Police, the Community, and the Local Government Manager

Transcript of 2015 ICMA Annual Conference Media Event Panel Discussion

> *On September 29, 2015, in conjunction with the 101st annual conference of ICMA, the International City/County Management Association, a five-member panel of local government leaders and experts participated in a telephonic media event titled "Police, the Community, and the Local Government Manager."*
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> *A transcript of the panel discussion portion of that event follows below. To listen to the entire audio, including the question-and-answer portion, [download the audio recording of the call](#).*

Panelists:

- **Norton Bonaparte**, city manager, Sanford, Florida
- **Thomas Bonfield**, city manager, Durham, North Carolina (moderator)
- **J. Thomas Manger**, chief of police, Montgomery County, Maryland; and president, Major Cities Police Chiefs Association
- **Susan Manheimer**, chief law enforcement officer, San Mateo, California; past resident, California Police Chiefs Association; and
- **Antoinette (Toni) Samuel**, deputy executive director, National League of Cities.

Bonfield: Thank you for being on the call.

Trust between law enforcement agencies and the people they protect and serve is essential and the key to the stability of our communities, the integrity of the criminal justice system, and the safe and effective delivery of policing services.

Over the last two years, many cities, communities, and law enforcement agencies across the country, including Durham, have faced unprecedented challenges to this trust as a result of officer-involved citizen fatalities, as well as the killing of police officers by civilian suspects.

Today's discussion will focus on many aspects related to the foundations of this mistrust, and what it will take to improve and in some cases establish trust within our communities. Our experienced panelists today include representatives of local government management, law enforcement, and elected officials. At this time, I would like for them to introduce themselves and give a few brief opening remarks on their recent experiences regarding this topic.

First we have Toni Samuel.

Samuel: Yes. Hello and thank you….I'm the deputy executive director of the National League of Cities…a national association that is over 90 years old. We represent the 19,000 cities, towns, and villages across the U.S., and actually over our history, we have dealt with issues around diversity, inclusion, issues of race, and so it's very timely that we are participating in this event today.

Also we have, based on the events that have been occurred over the last year or so, taken a very serious look at these issues and particularly within NLC have established initiatives that we call REAL, which is Race, Equity, and Leadership. And our whole goal within this initiative is to coalesce all of our expertise and our experience around these issues into an initiative where we can provide the tools and resources and technical assistance to local officials as they try to deal with these issues and have a dialogue with their communities.

So we are taking these issues very seriously, organizationally, and our whole goal is to emphasize that for local elected officials, the important aspect of all of this is their role as leaders. And that's what we're focusing on, supporting their role as leaders as they try to work with their communities—whether it's their police departments, their local community officials, their city councils, their city departments—around these issues and to give them what they need to provide the leadership necessary to provide resources to their communities as they deal with these issues.

Bonfield: Next Norton Bonaparte.

Bonaparte: Good morning and good afternoon to those on the east coast. My name is Norton Bonaparte. I serve as the city manager of Sanford, Florida. Sanford, Florida, was known as the city where Trayvon Martin was shot and killed by George Zimmerman. [As a result,] we had a number of rallies and protests, so we've decided to talk and share with other communities what we think are the lessons we learned from having those situations [take place] in our community, so glad to be part of the call.

Bonfield: Okay. Next Chief Tom Manger

Manger: Hi. Tom Manger. I'm the chief of police in Montgomery County, Maryland, right outside Washington, D.C. I'm also the president of the Major Cities Chiefs Association, which is an association of the largest police departments in the United States and Canada. We've actually added a couple of members from the U.K.

We talk about and deal with many of the police issues that have become national conversations over the past year. In the past year, I've been asked dozens of time by local officials, by the public, "Could Ferguson happen here?" And my response is that Ferguson can happen anywhere. Every jurisdiction is only one bad incident away from having to answer questions about their hiring practices, about their training, about the diversity of their police department, their policies, their equipment, their tactics. So all of these are national conversations that are going on, and I think they are important conversations with regard to building community trust.

Bonfield: Thank you. And finally, Chief Susan Manheimer.

