



PENNSYLVANIA LEGISLATIVE BLACK CAUCUS & HOUSE DEMOCRATIC POLICY COMMITTEE JOINT PUBLIC HEARING

Topic: Police Reform

G-50 Irvis Office Building – Harrisburg, PA

July 28, 2020

AGENDA

2:00 p.m. Welcome and Opening Remarks

2:10 p.m. Panel of Advocates:

- Justan Parker
Founder
Black Lives Matter of Lehigh Valley
- Maegen Llerena
Executive Director
Make The Road Pennsylvania
- Nasheera Brown
Student
Louise E. Dieruff High School
- Adrian Shanker
Founder and Executive Director
Bradbury-Sullivan LGBT Community Center

3:00 p.m. *Questions & Answers*

3:30 p.m. Closing Remarks

To the honorable representative Mike Sturla and all members of the Democratic Policy Committee, I would like to thank you for the opportunity to speak in this public hearing today on police reform.

My name is Justan Parker, founder of Black Lives Matter Lehigh Valley, born in Scranton Pennsylvania and a resident of Allentown, PA since the age of 5.

This public hearing today on Police Reform is a conversation on policy change and legislation that is needed here in Pennsylvania. Across large cities and small towns, citizens are finally speaking up and taking action on what we view to be a flawed police system.

On Saturday July 11th, just 9 days after its use of force policy was made public, officers from the Allentown Police Department arrested a resident who they claimed was exhibiting erratic behavior and was vomiting and staggering on the St Luke's hospital sidewalk.

He was initially on his knees with his arms stretched out almost pleading as the officers approached. He was tripped, almost fell face first, handcuffed, and had a knee placed on his head and neck area while his neck lay in a position between the curb and the street.

These officers were cleared by an investigation completed by our very own district attorney's office, Jim Martin.

Case closed in their opinion.

We are calling on our elected officials to introduce legislation pertaining to the following items:

- 1: All police department use of force policies and use of force continuums should be required to be made public. The residents and citizens should

have access to the extents and limitations of their interactions with police officers.

2: Accountability factors must be mandated within these use of force policies and the police department itself to ensure the well being of Pennsylvania residents is of the utmost importance.

These include:

- A state and local inter-department database which will list all criminal, civil, and ethics complaints that are substantiated. This would prevent officers from “cop hopping” to other departments and causing further destruction within the community.
- An update to the investigation process when an officer is accused of abusing the use of force policy or any ethics issue while on duty. This would call for an immediate suspension of said officer until an independent investigation was completed. This is common practice in other areas of business and should not be an exception, especially when a citizen’s life could be at stake.
- Reinvesting funding back into the community and away from already excessive police budgets. Police officers should be first responders to real 911 emergencies such as rape, murder, burglary, etc.
- They should NOT be first responders for mental health calls, social calls, disputes between neighbors, etc. We’re not asking for additional training for officers in these fields nor are we asking that they be paired with social workers or mental health advocates. These are real life situations in which a “buddy system” is not the solution.
- Reallocated funding should be used to address housing first initiatives for our unsheltered neighbors, local organizations and

groups to ensure our children have a safe space where they can socialize, interact, and start the process of building better communities, ensuring that protections are in place for members of the LGBTQ community, and putting more resources back into our schools and our neighborhoods.

- Reallocated funding should also be put back into schools. The job title “School Resource Officer” floats around throughout the state and it’s confusing as to why we’re not just calling them police officers in schools. A school resource officer to me and many others is a guidance counselor, a social worker, even a pastor. It’s more resources, not more cops who would introduce a majority of black and brown children into the criminal justice system. Our school board, specifically in Allentown, has not addressed the issue so we’re bringing the awareness to the state level.
- Localities should be incentivized and graded for their efforts on the above. Funding and a letter grade would be provided on either a quarterly or calendar budget basis. The letter grade should be made available on their public website. Low or failing grades would require an action plan that the city commits to in order to increase their grade and/or funding.
- Lastly, we need your help in making police union contracts public. These contracts, and the influence that comes with them, place an unfair set of standards for cops over civilians. In cases where there is misconduct or ethics violations, it is a hard sell on the residents of Pennsylvania that there would be additional protections for law enforcement from investigation and prosecution. Police Unions weaken accountability which goes against police reform and the very reason that we are here today.

I thank you for your time today and I truly hope that real change and action will take place from this hearing.

Justan Parker
Black Lives Matter Lehigh Valley

PA House of Representatives Democratic Policy Committee and Legislative Black Caucus
Hearing on Police Reform -- July 28, 2020

**TESTIMONY OF ADRIAN SHANKER
EXECUTIVE DIRECTOR, BRADBURY-SULLIVAN LGBT COMMUNITY CENTER**

Chairman Sturla, Chairman Kinsey, Rep. Schweyer, and Members of the House Democratic Policy Committee and the Legislative Black Caucus:

Bradbury-Sullivan LGBT Community Center provides arts, health, youth, and pride programs to celebrate and support LGBT people in the Lehigh Valley. Nationally, June is Pride month, in recognition and remembrance of the riots at Stonewall Inn in New York City in June 1969. These riots were a direct response to police raids and police brutality. So it was at the same time when many in the LGBT community were attending virtual pride celebrations that a police officer in Minneapolis murdered George Floyd utilizing a barbaric neck restraint.

