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UNITED STATES COMMISSION ON CIVIL RIGHTS

Nevada Advisory Committee

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Commission on Civil Rights
Police-Community Relations Forum
University of Nevada, Reno
Midby-Byron Building
May 9, 1991
Reno, Nevada

ORIGINAL

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1 RENO, NEVADA; THURSDAY, MAY 9, 1991; 9:00 A.M.

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3 THE CHAIR: We are going to call the meeting to
4 order.

5 This meeting of the Nevada Advisory Committee to
6 the United States Commission on Civil Rights will now
7 come to order.

8 I am Margo Piscevich, Chairperson of the Nevada
9 Advisory Committee. The Advisory Committee receives
10 information and makes recommendations to the Commission
11 in areas which the Committee or any of its subcommittee
12 is authorized to study.

13 Other members of the Committee in attendance
14 during this meeting will be, starting to my left, Steve
15 Walther, Merle Snider, to my immediate right David
16 Sanchez, Candice Sader and John Marini. Some members are
17 not able to be with us today.

18 Also with us today is staff member, Thomas V. Pilla
19 from the Commission's Western Regional Office in Los
20 Angeles.

21 Participants have been requested to address the
22 overall climate of police-community relations and the
23 impact of programs initiated by law enforcement agencies
24 to foster the effective community-oriented law
25 enforcement, community concerns about law enforcement

1 training, including cultural awareness, the police
2 complaint process and whether a creation of a civilian
3 review board would assist the community and law
4 enforcement, an overview of the community-oriented
5 policies and other efforts by law enforcement agencies to
6 innovate progressive change.

7 Among those invited to address the meeting are city
8 elected and ^{ap}ointed officials, representatives of law
9 enforcement agencies and community organizations and
10 advocacy groups.

11 Based upon the information collected at this
12 meeting, along with interviews conducted by Commission
13 staff, a report will be prepared for the United States
14 Commission on Civil Rights.

15 This fact-finding meeting is being held pursuant to
16 Federal Rules applicable to State Advisory Committees
17 and regulations promulgated by the United States
18 Commission on Civil Rights.

19 All inquiries regarding these provisions should be
20 directed to the Chair or to Mr. Pilla, the federal
21 officer for this meeting.

22 The Commission on Civil Rights is an independent
23 agency of the United States Government established by
24 Congress in 1957 and is directed to:

25 1. Investigate complaints alleging that citizens

1 are being deprived of their right to vote by reason of
2 their race, color, religion, sex, age, handicap or
3 national origin or by reason of fraudulent practices;

4 2. Study and collect information concerning legal
5 developments constituting discrimination or denial of
6 equal protection of the laws under the Constitution
7 because of race, color, religion, sex, age, handicap or
8 national origin or in the administration of justice;

9 3. Appraise federal laws and policies with respect
10 to discrimination or denial of equal protection of the
11 laws;

12 4. Serve as a national clearinghouse for
13 information about discrimination and;

14 5. Submit reports, findings and recommendations to
15 the President and Congress.

16 I would like to emphasize that this is a fact-
17 finding meeting and not an adversary proceeding.
18 Individuals have been invited to come and share with the
19 Committee information relevant to the subject of today's
20 inquiry. Each person who will participate has
21 voluntarily agreed to meet with the Committee.

22 Since this is a public meeting the press and radio
23 and television stations, as well as individuals, are
24 welcome. Persons meeting with the Committee, however,
25 may specifically request that they not be televised. In

1 this case we will comply with their wishes.

2 We are concerned that no defamatory material be
3 presented at this meeting. In the unlikely event that
4 this situation should develop it will be necessary for me
5 to call this to the attention of the persons making these
6 statements and request that they desist in their action.
7 Such information will be stricken from the record if
8 necessary.

9 Every effort has been made to invite persons who
10 are knowledgeable in the area to be dealt with here
11 today. In addition, we have allocated time between 4:30
12 and five p.m. to hear from anyone who wishes to share
13 information with the Committee about the specific issues
14 under consideration today.

15 At that time each person or organization will be
16 afforded a brief opportunity to address the Committee and
17 may submit additional information in writing.

18 Those wishing to participate in the open session
19 must contact Commission staff before 4:30 p.m. this
20 afternoon.

21 In addition, the record of this meeting will
22 remain open for a period of ten days following its
23 conclusion. The Committee welcomes additional written
24 statements and exhibits for inclusion in the record.
25 These should be submitted to the Western Regional

1 Division, United States Commission on Civil Rights, 3660
2 Wilshire Boulevard, Suite 810, Los Angeles, California
3 90010.

4 We have an agenda, and I hope everyone has a copy
5 of it. What we will do is we will start with our first
6 speaker who has been invited, Peter Sferrazza.

7 Would you please state your name and identify
8 yourself for the record.

9 MAYOR SFERRAZZA: My name is Pete Sferrazza, and
10 I'm the Mayor of the City of Reno. I'm here today for a
11 very brief time, so I would like to maybe get directly to
12 questions. But the major thing that I had talked about
13 was perhaps instituting a uniform discipline policy for
14 any officers or employees of the City of Reno who does
15 something that is contrary to a code within the City.

16 Right now one of the chief complaints I get is that
17 different people are treated differently depending on
18 what the alleged act is that they commit. And I think
19 that creates both a public moral problem and also a moral
20 problem in the police department. At the same time I
21 believe that the most successful programs we have is the
22 community policing and quality assurance program, which
23 I'm sure will be discussed in detail later today.

24 But I would like to spend my remaining time here
25 just answering questions if there are any.

1 THE CHAIR: I have a question that I would like to
2 start off with. You just indicated that you have
3 received complaints that different people are treated
4 differently and that you believe there are morale problems
5 within the police department itself.

6 MAYOR SFERRAZZA: Yes, for sure.

7 THE CHAIR: What do you mean by that? Do you mean
8 arrest? Do you mean in bookings? What do you mean?

9 MAYOR SFERRAZZA: No. I mean when an officer
10 commits an act, that one officer may receive a lesser
11 punishment than another officer, or a person higher up in
12 the chain might receive a different treatment than
13 someone lower in the chain. And it's fairly arbitrary.

14 And I'm not saying that anyone purposely does that,
15 but the end result, not having a uniform discipline
16 policy is that it's totally discretionary with the Chief.
17 And if it's discretionary, what ends up happening is you
18 tend to favor those people who you are more friendly to
19 than those who you are not.

20 And I don't think that is a good way to do things.
21 I think we should have a uniform discipline policy that
22 has specific sanctions for specific offenses, and that
23 would alleviate part of that problem.

24 At the same time there is some perception in the
25 community today that on some occasions maybe the

1 discipline was too small or the sanction was too small
2 for the act that was committed.

3 MR. SANCHEZ: May I ask a question regarding this
4 moral problem and the lack of uniform discipline? Is
5 there a problem in terms of uniform discipline of
6 minority officers? Are they treated differently in terms
7 of discipline?

8 MAYOR SFERRAZZA: Well, if anything, the only two
9 occasions that I can think of the complaints were that
10 they were treated more favorably, Lonny Jackson, and the
11 most recent occurrence where someone was filmed on a
12 videotape.

13 But I don't think-- That wasn't the issue at all.
14 It wasn't minority or non. It was a question of
15 whether-- It could be that they are, too. You know, I
16 don't have any history of that in terms of the records.
17 But it could be that somebody in the future because of
18 the arbitrary policy could be discriminated against based
19 upon their race.

20 The area that is of most concern I think is on the
21 streets where officers might be in minority neighborhoods
22 committing an act. And if we don't have a uniform
23 discipline policy, I think that the likelihood of that
24 occurring is greater. I think people should be treated
25 equally within the police department.

1 MS. SADER: Mayor, to your knowledge has the Chief
2 been presented with a uniform discipline policy?

3 MAYOR SFERRAZZA: Something which I brought before
4 the Council and was told by the City Attorney at that
5 time that we could not institute a uniform discipline
6 policy because it was not within the discretion of the
7 Council, that it was up to the labor negotiations because
8 we have to negotiate for a uniform policy.

9 However, in my discussions with some of the
10 representatives in the police union and also the fact
11 that the City does have total authority over all
12 unclassified employees and department heads, et cetera,
13 it appeared that we could institute, at least at that
14 level, a policy. And then we could require negotiators
15 to negotiate for a uniform policy.

16 So I think it's possible to do it. I think there
17 was a reluctance on the part of the administration to
18 follow through on that, at least when I proposed it. But
19 to me it still is a very real issue and is one that does
20 result in moral problems within the department and also a
21 perception of unfair treatment or bias towards friends of
22 the Chief or the administration. And that may not be
23 true but the fact is that there are people who have been
24 treated differently in the past, and at least it creates
25 the opportunity for it to happen.

1 MS. SADER: Do you see anything happening in the
2 future?

3 MAYOR SFERRAZZA: Well, that is one of the reasons
4 I was here today I guess is to urge that you look at that
5 issue. And maybe it's unfounded on my part, but I think
6 it does exist.

7 MR. WALTHER: Does there seem to be some opposition
8 in the police department to initiate some kind of uniform
9 procedures?

10 MAYOR SFERRAZZA: I think that at least when this
11 was proposed that there was-- I can't say that the Chief
12 ever addressed it. The initial opposition was from the
13 City Attorney's Office that that was not an issue that we
14 had authority over, and it is something which I believe
15 could be pursued in the future.

16 It's my belief in talking to the City Attorney
17 afterwards that she indicated that that possibly could go
18 forward, but it would take clear direction from the
19 Council requiring our negotiators to do that.

20 But people are terminated in the City on different
21 bases all the time, and it appears to me at least over my
22 tenure that there is no specific uniform policy that is
23 followed.

24 And we came to the department heads-- In fact,
25 when the Fire Chief was terminated, the City Attorney

1 came up with a procedure to follow, but it was not a
2 procedure in a code or anything else. It was her
3 perception of what due process was required to terminate
4 somebody.

5 I think that should be laid out in law, in
6 ordinance and in writing so that people know what their
7 rights are and what the policies are and what policy can
8 result in termination. I mean if you do a certain act,
9 that that may result in your termination and what the
10 process is that we would follow in the event of that type
11 of act.

12 THE CHAIR: Are you saying that for city employees
13 overall, including the police department, that there is
14 no grievance procedure?

15 MAYOR SFERRAZZA: Oh, there is a grievance
16 procedure. What I'm saying is there is no--

17 THE CHAIR: List?

18 MAYOR SFERRAZZA: There is no list of sanctions or
19 code of conduct that says that if you do these things,
20 you will receive this punishment. And so you have one
21 officer that might beat somebody up, and he will get four
22 days' suspension, let's say, and somebody else might be
23 terminated.

24 THE CHAIR: But wouldn't that depend on the
25 circumstances of say the beating?

1 MAYOR SFERRAZZA: Absolutely, but I think that when
2 you are-- At least in criminal law you know you have a
3 certain sanction, at least a maximum/minimum sanction,
4 for a certain offense.

5 Right now it's pretty much totally discretionary
6 with the Chief. It's his interpretation of what that
7 particular offense deserves in terms of punishment. And
8 I think that we do not have a very specific code of
9 conduct or even a level that says whether you would
10 classify some offense as misdemeanors, for example, and
11 some offenses as felonies.

12 We don't have any gradation between different
13 offenses or what the sanction might be. And so if
14 somebody commits a certain act, an off-duty crime, for
15 example, some people are treated differently than others
16 or there is a whole gradation of offenses.

17 And I simply believe that in terms of letting
18 people know what offenses will result in what type of
19 punishment that there should be some code. You couldn't
20 conduct our system of law in that way, and yet in the
21 City there is almost total discretion so far as I see
22 within the administration as to how they are going to
23 sanction a particular offense.

24 And I just over the years have seen a long history
25 of it, and it may in fact be somewhat uniform. I don't

1 believe it is. I think the department heads depend on
2 their own personal biases, et cetera, and depending upon
3 their personal feeling towards a person tend to treat
4 different things differently. And I don't think that is
5 a good system.

6 MR. WALTHER: Do you think, Mayor, that there is a
7 need for-- Do you think it would be advisable to have a
8 review board or something akin to that in Reno?

9 MAYOR SFERRAZZA: Yeah, but when I have talked
10 about that issue, I don't favor that specifically set up
11 for police. I would like to see whatever thing you are
12 going to set up be uniform for all employees.

13 So I don't think police officers, fire or anyone
14 else is any different than anyone else. It happens that
15 police perhaps get involved in more acts of violence, but
16 the fact of life is other employees do as well, and they
17 are the same type of acts that are committed by all
18 employees. I see no reason to single out police and say,
19 "We are going to have this board review your actions, but
20 other employees in the City of Reno are exempt from
21 that," that they have--

22 THE CHAIR: One of the reasons, though, we are
23 trying to concentrate on whether or not there is a need
24 for a civilian review board with respect to the police
25 department is because really the police are out on a more

1 day-to-day contact with the citizens of Reno versus
2 perhaps yourself, you know, somebody that is in the Parks
3 Department or whatever. Do you see what I'm saying?

4 MAYOR SFERRAZZA: No, I understand, but the Parks
5 Department is there all the time. I mean the same acts
6 the police commit other people commit. You have sexual
7 harassment charges against police officers. Other people
8 have the same thing.

9 I mean by isolating a particular group of employees
10 you have already made them suspect and different than the
11 others. I think in terms of people in government that if
12 people commit acts or crimes or whatever, that they
13 should be treated equally. That is all I'm saying. And
14 I believe that that should be across-the-board.

15 MR. SANCHEZ: Mayor, anywhere in the city have any
16 of the departments in the City of Reno adopted a
17 progressive or positive discipline procedure?

18 MAYOR SFERRAZA: Well, the quality assurance
19 program and the community policing does in fact review
20 officers' actions with individuals. And I don't have
21 time to get into it right now, but I'm sure it will be
22 discussed later today.

23 And that program has a very positive and
24 progressive impact on relations between the police and
25 the community, but that may isolate a person and discover

1 a person who is having problems with the community or
2 some officer who routinely gets complaints against him or
3 is discovered through that quality assurance program.
4 But it doesn't go to the question of what happens to that
5 person after they are found to have been abusive or
6 whatever. It doesn't deal with what is going to be
7 sanctioned for the person.