Manheimer: Yes, hi. Thank you so much. Good morning and good afternoon for those on a different coast. My name is Susan Manheimer. I have 31 years in law enforcement. I've been the chief of police in the city of San Mateo, a medium-sized agency just south of San Francisco, for the past 15 years. I'm a past president of the California Police Chiefs Association, and I'm lucky to be an appointee on numerous regional, state, and federal law enforcement commissions and advisory groups.

I think that the conversations particularly around these past several years have sort of presaged what we are going through, albeit, a very tough year for policing in this great country. And that includes the Harvard Kennedy School executive sessions and the Department of Justice Bureau of Assistance—where we've talked specifically about 21st century policing leadership, struggles and challenges, and some of the strategies and tactics that I think can help us lead the way through this tough time.

Bonfield: Okay, thank you. Let's begin with the questions. The *President's Task Force Report on 21st Century Policing* was issued in May 2015 with the intended purpose of identifying best practices and offering recommendations on how policing practices can promote effective crime reduction while building public trust. Chief Manger, what are your thoughts in general on how law enforcement should evaluate and respond to this report?

Manger: Well, I think that every police chief and sheriff in this country should read the report. One of the things that I think is important for folks to understand is that this is not a how-to manual for law enforcement agencies. But it addresses particular areas—which in the report they refer to as pillars— particular areas of policing that every police chief and sheriff should be thinking about and dealing with.

Whether it is civilian oversight, whether it's investigating use-of-force cases, building trust with the community, making sure the diversity of your department reflects the diversity of the community that they're serving, all of those are issues that are discussed, and I think the most important thing for chiefs and sheriffs to understand is that one size does not fit all.

There are 18,000 police departments in the United States. On the one end of the spectrum, you've got New York City with 40,000 police officers; but the vast majority of police departments in this country are less than 50 officers. So one size does not fit all, but I think that these concepts are all concepts that apply to every police department in every community. And while you may have some chiefs along the way say, you know, that we don't have the problems that they have in Ferguson…we don't have these issues in our community, the fact is that after one bad incident, the police are going to be put on the defensive. They're going to have to defend their hiring practices, their training, their tactics, things like that. And so review this report. It asks the questions that every police chief should be able to answer with regard to their community, and I think it is a national guidebook, and it is a must-read for every police chief and every sheriff in this country.

Bonfield: Thank you. Toni, how do you think elected officials should evaluate and respond to the report?

Samuel: Thank you. First, I think that our elected officials should: (1) be aware of the report, and that's something that the National League of Cities is working on to make sure that our members are aware of the Task Force and its recommendations, and particularly its six pillars. And so we've been working with the White House and the administration in making sure that we can coordinate with them on awareness.

But I also agree that every community is different, and we want to recognize those differences. So I think the value of the report really is that it should create a dialogue between the elected officials and the police departments in these diverse communities. That dialogue, that communication, I think, will help to determine what is best in terms of those recommendations to be adopted for any particular

community. So there is value in the report itself in terms of its recommendations, and I want to commend all the expertise that was garnered in order to develop those task force recommendations.

But I really do feel what we are emphasizing for our elected official membership is that it should help to create a dialogue between the elected officials and the elected leadership of a community and the police department and the community. [I] can't emphasize enough to also engage the community in those discussions. So we think there is value, yes, in what is specifically cited in the report but also increased value, we hope, in the dialogue, and the community engagement, and the communication that it would create.

Bonfield: Thank you. Pillar 1 of the *21st Century Policing Report* focused on building trust and police legitimacy, particularly in communities of color. Norton, how do you think the manager can be most effective in helping to establish and rebuild this trust and police legitimacy?

Bonaparte: I think for any police department to be truly effective it has to have the trust of the people that it is serving. I think the manager's role is to be visible and to make sure that all of the community knows, and particularly people in communities of color, that the city government cares. Often times the services provided in minority communities are not always viewed as being the same level of service or the same quality of service as other parts of the city. And I think it's important from a management perspective that residents know that we are concerned about them, that we are respectful of them, particularly when it comes to law enforcement.

I believe that the establishment [of that trust] by a chief is particularly important. I'm very fortunate in Sanford; we have a chief, Chief Cecil Smith, [who] has established a "walk-and-talk" where he has a group of officers [who] on Thursdays will go door-to-door, knocking on doors, introducing themselves so that the citizens know that they're out there and they're getting to know them. So building [trust within] communities of color—whether it's Hispanic, or African American, or Asian—I think it's critical for any police department to truly be effective.