While Pride today is often seen as a celebration of how far the movement for LGBT liberation has come in 50 years, this year June was a clear reminder of the roots of our protest against police violence.

Only a few weeks after the murder of George Floyd, an Allentown, PA police officer used a knee-on-the-neck restraint against a person who was already handcuffed outside of a hospital. Two other officers assisted. Two nurses from the hospital helped. An internal investigation from the police department and from the district attorney both cleared the officer. Nobody was held accountable for this clear act of police violence. The legislature should pass legislation mandating external review by the Attorney General's office of any investigation of police misconduct.

Today, police violence disparately impacts black men. Scholar and activist Melanie Kaye/Kantrowitz once wrote that "solidarity is the political version of love." In solidarity with Black Americans, LGBT people of all colors condemn this violence and ask the Pennsylvania legislature to enact transformative changes in policing. These changes are necessary to support Black lives in Pennsylvania.

The Pennsylvania Legislature should mandate that all police union contracts are made public, and that officers are held personally liable for excessive force. Police officers should not be shielded from accountability for their actions.

The Pennsylvania Legislature should incentivize cities to decrease their police force through grants for community-based violence prevention responses that are made available only when

municipalities reduce their police department budgets by at least 40%. Pennsylvania must divest from the police and reinvest these resources into communities.

The Pennsylvania legislature should limit the responsibility and the authority of the police and invest in mental health responders who are more capable and qualified than police officers to respond to a variety of situations usually delegated to police.

The Pennsylvania legislature should mandate that state police officers accused of excessive force are immediately suspended during the investigation. If a teacher is accused of causing physical harm to a student, the teacher is put on leave during the investigation. They are not allowed to remain in the classroom during the investigation. It should be no different for the police.

Finally: The Pennsylvania legislature should end the racist practice of predictive policing anywhere it is used in Pennsylvania. When police utilize historic crime data to guess where future crime will occur, they overpolice communities of color and low income neighborhoods.

50 years ago, police violence was an LGBTQ issue because the police continuously raided gay bars and beat up patrons. This well-documented history is a reminder that marginalized populations are not the populations protected by the police. LGBT people affirm that Black Lives Matter and that system-wide transformational changes to policing are necessary. Minor tweaks to a broken system will not lead to different results. The Pennsylvania legislature must take swift action to keep all Pennsylvanians safe from police violence. Legislative action could help to prevent another tragedy like the murder of George Floyd, in a Pennsylvania community like the City of Allentown.

Thank you for holding this hearing today.

PENNSYLVANIA STATE POLICE TESTIMONY

POLICE REFORM

HOUSE DEMOCRATIC POLICY COMMITTEE AND

PENNSYLVANIA LEGISLATIVE BLACK CAUCUS

JULY 28, 2020



PREPARED AND SUBMITTED BY

MAJOR BETH A. READLER

DIRECTOR- POLICY AND LEGISLATIVE AFFAIRS OFFICE

Good afternoon, Chairmen Sturla and Kinsey, Vice Chairs Bizzarro and Bullock and members of the House Democratic Policy Committee and Pennsylvania Legislative Black Caucus. I am Major Beth Readler, Director of the Policy and Legislative Affairs Office of the Pennsylvania State Police (PSP). On behalf of the PSP, I appreciate the opportunity to provide written testimony today on police reform matters.

This testimony will detail some of the steps the PSP has taken to improve law enforcement relations with the communities we serve as well as to strengthen training and accountability within our agency. Additionally, it will address a recommendation for legislators to consider in order to help us continue to keep Pennsylvanians safe.

Last month, Governor Wolf outlined several proposals within the realm of police reform and has recently signed an executive order creating the Pennsylvania State Law Enforcement Citizen Advisory Commission in an effort to improve policing practices within law enforcement agencies under his jurisdiction. Members of the General Assembly passed, and the Governor signed into law, two pieces of legislation supported by the PSP. These new laws will assist law enforcement agencies to ensure candidates of the highest standards of professionalism are hired as well as provide law enforcement in Pennsylvania with improved access to mental health services.

PSP is supportive of measures which will provide Pennsylvanians with police services with the utmost levels of transparency, professionalism, and accountability. In fact, we have had a number of policies that proponents of police reform call for in place for some time and we continuously strive to find additional ways to provide quality police services to the citizens and visitors of the Commonwealth.

Many of the steps the PSP has taken to ensure accountability, improve training, and build trust with members of the community are centered around principles of 21st Century Policing. For example, PSP recently began posting many of our internal regulations on our public-facing website so the public can experience ease of access and transparency. One of the newest additions to this website is our use of force policy.

