fish fixers.” Yet when we observe that all our institutional “lakes” are filled with fish (who look a lot the same) floating belly up, might it be time to examine the water? What would it mean to shift our attention from the deficiencies of individuals to the deficiencies of the systems and institutions they come into contact with? What would it mean to do a lake analysis?

To take the analogy deeper, we observe that every institutional lake is producing the same negative outcomes for people of color. What do they have in common? Where is this toxicity coming from? 94% of the fresh water on our planet is underground (not visible, so we don’t think about it much). It’s critically important for our health that this water be clean and pure because it feeds every lake and stream. Now we realize that we need to do a Groundwater Analysis of racial inequities in America. What is in the Groundwater that is polluting every lake? What would it mean to take a Groundwater Approach?

You may access our Groundwater Approach report at www.racialequityinstitute.com/groundwater

Recommendations:

Nothing is as simple as it seems and, in this country, we have such a lack of respect and understanding of the complexities of race that we are not required to study and learn about it. In an effort not to reinvent the wheel, these recommendations are a combination of studies referenced in this testimony and recommendations specifically from the Racial Equity Institute.

1. Adopt a racial equity framework that makes identifying and addressing structural racism an explicit public priority. This effort should include mounting a well-publicized campaign to address and educate public officials and the general public about the state of racial disparities and develop a comprehensive plan to achieve racial equity in all sectors.
2. Establish protocols for collecting and analyzing community and comprehensive and systematic law enforcement data including but not limited to race, gender, socioeconomic status and census tracts and to make that data available publicly. Data analyzed by a single agency may only capture a small part of the picture.
3. Require a racial equity framework for all state and county legislation and regulations that may have a disparate impact on low-income or communities of color. Build racial equity leadership throughout law enforcement agencies to coordinate and facilitate best practices.
4. Integrate racial equity education that provides the history and details of how people are differently situated on the basis of race throughout law enforcement agencies and throughout the tenure of personnel.
5. Revise or eliminate qualified immunity to ensure accountability and fairness.

We have a golden opportunity in 2020, to begin the challenging, difficult, and heart wrenching work of examining each of our systems to find the ways each of these systems is contributing to these racial inequities. These tragic events of today are a part of the pattern that must end. Law enforcement can stand as a leader in moving forward with sustainable efforts to address racial inequity at the deepest levels. This is an opportunity to do just that.

Thank you

Deena Hayes-Greene
Racial Equity Institute

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Questions for witnesses

For **Glen Gilzean**:

- 1) Mr. Gilzean, the CFUL's focus on positive interaction between a community's youth and members of law enforcement go a long way in building trust in that community. Since the awful events in Minneapolis, we've been hearing calls for eliminating School Resource Officers, what is your view on how well SROs work to forge those relationships CFUL has found to be so fruitful?
- 2) You mentioned in your written submission that skepticism between law enforcement and the communities they serve is "the product of nefarious influences in the media and in the community". What do you think is motivating that?

For **Norman Reimer**:

- 1) Last week we heard testimony from several of your colleagues, including the elected public defender from Miami-Dade County and the head of the Texas Indigent Defense Commission. Members on that panel recommended that the Department of Justice create an office within DOJ dedicated to the funding and training of public defenders and appointed lawyers for the indigent. Would NACDL support such a recommendation? What would be the rationale for NOT supporting such a recommendation?
- 2) We have heard a lot of testimony from many panelists about the scourge of drug addiction and criminal behavior, and you recommend "decriminalizing substance abuse" Does NACDL recommend the decriminalization of the use of drugs other than marijuana? Such cocaine, heroin, etc.

For **Deena Hayes-Greene**:

- 1) Many police departments, sheriff's offices and prosecutors are mandating that staff receive training on "implicit bias". How effective do you think these programs are in addressing the issues you so eloquently talked about here today?
- 2) In recommending more transparency by law enforcement by way of data collection involving race, gender, socioeconomic status, etc... Can you point to communities where such data is being collected and shared and how it is positively affecting relationships between law enforcement and those communities?

Thursday, June 18, 2020

Scott Turner

Executive Director, White House Opportunity and Revitalization Council



Scott Turner currently serves as the Executive Director of the White House Opportunity and Revitalization Council. The Council's core mission includes leading joint efforts across Federal executive departments and agencies to engage with State, local, tribal, and territorial governments to find ways to better use public funds to revitalize urban and economically distressed communities.

