Final Report of the President's Task Force on 21st Century Policing. May 2015. President's Task Force on 21st Century Policing.

Background: President Obama gave the task force an initial 90 days to identify best policing practices and offer recommendations on how those practices can promote effective crime reduction while building public trust. One of the co-chairs was Charles Ramsey, chief of police of Philadelphia, and formerly of the District of Columbia.

Executive Summary: Trust between law enforcement agencies and the people they protect and serve is essential in a democracy. It is key to the stability of our communities, the integrity of our criminal justice system, and the safe and effective delivery of policing services [Comment: for citizens as well as police officers]. The task force recommendations, each with action items, are organized around six main topic areas or "pillars:"
   1. Building Trust and Legitimacy
   2. Policy and Oversight
   3. Technology and Social Media
   4. Community Policing and Crime Reduction
   5. Officer Training and Education, and
   6. Officer Safety and Wellness.

Pillar One: Building Trust and Legitimacy
Building trust and nurturing legitimacy on both sides of the police/citizen divide is the foundational principle underlying the nature of relations between law enforcement agencies and the communities they serve. Decades of research and practice support the premise that people are more likely to obey the law when they believe that those who are enforcing it have authority that is perceived as legitimate by those subject to the authority. The public confers legitimacy only on those whom they believe are acting in procedurally just ways. In addition, law enforcement cannot build community trust if it is seen as an occupying force coming in from outside to impose control on the community. [Comment: the FCPD must comply with the letter and spirit of laws that apply to the public, while also using common sense; the FCPD cannot view itself as above the law when it comes to UOF nor can it risk being perceived as holding such views.]

Law enforcement culture should embrace a guardian—rather than a warrior—mindset to build trust and legitimacy both within agencies and with the public. Toward that end, law enforcement agencies should adopt procedural justice[1] as the guiding principle for internal and external policies and practices to guide their interactions with rank and file officers and with the citizens they serve. Law enforcement agencies should also establish a culture of transparency and accountability to build public trust and legitimacy. This is critical to ensuring decision making is understood and in accord with stated policy. [Comment: adopt 4.6.8 Action Item.]

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[1] Internal procedural justice refers to practices within an agency and the relationships officers have with their colleagues and leaders. Research on internal procedural justice tells us that officers who feel respected by their supervisors and peers are more likely to accept departmental policies, understand decisions, and comply with them voluntarily. External procedural justice focuses on the ways officers and other legal authorities interact with the public and how the characteristics of those interactions shape the public's trust of the police. It is important to understand that a key component of external procedural justice—the practice of fair and impartial policing—is built on understanding and acknowledging human biases, both explicit and implicit.

1.1 Recommendation: Law enforcement culture should embrace a guardian mindset to build public trust and legitimacy. Toward that end, police and sheriffs' departments should adopt procedural justice as the guiding principle for internal and external policies and practices to guide their interactions with the citizens they serve.

1.2 Recommendation: Law enforcement agencies should acknowledge the role of policing in past and present injustice and discrimination and how it is a hurdle to the promotion of community trust.

1.3 Recommendation: Law enforcement agencies should establish a culture of transparency and accountability in order to build public trust and legitimacy. This will help ensure decision making is understood and in accord with stated policy.
1.3.1 Action Item: To embrace a culture of transparency, law enforcement agencies should make all department policies available for public review and regularly post on the department's website information about stops, summonses, arrests, reported crime, and other law enforcement data aggregated by demographics.
1.3.2 Action Item: When serious incidents occur, including those involving alleged police misconduct, agencies should communicate with citizens and the media swiftly, openly, and neutrally, respecting areas where the law requires confidentiality.

1.4 Recommendation: Law enforcement agencies should promote legitimacy internally within the organization by applying the principles of procedural justice.
1.4.1 Action Item: In order to achieve internal legitimacy, law enforcement agencies should involve employees in the process of developing policies and procedures.
1.4.2 Action Item: Law enforcement agency leadership should examine opportunities to incorporate procedural justice into the internal discipline process, placing additional importance on values adherence rather than adherence to rules. Union leadership should be partners in this process.