Bonfield: Thank you. Chief Manheimer, what are your thoughts on how the police department and in particular police chiefs can be most effective in establishing or rebuilding this trust in police legitimacy?

Manheimer: Thank you. I greatly appreciate the city manager's reference to trust and legitimacy. And you know, building that trust and legitimacy is really particularly important in communities where there are challenges. This report overall is a guideline, but there are certainly many others, as we in law enforcement and policing have been talking for quite a while about building this trust and legitimacy as partners.

The one thing that I think is really important to recognize is [that] there is a…good body of knowledge for police chiefs and for their cities and communities to follow as guidelines. We don't need to reinvent the wheel, and we can really build on the good work done in places like Sanford and others, where they have taken a challenging relationship between their communities and their police—and indeed, this has been a year of challenges with those relationships—and recognize that there are strategies and tactics that really do work and that we can build on. As Chief Manger said earlier, it's not a one-size-fits-all, but ensuring that your police chief has access to the resources, strategies, and tactics that are really being built within the body of knowledge in our profession [is] really important.

I would really look to people to say, your chief should be in discussion with your community and with your leaders, both elected and with your city managers, and the type of policing that your community has the tolerance [for] and can support. It's not only [not] one-size-fits-all, but there are some great training classes and other technical assistance offered by the Bureau of Justice Assistance and the COPS office that can bring training, can bring strategies for success to your local police departments.

If I could focus very quickly on one, actually called "Legitimacy and Procedural Justice," which highlights the fact that it's not simply the tactics that we use, but it's the way in which we treat people, the way in which we see each other, and the way in which we support the actions. Police are on the front lines out there every day in tough and challenging situations within our communit[ies], and if we can truly see each other and understand and support the mission that each of us plays—local electeds, city managers, police, and the community and its supporters—then we can work on the specific local strategies that are both tolerable and supported within our communities.

Bonfield: Thank you, Chief. That's a great segue to our next question that we're going to refer to Chief Manger. A source of tension that has emerged in many communities, including mine, Durham, North Carolina, are concerns over racial disparities in policing, traffic stops, searches, and the like. How do we balance and reconcile effective policing tactics and desirable community policing and avoid or explain what appears to be disparities in policing?

Chief Manger: …I think most police chiefs understand that you have to deploy your resources where you have the most calls for service, where you have the most crime issues. And consequently what you've got often times [is] where crimes are occurring in neighborhoods that have more poverty. They occur in neighborhoods where there's more unemployment. They occur in neighborhoods that have been challenged in many cases for generations. And so, what you've done is you've basically put most of your cops in a particular area, you've got crime strategies like stop-and-frisk, [where] every time a vehicle is stopped for a traffic violation, the officers may be looking for a reason to be able to search the car. And these are the kind of tactics that most cops think "well, this is the way I'm fighting crime." There's certainly no intention to discriminate against anybody based on their race or ethnicity.

But the fact is that because there's more traffic stops that occur in some of these higher crime areas that, again, have these demographic characteristics of unemployment, poverty….If you look at high school graduation rates, there's another great predictor of where there's going to be crime….You know, if only 50 percent of the kids graduated from high school in a particular area of the city or town, you can bet you're going to have more crime issues there than in an area where you have a 90-percent high school graduation rate.

So you've got to make sure that you're aware of the impact that your tactics are having on a community. Having a good relationship with the community, good community policing strategies is not mutually exclusive with crime fighting. But a lot of it is, you've got to get community buy in, got to listen to the community. One of the best strategies a lot of chiefs use when they're going to try and address crime in a particular community: they'll go into that community and have a community meeting or several community meetings first and say "Tell us what your problem is; tell us what you'd like us to do," and get buy in from the community, allow them input in terms of the way the police are going to deliver the service. And when you do that, I think that you build that trust and confidence.

The community wants to believe that the police are making smart decisions, and that they are well-intentioned with their tactics and their strategies. And so the police have to be communicative with the

public about what they're doing and why they're doing it. And if you do that I think that you're at least getting off on the right foot. But the back end of that is understanding the impact that some of these strategies are going to have on the community, especially if you focus your resources in the hot spots in your particular community or town.

