

MOSES Statement to the Madison Police and Fire Commission
July 22, 2020

Good afternoon. My name is Barbie Jackson. I am representing MOSES, a grassroots, interfaith organization in Madison working on criminal justice reform. Thank you for the opportunity to speak about your important decision to hire a new Chief of Police.

I would like to start with excerpts from a position statement that has been approved by both MOSES and the Dane County Board of Supervisors and an excerpt from MOSES' official Racial Equity Statement, followed by a quote by Angela Davis.

Dane County Resolution 2014556, entitled "INVESTIGATING ALTERNATIVES TO INCARCERATION, SOLUTIONS TO RACIAL DISPARITIES AND MENTAL HEALTH CHALLENGES IN THE DANE COUNTY JAIL AND THROUGHOUT DANE COUNTY'S CRIMINAL JUSTICE SYSTEM" states the following:

Guiding Principle 1. Racial equity will be achieved across the entire criminal justice system.

Guiding Principle 4. Arrests and incarceration will be reduced by having a coordinated system of community treatment for substance abuse, mental health treatment and for people with developmental disabilities.

Guiding Principle 9. People charged with crimes or sentenced will be placed in the least restrictive setting possible, while still ensuring reasonable public safety and justice for victims.

MOSES is an affiliate of a statewide network named WISDOM. WISDOM and MOSES have adopted a Racial Equity Statement, which states that “racial equity is a core value of WISDOM and its affiliates . . . Our commitment to racial equity promotes a just, fair, respectful, inclusive, and thriving community for everyone in our organization and in the institutions we seek to improve.”

Angela Davis states that "Imprisonment has become the response of first resort to far too many of our social problems."

Within both the City of Madison and within Dane County, there is tremendous support in favor of reallocating some of the functions, now provided by the police, away from the police, back to parts of civil society that are better equipped to deal with them.

Madison requires a new Police Chief who will give up some of the tasks and resources the Madison Police Department has historically had. We seek a Chief who will work with other county, city, and private agencies to create a network that both protects and supports Madison residents. The new Chief must simultaneously work on eliminating racial disparities, ending mass incarceration, and demilitarizing the police.

Our recommendations include several areas of concern.

The first area is Racial Disparity.

The First Principle of Resolution 556 declares racial equity to be a priority in Dane County. The Mead and Hunt studies, which analyzed the Dane County Jail, show significant racial disparities in all aspects of the incarcerated population, including the specific population with behavioral health issues.

The drop in arrests in the last few years as well as the recent dramatic decrease in arrests during the pandemic, graphically illustrate the discretion that officers have. Unfortunately, while the number of people of color who are arrested each year has decreased, which is a good thing, the racial disparities have remained and even increased, suggesting that implicit biases are hard to eliminate, especially when quick decisions are required. A new Chief must assure that charging practices are equitable for all races, that people are valued and charged similarly, and that preferential treatment - such as negotiated agreements with people who have financial means and power - do not prevail over the fair and equitable treatment of all people.

You will receive a separate, joint statement from another group of people who have first hand experience in the recent protests. They document serious differences between the way the Madison Police Department treated antiracist protestors versus how they treated people who committed violence against those protestors. Differential policing is at the heart of some people's distrust and noncooperation with police. These differences highlight some of the problems that the Chief must work on.

The new Chief must realize that their work on racial bias will require a long term commitment. The new Chief also must understand and advocate for other necessary changes impacting racial disparities such as education, housing, employment, health care and mental health treatment.

In the recent past, the Police Chief did not generally advocate for communities of color. We seek a Chief who can build genuine relationships with Madison's communities of color and advocate for them.

We recommend that any candidate be able to connect productively with Madison's communities of color. Politically, the new Chief will be pressured by some people from Madison's White majority, some of whom are angered by crimes they attribute disproportionately to people of color. Any hope of decreasing racial disparities in the criminal justice system will require a Chief of Police who can create a single standard of policing in all neighborhoods while simultaneously enlisting the entire community against white fragility and racism.

The next area is Behavioral Health.

The Fourth Principle of Resolution 556 declares behavioral health reforms to be a priority in Dane County. One of the primary places for reallocation of duties and responsibilities is in the response to people experiencing behavioral health crises. Recently, Madison city government has reached out to Dane County to collaborate on creating a mobile crisis response unit similar to the CAHOOTS program in Eugene, Oregon. This model includes expanding the list of first responders to include mental health professionals in addition to police, and fire department staff. The mental health first responders would be given priority in all behavioral health 911 calls including mental health crisis, AODA, suicide, grief and conflict resolution situations.

Mental health awareness training for police will still be necessary. Although 911 would refer fewer people to the police, thus reducing the overall number of police calls, police would still be dispatched on calls that include mental health issues as well as calls that eventually turn out to include a larger mental health issue than initially known to 911.

Consequently, there is an ongoing requirement for Crisis Intervention Training such as the training the Madison Police Department staff have already participated in or, alternatively, training which has *documented* reductions in police violence such as that found in a University of Alberta program. Similarly, de-escalation training requires continuing emphasis within the department on an expectation to collaborate with Madison's soon to be established civilian oversight board.

In short, the emerging consensus that police should serve a secondary role in 911 calls that are primarily for behavioral health issues will require the department to adjust their procedures and stance toward other agencies.

We recommend that any candidate considered for the Chief of Police position must have the flexibility and willingness to work closely with social services staff where mental health professionals are taking the lead roles.

The next area is Mass Incarceration.