1.5 Recommendation: Law enforcement agencies should proactively promote public trust by initiating positive nonenforcement activities to engage communities that typically have high rates of investigative and enforcement involvement with government agencies.
1.5.1 Action Item: In order to achieve external legitimacy, law enforcement agencies should involve the community in the process of developing and evaluating policies and procedures.
1.5.2 Action Item: Law enforcement agencies should institute residency incentive programs such as Resident Officer Programs. [Comment: FCPD should require mandatory residency in the County.]
1.5.3 Action Item: Law enforcement agencies should create opportunities in schools and communities for positive nonenforcement interactions with police. Agencies should also publicize the beneficial outcomes and images of positive, trust-building partnerships and initiatives.
1.5.4 Action Item: Use of physical control equipment and techniques against vulnerable populations—including children, elderly persons, pregnant women, people with physical and mental disabilities, limited English proficiency, and others—can undermine public trust and

should be used as a last resort. Law enforcement agencies should carefully consider and review their policies towards these populations and adopt policies if none are in place.
1.6 Recommendation: Law enforcement agencies should consider the potential damage to public trust when implementing crime fighting strategies.
1.6.1 Action Item: Research conducted to evaluate the effectiveness of crime fighting strategies should specifically look at the potential for collateral damage of any given strategy on community trust and legitimacy.

1.7 Recommendation: Law enforcement agencies should track the level of trust in police by their communities just as they measure changes in crime. Annual community surveys, ideally standardized across jurisdictions and with accepted sampling protocols, can measure how policing in that community affects public trust.
1.8 Recommendation: Law enforcement agencies should strive to create a workforce that contains a broad range of diversity including race, gender, language, life experience, and cultural background to improve understanding and effectiveness in dealing with all communities.

Pillar Two: Policy and Oversight
Pillar two emphasizes that if police are to carry out their responsibilities according to established policies, those policies must reflect community values. Law enforcement agencies should collaborate with community members, especially in communities and neighborhoods disproportionately affected by crime, to develop policies and strategies for deploying resources that aim to reduce crime by improving relationships, increasing community engagement, and fostering cooperation. To achieve this end, law enforcement agencies should have clear and comprehensive policies [Comment: and continual training] on the use of force (including training on the importance of de-escalation), mass demonstrations (including the appropriate use of equipment, particularly rifles and armored personnel carriers), consent before searches, gender identification, racial profiling, and performance measures— among others such as external and independent investigations and prosecutions of officer-involved shootings and other use of force situations and in-custody deaths. These policies should also include provisions for the collection of demographic data on all parties involved. All policies and aggregate data should be made publicly available to ensure transparency.

Paramount among the policies of law enforcement organizations are those controlling use of force. Not only should there be policies for deadly and nondeadly uses of force but a clearly stated "sanctity of life" philosophy must also be in the forefront of every officer's mind. This way of thinking should be accompanied by rigorous practical ongoing training in an atmosphere of nonjudgmental and safe sharing of views with fellow officers about how they behaved in use of force situations.

To ensure policies are maintained and current, law enforcement agencies are encouraged to periodically review policies and procedures, conduct nonpunitive peer reviews of critical incidents separate from criminal and administrative investigations, and establish civilian oversight mechanisms with their communities.
[Comment:
(a) For all General Orders (GOs), SOPs, and memoranda, the FCPD should:
        (1) seek public comment on them, especially where they touch upon use of force,

(2) create a process for gathering lessons learned from within the FCPD and the public on implementation of them, and

(3) schedule annual reviews of them considering new technology, research, and lessons learned here and nationwide.

(4) GO 540.1 should incorporate an unambiguous "sanctity of life" philosophy.

(5) GO 540.1 should replace "reasonable" with "objectively reasonable" throughout.

(6) GO 540.1 should modify the definition of reasonable to include: a particular use of force is based on the totality of circumstances known by the officer at the time of the use of force and weighs the actions of the officer against the rights of the subject, as well as the safety of ALL involved or in jeopardy of actions taken in light of the circumstances surrounding the event. Reasonableness will be judged from the perspective of a reasonable officer/agent on the scene, rather than with the 20/20 vision of hindsight.