8 And I believe that we should have uniform sanctions
9 for uniform offenses, and you may say there is a range of
10 punishment to fit a range of crimes, you know. You allow
11 some discretion, but to have total discretion-- That is
12 essentially what you have right now. And I think that
13 that allows for arbitrainess and eventually for
14 discrimination.

15 MR. WALTHER: What can be done to establish this
16 kind of world that you are talking about here, or have
17 you done anything or has the City Council considered
18 doing something along that line?

19 MAYOR SFERRAZZA: Well, I would like to pursue it
20 once again if I'm in office, which I don't even know. So
21 I'm waiting until after June. But right now I'm just
22 advising you of it because I think if you think it's
23 worthy of recommendations, I'm sure this Board can do
24 that.

25 And I apologize, but I'm late for a meeting, so I

1 have to go.

2 THE CHAIR: No problem.

3 Are there any other questions of the Mayor?

4 MAYOR SFERRAZA: Thank you very much.

5 THE CHAIR: Thank you.

6 The next person we have asked to come is Mr. Dick
7 Brand.

8 Would you please state your name and identify
9 yourself for the record.

10 MR. BRAND: My name is Richard F. Brand. I am
11 Chairman of the Public Service Department of Truckee
12 Meadows Community College. Within the Public Service
13 Department is the program of Fire Science, Criminal
14 Justice and the Police Academy.

15 THE CHAIR: Go ahead, please, and make any
16 statement you would like. Then we will ask questions.

17 MR. BRAND: Okay. I don't really have a formal
18 statement to read or give you. What I would like to do
19 is talk about the last couple of years, my participation
20 with the police academy and so on, if that would be all
21 right.

22 THE CHAIR: That would be great.

23 MAYOR SFERRAZA: In July of 1989 Chief Bradshaw,
24 Chief Coxey, Sheriff Swinney and President Gwaltney
25 decided to put the High Sierra Regional Training Law

1 Enforcement Academy under the umbrella, so to speak, of
2 Truckee Meadows Community College, and that I would run
3 it, I would be the Academy Commander.

4 Since that period we have had four graduating
5 classes through our academy. Our academy is a category
6 one POST certified academy. There are four of them in
7 the State of Nevada. What this means is that we are
8 teaching the classes certified by the State, mandatory
9 classes, for training. Our academy is 480 hours in
10 length of training, and that is required by the State for
11 category one.

12 THE CHAIR: Is category one the highest category?

13 MR. BRAND: Yes. That would be your peace
14 officers, whether they are police officers in Reno,
15 deputy sheriffs, so on, those who are on the street. It
16 differs. Category two would be investigative agencies
17 such as state. Category three would be corrections
18 officers. We are teaching academy one at Truckee Meadows
19 Community College.

20 Our classes are varied from approximately 36 to 18
21 in our last graduating academy last Friday. As I
22 mentioned, the academy is 12 weeks long. It opens from
23 eight in the morning until five in the afternoon
24 generally. There are some weeks where the academy
25 actually is out of there, receiving training in the

1 field, defensive driving, range, defensive tactics.

2 The second to the last week we have scenario
3 training where we take part in building searches, vehicle
4 stops and so on. They are given as realistic a training
5 program as we have been able to come up on.

6 The big difference in the academy I'm running and
7 the academis in the state, the other five, is that our
8 academy is a nonstress academy. By "nonstress" let me
9 explain that there are two concepts in law enforcement.
10 The first one is the stress academy where the recruits,
11 rookies, whatever you want to call them, are subjected to
12 a lot of physical abuse, verbal abuse, general harassment
13 techniques and so on.

14 And at the time I was appointed to this job the
15 Sheriff, the Chiefs of Police, President Gwaltney, all
16 wanted a nonstress academy. They wanted an academic
17 environment to have an environment of learning,
18 understanding, working with people and so on. That is
19 what we have been trying to do. Each one of the academis
20 has gotten progressively harder as far as academics. In
21 our last academy the 18 young folks that graduated last
22 week scored the highest overall test grades in the POST
23 exam in the State of Nevada. The average was, if you
24 believe this, 86, which is very high. The lowest score
25 was 82. The high was 91. Generally the grades are in

1 the 70's.

2 My point in mentioning this is I feel that this
3 type of academy is much more beneficial to the young
4 recruits. They are in an atmosphere of learning. It's
5 just like a college course. Once they start they start
6 picking up speed as to how to read better, how to work
7 better with each other, how to study better together at
8 night and so on. They start accelerating themselves.
9 They almost consume more and more material than we can
10 give them as we go along.

11 During the 12 weeks they are given a tremendous
12 amount of material to learn, not memorize, learn. We are
13 not actually teaching the POST test or anything like
14 that. We are teaching material. They are given five
15 different examinations, fifty-one being our final. That
16 is the last week. The second to the last day they are
17 given a POST exam. The whole time we are pushing,
18 pushing, pushing for them to understand the material, not
19 memorize numbers, dates, things like that.

20 THE CHAIR: With respect to the curriculum, does
21 it contain any course work in terms of, you know, human
22 interaction, cultural awareness?

23 MR. BRAND: There is a lot of personal
24 communication courses with different groups. We don't
25 stress courses as such, say community relations. We have

1 gone away from that. We have broken that apart into
2 various areas. There is more areas such as working with
3 different groups, different people, different situations
4 that we are stressing, including scenarios. We will
5 actually have them act out various ways of handling
6 different types of people, different situations, and so
7 on.

8 THE CHAIR: Do you believe or have an opinion as
9 to whether or not a creation of a civilian review board
10 would assist community law enforcement? Do you have any
11 opinions on that?

12 MR. BRAND: I am a former Oakland policeman who
13 went through the '60's in that turmoil. I do not believe
14 in civilian review boards as such, no.

15 THE CHAIR: And why not?

16 MR. BRAND: Basically they have no authority. I
17 would rather see it handled through the City through a
18 review method. I don't know of any examples where a
19 civilian review board has really done anything to help.

20 MS. SADER: So do you then concur with the Mayor
21 that there should be a uniform discipline code for City
22 employees?

23 MR. BRAND: That is really out of my area. What
24 I'm teaching is young folks how to be good policemen,
25 understand the theories, law, so on. I'm really not

1 involved in what happens once they leave.

2 MS. SADER: You are discussing a citizen review
3 board. What other ways do you see dealing with
4 complaints from the citizenry?

5 MR. BRAND: You mean within the City itself?

6 MS. SADER: Yes.

7 MR. BRAND: You want a personal opinion?

8 MS. SADER: Sure.

9 MR. BRAND: I would like to see it worked out
10 through the police department through city policy, a
11 neutral body doing it but within the City that has the
12 authority.

13 MR. SANCHEZ: Mr. Brand, let me understand this.
14 You have a police academy there that is basically
15 training police officers from a variety of departments,
16 the Sheriff's, Reno-Sparks?

17 MR. BRAND: We haven't had anybody from Sparks,
18 primarily people from Reno, Washoe County. Let me add
19 that the last academy we had civilians. We were able to
20 get the law changed last year within the State. In fact,
21 Chief Bradshaw and Sheriff Swinney were very instrumental
22 in helping me get it changed so civilians can now attend
23 our academy.

24 What this means is they will have a clear
25 background investigation done. They pass the physical

1 fitness requirement of the State. They enroll. They go
2 through the same academy that the sworn police officer is
3 going through. We had three graduates last Friday.

4 MR. SANCHEZ: How are people selected to get into
5 the academy?

6 MR. BRAND: Can I pass this out?

7 THE CHAIR: Yes.

8 MR. BRAND: This is our flier that has just come
9 out. It's for the academy starting September 9th.
10 Basically it's a first-come, first-entrance to the
11 academy. The agencies have the first preference because
12 basically it's set up for the agencies. If they send say
13 25 people, we can comfortably accomodate 40, so maybe of
14 the 15 positions the first 15 people that apply would get
15 it.

16 MR. SANCHEZ: So then these people, who go through
17 the training center, this High Sierra Law Enforcement
18 Training Center, have not been previously selected by the
19 City of Reno, et cetera? They have not done--

20 MR. BRAND: In the past they have been. They have
21 been brought on board as a rookie, cadet, whatever you
22 want to call them, so to speak, not able to work the
23 street yet, but in a training status.

24 In other words, they would be a sworn officer who
25 hasn't gone through training yet. They would attend our

1 academy. They would go from our academy to their
2 agencies, from the On-field Training Officer Program then
3 to the street. We have nothing to do with the selection
4 of the people that come from different agencies.

5 MR. SANCHEZ: Are they selected before they get to
6 you?

7 MR. BRAND: Yes. We train who they send up.

8 MR. SANCHEZ: They go through some sort of civil
9 procedure or testing?

10 MR. BRAND: I think the County has a different
11 policy and the City and so on.

12 MR. SANCHEZ: They all have different policies
13 before they get to you?

14 MR. BRAND: Yes. We have set up a standard on
15 physical fitness, which is 40 percent of the Cooper
16 scale, that they have to meet coming in. We don't have
17 an entrance exam for people coming in to see where they
18 are. I want to establish that.

19 MR. SANCHEZ: How many minority officers do you see
20 coming through your training center and how many females
21 do you see coming through your training center?

22 MR. BRAND: During the past four academys we had 23
23 females and 10 minorities out of a total of 121 people
24 going through. What it breaks down to is 121 total, 98
25 males, 23 females, which is 19 percent, 10 minorities,

1 which is eight percent. I am not mixing females with
2 minority.

3 MR. SANCHEZ: Can you break down minorities in
4 terms of blacks, Hispanics?

5 MR. BRAND: In the first class we had two
6 Hispanics, one black and one Indian, East Indian. In the
7 second class we had one Hispanic-- two Hispanics, one
8 American Indian. In the third class we had one East
9 Indian, one Hispanic, one American Indian. In the fourth
10 class we had one American Indian and one Chinese.

11 MR. SANCHEZ: Let me ask you this: In conclusion
12 then, based upon your experience as the Commander, do you
13 feel that the agencies that are sending you potential
14 police officers are doing a good job in terms of
15 out-reach affirmative action?

16 MR. BRAND: I don't really have any view on it. I
17 take the people that come in. We have no problem with
18 having all minorities if they come in. Everybody is
19 treated equally.

20 THE CHAIR: I think what he's getting at is are
21 you perceiving a sort of prescreening selection process
22 going on before females and minorities sign up or enroll
23 by the agency sending them?

24 MR. BRAND: What do you mean by prescreening?

25 THE CHAIR: Do you feel they are doing this in

1 an equal access environment?

2 MR. BRAND: As far as I am concerned, they are. I
3 know of nothing contrary to that at all.

4 MR. SANCHEZ: You are not familiar with the system
5 that they use in terms of selecting--

6 MR. BRAND: I have nothing to do with the selection
7 of the people the agencies send. I'm not on the
8 selection panel or anything like that.

9 MR. SANCHEZ: What about dropout rates in your
10 training center?

11 MR. BRAND: Very low. The dropout rate has only
12 been in the area of physical ability. In other words,
13 two people I can think of were dropped because they
14 physically could not do the State requirement. They
15 were-- One was in the late 40's and one in the early
16 50's. It was difficult for the body to do what the mind
17 wanted it to do. He couldn't pass the physical fitness
18 part.

19 MR. SANCHEZ: So then regardless of the training
20 selection methods that agencies use once these candidates
21 get to you they seem to survive and succeed?

22 MR. BRAND: I think they are doing a better job
23 because we have imposed a physical fitness requirement
24 coming in.

25 One person was cut in the last academy because on

1 the weekend he was playing football and seriously injured
2 his knee. He couldn't continue. He was terminated by
3 the agency.

4 One lady was taken out of the academy because in
5 the second week she had a blood clot. She couldn't
6 continue with the physical fitness part. We are mandated
7 by the State that they meet a certain physical fitness
8 level in order for graduation. The same with passing the
9 POST examination. We have to follow that standard, and I
10 find it a very reasonable standard to follow.

11 MS. SADER: The background information given us
12 said 25 percent of your enrollees are women and
13 minorities. Do you track these people once they leave?
14 Because the information that we have says that we are low
15 on hiring in this community women and minorities. Do you
16 track these people after they leave? Where do they go
17 when they leave your training center?

18 MR. BRAND: They will go back to the agency that
19 sent them. We don't track them after that.

20 MS. SADER: An Agency sends them? People don't
21 just enroll without being sent to you without a--

22 MR. BRAND: Now, they send civilians-- tend to
23 track them, help them get employment, yes. Other states
24 have adopted a plan of sending civilians to community
25 colleges, to academies, and it has worked out. To me it's

1 a tremendous idea because it saves agencies a lot of
2 money as far as training. Civilians are paying their own
3 way through the school, and then they will get employed
4 at the end, instead of the City or County paying their
5 way through.

6 To me it's very cost effective, plus they have a
7 chance to look at the people for a three-month period
8 during the academy; and then when a person actually
9 graduates, they have a track record to look at. And then
10 they have a full year to look at them as far as a
11 probationary period instead of six months or nine months.
12 It depends when they were hired.

13 MR. SANCHEZ: You have a 1200-dollar registration.
14 So if you bring civilians in there, they have to pay up
15 front your \$1200?

16 MR. BRAND: Right.

17 MR. SANCHEZ: If we are talking about affirmative
18 action, out-reach, a bunch of civilians coming in, do you
19 think this would impact minority recruitment for a lot of
20 agencies? Do you think they could afford a 1200-dollar
21 registration, then going into the field looking for jobs?

22 MR. BRAND: I think it's too early to answer your
23 question properly. The three people that just went
24 through, one of them went through on a JOIN sponsorship
25 from the Federal Government. Firstly, a grant-- I know

1 grant money is available for people that want it. One
2 man worked at night 30 hours a week roughly and ended up
3 being our Valedictorian. I think the school would bend
4 over backwards to help people on financial aid in these
5 areas. They do receive 24 units of college credit for
6 the program, the transfers.

7 MS. SADER: Do you have any numbers for us on how
8 many women and minorities have graduated from the
9 training center?

10 MR. BRAND: It would be 23 females and 10
11 minorities. I can leave this packet with you if you
12 would like.

13 THE CHAIR: That would be great.

14 MR. BRAND: Okay.

15 THE CHAIR: Do we have any other questions for Mr.
16 Brand?

17 MR. WALTHER: I'm curious to know what is done to
18 see if a person is emotionally able to handle the rigors
19 of law enforcement in your ^usteady curriculum.