Prior to joining the Federal government, Mr. Turner served in the Texas House of Representatives from 2013-2017, where he represented House District 33 (encompassing all of Rockwall County and portions of Collin County). Mr. Turner's time in the Texas House was preceded by a successful business career in which he served as the Chief Inspiration officer of Systemware, as well as a Senior Advisor to the National Football League's (NFL) Executive Vice President of Football Operations.

In 1995, he was drafted into the NFL where he enjoyed a 9-year career playing for the Washington Redskins, San Diego Chargers, and Denver Broncos.

A fourth-generation Texan who graduated from the University of Illinois, Mr. Turner also received an Honorary Doctorate of Humanities from Dallas Baptist University in 2016 for his outstanding Christian Leadership.

Mr. Turner and his wife Robin have a son Solomon, who is currently a freshman student-athlete at Baylor University.

Reverend Markel Hutchins

President & Chief Executive Officer of MovementForward



The Reverend Markel Hutchins is the visionary behind MovementForward, Inc. (MFI) and the One Congregation One Precinct (OneCOP) initiative. A renowned activist, professional speaker, businessman and social entrepreneur, he has led countless humanitarian causes over the past two decades. Heeding Rev. Dr. Martin Luther King, Jr.'s call to "make a career of humanity," Hutchins has earned a national reputation advocating fairness and equality. He has held senior leadership positions in numerous organizations and is among the nation's leading voices on an array of issues including human and civil rights, national politics, social justice, peace and other matters of public interest. Reverend Hutchins is presently President and CEO of MFI, a modern, inclusive and bridge-building social change organization, and National Lead Organizer of the OneCOP initiative.

From 1997 until 2006, Hutchins simultaneously served as National President and CEO of the National Youth Connection (N.Y.C.), Inc., then America's only young-adult led civil rights group, and as Chairman of the Board of Directors of its research and education fund, the National Youth Challenge, Inc. He was also a one-time congressional candidate, and is a well-known figure in the metro-Atlanta community having led many high profile civil rights efforts, most notably the case of 92-year old Kathryn Johnston who was killed by Atlanta police in a botched drug raid in 2006 and the case of 18-year old police shooting victim Corey Ward in 2002. In 2009, Hutchins led more than 100 Atlanta-area church pastors and 25 police chiefs in initiating the "One Church – One Precinct" effort aimed at uniting law enforcement and faith-based communities in addressing crime and violence objectively. Additionally, he has led thousands of participants in some of this region's largest public demonstrations.

Prior to co-founding MFI in 2015, he was Managing Principal and CEO of MRH-LLC, a management and communications consulting firm that advised corporations, labor unions, small businesses and religious institutions on matters of diversity, public affairs and crisis management.

Leadership

Hutchins has served on a number of boards, committees and commissions for respected institutions such as the DeKalb County, Georgia Board of Education; the Kennedy School of Government at Harvard University; Pulling America's Communities Together (PACT); the Rainbow/PUSH Coalition; the Southern Christian Leadership Conference; the Edwards-Miller Foundation for Physical Disabilities; and the Catalyst Project.

Educational and Personal Background

Reverend Hutchins is an alumni of the historic Morehouse College in Atlanta, Georgia. As an ordained Baptist minister and former African Methodist Episcopal (A.M.E.) pastor since age 17, he is a sought-after preacher who regularly delivers sermons to churchgoers across the nation and has received an honorary Doctorate of Divinity degree for his ministerial accomplishments.

He has one son and they live in metro-Atlanta.

STANDARD INTRODUCTION FOR THE REV. MARKEL HUTCHINS (approx. 4 min.)

His hard-earned credibility as a civil and human rights activist is un-paralleled among those in his generation. CNN has called him “one of the most important voices in today’s fight for civil rights.” Elder, iconic Black leaders highly regard him. His grassroots advocacy, charisma and compelling oratory combined with an uncanny ability to rally diverse people around a common cause has endeared world leaders from corporate CEO’s to international diplomats, and led one prominent newspaper columnist to dub him “the new kid on the national civil rights leadership block,” for his role in addressing contemporary social challenges, particularly those relating to minority and other diverse communities.