(7) GO 540.1 should incorporate the text regarding "Objectively Reasonable and the Totality of Circumstances" in I.B.1-3 (p. 2) in *the Use of Force Policy, Guidelines and Procedures Handbook, Office of Training Development*, HB 4500-01C of the U.S. Customs and Border Protection.

(b) FCPD should make relevant statistics readily available in print and online by district/office, by types of administrative investigations by violation, by violation type, etc. To the maximum extent possible, such reports should be written clearly and in layman's terms easily understood by officers of the FCPD and the taxpayers.

(c) Our Board of Supervisors should establish a civilian oversight board for the FCPD with one member appointed by each member of the Board and the chairman chosen by the oversight board members, and a representative from the FCPD or other vested agency, state or federal.]

2.1 Recommendation: <mark>Law enforcement agencies should collaborate with community members to develop policies and strategies</mark> in communities and neighborhoods disproportionately affected by crime for deploying resources that aim to reduce crime by improving relationships, greater community engagement, and cooperation.

2.2 Recommendation: Law enforcement agencies should have comprehensive policies on the use of force that include [Comment: continual] training, investigations, prosecutions, data collection, and information sharing. These policies must be clear, concise, and openly available for public inspection.

2.2.1 Action Item: <mark>Law enforcement agency policies for training on use of force should emphasize de-escalation and alternatives to arrest or summons</mark> in situations where appropriate [Comment: and most importantly use of common sense.]

2.2.2 Action Item: <mark>These policies should also mandate external and independent criminal investigations in cases of police use of force resulting in death, officer-involved shootings resulting in injury or death, or in-custody deaths</mark>.

2.2.3 Action Item: The task force encourages policies that <mark>mandate the use of external and independent prosecutors in cases of police use of force resulting in death, officer-involved shootings resulting in injury or death, or in-custody deaths</mark>.

2.2.4 Action Item: Policies on use of force should also require agencies to collect, maintain, and report data to the Federal Government on all officer-involved shootings, whether fatal or nonfatal, as well as any in-custody death.

2.2.5 Action Item: Policies on use of force should clearly state what types of information will be released, when, and in what situation, to maintain transparency.

2.2.6 Action Item: Law enforcement agencies should establish a Serious Incident Review Board comprising sworn staff and community members to review cases involving officer involved shootings and other serious incidents that have the potential to damage community trust or confidence in the agency. The purpose of this board should be to identify any administrative, supervisory, training, tactical, or policy issues that need to be addressed.

2.3 Recommendation: Law enforcement agencies are encouraged to implement nonpunitive peer review of critical incidents separate from criminal and administrative investigations.

2.4 – 2.5 Recommendation: N/A for FCPD UOF.

2.6 Recommendation: Law enforcement agencies should be encouraged to collect, maintain, and analyze demographic data on all detentions (stops, frisks, searches, summons, and arrests). This data should be disaggregated by school and non-school contacts.

2.7 Recommendation: Law enforcement agencies should create policies and procedures for policing mass demonstrations that employ a continuum of managed tactical resources that are designed to minimize the appearance of a military operation and avoid using provocative tactics and equipment that undermine civilian trust.

2.7.1 Action Item: Law enforcement agency policies should address procedures for implementing a layered response to mass demonstrations that prioritize de-escalation and a guardian mindset.

2.8 Recommendation: Some form of civilian oversight of law enforcement is important in order to strengthen trust with the community. Every community [Comment: should participate, along with law enforcement, in defining] the appropriate form and structure of civilian oversight to meet the needs of that community.

2.9 Recommendation: Law enforcement agencies and municipalities should refrain from practices requiring officers to issue a predetermined number of tickets, citations, arrests, or summonses, or to initiate investigative contacts with citizens for reasons not directly related to improving public safety, such as generating revenue.