20 I don't know how you test or exactly how you
21 perceive, but is that ever something that you evaluate?
22 To me a person might be able to pass some objective tests
23 that are information but really not qualified or capable
24 of handling tough situations in law enforcement. Does
25 your course take a look at the person's qualifications in

1 that area or how do you deal with those issues?

2 MR. BRAND: We get some indication how people would
3 do under stress with some of these scenario problems,
4 building searches, for example, vehicle stops and so on.

5 It has not been our policy to terminate out of the
6 academy based on those things. I prefer that myself. I
7 think the Chiefs and the Sheriff do that if they want to
8 have a good chance to look at people more closely.

9 Police work today requires a lot of education, a
10 lot of study, a lot of understanding of the law. Police
11 work is an art. You have to learn it. It's more than a
12 skill. It takes years and years of experience to be a
13 good police officer. It's not something that we can
14 teach these people in 12 weeks. We are trying to give
15 them exposure to the law, to understanding procedures, to
16 the current literature and so on.

17 As to how somebody will turn out when they leave
18 our academy, that is very difficult to say. We are
19 trying to set them in the right direction, and we try
20 real hard. And I think we have had some pretty good
21 results.

22 The FTO programs from what I have seen spend a lot
23 of time working with the people, trying to help them if
24 they are having problems. We will pick up major problems
25 such as a physical disability where a person can't

1 perform in a safe manner with another officer. That is
2 about it really.

3 As far as knocking people out of the academy for
4 scholastic reasons, we have never had a problem. People
5 get into our program right away. Like I say, they get
6 accelerated, they get very competitive with each other,
7 and they really study real well. They do a very good
8 job.

9 MR. SANCHEZ: As a follow-up to that question, the
10 idea for stress academies is to expose candidates to the
11 high stress that they will receive as a police officer
12 and to see if they can handle the situations obviously.

13 Had you ever thought about using psychological
14 screening upfront to assess their ability to handle this?
15 I know there are several police psychologists, one out of
16 San Jose, Dr. Mike Roberts, that is here in Nevada,
17 assessing certain police departments. Have you ever
18 considered using that prior to bringing people on board?

19 MR. BRAND: No, I have not. Like I said, I haven't
20 been selecting the people in the past. I would certainly
21 look at that kind of information. Anything we could do
22 to have a better product I would go along with.

23 I want to emphasize that I do not believe in stress
24 academies, because when you are stressing people
25 constantly, they are going to leave the academy with a

1 chip on their shoulder. They are going right out into
2 public and be transmitting that. I personally feel that
3 because I went through a very strong stress academy. We
4 are emphasizing working with people, working with the
5 public, avoiding problems, certainly avoiding shootings,
6 beatings. We play that down. Our department has asked
7 for that. We are totally in support of that. We want
8 people to work with people. We want to be community
9 oriented.

10 MR. WALTHER: How do you know when somebody gets
11 out on the street-- No matter how much education they
12 have there is going to be some people out there that will
13 pose a threat verbally or perhaps physically to them.
14 How do you know in advance how that person, regardless of
15 the training, will be able to deal with that situation?

16 MR. BRAND: I don't know how we can test for that,
17 sir. I really don't. We are not having those kind of
18 problems. At least if we are, we are not recognizing
19 them. I don't know how to look for that.

20 MR. SANCHEZ: You say you don't follow up your
21 candidates. There is no no way to assess--

22 MR. BRAND: No. We are an academic function. We
23 are a college.

24 MR. SANCHEZ: So you admit there is no way for you
25 to assess the performance of the individuals that

1 graduate from your training academy and how they perform
2 in the field?

3 MR. BRAND: I have no authority to do that at this
4 point, no.

5 MR. WALTHER: We have gone beyond that a little bit.
6 At least in my question I was asking what procedure would
7 be a good procedure to develop some assurance that people
8 out there are not getting such a chip on their shoulder
9 they are likely to use violence excessively in a certain
10 case. There must be some kind of ongoing-- I mean I
11 consider it an art-- I would say it's a profession. You
12 develop your own standard of ethics, how you deal with
13 people under certain given circumstances, how you--

14 MR. BRAND: Our program is a sharing information,
15 happy, warm program. We are not beating these people, so
16 to speak. We are working with them very closely. I talk
17 to them, one or two recruits a day, as to their
18 individual problems, anything that they are experiencing,
19 any way we can make it better, try to help them with
20 study habits. That is the way we are accented right now.

21 THE CHAIR: In the fact-finding that has been done
22 by the Commission there is some inferences that the newer
23 street cops, the new ones, are having more difficulty
24 working within the system than the older ones who have
25 experience and that approximately right now a third of

1 our police department is relatively new because we have
2 had a hiring I think in 1988 or '89 of 88 new officers.

3 Do you have any opinions about that? Has that come
4 back to you from any source, or do you know anything
5 about that?

6 MR. BRAND: I see a different kind of person going
7 into law enforcement today than when I went in. Times
8 change. You know, we have to change. Attitudes have to
9 change. I like the changes from the '60's. I was on a
10 department that did a lot of changing.

11 THE CHAIR: What type of people do you see going
12 into law enforcement today, and what are the differences?

13 MR. BRAND: That is a difficult question. Size is
14 no longer an issue. Race, sex is no longer an issue.
15 There is a place in law enforcement for everybody. I
16 think there might be some resistance in the field to that
17 philosophy.

18 I'm a big advocate of education, stressing it. I
19 think our area is very fortunate that the three major
20 people in key jobs, two police departments and sheriff's,
21 are all highly educated people.

22 We have a lot of command people with Master's
23 Degrees. We have some working on doctorates. Education
24 is emphasized within the departments themselves. I'm not
25 sure you can compare our area with any other place in the

1 United States. I think we are moving right along in that
2 area. I think we are very progressive.

3 MR. MARINI: I have a question. How do you follow
4 up in terms of-- Now, these people are on probation
5 after they leave your academy for a short period of time,
6 right?

7 MR. BRAND: Yes.

8 MR. MARINI: Do you talk to their commanders about
9 how they are doing? I mean do you have some kind of
10 feedback as to how your graduates have done after they
11 get out?

12 MR. BRAND: Just what I might pick up. My
13 authority is just at the school itself. I don't even
14 have termination authority. I more or less work as
15 coordinator/supervisor of the educational program they
16 are receiving.

17 MR. MARINI: But you must hear from the people who
18 use your product whether they think these people are
19 doing a good job once they hire them, right?

20 MR. BRAND: From what I have been hearing it has
21 been very favorable, yes. We do meet after every one of
22 the academies, and we critique the exit questionnaire
23 that the recruits fill out at the end to make ~~it a better~~ ^(the)
24 academy ~~to make it~~ better.

25 MR. MARINI: So there is some informal feedback?

1 MR. BRAND: We definitely want to improve.
2 Certainly we have a long ways to make it better, but we
3 are quite open. We have a very open policy there. We
4 are constantly changing instructors to have better
5 instruction. We had classes-- POST mandates a certain
6 number of hours. We can add optional courses, and we
7 have done that where we have seen various needs.

8 THE CHAIR: Any other questions?

9 Thank you, Mr. Brand, for coming. We appreciate
10 your comments, and we would be more than willing to take
11 your notes and your documentation as an exhibit to this
12 hearing.

13 MR. BRAND: Okay. I am quite receptive to any kind
14 of comments or criticisms or ideas to make it better.

15 THE CHAIR: I have a feeling through today's
16 hearing we will find out lots of different things,
17 because we have community representatives through law
18 enforcement, from the academic area to the political
19 side. So hopefully we will have some ideas.

20 MR. BRAND: Okay. Thank you.

21 THE CHAIR: What I would like to do right now is
22 take a short recess and work on the sound system.

23 (A recess was taken.)

24 THE CHAIR: I would like to reconvene the hearing.
25 Next is Professor Ken Peak.

1 For the record, would you please introduce yourself
2 and tell us where you are from.

3 PROFESSOR PEAK: Sure. I'm Ken Peak, Chairman, ~~of~~
4 ~~the~~ Department of Criminal Justice, ~~of the~~ University of
5 Nevada-Reno. I reside in Sparks.

6 THE CHAIR: Would you please feel free to start
7 with your introductory comments or opening comments, and
8 then we sometimes interrupt and ask questions?

9 PROFESSOR PEAK: Okay. I have relatively short
10 prepared remarks here, and I would be happy to
11 disseminate those to the Committee at the conclusion of
12 my presentation. Will that be all right?

13 THE CHAIR: That will be fine.

14 PROFESSOR PEAK: It is my pleasure to appear before
15 you today. Having begun in law enforcement in 1970, and
16 during the intervening years I have kept a hand in police
17 training having instructed several unit classes on
18 community relations in Kansas and Nevada and also
19 teaching not only in the university setting but also
20 police academies, as Mr. Brand may have indicated to you
21 earlier this morning.

22 I think I teach on average two four-hour blocks of
23 police/community relations at the High Sierra Police
24 Academy each year. And that, of course, as you know,
25 includes personnel, newly hired personnel, from both the

1 Reno Police Department and Washoe County Sheriff's
2 Office.

3 You have already I believe a copy of the synopsis
4 for the course, and I just thought it might be well for
5 you to see what is included in the course. And I will
6 allude to that again here in a moment because I've also
7 instructed the same course at the Sparks Police
8 Department, and just recently last November I went to
9 Winnemucca to instruct four regional police officers in
10 that area.

11 I might just point out that as a member of the
12 Criminal Justice Advisory Board of Truckee Meadows
13 Community College I have raised a question a couple of
14 times.

15 I am personally a firm supporter of police stress
16 recognition and management instruction. It's my view
17 that police need to know how to take care of number one
18 before they can be expected to do a decent job taking
19 care of everybody else without.

20 But I think to the credit of the Police Chief and
21 the Sheriff they have operated in the past to keep the
22 community relations course. And at least at the outset
23 for a couple of years the police stress training I don't
24 believe was offered, but I'm now happy to report that our
25 regional police academy offers both, and I think they go

1 hand-in-glove. They are very important. We need to get
2 these people to understand some techniques for stress
3 reduction even before we can even begin to expect them I
4 think to take care of the public.

5 I would like to point out, too, that this
6 particular four-hour block of instruction seems to have
7 had a quantitative impact on at least one police agency.
8 You have a letter from Chief George Coxey. I just
9 solicited it a month or so ago because they had informed
10 me via the telephone that this course at least
11 quantitatively was indicating some nice things were going
12 on.

13 I think it will point out to you a 45 percent
14 reduction in the numbers of complaints by the public
15 against police officers over a two-year period. I simply
16 asked him to provide me something in writing in that
17 regard so that I can send it down to Mr. Larry Stout, who
18 is the Director of our Peace Officers and Standards and
19 Training, the State Police Academy in Carson City.

20 My hope is that Larry Stout with his contacts
21 around the state can disseminate this data, and maybe
22 other jurisdictions needing this training will give me a
23 call. And I would be happy to try to take this thing on
24 the road as it were.

25 I also again did the very same course in Winnemucca

1 again last November, but I don't have any follow-up data
2 from there as yet.

3 Now, I know you are primarily interested in police/
4 community relations as regards the Reno Police
5 Department, so I will now turn my attention to that
6 venue.

7 You are no doubt aware that the Police Chief,
8 Robert Bradshaw, is retiring very soon, I think the end
9 of this month. I don't know how much you know of the
10 community policing program, which was inaugurated here
11 in '87. If I can speak at some length to that program,
12 having done some research and used some of the data that
13 they have collected over the past four years, I guess
14 it's fairly safe to say that back at least prior to '87
15 for a few years the police department here, it's fairly
16 commonly known, was perceived as I kind of compare it to
17 an LAPD perception.

18 It used management by an objective management
19 technique. The department was, on paper and
20 quantitatively again, very effective, but it's fair to
21 say, and I think Chief Bradshaw would tell you, that the
22 department was perceived as being rather heartless. It
23 was professional, but it didn't have a heart. It was
24 looking good, but it wasn't being good.

25 And I think it's-- This sounds rather maudlin

1 perhaps, but I'm told that at a meeting in Washington,
2 D.C., he literally scribbled down on a napkin the genesis
3 for the community-policing program. Cop Plus we now know
4 it as.

5 And part of the Cop Plus program, at least its
6 original structure and until now, has been the quality
7 assurance portion of the program. That is the "plus".
8 And part of its charge is to perform scientific community
9 surveys, and they come out a couple times a year, to try
10 to get students to help in that regard, try to get other
11 objective people to assist, and they will try to contact
12 seven to 800 citizens in the community and ascertain what
13 the public views have been.

14 A couple years ago I thought it would be nice to
15 take all this mountain of data that was just sort of
16 lying there and scramble it up in a computer and look to
17 see what had happened to the perception of the police
18 department in Reno.

19 Capt. Ron Glensor, who is sitting behind me, had
20 done some work here in the Department of Political
21 Science here for his MBA. That was his thesis, so he
22 already had something on which to build. And then with
23 Chief Bradshaw's input I can report to you that those
24 data have been analyzed. The findings have been
25 published in the Police Chief magazine.

1 I don't have copies, but they can be made available
2 to you. It's a relatively short article in the October
3 1990 article of the Police Chief. This is the official
4 publication of the International Association of Chiefs of
5 Police, and it has, I'm told by the publishing office,
6 some 30,000 subscribers that receive this magazine
7 worldwide every month.

8 I can also report we took what I call the
9 granddaddy article-- That is where you have all the
10 tables, all the data, and that is some 30 pages in
11 length. It has recently been accepted for publication by
12 the Journal of Criminal Justice, and it should be
13 appearing in the latter part of this year.

14 In my view the data don't lie. Again I don't know
15 how much you want to know in terms of perceptions of a
16 quantitative sort of thing. Everybody has been excited
17 about some of the success stories that-- taking the Pat
18 Baker Park kind of thing, sending police on dirt bikes
19 out into the mountains to get rid of people that were
20 doing some dangerous and noisy off-road driving up there,
21 getting rid of approximately a hundred abandoned vehicles
22 up in the northern area.

23 But by all accounts quantitatively, and there has
24 been a fair amount and a nice amount of publicity on the
25 thing, this program has been very successful.