Our Heritage Affairs Section (HAS) is a segment of the Department dedicated to preventing, monitoring, responding to, and investigating occurrences of hate crimes in Pennsylvania as well as providing our municipal law enforcement partners with assistance in these investigations and administering training in a number of diversity-related topics at no cost to the requesting agency. The HAS commands over PSP's Tension Response Teams to assist PSP and upon request, municipal police agencies, with hate or bias crimes or incidents of civil tension. To exemplify the Department's commitment to issues impacting diverse communities, Colonel Evanchick has recently ordered the expansion of HAS and added four Heritage Affairs Liaison Officers to augment our ability to provide other law enforcement agencies training in subject areas to include Cultural Diversity Awareness, Implicit Bias Awareness, Racial Profiling Awareness, Cultural Competency, and Hate Crime Recognition.

PSP is constantly assessing Department policies and regulations pertaining to use of force. In the Spring of 2019, we revised our Tactical Assurance Program, an individualized program designed to build confidence and to reinforce the tactical and survival skills of an involved member/enforcement officer following an officer-involved shooting or serious police incident. PSP also designed and implemented Supplemental Use-of-Force Training designed for members/enforcement officers who demonstrate a need for reinforcement of the Department's policies and trainings as they relate to the proper application of force. Additionally, PSP developed a new communications/de-escalation program designed to begin building a Cadet's communication skills early on in training and culminate with assessments of a Cadet's communication/de-escalation skills during scenario-based exercises. The teachings focus on self-awareness, emotional intelligence, decision-making skills, ways to display empathy, improving active and reflective listening skills, multi-cultural awareness, and implicit bias issues. This new training will be administered to the 160th Cadet Class, which started at the end of June

For any law enforcement agency to be successful in meeting its responsibilities, it is vitally important to first obtain the respect and confidence of the people. An independent and transparent internal affairs investigation process helps build and maintain the respect and trust of the citizens we proudly serve each and every day. Current PSP regulations establish a prompt, factual, and impartial means to thoroughly investigate complaints, allegations, and use-of-force incidents involving personnel. In the case of certain use-of-force incidents such as those involving officer-involved shootings, outside agencies, including district attorneys or Pennsylvania's Attorney General, provide independent reviews. Additionally, Troopers involved in serious incidents are assigned to Administrative Duty and provided with a number of services, including access to mental health professionals and our Member Assistance Program, among others.

PSP's Member Assistance Program was created to provide an emphasis on personnel wellness by offering confidential assistance to PSP personnel and their immediate family members who may be experiencing personal, emotional, psychological, and other medical or health problems. Volunteer Peer Contacts are trained to debrief or defuse enlisted and civilian members after a critical incident such as an officer-involved shooting. Even after a Trooper subsequently returns to duty, Member Assistance is required to conduct periodic check-ins on dates such as the first anniversary of the occurrence. PSP's Member Assistance Program is so successful, it is used as a model by other police agencies interested in developing their own program.

In the aftermath of the tragic death of Mr. George Floyd in Minneapolis, there have been calls by some to "defund the police". It is the PSP's position that this proposal would create a more dangerous environment for Pennsylvanians. PSP is fortunate to enjoy ardent support by Governor Wolf as well as the General Assembly and we are grateful you appreciate that a sufficiently funded police department is one that is better equipped to keep the citizens they serve safe.

Without adequate funding, the PSP would not be able to continue crucial programs such as those that allow us to engage with the community or to improve upon our already first-rate training curricula. We would be less able to dedicate resources to recruiting efforts which allow us to attract quality applicants reflective of the Commonwealth's diverse populations. If police agencies get "defunded", they will be forced to operate with a decreased complement. They will not be able to effectively fill shifts and response times to violent incidents will increase. These negative public safety impacts are likely to be experienced the most by those who can afford it the least- individuals living in minority and underserved communities.

Some form of a fee for PSP services has been proposed in the last several budget cycles by Governor Wolf. PSP has listened to the calls from legislators for our assistance and has been engaged in the process of finding a solution to closing the gap caused by the decreasing reliance on Motor License Fund (MLF) monies. Colonel Evanchick developed a proposal which creates a sustainable funding stream for the PSP. The plan calls on every municipality in the Commonwealth to contribute toward addressing a significant budget shortfall as Pennsylvania moves away from funding the PSP through allocations from the MLF. The Colonel believes our model is fair, reasonable, and a good starting point for ongoing discussions. For the upcoming fall budget negotiations, we respectfully request the General Assembly consider our proposal to ensure that PSP can be sufficiently funded for the future safety of Pennsylvania.

PSP remains eager to discuss issues geared toward improving police services in Pennsylvania. As always, we continue to be grateful for the support we receive from the General Assembly and your commitment to public safety.

Thank you for the opportunity to submit these comments.