The Reverend Markel Hutchins has emerged in metro-Atlanta, cradle of the American Civil Rights Movement, as a leading figure amidst the most celebrated icons of that era. He is a consummate leader, political activist, and social justice advocate who, in the words of the late Dr. Dorothy Height, is “carrying forth the spirit, mantle and movement tradition of Reverend Doctor Martin Luther King, Jr.”

Reverend Markel is Chairman and CEO MovementForward Incorporated, his charitable venture focused on inclusively involving people of every race, ideology and professional sector in modern human and civil rights causes. He is also National Lead Organizer of the One Congregation One Precinct initiative also known as OneCOP. He previously served as President and CEO of the National Youth Connection, is a one-time congressional candidate, and is a well-known figure in the metro-Atlanta community having led many high profile social justice efforts including the case of 21-year-old Clark Atlanta University student Alexis Crawford who was murdered by her roommate in 2019; the case 92-year-old Kathryn Johnston who was killed by Atlanta police in a botched drug raid in 2006; the case of 18-year-old police shooting victim Corey Ward in 2002; and many more over the past 2 decades. He has led thousands of participants in some of this region’s largest public demonstrations.

Reverend Markel regularly provides commentary for CNN, the Fox News Channel, MSNBC and other media outlets. Essence Magazine has honored him along with U.S. Senator Cory Booker, former Atlanta Mayor Kasim Reed and Virginia Congressman Bobby Scott with the distinction of being leading “Political Bachelors.” Ebony Magazine once featured him as one of our nation’s top leaders under 30 years-old and more recently, as one of America’s “Most Eligible Bachelors.” Ladies and gentleman, please join me in welcoming, the Reverend Markel Hutchins.

HEARING OF THE PRESIDENT'S COMMISSION ON LAW ENFORCEMENT AND THE ADMINISTRATION OF JUSTICE

Thursday, June 18, 2020 – 2:00pm

Testimony of the Reverend Markel Hutchins

**National Lead Organizer, One Congregation One Precinct initiative (OneCOP) and
President & CEO, MovementForward, Inc.**

Good afternoon Commissioners. It is a great honor and privilege to be with you today. Still, there is a certain heaviness that I feel in this hour, speaking to this commission that is charged with reviewing the current state of law enforcement in the United States of America. The significance of this moment is not lost on me as I feel weight of the tragic yet highly complex deaths of George Floyd, Ahmaud Aubrey, Rayshard Brooks, Breonna Taylor, Tyisha Miller and many others. I also very much feel the weight of the assassinations of Officers Lorne Ahrens, Michael Krol, Michael Smith, Brent Thompson, and Patrick Zamarripa, the five Dallas officers who were gunned down while on duty in 2016. I also pause to reflect on the more than 60 officers who have died in the line of duty thus far this year alone and whose ultimate sacrifices follow other officers who have lost their lives while protecting and serving.

I grew up in Atlanta, Georgia, cradle of the American Civil Rights Movement and although I am just 43 years old, I have been privileged to be mentored and to work closely with many American icons of the Civil Rights Movement of the 1960's. Over the past two decades I've sought to carry forth their legacy of nonviolent, peaceful activism on social justice matters.

While the current national discussion seems to be centered on the need for policing reform that focuses on policy and procedures, I submit to this commission that the greater need is for Relational Reformation that focuses on how law enforcement professionals and everyday Americans view one another and relate to each other. This is possible only if leaders are intentional about transforming hearts and minds in lieu of mere changes in policies and procedures. The real issue is the implicit biases, held by too many officers and citizens alike, that are deep-seated, pervasive and often harbored unwittingly. Changes in policy alone won't fix that but getting to know one another sure will. You see Commissioners, too often officers don't know the people they are policing on a human level AND citizens do not know their neighborhood officers on a human level. Our charge is to see the world through the unique lens of others whose challenges, difficulties, experiences, expressions and worldview may be very different than our own. While it is easy to fear those whom you do not know, it is really difficult to hate up close, no matter what lens you look through.

The connection that we make from one human to another is the source of strength of our families, our communities, and our country. That connection is at the heart of social change and it is the means to

ensure that American policing lives up to our nation's highest ideals and values. Because I absolutely believe this, and have witnessed, that hateful views and ignorance can be solved when people get to know each other across communities. Having deep relationships across identities and roles in society helps us to see others as individuals and to avoid applying stereotypes. For this reason, until law enforcement officers become intimately involved with the specific neighborhoods and citizens they police, such that subconscious fears and prejudices are cured on all sides, we will continue to see these disturbing incidents.