2.10 Recommendation: Law enforcement officers should be required to seek consent before a search and explain that a person has the right to refuse consent when there is no warrant or probable cause. [Comment: Unless exigent circumstances of life and death exist.] Furthermore, officers should ideally obtain written acknowledgement that they have sought consent to a search in these circumstances.

2.11 Recommendation: Law enforcement agencies should adopt policies requiring officers to identify themselves by their full name, rank, and command (as applicable) and provide that information in writing to individuals they have stopped. [Comment: We support business cards in 2.11.1 Action Item, but do not support the police officer detracting from his alertness by

writing this down.] In addition, policies should require officers to state the reason for the stop and the reason for the search if one is conducted.

2.11.1 Action Item: One example of how to do this is for law enforcement officers to carry business cards containing their name, rank, command, and contact information that would enable individuals to offer suggestions or commendations or to file complaints with the appropriate individual, office, or board. These cards would be easily distributed in all encounters.

2.12 – 2.14 Recommendation: N/A for FCPD UOF.

Pillar Three: Technology & Social Media
The use of technology can improve policing practices and build community trust and legitimacy, but its implementation must be built on a defined policy framework with its purposes and goals clearly delineated. Implementing new technologies can give police departments an opportunity to fully engage and educate communities in a dialogue about their expectations for transparency, accountability, and privacy. [Comment: FCPD should provide the maximum information on UOF cases possible to the public as it becomes available.]

3.1 Recommendation: N/A for FCPD UOF.

3.2 Recommendation: The implementation of appropriate technology by law enforcement agencies should be designed considering local needs and aligned with national standards.
3.2.1 Action Item: Law enforcement agencies should encourage public engagement and collaboration, including the use of community advisory bodies, when developing a policy for the use of a new technology.
3.2.2 Action Item: Law enforcement agencies should include an evaluation or assessment process to gauge the effectiveness of any new technology, soliciting input from all levels of the agency, from line officer to leadership, as well as assessment from members of the community.

3.3 – 3.7 Recommendation: N/A for FCPD UOF.

Pillar Four: Community Policing & Crime Reduction
Pillar four focuses on the importance of community policing as a guiding philosophy for all stakeholders. Community policing emphasizes working with neighborhood residents to coproduce public safety. Law enforcement agencies should, therefore, work with community residents to identify problems and collaborate on implementing solutions that produce meaningful results for the community. Specifically, law enforcement agencies should develop and adopt policies and strategies that reinforce the importance of community engagement in managing public safety. Law enforcement agencies should also engage in multidisciplinary, community team approaches for planning, implementing, and responding to crisis situations with complex causal factors. [Comment: FCPD should provide maximize citizen input on law enforcement an UOF and identify community members who can help de-escalate situations where feasible so that UOF becomes unnecessary or kept to the bare minimum.]

4.1 Recommendation: Law enforcement agencies should develop and adopt policies and strategies that reinforce the importance of community engagement in managing public safety.

4.2 Recommendation: Community policing should be infused throughout the culture and organizational structure of law enforcement agencies.

4.2.1 Action Item: Law enforcement agencies should [Comment: continually] evaluate officers on their efforts to engage members of the community and the partnerships they build. Making this part of the performance evaluation process places an increased value on developing partnerships.

4.2.2 Action Item: Law enforcement agencies should [Comment: continually] evaluate their patrol deployment practices to allow sufficient time for patrol officers to participate in problem solving and community engagement activities.

4.3 Recommendation: Law enforcement agencies should [Comment: continually] engage in multidisciplinary, community team approaches for planning, implementing, and responding to crisis situations with complex causal factors.

4.3.1 Action Item: N/A for FCPD UOF.

4.3.2 Action Item: Communities should look to involve peer support counselors as part of multidisciplinary teams when appropriate. Persons who have experienced the same trauma can provide both insight to the first responders and immediate support to individuals in crisis.

4.3.3 Action Item: Communities should be encouraged to evaluate the efficacy of these crisis intervention team approaches and hold agency leaders accountable for outcomes.

4.4 Recommendation: Communities should support a culture and practice of policing that reflects the values of protection and promotion of the dignity of all, especially the most vulnerable.