Bonfield: Chief Manheimer, do you have anything you'd like to add to that?

Manheimer: Yeah, I think that building on what Chief Manger's just said, really the perception and the trust, while related, are not necessarily based on what's happening in your actual local community. And this is where police and city leaders need to step up and be both more transparent and really have some educational dialogue within their communities. We don't have, and we've seen over this past year, very good valid national databases. It's incumbent upon us locally to both have good data, also to relate that data to what it actually means within the community.

Building communities of trust begins by strengthening the community dialogues and partnerships but also articulating the reasons and tactics for use-of-force incidences, for the types of equipment, technology, training, and, really, responses that we have out there. Often times we leave it to the media to tell the story and to highlight why and how we do what we do. It's got to be more, I think, of a partnership, and we've got to engage the community in the public awareness and dialogue and ultimately build the support for the tactics and strategies we use. It is not enough for us to ensure that we are doing the right thing. It's really incumbent upon us to share with the community and to gain support and trust for the things that we are doing in policing. And that is the only way we'll be able to get into neighborhoods locally and gain both the support, the intelligence, and information and also the partnerships needed to have long-term impacts on crime. Neighborhood by neighborhood; building that relationship with the police and the communities they serve.

Bonfield: Thank you. Pillar 3 in the *21st Century Policing Report* suggests that new technologies, such as police body-worn cameras [worn] by police, can be an effective tool to document interactions between law enforcement and the community, particularly in use-of-force situations. What are the perspectives and concerns from the police department about how effective body-worn cameras or other new technologies will be in improving public trust between community and law enforcement? And we want to first push this question to Chief Manger.

Manger: In Montgomery County, we have just in the last four months begun a pilot program. I've got about 100 cameras out on the road, between 75 and 100 cameras out on the road, and what we're finding is that, I think it's a very good tool in terms of accountability. I think it's having the desired effect that we were hoping, that is, when people find out that the police officer has the body-worn camera, everybody all of a sudden is on their best behavior.

We've been able to use the first of our videos as evidence in court, and I'll tell you, we're getting convictions in cases where I don't think we would have gotten convictions before. It comes down to a charge like a disorderly conduct, you know. An officer tries to describe what occurs, and the person denies it, so the judge often times just says, okay…he just dismisses the case because there's really not enough overwhelming evidence to get a conviction. We had a disorderly conduct case involving an individual, we showed the video. Immediately, the judge says guilty because he was able to see what exactly what occurred. So I think the videos have great value.

What's important though and [what] the public and the media need to understand, is that there are limitations; that's it's not the panacea that a lot of folks think it is. Often times the camera will see something that the officer doesn't see. The officer's attention might be diverted and not see something that the camera sees. And conversely, the officer might see something but not be pointed in th[e] direction [of] the camera so that the camera might miss it.

[There are] issues about privacy. We are having that debate in every state, every community that is looking at body-worn cameras. On the one hand, a lot of folks think everything ought to be public—every video should be available to the public. On the other hand, you've got victims of sexual assaults and other crimes. You've got officers going into people's homes for domestic situations. Should all this be available to the public to see? You know, if you've got the nosy neighbor that wants to see the video because the police went to the house across the street. What should be private and what should be public? These are questions that every community, every state is going to have to answer.

I think there is middle ground. I think you need to protect people's privacy, but I also think that part of the value of these cameras is accountability. Just because something is filmed by the police doesn't…make it necessary for the public, for everyone to be able to see it. Certainly interested parties should be able to see these things. It's important that we find that middle ground so that we don't have unintended consequences from the use of the cameras.

Bonfield: Thank you. Toni, what are your thoughts about what role elected officials and the community should play in evaluating some of these policies and practices around the use of these new technologies, such as body-worn cameras?

Samuel: First, at the National League of Cities, we support the consideration of body cameras, but I agree that we need to understand that this technology is not the answer, as said, it's not the panacea. It is not the quick fix that is going to infuse trust in communities. But I do think that if a community feels that body-cameras or this type of technology infuses transparency; if they feel that this is an effort that they can recognize by their local police, that their effort is trying to engage a community, trying to gain [the] trust of the community, then it has a value. Because the community's perception may be that this technology is a step that's going forward by the local police department in terms of engaging and garnering trust within that community.