1 I am told also by the Reno Police Personnel that
2 approximately 100 other police agencies have either
3 contacted Reno or visited Reno. And I just talked to
4 Capt. Glensor yesterday on another matter. He tells me
5 he's going to--

6 Where is it, Ron? Next week.

7 CAPT. GLENSOR: Stockton.

8 PROF. PEAK: --Stockton to discuss the program.

9 THE CHAIR: I don't mean to interrupt your train
10 of thought, but could you give us some comparisons that
11 these statistical information is provided--

12 PROF. PEAK: Sure. Yeah. And I don't want to
13 paint with too broad a brush. Nothing is ever perfect.
14 We know that from some comments in part of the big
15 article in the Journal of Criminal Justice.

16 We did a survey of the rank and file, and as always
17 there are going to be some people who don't
18 wholeheartedly endorse the program. But in the main I
19 think the data would indicate that it is working.

20 Just some noteworthy kinds of figures for you here.
21 The department's image-- Bear in mind again that we are
22 moving from the benchmark of 1987. About mid year when
23 the program was officially launched and all officers
24 attended a 40-hour inservice training session on the
25 program's philosophy-- about a year and a half following

1 the inception of Cop Plus the data show that the
2 department's image began to improve very significantly.

3 In June of '87 they took a survey, and one-third of
4 the respondents felt that the Reno Police Department had
5 a poor or below average image in June of '87. By
6 November of '88 40 percent rated the department as good
7 or above average, and then by March of '89 over half,
8 50.5 percent, rated the department as good or above
9 average.

10 THE CHAIR: When you are using these figures, are
11 you-- Is it a study based on making random calls into the
12 community?

13 PROF. PEAK: Yes, it's very scientific. You may be
14 told later, but one of the officers I believe was sent to
15 the University of Michigan where that was the sole
16 purpose of the training, how to perform a scientific
17 survey, research and use that methodology.

18 THE CHAIR: There was a phone survey--

19 PROF. PEAK: Randomly.

20 THE CHAIR: --in all quadrants of the City?

21 PROF. PEAK: It cuts all across, yes. It's very
22 scientific. You ask for a particular party in the
23 household. You capture a good cross section of the
24 community.

25 MS. SADER: The last one you quoted was '89 as 90.

1 The ratio has gone down now from '89's ratio of
2 acceptance. Can you explain that?

3 PROF. PEAK: I don't know about ratios. We stay
4 away from these ratio figures.

5 Bear in mind, too, now that I'm looking at the
6 first six surveys. There have been one or two more done
7 since, but I'm stopping at the point where our data were
8 scrambled here on campus, and that would be the first six
9 again. I think that would come up to about the end of
10 '89.

11 The overall performance ratings, people were asked
12 about that. Prior to Cop Plus only about 14 percent of
13 the people-- I'm sorry-- about 14 percent of the
14 respondents felt that the department performed at a poor
15 or below average level while 49 percent said it was good
16 or above average.

17 Following the program again, as we track it to the
18 tail end of at least this analysis, 54 percent perceived
19 it as good or above average and only 6.2 percent--I think
20 this is the key figure, 6.2 percent--found it poor or
21 below average. So we went from 14 percent down to 6.2
22 there.

23 The respondents were also asked to remark on the
24 quality of police contacts, whether or not the police
25 officers conveyed a feeling of concern for their

1 problems.

2 In March of '88 30.6 percent of the respondents
3 indicated that the police officers did not project a
4 feeling of concern, and by May of 1989 their figure had
5 decreased to 18.7 percent.

6 So those are some of the more salient findings of
7 the study. And then as you probably know in May of '88
8 the voters after turning a bond issue away twice at the
9 polls approved funding to hire 88 more police officers in
10 the Safety '88 Campaign.

11 Are there any questions about-- Yes?

12 MR. SANCHEZ: Question. At the beginning of your
13 statement you said that the police department was not
14 perceived to have a heart. Do you feel that the police
15 department now has a heart?

16 PROF. PEAK: My opinion or in the public opinion?

17 MR. SANCHEZ: Both.

18 PROF. PEAK: Both? I think so in both, yes,
19 unequivocally. I'm again a numbers scruncher. Having
20 done research on it, I think that the data show it did,
21 and I know that back again under MBO a lot of reliance
22 was placed on numbers or a lot of untimely radar grants,
23 people getting just a blizzard of tickets and other
24 setbacks just before bond issue election time. And I
25 think that the data show and that the bond issue shows

1 that there has been a major turnaround here. I think
2 other jurisdictions have taken note of that. That is why
3 they are contacting the Reno Police Department.

4 MR. SANCHEZ: You have done an awful lot of number
5 scrunching as you admit. Have you personally gone to
6 members of the various communities here to ascertain
7 their views, community leaders, from the black community,
8 Hispanic or Samoyan community?

9 PROF. PEAK: No. That's the focus of some
10 follow-up research we want to do. We want to explore
11 that group more, the neighborhood advisory group, which
12 is a major part of the program. We don't want to stop.
13 We want to continue analyzing it, watching the data.
14 It's there if we are going to continue to do some things
15 with it, but those are things that we intend to do in the
16 future.

17 MR. SANCHEZ: So your research is incomplete at
18 this point?

19 MR. SANCHEZ: Well, I wouldn't say it is
20 incomplete. I'm saying there are other directions it can
21 go now. We have analyzed what the people have said in
22 six community surveys, and now we are looking at-- It
23 should be ongoing as any kind of research should be. I'm
24 just saying there are other directions we are going to
25 take now, and one of which is to do more-- I think there

1 is an article, and Capt. Glensor would agree and Chief
2 Bradshaw, waiting there just on a group concept itself.

3 MS. SADER: In regards to Cops Plus, through staff
4 interviews we have learned that less than 30 percent of
5 the street policemen, the policemen out in the community,
6 embraces this concept. Is that true, first of all? And
7 if it is true, why do you suppose that is?

8 PROF. PEAK: Less than 30 percent embrace the
9 concept?

10 MS. SADER: Of Cops Plus.

11 PROF. PEAK: Well, I would have to look. What is
12 the source of that data?

13 MS. SADER: Well, our sources are confidential, but
14 through an interview system. It was an interview. That
15 is all I can say.

16 PROF. PEAK: I purposely don't have the material
17 with me where we would include that because of copyright
18 problems. The Journal of Criminal Justice wants to
19 publish it and have it not reproduced in any form prior.

20 MS. SADER: It doesn't matter if it's 30 percent or
21 40 percent. Do you think that is a close number?

22 PROF. PEAK: All I can say is based on our
23 recollection that does not reflect what was found in our
24 survey. Now, that survey would have been done six or
25 eight months-- approximately six months ago. There were

1 some negative, that it was too much quote ass kissing.
2 You are always going to find some of that. Police
3 officers are cynical. I have been in the business 21
4 years.

5 But we were pleasantly surprised to see the support
6 for the thing, and I would-- I'm not saying I would take
7 issue with that finding. And again a lot of things have
8 maybe intervened since then internally in the department.
9 But as of six months ago my survey at least indicated
10 that there was a lot more support than that, or maybe
11 turn that around. There was a lot less opposition to it
12 than that. I am sorry. And I got quotes and cites and
13 all kinds of things on the big paper. I'm not able--

14 MS. SADER: The perception where you think the
15 police community is right now in regards to better
16 communicating with the community, what are your feelings
17 on-- Are they headed in the right direction?

18 PROF. PEAK: I think so, yeah. I think the NAGS
19 are continuing, and again I haven't-- I'm on the outside
20 looking in admittedly on some in some of these areas, not
21 having focused on a NAGS group yet, but there have been
22 some drawbacks. You know, there have been some things
23 that have occurred, the so-called chokehold episode,
24 the arrest of the Deputy Police Chief for DUI, and a
25 labor relations problem with the Reno Air Race last year.

1 However, and I am just at this point-- Again, this
2 is another direction we are going to take over into the
3 research a little bit later, but I'm told by informed
4 sources in the department that on the heels of say the
5 arrest of the Deputy Chief for D.U.I., that at least a
6 survey shortly on the heels of that did not indicate a
7 major reduction in the perception of-- positive
8 perception of the police department,

9 And we think that is significant because a lot of
10 times police chiefs go out in knee jerk fashion. If they
11 perceive that there is going to be a lot of heat coming
12 down, they will drastically or radically change their
13 policies. But at least from the community's perception,
14 the people of Reno have taken these things in stride.
15 They have put it into context, and apparently the data
16 haven't fallen as a result.

17 MR. WALTHER: One of the comments from the Mayor
18 indicated that he would support-- he thinks that the
19 department, perhaps the City in general, should have some
20 general data for violations of policy, similar to our
21 criminal statutes. So if an employee does something or a
22 law enforcement officer does something, there is some
23 standard by which the sanction can be imposed. So that
24 there wouldn't be arbitrary treatment or at least the
25 perception of the arbitrary treatment by those

1 administering the sanction. What do you think about
2 that?

3 PROF. PEAK: Well, yes, I think that is what policy
4 and procedure manuals are for.

5 MR. WALTHER: But is there a policy and procedure
6 manual that exists now?

7 PROF. PEAK: I'm sure there is. In the Reno Police
8 Department? I'm sure there is such a manual, but I don't
9 know how extensively it covers behavior and what will
10 happen in terms of termination or suspension. But I
11 think he's probably looking at this Deputy Chief's arrest
12 and the flap that was caused there. And I can see where
13 it probably would be better to be more precise as to what
14 will happen given a particular type of behavior in terms
15 of equity.

16 THE CHAIR: I may have misunderstood one of your
17 comments. I was under the impression that you said the
18 rank and file may not support the program when we are
19 talking about Cops Plus. Did I misunderstand that
20 statement?

21 PROF. PEAK: I said some of them. And there was
22 some comments in our survey, as you are going to find in
23 any department, saying that it just is too mamby pamby,
24 you know.

25 And my comment, as I recall, was that I said I

1 don't want to paint with too broad a brush and indicate
2 this is whole heartedly endorsed by all police officers,
3 because something that is service oriented or smacks of
4 social work simply isn't going to be bought into by all
5 police officers. That is a given. A lot of these people
6 have been in the business a long time, and they have seen
7 a lot of nasty things. They have become hardened. But
8 again on the basis of my survey the results were
9 overwhelmingly positive and the comments were positive.

10 THE CHAIR: In your survey did you see a
11 difference in attitude between, for example, the 88 new
12 police officers that we would consider relatively new
13 officers versus old guard?

14 PROF. PEAK: Could I ask Capt. Glensor a question in
15 that regard?

16 Ron, did we separate those out? Do you remember
17 there was some reason I didn't think we could for some
18 reason? Is that correct?

19 CAPT. GLENSOR: That is correct. We don't
20 generally find that anyway.

21 PROF. PEAK: I know we discussed doing that before
22 or after, but for some reason-- I think we did allude to
23 it. If you would like, I could go back and look at the
24 comments. I think we alluded to it. I'm just unclear.
25 I don't remember--

1 THE CHAIR: Would you mind-- We can receive
2 evidence from this fact-finding hearing for the next ten
3 days-- if you would send a copy of that to my attention
4 or to Tom's?

5 PROF. PEAK: I think we have to be very careful to
6 protect anonymity.

7 THE CHAIR: We are not asking for names.

8 PROF. PEAK: I mean in the course of the survey. I
9 know we had to be very careful there, and they were asked
10 to indicate, as I recall, in the survey when they have
11 been hired, how long they have been on the force. But a
12 lot of people were equally reluctant to even indicate
13 that kind of information.

14 THE CHAIR: Do you have any explanation for why
15 the newest survey has shown a decrease in the
16 percentages?

17 PROF. PEAK: I'm sorry. The recent one?

18 MS. SADER: In the recent survey community
19 perception, positive perception, is down.

20 PROF. PEAK: I'm not sure, no. My energies have
21 been devoted to getting these first six surveys into
22 order to get those published. I think it would have
23 come, though, at about the time there was the flap with
24 the Reno Air Races. I'm not sure. I can certainly be
25 corrected. I seem to recall being told by either the

1 Chief or Capt. Glensor, who I talked with both fairly
2 regularly about this, that at that point in time that is
3 when it took kind of a dip.

4 THE CHAIR: Any other questions for Prof. Peak?

5 Do you have any other comments that you would like
6 to express or thoughts?

7 PROF. PEAK: Well, I would just say that again I'm
8 on the outside looking in. It's hard to assess the
9 picture and get it in very perfect focus. But I think
10 that-- And certainly it's hard to assess what goes on on
11 the street in the hundreds and thousands of contacts the
12 officers have with the public.

13 But I would close by saying that in the main
14 overall in my view the situation is an invaluable one,
15 and again there have been some setbacks as there will be
16 in any size of sizable police department. You need to
17 bear in mind that the relations between the local
18 newspaper and the Chief of Police were openly, shall we
19 say, to put it mildly unfriendly.

20 And I think that in the face of that the police
21 department has done remarkably well. And I think that it
22 is in good shape. The program, Cops Plus, is going to
23 keep the department in good stead as it searches now for
24 a new Chief Executive, who we hope will continue to
25 improve the image and the rapport with the public. And

1 hopefully let's hope that the door will be open a little
2 bit at least for the news media to come in and have
3 better access.

4 THE CHAIR: Thank you very much.

5 PROF. PEAK: Yes, sir, a question?

6 MR. WALTHER: How are we timewise?

7 THE CHAIR: You are a little over, but ask your
8 question.

9 MR. WALTHER: I was curious to know what kind of
10 procedures are in place or if they are not in place how
11 they should be in place to just monitor just an officer's
12 progression in law enforcement to see if an officer is
13 becoming jaded or cynical like you say or if an officer
14 seems to be continuing to progress professionally to the
15 point where he's not-- that jaded attitude doesn't occur?

16 It seems to me with ongoing just a type of
17 attention to problems, so that we don't hear comments from
18 you, well, they have been on the force for 20 years;
19 therefore, they are cynical. It would be nice to say
20 that they have been on the force for 20 years, they are
21 damn good, and they get better every year?

22 PROF. PEAK: Yeah, well, unquestionably I would
23 like to see our course continued as one becomes a quote
24 veteran at some point, but I don't know if anybody has
25 found that yet. And this may sound selfish because I

1 have gotten paid fairly handsomely to go out and do this
2 thing for the police department, but normally I try to do
3 this stuff free, gratis.