4.4.1 Action Item: Because offensive or harsh language can escalate a minor situation, law enforcement agencies should [Comment: continually] underscore the importance of language used and adopt policies directing officers to speak to individuals with respect. [Comment: Non-compliance should be dealt with quickly, via appropriate officer discipline, to include written admonitions to dismissal, and written apology to the citizen(s).]

4.4.2 Action Item: Law enforcement agencies should develop programs that create opportunities for patrol officers to regularly interact with neighborhood residents, faith leaders, and business leaders.

4.5 Recommendation: Community policing emphasizes working with neighborhood residents to co-produce public safety. Law enforcement agencies should work with community residents to identify problems and collaborate on implementing solutions that produce meaningful results for the community.

4.5.1 Action Item: Law enforcement agencies should schedule regular forums and meetings where all community members can interact with police and help influence programs and policy.

4.5.2 Action Item: Law enforcement agencies should [Comment: regularly] engage youth and communities in joint training with law enforcement, citizen academies, ride-alongs, problem solving teams, community action teams, and quality of life teams.

4.5.3 Action Item: Law enforcement agencies should establish formal community/citizen advisory committees to assist in developing crime prevention strategies and agency policies as well as provide input on policing issues.

Reviewed by: Michael Shumaker & Randy Sayles

4.6 Recommendation: Communities should adopt policies and programs that address the needs of children and youth most at risk for crime or violence and reduce aggressive law enforcement tactics that stigmatize youth and marginalize their participation in schools and communities.

4.6.1 – 4.6.7 Action Item: N/A for FCPD UOF.

4.6.8 Action Item: Law enforcement agencies and schools should establish memoranda of agreement for the placement of School Resource Officers that limit police involvement in student discipline.

Pillar Five: Training & Education
Pillar five focuses on the training and education needs of law enforcement. To ensure the high quality and effectiveness of training and education, law enforcement agencies should [Comment: regularly] engage community members, particularly those with special expertise, in the training process and provide leadership training to all personnel throughout their careers.

One specific method of increasing the quality of training would be to ensure that Peace Officer and Standards Training (POST) boards include mandatory Crisis Intervention Training (CIT), which equips officers to deal with individuals in crisis or living with mental disabilities, as part of both basic recruit and in-service officer training—as well as instruction in disease of addiction, implicit bias and cultural responsiveness, policing in a democratic society, procedural justice, and effective social interaction and tactical skills.

5.1 Recommendation: N/A for FCPD UOF.

5.2 Recommendation: Law enforcement agencies should engage community members in the training process.

5.3 Recommendation: Law enforcement agencies should provide leadership training to all personnel throughout their careers.

5.4 – 5.5 Recommendation: N/A for FCPD UOF.

5.6 Recommendation: POSTs should make Crisis Intervention Training (CIT) a part of both basic recruit and in-service officer training.

5.7 Recommendation: POSTs should ensure that basic officer training includes lessons to improve social interaction as well as tactical skills.

5.8 – 5.9 Recommendation: N/A for FCPD UOF.

5.10 Recommendation: POSTs should require both basic recruit and in-service training on policing in a democratic society.

Reviewed by: Michael Shumaker & Randy Sayles

Pillar Six: Officer Wellness & Safety
Law enforcement agencies should also promote wellness and safety at every level of the organization. For instance, every law enforcement officer should be provided with individual tactical first aid kits and training as well as anti-ballistic vests.

6.1 Recommendation: N/A for FCPD UOF.

6.2 Recommendation: Law enforcement agencies should promote safety and wellness at every level of the organization.

6.3 Recommendation: N/A for FCPD UOF.

6.4 Recommendation: Every law enforcement officer should be provided with individual tactical first aid kits and training as well as anti-ballistic vests.

6.5 Recommendation: N/A for FCPD UOF.

6.6 Recommendation: Law enforcement agencies should adopt policies that require officers to wear seat belts and bullet-proof vests and provide training to raise awareness of the consequences of failure to do so.