Furthermore, this is not, I repeat, not, law enforcement's problem to fix alone. The public – everyday citizens - must accept responsibility for public safety and stop being totally reliant on police to protect civility and common decency in our society.

In my experience, the solutions to our challenges with crime and our current deficiencies with police-community engagement will not be printed with ink on a piece of legislation, or a list of recommendations, or an executive order. The solutions to the most pressing challenges we face in America today must be imprinted in the hearts and minds of every law enforcement professional and in every American citizen through shared experiences.

There was a time in my public career during which I legitimately believed we could force people to see the humanity in one another. Two decades in public advocacy and the maturity and wisdom I've acquired have taught me otherwise. I've learned that effective leadership must be measured, strategic, and solutions-driven in order to accomplish the aims of a civil, just and safe society. This is why something more substantive than simply protesting and nominal changes in use of forces policy is needed. The dangerous and deep-seated divisions we are witnessing in this hour must be addressed forthrightly and without vacillation in ways that promulgate real, lasting solutions.

In my view, the firing and prosecution of disgraced cops like former Officer Chauvin in Minneapolis is often requisite, but seldom preventive or curative. Instead, excessive use of force must be preempted and thwarted much more profoundly – on much deeper levels.

Law enforcement professionals standing in one corner yelling blue lives matter while protestors stand in another corner yelling Black lives matter simply won't lead to reconciliation or to an enhancement of public safety. Community remembers of every kind and law enforcement practitioners of every kind must sit together and reason together at tables of brotherhood and sisterhood in every neighborhood in our nation.

Dr. Martin Luther King, Jr. once said, "Darkness cannot drive out darkness; only light can do that. Hate cannot drive out hate; only love can do that".

Today we see the fruits of a descending spiral of destruction. We witness the hurt of many in the black and brown community who believe that law enforcement disproportionately uses force against them; we witness of the grief of George Floyd's family who join too many families that have a loved one to an officer-involved incident; we witness the pain of storekeepers who find the windows of their life work

smashed, and we witness the sorrow of the families of officers in St. Louis and Las Vegas who were struck by gunfire during riots.

On some levels, it seems that our country is pulling apart at the seams. But I choose to believe otherwise. I believe that our darkest hours are always just before the break of a new dawning. Our country has commenced a dialogue that presents an opportunity for healing and building and this Commission is uniquely positioned as a vehicle to illuminate the goodness of who we are.

Based upon my experience, I suggest that this commission's final report to the Attorney General, the Congress and the President contemplate and promote the following:

- Shared acceptance of responsibility for public safety by everyone, and by this I mean law enforcement, political leaders, business and corporate leaders, faith and other community leaders, and citizens;
- Strategic and targeted training modules that provide tools to help identify and remove subconscious biases and prejudices while refocusing law enforcement from utilizing a warrior mentality to a guardian-community service mentality;
- Investment in recruiting and retaining a diverse law enforcement workforce at every level, and;
- A dramatic shift in culture across the board.

Underlying these principles is the premise that it is vitally important for each and every citizen to accept and share responsibility for public safety at the highest level of responsibility that is naturally expected of law enforcement. Communities want law and order administered equally, regardless of race or socio-economic status, an ideal that is absolutely warranted. At the same time, citizens must remember that police have very dangerous jobs and all of us should respect the burden they carry by following the law and holding each other equally accountable when someone breaks the law.

In addition, while recognizing that law enforcement officers are extensively and continuously trained, the training modules should be modified to directly address subconscious biases and prejudices as well as how to engage the current seemingly anti-law enforcement sentiment that is on full display in social media and traditional media. But let us not fear addressing the subconscious beliefs that lead to prejudices and manifest in the form of systemic use of force on brown and black citizens, as one example. Recruitment of a diverse law enforcement workforce will help in this effort to identify subconscious biases and build bridges internally and externally. Furthermore, we need to leverage the assets of private industries to give our law enforcement professionals the best possible customer service orientation that they can have. As the moment in history, officers not only have an everyday job to do, they have an entirely new culture to pursue. A culture that will lead all Americans to seeing officers as real, true, genuine public servants who uphold law and order and carry themselves in such a way that they are always above reproach.