However, we know that trust is a multifaceted issue in these communities, and as we said, every community is different. So it is not *the* answer, but I do think the technology affords us an opportunity to at least take an initial step toward building trust. But [we need] to understand it is not a quick fix, and that some of the issues around trust are so systemic in some communities, that it's worth our effort to take a deeper look at the issue so that the technology can be of benefit, like it is in other aspects of our lives, but let's just realize that. It's one aspect. It's one answer toward what is a deeper issue that we should be looking at, and that is the multifaceted issues of trust.

And I agree that we need to understand the limitations; that we need to rely on, as the chief just mentioned, the understanding from the perspective of our law enforcement, about the limitations of the technology. But once we understand that, for the elected official, I think it's even more important to make sure that we engage the community in that understanding. Just as we've been able to define what are some of the limitations and some of the value of this technology, let's make sure that we engage and communicate to the community what some of the limitations are so that they are informed ahead

of this technology; so they understand the value of it, but they may also understand from the police department's perspective what are some of those limitations.

So again, I go back to this theme of…as we're working through some of these issues, from the elected officials' perspective, engaging the community in both the solutions, in both the understanding of how we are trying to move forward on these issues, is really very vital and very important.

Bonfield: Terrific. Thank you, Toni. Do want to point out too, that ICMA's *PM (Public Management)* magazine, in the November 15 issue, will have an extensive cover story on body-worn cameras, so be looking for that as well.

So there have been suggestions by some that more civilian oversight of law enforcement is needed. I want to ask Norton: What role do you think civilian oversight should play within community-police relations?

Bonaparte: Well, I think it's important that residents feel if they [have] a complaint with a police officer or if they have concerns about how they are being treated by the police that they should be able to go and voice that concern or register that complaint and not have to do it at the police department that they are lodging the complaint against. The challenge, however, is when you have a panel that's been made up of individuals that have no law enforcement training or experience being now asked to judge the actions of sworn law enforcement officers.

While I was in the city of Topeka as a city manager, we established a group called the Law Enforcement Partnership Panel, whose role was to be a bridge between the public and the police department. They did not have enforcement authority; they did not investigate individual situations. But they did [participate in] the citizens' academy the police department had so that they had some understanding of police work. And their real focus was to convey information from the citizens to the police department as well as to relay information from the police department to the citizens. And so they were a conduit, and I think that each community can see what makes sense for them.

But I think the idea of having civilians involved with law enforcement is critical to having and building the trust. The concern is how to do you get that balance between the rights of the officers and the wishes of the residents.

Bonfield: Thank you. Chief Manheimer, from a law enforcement perspective and a chief's perspective, what do you think about this call for more civilian oversight of law enforcement, and does it play any benefit in improving police-community relations?

Manheimer: Well, I think certainly that I've seen in my time, especially in the Bay area in California, probably six or eight different models of civilian oversight. I haven't seen any, frankly, that have brought great benefit to either the community or the police department in developing the tactics and strategies. But what I have seen is that the community feels they have a better avenue [through] which to either complain or to bring about change in the police department. I've seen and have experienced the ombudsman model, which is where I think more agencies are going towards now; a "kitchen cabinet," if you will, or a chief's advisory committee, to the leaders in law enforcement within the city or the county that have been more successful in ensuring that citizens have a role, a stake. And certainly as a stakeholder, they have input into and can develop the type of tolerances that a community has for policing strategies.

What I think needs to be mentioned here is that if there is a need or desire to implement some of these systems within the community, it should be an early-warning system to those leaders both in the policing and within the city government, that they need to take a hard look at some proactive steps to try and ensure that they are that open, fair, and impartial policing entity within their jurisdiction. And really look at ways in which they can ensure that those stakeholders feel both represented and legitimized.

It is good to know that there are policing agencies, as well as mayors and city managers, who have called in both either the Department of Justice or others who are in the management and auditing of police practices, for proactive, collaborative reform. In fact, as much as four or five years ago, we saw the Department of Justice coming in and really taking oversight from the department, from the city in managing police departments. Over the past several years, we've been very pleased that both through the Police Executive Research Forum and the COPS office of the Department of Justice, they've looked to establish more of a proactive, collaborative reform, recognizing that if the agenc[ies] themselves seek out ways in which they can both reform and ensure they have progressive practices, partnering with their community, they really are the ones in the driver's seat to make that happen without the outside influence that will be struggling against the systems internally.