4 I would like to see the veteran officer get this
5 training and maybe at a selected point in time throughout
6 one's career when cynicism tends to increase. But quite
7 frankly I haven't been asked to do so for the veteran
8 officer. And at this point it's just for the new
9 recruit, and we hope that they will take that with them
10 away from the academy. But I don't know now. Maybe
11 there is something in-house connected with the annual
12 performance evaluations or some mechanism to recognize
13 when somebody is stressed because of his way of dealing
14 with people or she needs to go get some help in terms of
15 counseling. There may be something, but as far as I know
16 there is no formalized training thing involving police-
17 community relations at this time.

18 THE CHAIR: I hate to cut you off, but we have to
19 move on to the next person.

20 PROF. PEAK: I have to give a final.

21 THE CHAIR: Thank you for coming.

22 Our next presenter is Mr. William Moon.

23 Would you please have a chair and introduce
24 yourself and tell us something about your background and
25 then make any introductory comments you would like to

1 make.

2 MR. MOON: My name is William Moon. I am the
3 President of the Reno-Sparks NAACP. Previously I was for
4 nine years the Civil Rights Officer for the Department of
5 Transportation in Carson City, and I am presently the
6 Equal Employment Manager for the Bureau of Land
7 Management, which is part of the U.S. Department of The
8 Interior.

9 I have been in this community for approximately 21
10 years. I have served on the Reno Planning Commission for
11 about three years. I have been active in the community a
12 number of years in various capacities. I'm not sure what
13 else I need to say. I have a statement which I would
14 like to give for the record, and also I have opening
15 remarks.

16 Is it appropriate at this time?

17 THE CHAIR: It sure is.

18 PROF. PEAK: As I have been active in the
19 Reno-Sparks NAACP for approximately 20 years in the area,
20 just recently I was elected as President.

21 I would like to begin by saying that every year
22 hundreds of complaints are heard about how police
23 officers use excessive, sometimes deadly force, against
24 blacks for offenses that whites never encounter.

25 Now, while each of us are a potential victim, young

1 blacks are at especially high risk. When this occurs,
2 not only does this kind of treatment inflict pain and
3 suffering on them as victims, but it exacts a high price
4 from our community in terms of human resource potential.

5 When I look at the work force profile of the Reno
6 Police Department, there is a manifest imbalance of
7 blacks and other ethnic minorities. The work force at
8 best reflects token representation.

9 This did not just happen by chance. It is
10 deliberate. It is systemic. It is conscious racial
11 exclusion-- No, it is genocide. The vast majority of
12 cases alleging the use of excessive and deadly force in
13 the City of Reno involve blacks and other ethnic
14 minorities.

15 I know there is something in the newspaper today
16 which indicates it goes beyond that. But giving a
17 minority youth a police record systematically eliminates
18 him or her from ever pursuing a career in law
19 enforcement. And this is probably true across the
20 country.

21 Some of the things which I have noticed and have
22 been brought to my attention as President of the
23 Reno-Sparks branch is that our youths have been stopped
24 for curfew violations. When there are blacks and others
25 together, the blacks are usually singled out, stopping

1 groups and harassing the young people when they are being
2 seen in groups. When they are exceeding the speed limit
3 just marginally, they are stopped and pulled over and
4 given tickets. Their cars, when there are defective
5 lights broken or in some other ways, they are usually
6 pulled aside and harassed in some ways.

7 Jogging in the parks-- When young people are
8 working in an area and up at the university-- Just
9 recently it was brought to to my attention where the kids
10 working at the university were jogging around the field,
11 and they were pulled over and harassed in that way.
12 Being in a location where police think they don't belong,
13 they are harassed in that way. They are pulled aside,
14 and told they resemble someone suspected of committing a
15 felony in some way.

16 Citizens certainly must recognize the harm that
17 this behavior is causing and the importance of stopping
18 this kind of practice. A Citizens advisory group should
19 be formed. I am an advocate of that. It would force
20 better communications between the police and the general
21 community in my opinion.

22 Some of the things that I believe it would help is
23 that it would review current police programs, policies
24 and procedures and their impact on police-community
25 relations and crime prevention. It would offer advice or

1 suggestions for modification, addition or broader
2 dissemination.

3 It can't be overstated I might add that the police
4 officers possess awesome power, not only are they
5 expected to preserve peace by using force and sometimes
6 even deadly force-- That is why it is essential that
7 these powers be subject to constant scrutiny, to insure
8 that they are not abused. Just as a tree is known by the
9 fruit it bears we will be judged by our actions and by
10 the way we handle our responsibilities toward our fellow
11 man.

12 In this ongoing fight against police using
13 excessive force against blacks and other minorities
14 statistics tell only part of the story. It's more than a
15 violation of the law. Every time a policeman violates a
16 black citizen's right to due process it creates a
17 disregard of the basic rights all citizens are guaranteed
18 under the Constitution. The statistics of the number of
19 blacks with criminal records is staggering. Whenever a
20 policeman stops a young black, that experience creates
21 an emotional trauma. Their self-confidence is shaken and
22 their respect for the law is shattered.

23 THE CHAIR: Mr. Moon, when you talk about these
24 experiences, are your comments coming from people that you
25 have communicated with and these are the feelings of the

1 minority community in Reno?

2 MR. MOON: In Reno, yes. I have had personal
3 contact with people in the incidents in which I'm
4 alluding to.

5 THE CHAIR: Have you and the people that you have
6 talked with seen any perceived improved relations since
7 the enactment of the Cops Plus program?
8 Have you seen any changes at all?

9 MR. MOON: Well, I have seen some change, but it is
10 too early to assess the amount of change that we expect.
11 Not enough time has passed.

12 THE CHAIR: What type of changes, if any, have
13 occurred as a result of the Cops Plus program?

14 MR. MOON: Following the Cops Plus training-- Let
15 me go back. Prior to that there were policemen on every
16 corner. You turn around and there is a police car, two
17 or three. Whenever a person is stopped, five or six
18 police cars kind of congregate and right in front of
19 them. When there is a traffic violation, there is no
20 obvious danger to the public or to the police department.
21 You would see them just congregating there. They will be
22 located in strategic spots in the community, in Northeast
23 Reno particularly, as an ominous threat. It's a form of
24 intimidation. And our young people-- They feel rather
25 threatened when they see this awesome power there, and

1 they become rather panicked I might add.

2 THE CHAIR: Has there been any change in the last
3 couple of years since the Cops Plus program has been
4 initiated in those type of perceptions and feelings?

5 MR. MOON: The kind of things I'm relating to have
6 happened within the last two years. So I guess it takes
7 much longer to see the results than we have had up to
8 this point.

9 MR. WALTHER: In the initial part of your comments
10 you said that you felt that there was a racism in the
11 department that was conscious. What facts make you think
12 it is conscious?

13 MR. MOON: I would say during the recruitment
14 process there has not been a conscious effort to recruit
15 other blacks from the local community. There have been
16 efforts to go outside of the community, but it's not the
17 same as having people that grow up in the community, that
18 know the community and will be able to communicate with
19 the community. I don't see that kind of effort being
20 extensively pursued. There have been token efforts to go
21 outside of the community, to bring people in, but they
22 have been totally ineffective in my opinion.

23 MR. SANCHEZ: Earlier you also mentioned that the
24 representation of the work force is somewhat token. Have
25 you had a chance to look at the affirmative action plan

1 of the City of Reno?

2 MR. MOON: The affirmative action plan is outdated.
3 It's not current. I have seen the initial affirmative
4 action plan, and I have some questions about the
5 statistics that they use and the manner in which it is
6 laid out in the plan.

7 MR. WALTHER: Have you communicated your concerns
8 regarding the discriminatory recruitment with the law
9 enforcement officials in Reno and Sparks and Washoe
10 County? And in addition do you see it as pervasive among
11 all law enforcement agencies or are we talking simply
12 about Reno?

13 MR. MOON: Well, I'm only talking about Reno now,
14 and I think we have expressed our feelings, I know I have
15 to the police department officials, and we have had
16 several meetings. And this has been a prominent issue
17 that is often raised.

18 MR. WALTHER: What steps have been taken toward
19 improving the recruitment process in Reno, or did they
20 recognize that there was a problem with the people you
21 have talked with about the recruitment, that they are
22 recruiting from outside the area for minorities?

23 MR. MOON: They recognize that there is a need to
24 do something. But there is always that refrain that
25 qualified blacks and other ethnic minorities can't be

1 found in this area.

2 And I go back to a previous statement I made. The
3 young blacks and other Hispanics and groups that when
4 they-- when they are growing up in high school and in
5 college, when they get a record, they are usually
6 systematically eliminated from pursuing a law enforcement
7 career because this is probably one of the
8 qualifications, that they have to be clean. And how can
9 they be clean when they are constantly harassed and a
10 record is being constructed against them, and they don't
11 have a chance?

12 That is why I say it's systemic. It's a conscious
13 effort to do that so that when the young people are
14 found, they are being eliminated because of that record.

15 MR. WALTHER: Do you see this as something that's
16 solely done in Reno? Is it done in Sparks and Washoe
17 County, or is it done in other law enforcement agencies?

18 In other words, are there other law enforcement
19 agencies that might take a young black kid that has had a
20 problem in the past but is really doing a good job and
21 say we are going to give him a chance? Has that happened
22 in Washoe County, Sparks or other agencies?

23 MR. MOON: It is not happening to my knowledge. I
24 know that there has been some expression made that drug
25 problems keep people who have a problem with drugs--

1 That is looked on very seriously, but these other minor
2 situations that are not felony situations-- But this is
3 not just limited to the police department, this kind of
4 behavior. In my opinion I think it happens in other
5 agencies as well.

6 When you look at the work force on the provile of
7 Reno in general, you find it is almost like blacks don't
8 exist in the Reno-Sparks area, especially in highly
9 visible positions where certainly qualifications is not
10 the criteria. There is a lack of qualifications among
11 blacks and other ethnic minorities.

12 But I don't believe that the affirmative action
13 program is working. I think it certainly needs something
14 to simulate compliance with the federal laws and
15 employment across-the-board.

16 MR. SANCHEZ: Do you happen to see any systematic
17 affirmative action out-reach on the part of City of Reno
18 across-the-board, not just for the police department but
19 to fill other positions?

20 MR. MOON: No. I could say emphatically, even
21 though about six months ago there was some hue and cry
22 about making goals for women and minorities. But, as far
23 as out-reach, follow-through, I have not seen anything
24 extensive where this could be fully implemented. And I
25 don't believe the City of Reno at the present time has

1 any effective affirmative action plan. I am sure it is
2 outdated and hasn't been updated.

3 MR. SANCHEZ: Do they happen to have an affirmative
4 action officer or somebody designated--

5 MR. MOON: Oh, yes, they have a person who was
6 appointed last year I believe.

7 MR. SANCHEZ: Does this individual work as a liason
8 with the communities here in Reno?

9 MR. MOON: Well, let me say that this individual is
10 visible in the community. As a matter of fact, he has a
11 church. He is a pastor of a church in the community. So
12 if you would say that is an attachment or liaison with
13 the community, then I would have to say, yes.

14 THE CHAIR: Please feel free to continue with your
15 comments. I'm sorry to have interrupted you.

16 MR. MOON: Well, back to the police department now.
17 There has not been to my understanding one case where the
18 Internal Affairs has found the actions of one of its
19 police officers to be illegal, using excessive force.

20 The drug problem in Reno has helped promote a reign
21 of terror in my opinion, especially against blacks in
22 Northeast Reno. Young black men and women are victims of
23 a condition they certainly did not create.

24 When blatant acts of brutality is practiced against
25 minorities and especially blacks in small towns like

1 Reno, nearly every person in town hears about it. It
2 becomes almost impossible for them to ever reclaim their
3 sense of dignity and pride.

4 Most citizens are law-abiding citizens, and that
5 goes without saying, and having the police around for
6 security-- all of us seek that. But what happens when
7 the citizens themselves become the victims strictly on
8 the basis of their color and their gender, when young
9 blacks are harassed by the police, families also become
10 victims.

11 Police officers in my opinion are seldom held
12 accountable for their action against minorities,
13 especially blacks. Last year in Northeast Reno following
14 a confrontation between police and a group of young black
15 youth in Pat Baker Park a group of concerned citizens was
16 formed, and I happen to be one of those concerned
17 citizens. We were formed in order to deescalate a
18 situation we feel was getting out of hand.

19 We contacted the Justice Department in San
20 Francisco for help, and they sent one of their
21 investigators here. And we have been meeting
22 periodically with the Police Chief in order to come up
23 with some kind of solution to get a grip on this
24 situation and reduce that kind of tension.

25 It was proposed that sensitivity training be given

1 to most of the policemen who had business over in the
2 northeast part of the town. This training would deal
3 with cultural awareness and sensitivity training. All of
4 the officers were required to attend at least four hours
5 of that training, and we believe that the training was
6 quite effective. And some other ongoing training is also
7 being given.

8 Police brutality and the use of excessive force is
9 a problem that merits serious attention. Citizens must
10 remain vigil for this kind of behavior in the fight
11 against police using excessive force. We must reaffirm
12 our determination to uphold America's promise of liberty
13 and justice for all.

14 THE CHAIR: Does anyone have any questions?

15 MR. SANCHEZ: I would like to pursue the
16 affirmative action plan once more. I have in my hand,
17 and the other members do also, an EEO Affirmative Action
18 Plan, 1989, Department Goals, Police for the City of
19 Reno. It looks like a five-year plan to effectively
20 eliminate disparity in the work force in the police
21 department.

22 It is interesting to note that this was developed
23 in 1989. The bottom line of the five-year plan calls for
24 a reduction of 83 males, an addition of 83 females, by
25 the year 1994, and the elimination of eleven whites, and

1 the elimination of five blacks in the police department
2 and the inclusion or addition of 10 Hispanics, seven
3 asians, and reduction of one native American.

4 Have you had a chance to take a look at this? And
5 what is your opinion about that?

6 MR. MOON: I have not looked at that personally,
7 but I have heard comments on that. I don't believe that
8 that is in keeping with the federal guidelines of
9 eliminating people.

10 I think you replace other people and try to do some
11 positive recruitment when you have the opportunity to do
12 so. I don't agree with this, because I am an affirmative
13 action officer, and I develop plans all the time. They
14 have some ambitious goals. On paper it may look like
15 it's something that is being followed, but in my opinion
16 I don't have any confidence in that.