To realize this vision, I want to offer the following five specific recommendations:

1. The immediate scheduling of a White House roundtable with corporate and business leaders so that they can bring their expertise and resources to enabling law enforcement to become better

connected with the populations they serve. Doing this is not only in line with the values of our great corporate sector, but it will also lead to communities in which businesses will thrive.

2. The commencement of a new program that will transform the face of law enforcement by dedicating federal dollars to law enforcement recruitment and to loan-forgiveness for students who commit to law enforcement careers. This program, which I am calling Police for America is akin to Teach for America, bringing new people into the field and transforming instead of simply reforming law enforcement policies. To specifically address the diversity and community bridge-building opportunity in law enforcement, I suggest starting such a program at HBCUs.
3. The Department of Justice should significantly scale up its grant funding for programs that incentivize law enforcement collaboration with community organizations. Research clearly shows that when local community stakeholders co-produce public safety with law enforcement, crime decreases. For that reason we must underwrite the means by which community groups work alongside their local police departments and sheriff's offices on the public safety challenges that are most relevant to their neighborhoods.
4. There should be a significant increase in federal grant-making to market positive stories that bring balance to the negative imagery that we see too often about law enforcement. The truth is that for every negative story in the media and on social media, there are thousands of wonderful interactions between law enforcement officers and the public they serve. From a social marketing perspective, the Federal Government needs to significantly invest in projects, programs and organizations that facilitate, promote and widely publicize the daily sacrifices and contributions of law enforcement professionals. People need to hear and see the overwhelming good that law enforcement professionals do on a daily basis. There is an increasingly obvious connection between public perceptions on law enforcement and the ability to attract and maintain quality officers.
5. And finally, to announce, inform, and kick off these recommendations, the Commission, along with the Department of Justice and all the national law enforcement organizations should host a national town hall on policing and community engagement here in Atlanta.

These five recommendations have at their heart the same core belief that drives the work of MovementForward – we must build bridges across seeming differences. This perspective led to MovementForward launching the OneCOP initiative - a program that facilitates connections between law enforcement and the populations they serve. The program itself is quite simple. Houses of worship are paired with law enforcement officers – by breaking bread together, learning about and weighing in on crime solving and preventing initiatives, trust is built and the remarkable resources of the assets of faith-based institutions are leveraged to increase public safety. Many departments have relationships with faith leaders but there has not previously been a uniform, structured program to maximize those relationships. We are providing that structure.

This model works. We've launched OneCOP in Indianapolis, Atlanta, Athens Georgia, and Portland, Oregon where officers and community members of every background are collaborating to create more secure neighborhoods. And now we're looking to take this idea to scale. First, we want to grow the number of cities where OneCOP is organized - to become 10 and then 20 and then 100. Secondly, we are nationalizing this concept in October with a powerful initiative we are calling National Faith and Blue Weekend. During this weekend, any house of worship or community organization anywhere in the nation can organize an activity with local law enforcement officers. Every major national law enforcement organization has signed onto this initiative, and we are looking forward to the hundreds of activities that will be held.

You might ask why we are focusing on faith-based institutions. The answer is sixty-five million. That is the weekly attendance at the nation's more than 350,000 houses of worship. There are simply no community organizations that can come even close to rivaling the depth and breadth presented by houses of worship. You can find them in every town, city, and neighborhood across the nation, meeting regularly and engaging people of all backgrounds, demographics, and beliefs. And religious leaders have the trust and faith of their congregations and their communities, providing an entry to law enforcement officers to engage with the public, to collaborate on preventing and solving crime, and to speak out against violence that may come in the wake of an officer-involved tragedy.

For we have seen too much of a calling-out response in recent days. We must do better; much better. What we need is a calling-together. Officers must cross divides that at times seem to unravel our collective sense of purpose and humankind. Casting stone or blame is not the way forward. Instead officers and community leaders and members must work together with a solutions orientation to create true community-oriented policing, and they need help. The United States has an unrivaled corporate sector, a government that can work on a major scale, and religious denominations of every stripe. When put together, these sectors can rise to the challenge that lays before us.

I ask you to work by our side to facilitate the expansion of ideas, concepts and principles that I've offered you today because I truly believe that doing these things will reduce crime and violence, improve officer safety and wellness, and drastically increase collaboration between law enforcement and the communities they protect and serve.

If we do that, we can use this challenging moment to take bold and transformative steps to building what everyone feels safe and valued.

Thank you and may God bless you.