The Ninth Principle of Resolution 556 declares charging and sentencing reforms to be a priority in Dane County. As mentioned above, the recent drop in arrest rates due to the COVID pandemic has pointed the way toward new possibilities for policing in Madison. In particular, changes in arrests by Madison Police, such as avoiding arrests for people with warrants, recently led to the second largest decrease in jail population.

Additionally, the Madison Police Department must continue and expand the use of Restorative Courts. Dane County is poised to expand the age groups and crimes eligible for our Community Restorative Court. Just as the Madison Police Department has made a concerted effort to connect young people to youth restorative courts, and has actively engaged in some adult referrals to restorative court, we require the same support from the Madison Police Department for the County's proposed expansion of the Community Restorative Court (CRC). The CRC is expected to expand the program beyond the offenses that would otherwise be processed in Municipal Court and include a full range of offenses allowed by the restorative justice policies established in Dane County.

We recommend that any candidate recognize the work Dane County has done to promote alternatives to incarceration and have the ability to garner support for the alternatives to incarceration that we currently have and are developing. This should include continued support for Madison Police Department diversion programs, such as the Madison Addiction Recovery Initiative program and the Dane County Restorative Court.

The final area is the demilitarization of the police and changes in police culture.

Madison has begun to turn away from the national trend to militarize the police. The Madison Police Department made a step in the right direction when they returned the Mine-Resistant Ambush Protected vehicle which they received from the 1033 Program. But police culture is more than military equipment.

In a public meeting some time after the Tony Robinson killing, the public information officer said that police always need to be in control and so, if someone is not under control, police will escalate the use of force. This attitude is in direct opposition to proposed strategies of de-escalation.

The Madison City Council approved engagement of the [OIR Group](#) consulting firm in 2016 to conduct a comprehensive outside review of the Madison Police Department, partially as a response to the Tony Robinson killing. Escalation of the use of force is one focal point of police culture addressed in the OIR Group report, which will be taken up by the civilian oversight committee and the independent auditor. Of critical importance is the establishment of a policy that significantly restricts the use of lethal force.

The Chief is the head of a very large department, who is responsible for leadership and training of their staff. The Chief should demand an increase in training for responding to and de-escalating crises, which will require both funding and a commitment of time.

Policies must be revised to significantly constrain the use of lethal force. Training must include redirecting the tendency for officers to use their power and intimidation and adjust that attitude to one of providing guardianship and support to the community. Attitudes toward people must

be developed to affirm that every person is worthy of respect, even when engaged in a violation of the law.

A new Chief also must advocate for support and redirection of young, repeat offenders who seem to be incorrigible, but who are, in fact in most cases, suffering from the trauma of childhood abuse, neglect or systemic racism. Additionally, antiracism training and practice must be a priority and must be included in specific plans for implementing this priority. Finally, a new Chief must be able to handle any resistance to change that may be posed by recalcitrant officers who may hold resentments for being passed over for the position or for other reasons.

Changing police culture is like turning an oil tanker around, it takes energy, persistence and time. It also takes vision and commitment. This is one reason there have been calls in this city and throughout the country to abolish the police and start over. With the pressures and advocacy throughout our society, the new Madison Police Chief will not have the option of starting anew. Rather, the new Chief will have to come to this position willing to set a vision and commitment to expend the energy, persistence and time to create a new police culture.

Some of the actions required by the new Chief will include a commitment to the training identified above, a commitment to redirect officers who don't comply with the affirmed principles in that training, and a willingness to fire officers who seriously fail to live up to the standards we all have for the Madison Police Department. This will include a willingness to be in conflict with the Police Union when necessary to fulfill community expectations endorsed by the Madison City Council. It will also require screening applicants to the Police Academy for many of the same characteristics we are expecting of our new Chief.

We recommend that any candidate for Police Chief have the leadership skills and motivation to move the Madison Police Department to become an organization which does not tolerate abuse or intimidation of people of color - or anyone - and does not shield officers from the consequences of their actions. This leadership must extend beyond the Police Department to the broader community and it requires a person with the skill and dedication to hear and address the demands of diverse constituencies. The new Chief must work cooperatively with the city, the county, other stakeholders in the criminal justice system, and the Black and Brown communities within Madison.

In conclusion:

As indicated in the OIR Group report, the Madison Police Department does not have the extent of problems that cities like Baltimore, Minneapolis or Ferguson have. Yet there is work to be done. The demonstrations in the wake of the horrible killing of George Floyd reveal the depth of demand for change across this country, including in Madison. We seek a new Chief who both understands the work that is required and who has the skills and willpower to undertake that work.

Recruitment, evaluation and award of the position to a new Police Chief with the vision and skills required to lead the cultural change in the Madison Police Department are critical to the Madison community. The net cast for recruitment of highly qualified people must be broad to assure a significant effort has been made to attract people of color to apply: someone who has a demonstrated skill to turn an agency around and to put an end to a culture of racism and the inappropriate use of force.

MOSES is asking you to solicit participation by the Madison community - including representatives from our communities of color - in the recruitment and selection process, and to engage the wise counsel of past law enforcement leaders in our community, especially former Chief David Couper, if he would be willing to contribute.

We require a leader who is both an effective bureaucrat and a charismatic leader. Our new Police Chief must be collaborative, committed to connecting to the community and to other parts of the Dane County Criminal Justice System, and must have a vision that the role of the Madison Police Department is to help all our people and assure public safety for all our citizens.

Thank you for the opportunity to present these views on behalf of MOSES.