17 MS. SADER: Chief Bradshaw has been quoted as
18 saying that the communities, the minority communities,
19 should bring to him, to the department, their best young
20 men and women to become officers. How do you feel about
21 that? Do you think the community should help recruit
22 police officers?

23 MR. MOON: Well, I certainly think the community
24 should be involved. That goes without saying. But we
25 need some assurance. When we bring qualified minorities

1 there, we don't have any assurance that they will be
2 hired because of the Civil Service System. You have to
3 go through a system of a screening process, and often
4 they are screened out rather than being screened in. So,
5 you know, I hear what the Chief says, but it's not that
6 simple. Unless everybody is on the bandwagon and
7 marching to the same drum beat, I think we are just using
8 good sounding words without any substance at all.

9 MS. SADER: I have another. What is your
10 perception of the NAG groups, Neighborhood Advisory
11 Groups, and the police department's response to them?

12 MR. MOON: I have only attended ~~about~~ a couple of
13 them, and usually it's a griping session. As a matter of
14 fact, one that I attended on the police department-- they
15 are the ones that conducted it. They kind of determine
16 who is going to talk and how long they can talk. And
17 some of the people have come to see me and say-- Well,
18 they just don't feel very good about it at all. Others
19 have said, "Well, at least this is an opportunity to at
20 least hear some feelings and, you know, get pressure on
21 in that way."

22 I suspect if I was to rate it on a scale of one to
23 ten, I would say I would give it about a four, 10 being
24 high.

25 MR. SANCHEZ: Mr. Moon, you have been in civil

1 rights and an affirmative action officer, et cetera, and
2 are you aware-- do you have any information that the
3 selection procedures being used by the City of Reno
4 comport with uniform guidelines on employee selection
5 procedures that have been outlined by the EEOC?

6 MR. MOON: Yes.

7 MR. SANCHEZ: Do you know if the tests are valid,
8 in other words?

9 MR. MOON: Well, there are some challenges. The
10 test itself in Reno-- I think when it was adopted, there
11 was some questions about the validity of it. It had gone
12 through the screening process and the validation process,
13 but it still seemed to lack something because a
14 disproportionally high number of women and minorities are
15 often screened out of it and that system. And that is
16 still the case. Nothing has changed in that regard.

17 MR. SANCHEZ: So there is an adverse impact on
18 minorities and women in their test procedures?

19 MR. MOON: Absolutely, without question.

20 MS. SADER: I have one other question, if that is
21 all right.

22 Through interviews we have been told that over a
23 hundred officers haven't received sensitivity training,
24 which you alluded to earlier. Could you just discuss
25 sensitivity training, and to your knowledge is that going

1 to be reinstated in the department?

2 MR. MOON: I don't know whether it will be
3 reinstated, but I know that the Chief was very supportive
4 of all of the officers being given that kind of
5 sensitivity training.

6 I think there is some ongoing training now, and the
7 group that I was involved in provided some training only
8 for the people who worked over in Northeast Reno. But we
9 feel that that same kind of training should be exposed to
10 all of the policemen in the city. Whether that is going
11 to be done, I have no idea, and I can't respond to that.
12 We certainly think it should be done.

13 THE CHAIR: Thank you. I'm going to try to keep
14 to the agenda as closely as I can.

15 A final question if there is any?

16 Thank you, Mr. Moon.

17 The next person that is on the agenda is Mr.
18 Clayton Holstine, the City Manager.

19 Is he present? Excuse me. I'm sorry. I took
20 someone out of order. I'm sorry.

21 Reverend Chester Richardson. I apologize.

22 REV. RICHARDSON: The Reverend Chester Richardson,
23 Associate Minister of the Second Baptist Church in Reno,
24 the Chief Administrator of the Reno Martin Luther King
25 Hall, and I'm also one of the chief negotiators for the

1 Northeast Reno Concerned Citizens Group, which is a
2 coalition of minority organizations and African Americans
3 who have been dealing with the Reno Police Department and
4 some of the problems that have faced our community.

5 I have a brief statement, but after listening to
6 all the people speak I really want to address some of the
7 questions that you asked of them. But I want to say
8 historically the relationship between African Americans
9 and law enforcement has not enjoyed the privilege or the
10 benefit of a long and trusting relationship nor even
11 mutual support.

12 And I have discovered through some research that
13 when you find a law enforcement commander that is willing
14 to meet and discuss and debate and develop a better
15 rapport between the African American community and the
16 local law enforcement agency, change, positive change,
17 begins to happen.

18 In the Reno area African Americans have had the
19 misfortune of being an easy target of the local media,
20 and thus are often polarized as being prime sources of
21 criminal activity and drug problems.

22 Statistically we can prove that African Americans
23 are not the majority of the abusers of drug use, yet they
24 are in a high incarceration rate compared to non
25 minorities.

1 Thus, when you have officers, rookies, new
2 recruits, who are not privileged to the scientific
3 process behind this, they are subject to being influenced
4 by these polarization situations.

5 When police policy is discussed, planned and
6 implemented without citizen input, you are guaranteed to
7 receive problems from an uninformed public. This is
8 especially true for the community that may consist of
9 African Americans and other minorities, who have not been
10 a part of this process.

11 I would like to also share with you that I have
12 been involved with the policing problems in the Reno
13 area, and I have been a silent, indirect observer of what
14 has been going on in Sparks and the Washoe County, and I
15 have been, as well as in Hawthorne, actively involved in
16 the policing problems down in the Las Vegas area to the
17 point of helping to orchestrate the marches on the
18 strips.

19 You have asked several questions in your opening
20 statement, and I would like to address that as far as the
21 overall climate of the police-community relations and the
22 impact of programs initiated by law enforcement agencies
23 to foster effective community oriented law enforcement.

24 I would like to say that overall in my opinion the
25 Cops Plus program is-- the theory is excellent. It's

1 outstanding. And I remember exactly when the Chief first
2 broached the subject with us, and that was hopefully by
3 bringing this program about would help to get the bond
4 passed to bring on more officers.

5 At that point the department was more receptive to
6 hearing what the community's concerns were and what their
7 perceptions were of the department. And we felt that
8 that was the beginning of a change in the attitude of the
9 Reno Police Department, at least towards the African
10 American community.

11 After the bond had passed there seemed to have been
12 a drop in the pursuit of the department's interest to
13 pursue Cops Plus, you know. It was on paper, but it was
14 not in actual implementation, not in the Northeast Reno
15 community where there is a high concentration, though not
16 a majority, of African Americans and other minorities.

17 Thus, when issues or problems began to arise, there
18 was no clear-cut avenue to address these issues or
19 concerns. Whereas, if the Cops Plus process had been
20 fully implemented, perhaps we could have used that avenue
21 to address these issues.

22 Thankfully, though, the current Chief of Police who
23 will be leaving has shown some signs of being willing to
24 sit down and meet with us. Our only concern has
25 been--And I want to get this in before my time runs out--

1 that we have no clear-cut mechanisms in place to insure
2 that the concerns and fears of the African American
3 community will be addressed.

4 Chief Bradshaw is leaving, but who is going to take
5 his place? Will that person be as receptive to our
6 concerns and our fears as he was? We are not saying that
7 Chief Bradshaw was a hundred percent there all the way,
8 because he had his problems just as well as we do, but,
9 nevertheless, he is better than what we have had before.
10 We worked so hard to break him in. Now, we have to start
11 all over again.

12 So in essence what mechanisms do we have? Okay.
13 The Community concerns about law enforcement training and
14 cultural awareness, well, that has been nil. Again when
15 the Safety 88 officers were hired, we did put a component
16 in the training sessions to make them aware of
17 perceptions that the black community had at that time.

18 And most recently due to the recent incidents that
19 have taken place in the community the Chief was receptive
20 to us doing an orientation for officers who were working
21 in the Northeast Reno area, but that is only the officers
22 assigned to the north.

23 There are other areas, special operations or SORT
24 units. There are other avenues there of law enforcement
25 that needed to receive this orientation on how to

1 understand the thought process of African Americans and
2 other minorities when they are confronted by police
3 officers and understanding the certain cultural
4 differences that are involved in the thought process and
5 reaction process to officers when they do certain things.

6 So there is a limited area there, and I say we have
7 only had two training areas. This not only needs to be
8 across-the-board not only in Reno but definitely in
9 Sparks, by the way, which I cannot believe that that law
10 enforcement agency still exists behind the times. To me
11 that is one of the most poorly trained agencies I've ever
12 seen in my life, especially dealing with weapons and
13 using them in the community. The Sheriff's Department is
14 a little better. Of course, I don't even want to begin
15 to address Las Vegas, because you are dealing with Reno.
16 But I have serious fears as an African American moving to
17 Las Vegas at this point in time.

18 THE CHAIR: For your information we may be doing a
19 similar study in Las Vegas. We will see how this one
20 comes out.

21 REV. RICHARDSON: Well, you are in for a surprise.

22 THE CHAIR: So you think that would be warranted,
23 for the Commission to do that?

24 REV. RICHARDSON: You should have went there first.

25 THE CHAIR: Interestingly enough, they don't get

1 the press that Reno does.

2 REV. MOON: Really? I think that with the incident
3 that has happened about the Charles Bush incident and
4 resulting-- As you know, there is hearings being held
5 now by the citizens police review committee that is
6 taking testimony from the public on incidents that they
7 have had with law enforcement.

8 I have had the privilege of participating in that
9 and the march on the strips. There have been two marches
10 to this date. There have been several meetings with
11 Sheriff John Moran. For whatever reasons his
12 receptiveness to hear community input is not on the level
13 as Chief Bradshaw was. Consequently, that is why we have
14 not had the form of resistance and public outcry as you
15 had in Las Vegas.

16 MR. SANCHEZ: Reverend, may I interrupt since I'm
17 from the Las Vegas area. They do have a black police
18 officers association. My question to you is have you
19 networked with any of the black police officers here in
20 Reno that could be used as role models for recruiting and
21 for some of your community problems?

22 MR. MOON: Yes. We are very fortunate here to have
23 a Deputy Chief of Police who is African American, a
24 lieutenant who is African American, and that is it in
25 terms of command. And they have been very instrumental

1 in trying to recruit African Americans into law
2 enforcement, but that is like saying why don't you come
3 into this bear's den and join me, you know.

4 So there is an intrinsic fear of African Americans
5 in dealing with law enforcement, which I'm sure you all
6 are familiar with based on historical accounts, not
7 necessarily here. But you understand that since Reno,
8 Las Vegas or Nevada is a highly transient community most
9 people move here-- So they have had bad experiences.

10 Me, being from the deep down south, whereas I have
11 not had any bad experience with police in my past, I knew
12 my place, they knew theirs. I knew if I crossed that
13 line, I was going to get my head busted in. So
14 consequently up here, you know, we have to rise to the
15 occasion to address the concerns and needs that face our
16 people.

17 MR. WALTHER: The previous question I asked was a
18 result of comment by Mr. Moon. Do you share his views
19 about the conscious disregard or racism involved in the
20 lack of willingness to recruit in this area? Is that a
21 statement that more strongly you would make or do you see
22 any problem in the area? Is it problem free?

23 MR. MOON: The Reno Police Department has done
24 an outstanding job in getting the word out to the various
25 community organizations that they are looking for

1 minorities to come in and join the force.

2 But actually developing a system of helping them to
3 get into the program other than providing them the
4 standard opportunities that are available to everyone
5 else-- I would say that when dealing with African
6 Americans, other minorities, you have to go a step
7 further. You have to provide special classes. You have
8 to provide them certain incentives to encourage them to
9 come in. You have to start early with them to dispel the
10 fear that exists in minorities.

11 So paperwise, as far as their approaches, reaching
12 out, it is there. I cannot in all honesty say they have
13 not made a conscious effort to make the--

14 THE CHAIR: What I would like you to do is go
15 ahead and answer the other questions that we are
16 inquiring into. I'm going to try to have your comments
17 concluded in about five minutes, so we can sort of get
18 back on schedule. We are running a little bit late, but
19 that is okay.

20 REV. RICHARDSON: Okay. My concern also is that
21 with the police review board, if I can address that, a
22 police review board is needed I believe when the
23 community has no assurance that their concerns are being
24 properly addressed or that they are receiving truthful
25 information in terms of discipline.

1 Currently now if a charge is made against an
2 officer, he is investigated, and there is an informal
3 investigation. And you have to basically take the word
4 of the investigating officer or internal affairs or the
5 bottom line the Chief that there was no evidence to
6 warrant certain discipline actions because by law or
7 whatever reasons that information is not public
8 information. So you can't go through that information
9 and assess it for yourself.

10 So basically you have to go on whether or not you
11 trust or have faith in the Chief of Police, that he's
12 being up front and honest with you and not covering up
13 for his men.

14 In the particular case I was not an advocate of a
15 police review board as long as the complaint process was
16 made available, that we had forums available.

17 THE CHAIR: I'm curious. Are you talking about
18 the complaint process where a citizen brings in a
19 complaint, or are you talking about when an officer is in
20 trouble?

21 MR. MOON: No. When a citizen brings a complaint
22 against an officer. We don't have that information or
23 the final-- We can't read the investigative report.

24 THE CHAIR: Are you aware that in most professions
25 if there is a disciplinary action, it is not public

1 unless there is some reason to make it public, like a
2 finding of malpractice or a finding of something
3 warranting the taking away of someone's license, that
4 most professions don't have just a quote discipline
5 charge made public?

6 MR. MOON: I understand that, but when you are
7 dealing with law enforcement and you are dealing with
8 African Americans who feel they have been abused or
9 misused by a law enforcement agency and then you have
10 this same internal investigation that is making a
11 decision whether or not to pursue or whether or not that
12 charge is warranted, then you are asking me to accept
13 that, to accept your opinion or to accept your final
14 decision. Now, that is fine and dandy if you have
15 faith in the Chief, but what if you get a new Chief in
16 whose faith you don't-- It's an inherent distrust of the
17 system. What I was advocating for was-- There is a Bill
18 AB 240 in the Nevada Assembly, 306, which lifts the ban
19 on police review boards.

20 As you may be aware, there is a ban that prohibits
21 police review boards from being established in the State
22 of Nevada. Why? This was started or pushed through by
23 Las Vegas Metro Police, which had a fear of having to be
24 accountable for their actions.

