



NATIONAL FRATERNAL ORDER OF POLICE

EXECUTIVE SUMMARY:

Analysis of the Interim Report of the Task Force on 21st Century Policing

The President's Task Force on 21st Policing was given 90 days to develop recommendations to improve policing and law enforcement strategies. They held a series of Listening Sessions at four locations throughout the nation and the FOP testified at each of them.

The report was divided into six different sections, called Pillars, on the following topics: Building Trust & Legitimacy, Policy & Oversight, Technology & Social Media, Community Policing & Crime Reduction, Training & Education and Wellness & Safety.

The FOP supports the two overarching recommendations of the Task Force: the establishment of a task force or commission to study our nation's criminal justice systems, similar to President Lyndon B. Johnson's commission of 1967. The FOP led the charge against the deeply flawed Webb bill in 2009 and successfully amended that legislation to earn broad support from a diverse group of stakeholders. The FOP could support a similarly constituted commission, provided that rank-and-file representation was guaranteed and it had the same commitment to objectivity which was reflected in the bill as amended.

The second overarching recommendation is that we need to examine "root causes" through community-based initiatives to address poverty, education, health and safety. National President Chuck Canterbury made this very argument in his first appearance before the Task Force.

The FOP endorses many of the specific recommendations of **Pillar One**, which addresses the need to build or restore trust between the community and law enforcement and reaffirm law enforcement as a legitimate and constitutionally limited authority. In several instances, however, making the suggested changes may incur significant cost and it must be assured that Federal grants will not penalize law enforcement agencies for fiscal constraints or political decisions by elected local officials. The ability of an agency to perform its mission is vital and public safety should not be a casualty of the Federal governments efforts to rewrite local policies from afar. The FOP does reject the recommendation that local and State law enforcement not be involved in the enforcement of civil immigration law or that civil immigration information be removed from the National Crime Information Center (NCIC) database.

Pillar Two addresses the importance of community-based policing policies governing law enforcement practices, particularly with respect to use of force. The FOP endorses many of the recommendations here, but note our exception to the Task Force's call to have every use of force incident investigated and potentially prosecuted by "external and independent" entities. This is unnecessarily costly and could delay and disrupt the ability of law enforcement to execute its mission. The FOP also rejects the recommendation calling on the Office of Community Oriented Policing Services (COPS) to help local governments create civilian review boards. The FOP also cannot support the creation or expansion of de-certification indexes, or "blacklists" of former officers until due process laws protecting law enforcement officers are made uniform throughout the nation. In addition, the Task Force recommends that all agencies adopt policies prohibiting racial profiling. The FOP adopted a resolution in September 2000 condemning racial profiling, a practice we regard as unconstitutional, unlawful and ineffective. Racial profiling cannot exist in a well-managed department and we therefore urge that law enforcement executives receive appropriate, recurring training in this important area. We further urge that such training be offered to elected officials with executive hiring authority.

The recommendations in **Pillar Three** discuss the impact of technology, like Body Worn Cameras (BWCs) and social media, on law enforcement strategies and policies. The FOP testified before the Task Force on this issue regarding the need for comprehensive policies governing BWCs prior to their deployment, as should be the case with any new technology. With respect to the use of social media to conduct community outreach, the FOP believes that the Task Force missed an opportunity to acknowledge and recommend the role of the union or representative organization to play a role in that outreach.

Pillar Four expands on the concept of community policing and recommends that law enforcement agencies and officers commit to building relationships with the communities they serve—in particular those who in disadvantaged communities, the mentally ill, people with disabilities and at-risk youth. The role of law enforcement in schools is also the subject of several recommendations. The FOP cautiously endorses the majority of the recommendations, though they must be adopted voluntarily at the local level and not imposed by the Federal government or using grant programs in a coercive way.

Pillar Five recommends standardizing law enforcement training, calls for ongoing leadership training for all ranks and the establishment of postgraduate courses for law enforcement executives. The FOP endorses the aims of these recommendations, but the costs associated with them are considerable and further discussion is needed. It is inadvisable to make fiscal cuts which could impact the ability of law enforcement agencies to fulfill their basic mission.

The recommendations in **Pillar Six** address the need to comprehensively assess the physical and mental health of the law enforcement officer throughout his career. The FOP strongly supports many of the specific items, including the call to enact a National Blue Alert, reauthorize the Bulletproof Vest Partnership (BVP) program to help provide soft body armor for every officer and that every officer have a tactical first aid kit and be trained in its use. The FOP has been a leader on National Blue Alert and was one of the foremost proponents of the BVP program going back to its original passage in 1998. The FOP has also endorsed the Task Force's call that all agencies should have mandatory wear policies for seat belts and body armor, provided that their use or non-use does not impact the decision on line-of-duty deaths with respect to the Public Safety Officers Benefits (PSOB) program. However, as expressed above, many of the programs and suggestions are costly and must be weighed and prioritized according to the needs of the local agency and government. Finally, Task Force recognizes that unions and representative organizations can and do play a role in keeping officers physically and mentally safe and well.

IMPLEMENTATION

The Task Force recommended that Federal law enforcement agencies implement all of their recommendations immediately, while suggesting that the U.S. Department of Justice begin to form public-private partnerships with local, State and national foundations to explore how its recommendations might be implemented and funded. The FOP believes it is extremely premature to enact these changes and suggestions until the law enforcement community has an opportunity to consider in greater detail the recommendations and their potential impact. To implement widely now is decidedly unwise.

Finally, the Task Force identifies a list of action items which it recommends the Office of Community Oriented Policing Services (COPS) implement immediately. As above, many of the suggestions and action items identified by the Task Force should not be put into place until the law enforcement community has ample opportunity to review and consider them. This is especially true in the case of the COPS Office, which enjoys a special relationship with law enforcement. Some of the recommendations, if followed, would jeopardize that partnership.