So I would really look toward the fact that there's not "one-size-fits-all;" that there is a place for the community to both reflect and to implement and input on what the policing strategies are. But that I would suggest that local police leaders and local city government officials and leaders should not lose the controlling as a subject matter expert but should work within the community to ensure that their stake and their input is heard.

Bonfield: Thank you. So before we take questions from our listening audience, I want to give all of the panelists one last chance for a brief….and albeit, it needs to be brief, wrap-up comment of anything that wasn't covered in the previous questions. So let's say Norton, do you want to go first?

Bonaparte: I think the main point we're hearing is the issue of trust and how each department, each city—from the mayor, the council, the elected officials, the city manager—needs to identify what it needs to do to establish the trust within all segments of the community. We've certainly seen with the communities of color some issues, but I think it's important that the municipality take the steps to get out into the communities to let them know that they care about them, that they're providing services in a fair and equitable manner, and that the city government is looking out after the wellbeing of all of its residents.

Bonfield: Thank you. Chief Manger?

Manger: I think as a police chief—and I've been a cop for 39 years, a police chief for 17 years—I realize that the three most important responsibilities that I have are: to make sure that we're hiring the right people; to invest in their training throughout their career; and thirdly, and perhaps most importantly, to hold people accountable for doing their job the way it's supposed to be done. And if you do those three things, if the department is able to do those three things well, I think that you're got a department that is very likely going to be earning the trust and confidence of the community that they serve. You're going to have cops [who] understand just how important it is…and what role they play within the community and how if the community has confidence and trust in them, how much easier their job can be.

So, this is a conversation that has been going on in police work for many, many years, but I think that this spotlight that has been on the police post-Ferguson is an opportunity for every single police department, sheriff's department, law enforcement agency in the country to come out a better agency.

Bonfield: Thank you. Toni Samuel, do you have any thoughts?

Samuel: Yes. From the perspective of the National League of Cities, we want to emphasize that this is not just a police issue. That what has been happening in our communities and will happen going forward if we don't address these issues, is not just an issue for a police department and a local community to address but at the heart of it, a situation with the police usually is an action that has been germinated by other issues within a community. So we emphasize that there are systemic issues that an elected official stands ready to take the leadership on addressing, bringing together the important partners and stakeholders including the police and public safety officials within their community, to address the inherent issues within their community that may at some point result in some kind of police issue.

So the police cannot not stand alone in addressing these issues, and our elected officials stand ready to bring [together] the whole community and engage the whole community behind supporting the police and supporting and addressing some of the systemic issues in communities that have caused some of our recent problems.

Bonfield: Terrific. Thank you. And Chief Manheimer, any closing comments?

Manheimer: Yes. I will say that these are the best of times and the worst of times. And in great challenges, hopefully, there are great opportunities for us. This has been just about the most challenging year, I think, for policing that I've seen in my past 31-year my career. I think that mistrust and some sensationalized and voracious, 24-hour news cycles, the Yelp generation of critics, the rise of social media, and the sensational events that we've seen as cell phones and YouTube have become ubiquitous out on our streets, have all left our police departments and police officers and chiefs struggling to find their footing and develop the support and strategies critical for their important work on the front lines within our communities.

There is, though, good news, in that not only is this *21st Century Police Report* from the COPS office and the President's own initiative really helpful in starting that dialogue and helping departments and their leadership, both in the city and the community, really gauge and assess where they are, see where the good strategies and tactics are and some of the areas in which you can find those. There are a lot of resources to address the issues that we're seeing nowadays.

But the bottom line is, it's all local, and day to day, it's that personal relationship between the neighborhood cop and their community. And how we as chiefs, as leaders, help to guide them through those relationships and standing really plays out in local conversations. As has been said here around the table, they are not, police, responsible for the entire situation of hopelessness and frustration we see in some of our marginalized and challenged communities, particularly, those who are addressing the disparities and hopelessness created by lack of fair and equitable access…whether it's [to] health, education, policing, or other resources. But we as police leaders through community policing can help to ensure that we are a leader in helping find communities answers.

Bonfield: Terrific. Thank you.

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