25 I think that this is totally unconstitutional, to

1 prevent local municipalities from establishing police
2 review boards if they feel there is a need for it. There
3 is also another bill on the Senate side sponsored by Joe
4 Neal, which I don't think has been introduced yet, but
5 possibly will depending on the outcome of AB 306, which
6 mandates the establishment of police review boards.

7 Now, my concern is that every city, every
8 community, ought to have the right to determine whether
9 or not they feel the need for a police review board and
10 that ban should be lifted.

11 I would like to submit for your consideration the
12 testimony that was given by Chief Bradshaw and other law
13 enforcement entities on this AB 306, which they opposed
14 him, and their reasoning for it-- And I think it is
15 greatly unfair-- as well as the testimony that they gave
16 on AB 240, being the chokehold as well as revised copies
17 of those bills as opposed to the original bill.

18 At this time I would like to say that I believe
19 overall the police-community relations has improved under
20 the tenure of the last Police Chief. Unfortunately I
21 believe that we are going to have to start all over again
22 with the selection of a new Chief because there is
23 nothing in place to ensure that our complaints will
24 properly be addressed and our concerns handled.

25 I believe we should have some definite input in the

1 selecting of a new Chief of Police as well as being a
2 part of the investigation of the background of that Chief
3 of Police as well as some definite input in any new
4 policies that are implemented in the police department.
5 Before policy is implemented there ought to be community
6 input.

7 The affirmative action plan to me is weak at best.
8 The affirmative action officer has no power. He is
9 merely a token. He answers to the Personnel Director,
10 not to the City Manager, whom he should. He should be
11 accountable only to the head, and that to me is a fallacy
12 in the system.

13 I wish I had another three hours, because I have
14 been spending three years working on this. I thank you
15 for your time and consideration. If you hold this in
16 Vegas, I would like to come down and--

17 MR. SANCHEZ: I'm sure we will work on that.

18 THE CHAIR: We are not quite done. If you would
19 like to give us the documentation, put it on Tom's desk,
20 that would be fine.

21 MR. MOON: Thank you.

22 THE CHAIR: Next I would like to call on Mr.
23 Clayton Holstine.

24 Would you please state your name and tell us who
25 you are.

1 MR. HOLSTINE: Clay Holstine, City Manager, Reno.

2 Thank you for the opportunity to come and speak to
3 you this morning. I would like before I get into any
4 substantive remarks just give you by way of background my
5 official capacity as City Manager is about 48 hours old,
6 so I am fairly new to this position.

7 I have been with the City of Reno for a period of
8 four years, and I have been the acting manager since the
9 latter part of January of this year. Most of my focus in
10 the months that I have been in this position have been in
11 terms of trying to address a fairly significant budgetary
12 problem that we are facing this year.

13 And I would like to at least give some discussion
14 of that this morning in terms of the Cops Plus program,
15 plus other programs in the city, and basically in terms
16 of the philosophy and how we are trying to address that.

17 My remarks this morning are not going to be
18 specifically geared to the Reno Police Department in
19 isolation but rather to the City of Reno as an
20 organization and how the police department and the Cops
21 Plus philosophy fits into that in my perspective.

22 This community-- For those of us who live here we
23 appreciate it not from the things that are appreciated by
24 the people from the outside as a 24-hour, glamorous, fun
25 sort of town, but as a community of neighborhoods. That

1 is what has impressed me in the period of time that I
2 have been here, that this is a city that has very
3 distinct neighborhoods. It has very proud neighborhoods,
4 and it has neighborhoods that have very specific concerns
5 and problems.

6 That requires a city organization and city
7 government that is oriented towards working in a
8 neighborhood sort of function. We do this not only in
9 terms of the policing program but also in terms of the
10 other services that we provide to this community.

11 We have a very active neighborhood planning process
12 through our Department of Planning and Community
13 Development. That process attempts to work not simply
14 from a land use planning perspective but also
15 encompassing the other services of the city's
16 specifically police department.

17 We also have in a couple areas of town, and perhaps
18 in the future we will expand this, a neighborhood council
19 concept. Neighborhood councils are established right now
20 in the Stead area and in the northwest area with the
21 joint council of the City of Reno and Washoe County.

22 These councils are formally set up through the City
23 government. They are appointed by the City Council.
24 They have certain authorities and duties, and they have
25 become a fairly effective vehicle for the city

1 bureaucracy, if you will, to work with neighborhoods in
2 terms of identifying specific issues and problems that
3 need to be addressed.

4 One of the areas that I think that we have had some
5 success with over the past couple of years in terms of
6 neighborhood planning is in the Neil Road area. You may
7 be familiar with that. We have worked with that
8 neighborhood through our community or Planning Community
9 Development Department. We have identified a need for a
10 police substation in that area. We have identified a
11 need for a community center and for additional parks and
12 recreation-type facilities there.

13 All those, of course, have budgetary impacts, and
14 certainly that is going to be the challenge of trying to
15 address those needs. But that was a very collaborative
16 process in which the staff of the city worked closely
17 with the neighborhoods to try to pull together what was
18 needed in those neighborhoods and try to address some
19 problems. We have also done that in the Stead
20 neighborhood area.

21 For those of you who do not live here, Stead is
22 an area that is not physically connected to the City of
23 Reno. It is kind of fairly isolated geographically,
24 and consequently they have always felt a sense of
25 isolation in terms of whether they are getting their fair

1 shake of services they are paying for.

2 We have over the last two to three years worked
3 rather vigorously with the Stead Neighborhood Council,
4 not only in just police issues but also in parks issues,
5 some environmental issues out there, as well as just some
6 development issues of different types of progress that
7 are going into that area.

8 The downtown river corridor area is an area that we
9 have had a lot of work in terms of the police department,
10 the Redevelopment Agency of the city.

11 In attempting to address some of the real,
12 significant problems with itinerants that camp along the
13 river, crime that was happening along the river that made
14 it fairly-- discouraged people from using bike path along
15 there, discouraged people from just basically wanting to
16 come into the downtown area.

17 I believe that with that said, I think the
18 organization's basic philosophy, certainly my philosophy,
19 is that we need to the best that we can try to be a pro
20 active organization.

21 Now, that is a very nice term, but what that
22 requires is having some resources to go out and try to
23 identify problems rather than simply reacting to them.
24 That is clearly the philosophy of the Cops Plus Program,
25 and it is also a philosophy of our neighborhood planning

1 process.

2 Our challenge is to-- or my challenge specifically
3 and my role is to attempt to pull the organization
4 together a little more in terms of collaboratively
5 working with neighborhoods, not just simply police issues
6 but bringing the whole organization together to try to
7 address the area of problems.

8 THE CHAIR: Excuse me, sir. From the newspaper
9 articles that have been written recently there is
10 obviously some budgetary concerns between the police
11 department and the City of Reno and how to address those
12 shortages.

13 What is the city's philosophy in terms of--
14 Obviously there is not enough money to go around. In
15 doing that is the priority to cut out-- I'm going to
16 call these quote social services like Cops Plus and other
17 programs or is the priority to keep them there under
18 budgetary concepts?

19 MR. HOLSTINE: Let me be very frank with you. I
20 don't know that that issue has been thoroughly aired or
21 philosophically decided upon by the people who need to
22 make that decision, which would be the City Council.

23 The first reaction in terms of cutting back any
24 sort of a service is trying to find what your basic
25 service is. And clearly in a police agency or police

1 organization it is their duty to respond to calls as they
2 come in. That kind of moves the department back more
3 maybe into a reactive mode as opposed to trying to get
4 out in front on some of these areas.

5 It is my philosophy, and what we are going to try
6 to work through this year is to try to maintain some of
7 these basic organizational functions, so that we aren't
8 simply getting back to a reactive mode.

9 It's going to be a challenge. It's going to be a
10 very difficult challenge for us to try to maintain some
11 of the pro active things that we have done over the past
12 few years. It sometimes gets to be seen as frosting as
13 opposed to the meat.

14 In terms of developing a budget-- And I can't sit
15 here and with any surety tell you that some of the things
16 that we have been able to do that I think are very
17 positive in this community over the last few years are
18 going to be able to completely be maintained through this
19 problem.

20 MS. SADER: How do you think the budget restraints
21 will affect hiring and affirmative action?

22 MR. HOLSTINE: What we are hoping to do, if you are
23 speaking specifically to the police department, and I
24 will speak specifically to that and the organization as a
25 whole secondly, we are hopeful that we will be able to

1 budget this year for a police academy approximately in
2 the January time frame six months out of the year.

3 The police department has a fairly consistent
4 attrition rate. It's fairly predictable, so we have a
5 sense of when we will be down so many officers. If we
6 are able to do that, then our efforts in affirmative
7 action in terms of recruitment for that academy I think
8 will go on unfeathered. I don't think that will be a
9 problem.

10 MS. SADLER: Is the attrition about 14 officers a
11 year? Do I understand that about right?

12 MR. HOLSTINE: I believe it is one and a half
13 officers a month, which would be 18. The police
14 department itself could probably speak more
15 authoritatively to that.

16 Now, in the broader organizational sense we are
17 right now-- presently have all open positions of the
18 organization on hold. We are not filling any positions
19 that are coming open. We are looking at a potential of
20 the early separation program, which I think from an
21 affirmative action standpoint would have a positive
22 impact because most of the people who would be going out
23 would be workers that are close to retirement age, not a
24 lot of the newer recruits, which I think for the most
25 part tend to be-- We have done better in the last few

1 years in terms of women and minorities. So most of them
2 are younger in terms of the work force.

3 But we may very well get to a situation where we
4 have to do layoffs, and layoffs are pretty well described
5 for us in terms of a contract or the Civil Service rules.
6 And there's not a whole lot of flexibility we have in
7 that area. So if we get to that point, that could have
8 some impact in terms of the numbers, parity of numbers,
9 that we have.

10 MR. SANCHEZ: Mr. Holstine, how do you plan to fill
11 the position of Police Chief here in Reno? Do you plan
12 to do it from within or are you going nationwide?

13 MR. HOLSTINE: That is probably the most often
14 asked question in the last couple days, what exactly our
15 plans are. And let me address that as well as I can
16 right now.

17 What I'm doing at the present moment-- To answer
18 your first question, we will definitely look both inside
19 the organization and outside the organization. Whether
20 that is a regional recruitment--And when I say
21 "regional", I will be talking about the western states--
22 sort of recruitment or whether it be a national
23 recruitment, I don't know at this point in time.

24 We are presently investigating, researching
25 recruitment processes that have been done by other citys

1 for Police Chiefs, citys roughly our size, over the last
2 couple years in terms of not necessarily where they are
3 recruited but the evaluation process they used once they
4 have a pool of candidates.

5 We are also in contact with a couple of the
6 recruitment firms in terms of their assistance in
7 creating a pool of candidates for us. I hope to be
8 working relatively quickly with the City Council in terms
9 of developing a profile for the candidate of Police
10 Chief.

11 Our process is that I have the appointment
12 authority. The Council confirms that appointment. I
13 provide them one name, and they choose from a list of
14 names. But they have a very definite role in the
15 process. I don't believe they should play a role
16 necessarily in the evaluation process because they
17 actually confirm, but they definitely need to be
18 involved. I hope to be able to have them involved to
19 help in that profile.

20 MR. SANCHEZ: Will the minority groups here in Reno
21 have any input into the selection process?

22 MR. HOLSTINE: My general feeling is that we will
23 probably end up with some sort of different types of
24 panels that will do different types of interviews. And
25 to answer your questions succinctly, yes, not just the

1 minority community but all different sorts of interests
2 in the community. I think that is important.

3 THE CHAIR: I'm sorry. I need to step out for
4 just a moment. I have got sidetracked.

5 Is it going to be a philosophy of the search
6 committee or yourself to have a new Chief that is
7 receptive to the community input and to developing
8 community relations, you know, like has been discussed
9 here this morning? Is that a priority?

10 MR. HOLSTINE: I would definitely think so.

11 THE CHAIR: I will turn this over to Dave.

12 MR. SANCHEZ: We have heard some testimony this
13 morning highly critical of the hiring practices of the
14 police department, and one in particular has to do with
15 the affirmative action officer, the effectiveness of that
16 particular position, especially since he reports to the
17 Personnel Director.

18 As new City Manager do you have any ideas about
19 changing that particular relationship?

20 MR. HOLSTINE: At this point in time I have no
21 plans in changing that.

22 - MR. SANCHEZ: Do you see a conflict between having
23 an affirmative action officer report to the Personnel
24 Director rather than yourself?

25 MR. HOLSTINE: A conflict? No, I don't see a

1 conflict.

2 MR. SNIDER: Is there any conflict between
3 affirmative action, the Personnel Director and the Civil
4 Service Commission at this particular time?

5 MR. HOLSTINE: Conflict between them?

6 MR. SNIDER: Yes. Historically there has been
7 conflict between the Civil Service Commission and the
8 Personnel Department.

9 MR. HOLSTINE: I only pause because I'm trying to
10 think. I do not have any recollection of any particular
11 conflict. The only thing in terms-- I mean I've only
12 been here for a little bit of time. The only thing I
13 would respond to in terms of what testimony that I heard
14 was that first of all the affirmative action plan that we
15 have is not outdated.

16 It may be criticized for other purposes, but it
17 certainly is not outdated. The powers of the affirmative
18 action officer are to some degree limited by the various
19 other constraints that come into the whole hiring
20 process. Those are directed to some extent by contract
21 and to some extent by Civil Service rules.

22 So it's a fairly complicated thing to just infer
23 that somehow or another that position should have more
24 authority I think in the hiring process.

25 MR. SANCHEZ: You suggest that the affirmative

1 action plan is not outdated, even though this one I have
2 in my hand states it's 1989, and it obviously doesn't
3 include the 1990 census information in here.

4 MR. HOLSTINE: Well, I don't know exactly what you
5 are looking at. I believe the Affirmative Action
6 Officer, Mr. Taylor, brought a plan to the City Council
7 sometime last year. And I would have to check on that,
8 but I believe he did bring that to them last year.

9 And that is something that, you know, is an ongoing
10 document that does need to be updated or worked on and
11 brought up to date from year to year. But I believe that
12 the previous time that it was--

13 Again I'm not sure what you are looking at, Mr.
14 Sanchez, but I believe, as I recall, the document that
15 Mr. Taylor updated when he updated it was somewhere in
16 the neighborhood of five to six years old.

17 And in the time since I have been with the City of
18 Reno we have hired an Affirmative Action Officer, and
19 that is now-- First, he was hired as a half-time
20 position. That was about, roughly speaking, three years
21 ago. And since that time it has been moved to a
22 full-time position.

23 And it's our intention to maintain that as a
24 full-time position in the city. So I mean I think we
25 have made efforts to try to improve that program.

1 MR. SANCHEZ: We have also heard testimony that
2 there is a tremendously adverse impact on minorities in
3 your testing process, Civil Service wise, and certainly
4 with the police department.

5 Are you aware of that, and also are your tests in
6 conformance with the EEOC guidelines on validation?

7 MR. HOLSTINE: Well, I'm probably not the
8 authoritative person to answer that question. I am not
9 aware of the adverse impact, and I am not aware of
10 validation problems. But I am not the person that has
11 been specifically working with that, so I'm not the best
12 person to give that testimony.

13 MR. SANCHEZ: Are there any other questions from
14 the Committee?

15 Thank you.

16 The Committee will now hear testimony from Rosemary
17 Flores, Director of the Nevada Hispanic Services, and
18 Maricela Gonzalez from Servicios En Espanol.

19 MR. SANCHEZ: Would you please state your names for
20 the record, and then you may make your presentation.

21 MS. FLORES: My name is Rosemary Flores. I am
22 Director of Nevada Hispanic Services and have been
23 Director for four and a half years.

24 MS. GONZALEZ: My name is Maricela Gonzalez. I
25 have been in the Reno area for four and a half years. I

1 was formerly the Director for Employment Training, and
2 for a year and a half now I have been in business for
3 myself with an organization called Servicios En Espanol,
4 which is directed mainly at the Hispanic and Spanish
5 speaking community.

6 MS. FLORES: Nevada Hispanic Service's role is
7 mainly a social service role. We are a non profit agency
8 that provides services to the non English speaking
9 Hispanics in the areas of interpretation, providing them
10 with information, referrals and we also assist them with
11 immigration, the process.

12 Some of the positive things I have seen with the
13 police department and sheriff's department is that they
14 are recruiting minority and bilingual staff. That I am
15 really supportive of.

16 I do know for a fact, though, that it has been
17 difficult to recruit the minorities and bilingual staff.
18 I have sat on the oral board, and I have seen the process
19 as to how they ask the questions.

20 I am also aware of the D.A.R.E. program, which I
21 know is very effective in the schools. And I have also
22 spoken to children at the schools, and I have seen a
23 change in the children from before. The D.A.R.E. program
24 does make them aware of the dangers of getting involved
25 in drugs and also the dangers of getting involved in gang

1 activity.

2 I am concerned about the growing numbers of kids
3 who are falling through the cracks and are somehow
4 involved with the wrong group, especially in northeast
5 Reno and southeast Reno. But I also know that there is a
6 skinhead gang in some of the schools. The P.A.L. program
7 is also very effective with kids. I know that they have
8 their office at the boys and girls club, and they have
9 programs for the children.

10 Unfortunately it all comes down to funding. There
11 is never enough. There are more kids than there are
12 services that can be provided to them. Modesto Reyes,
13 liason officer for Hispanic children, has been meeting
14 with some of the Hispanic kids. Some of the kids have
15 been involved in gang activity.

16 I have seen some changes in northeast Reno. I have
17 seen a positive trend where the kids are getting
18 involved, and some of them know that now they have a
19 future. And unfortunately there are some who just really
20 feel there is no way out. I feel that we do still need
21 to work with the youth of this community.

22 The Nevada Hispanic Services are very involved in
23 having a community resource center built in the fish
24 hatchery center right off Neil Road and Motley Lane. I
25 am aware of the police substation building built there,

1 too, and they have also been very involved in our-- They
2 listen to our concerns of not making it an intimidating
3 substation for the community there, and they have
4 listened to our requests.

5 The master plan is already in place, and right now
6 there is a consortium of the social service agencies. We
7 have not yet contacted the police department to be part
8 of the consortium, but at this time we will-- I am a
9 member of the consortium, so is Children's Cabinet and
10 the child care center. The boys and girls club was part
11 of it. We don't know where their focus is now. But our
12 main concern is to provide services in that area where
13 it's heavily populated by non English and Hispanic
14 families.

15 Chief Bradshaw has been very open to our concerns.
16 He has invited us to the neighborhood advisory meetings.
17 We have assisted those meetings, and we have talked about
18 concerns from the community.

19 Clients do come to our office and do make
20 complaints against police officers who in some way or
21 another have discriminated against some of our clients.
22 Many of our clients still fear to go to the police
23 department and make a formal report, and I can understand
24 that. I have not been able to get anyone to write a
25 statement and have it notarized. And I cannot force them

1 to do that. There is a population of undocumented
2 clients or individuals in the areas, and that is one of
3 the main fears that they have, so they will not report
4 it.

5 THE CHAIR: With respect to the complaints that
6 are undocumented, how many do you see a week or a day or
7 on average?

8 MS. FLORES: I would have to say that I personally
9 have heard of seven reports.

10 THE CHAIR: Can you give examples of the types of
11 situations involved.

12 MS. FLORES: One of them is-- They are all
13 throughout. It's not just Reno P.D.. It's Sparks P.D.,
14 and it also has been the Tonopah Police Department. One
15 of them dealt with a racial slur toward one of our
16 clients.

17 When I mentioned this to the attorney, the attorney
18 simply stated it's their word against the client's. The
19 client pleaded guilty to the charge that was given to
20 him, and unfortunately the racial slur was never
21 mentioned in the Court. The client did not pursue this
22 because she was very embarrassed, because she was accused
23 of shoplifting, which she stated that she had not done.

24 The others-- Most of them have been dealing with
25 racial slurs. And that does concern me because I know

1 that many of the officers out there are really trying
2 hard, but there are some who are still not aware of what
3 they are doing I guess. I just can't answer that. I
4 don't know what the reason is.

5 And it's very difficult for me when the clients do
6 not want to pursue the case. I was disappointed when we
7 did have a meeting, and out of one of the neighborhood
8 meetings it came out that it was necessary for us, the
9 Hispanic community, to get together with the police
10 department and to have a survey done where we could find
11 out what the concerns of the police department were
12 concerning the Hispanic community.

13 And we felt that that was not-- our request was not
14 followed through. Instead we were invited to another
15 meeting, which I thought we were going to compile this
16 questionnaire, but instead it was moderated by Meg Price,
17 which was excellent.

18 And she asked what our concerns as Hispanics were
19 about the police department, which was in reverse. We
20 wanted to know what the police department's concerns were
21 about the Hispanic community. One of the main concerns
22 they have is the gang activity.

23 What we decided to do was to wait. Victor Agria
24 was present. Dr. Brandenburg, who is a member of our
25 board, and several people who are very involved in the

1 Hispanic community, took part in this meeting.

2 And I'm not saying that it was not a good meeting.
3 It was an excellent meeting, and it was an excellent
4 workshop. But what happened at the end was that a
5 consultant was hired to do the cultural awareness classes
6 for the department, which I felt that was not our
7 intention.

8 The consultant was non minority. She did ask
9 questions of other minority groups and so-called leaders.
10 I do not consider myself a leader. I'm Director of
11 Nevada Hispanic Services, but that was the key word used.

12 This is not an efficient way of doing multicultural
13 awareness for the police department. It needs to be more
14 indepth. We need to do more about getting to those
15 people who still have some prejudices. You might want
16 to-- I feel that you really have to put them in a
17 situation and give them examples of what racial slurs do
18 to people.

19 I have done multicultural workshops for the police
20 department through our agency at no cost, and it seems
21 like most of them are very receptive to the way we view
22 the Hispanic community. And it really bothered me when
23 the consultant asked us, "What are the main
24 characteristics of Hispanics?"

25 That question alone told me that this consultant

1 was not the right person to represent us in doing this
2 workshop. So that was my concern. I have not talked to
3 anyone at the police department about this, and I
4 probably should have before I did this presentation.

5 THE CHAIR: I have a question for you, though, in
6 terms of their perception, meaning the police
7 department's perception, of Hispanics. You indicated
8 that they were concerned about gang activity. In your
9 opinion is that perception a fair one, a bad one?

10 MS. FLORES: It's a fair one. There is a problem.
11 There is a problem with our youth, not all of them. It's
12 a small segment of a certain community, and people need
13 to understand what is happening in the family and why
14 this is happening.

15 That is why I feel that the D.A.R.E. program and
16 P.A.L. program are very important and also the substation
17 along with the community service agencies on Neil Road,
18 because we can work together on this.

19 I am not saying that there is no-- that all the
20 kids are excellent kids. Some of them are pretty tough
21 kids. They are very tough kids.

22 Modesto Reyes has talked to some of them, and I
23 think he's doing a great job in getting them to go
24 through another road. But, like I said, some of them
25 will fall through the cracks. And we do have the

1 criminals in our community, and they do need to be told,
2 and they need to be stopped.

3 We are not patronizing the Hispanic community, but
4 that was just my-- My main concern lately has been that
5 the follow-up was not-- What we had intended at that
6 meeting did not come about. Instead, maybe because of
7 the pressure for time to have the training done, this
8 consultant was hired and was the one who provided the
9 multicultural awareness for the asian, Black and Hispanic
10 community. And I just was not comfortable with that.

11 I think that it's necessary to have people on a
12 panel the way they used to do it before and have them
13 come in and talk to the officers. And still one hour is
14 definitely not enough. I mean each culture. It's just
15 not enough. They need to focus more on providing-- I
16 don't know if you still want to call it multi-culture
17 awareness, but providing awareness of these distinct
18 communities and learn more about what is really
19 happening.

20 MR. SANCHEZ: Do you know how many Hispanic
21 officers are on the police department?

22 MR. HOLSTINE: I only know of three, but I work-- I
23 have been at meetings with Modesto Reyes. He is the one
24 I have been working most closely with, but no other
25 officer. There is one person who is bilingual, and she

1 is on the phone. But I'm not sure if she is the only one
2 who is manning the phones. I think there is-- I think
3 there might be some more.

4 MR. SANCHEZ: My concern is is there a need for
5 bilingual officers here in the City of Reno?

6 MS. FLORES: Definitely. Our community is 10.7 of
7 the total, which is approximate, and that is according to
8 the census. It is definitely more but according to the
9 census it's over 22,000. If I were to calculate that,
10 one-third of that population is non English speaking.
11 That is very high for even ten officers to handle.

12 And in that situation the Hispanic Services does
13 and has worked with the police department in meeting the
14 needs of victims who have been-- In one case there was
15 one attempted rape, and they were very helpful. So there
16 is the good, and there is the bad.

17 MS. GONZALEZ: I would just like to share some of
18 the concepts and images my clients have of the police
19 department.

20 I deal mostly with the older people trying to
21 legalize their children, their spouses, not so much the
22 youth, although they do express concerns for their
23 children. They are concerned that they might get into
24 some kind of gang activity or drugs, because there is not
25 a lot for them to do.

1 And the programs that do exist are not out there to
2 this community-- They are not aware of it. They don't
3 know that there is a P.A.L. program. They don't know
4 that there is a place that they can go and stay out of
5 trouble and get involved with some sort of activity. And
6 the parents have two jobs sometimes, and they are not
7 home to find out what their kids are doing. And when
8 they do come in contact with the police department, it's
9 always on a negative for something that has already
10 happened that could have been prevented quite possibly.

11 I think that in general there is a lack of
12 sensitivity on the part of the police department towards
13 this Hispanic community. It shows through lack of
14 representation, like was just mentioned a little bit
15 before that. I know of just one person on the phones
16 from three to eleven I believe is her shift. If somebody
17 calls in to report something that occurred, they say,
18 "Call back at three when the gal is here," or if they go
19 in and there is not an officer who is able to help them
20 out, "Come back later when there is somebody here who can
21 take care of you."

22 And that shouldn't happen. There has been a lot of
23 times when people come to me a week after something has
24 happened, and they say, "Well, you know, this happened to
25 me on the way to work," or whatever. And I say, "Did you

1 report it? Well, I tried to, but they couldn't
2 understand me or they asked me to come back, and I don't
3 have time. I don't want to bother." And that shouldn't
4 be, you know.

5 That happened to me myself trying to report
6 something that had happened. I first called at 12
7 o'clock, and the gal says, "We don't have to send
8 an officer out. You can do it over the phone. Call us
9 up."

10 And, sure enough, that is what I tried to do. For
11 three hours I called this number. It was busy, busy,
12 busy. Twice they put me on hold, once for 26 minutes,
13 the second time for 15.

14 I got upset and called back and said, "You know, I
15 can't spend my time on the phone. Please send an officer
16 out to me." And the gal said, "Yes, I will," and that
17 was that.

18 I hung up the phone. In five minutes she calls me
19 back up and says, "I'm sorry. We don't have an officer.
20 Would you mind waiting to call this evening when we are
21 less busy or how about this weekend?" And I'm an English
22 speaker, and I felt that the person on the phone, you
23 know-- I'm sure there is more than one person to handle
24 calls; and if there isn't, there should be. But I was
25 very disappointed.

1 MS. SADER: Were you calling in regard to a
2 criminal activity?

3 MS. GONZALES: Yes, a burglary at my office.

4 MR. SANCHEZ: Did you identify yourself?

5 MS. GONZALES: Yes, absolutely.

6 MR. SANCHEZ: Do you feel it is because your last
7 name identified yourself as Hispanic that you were given
8 this treatment?

9 MS. GANZALES: I don't think so because first I
10 called to explain what had happened. She didn't really
11 ask me my name until after, towards the end of the
12 conversation.

13 But my client who the same thing happened to him at
14 the Old College Building the next day, and he was
15 assaulted with a knife. And they said, "Call back."

16 You know, that is pretty bad. And so the Hispanic
17 community, they don't want to deal with the police
18 department either to report something that has happened
19 or to help-- Maybe they saw something, because they feel
20 that any contact is negative and that it will jeopardize
21 in some way either their legal status that is pending or
22 in process or maybe one of their family members.

23 They are just afraid. Everything they hear is so
24 negative. And I think that there has to be a community
25 relations program to show these people that the police is

1 there to help, that it is a help agency, that they are
2 concerned about what goes on and that their information
3 is important to them to solve crimes or to better the
4 force.

5 MS. SADER: Do you think that a community review
6 board for the police department would be a good idea?

7 MS. GONZALES: I think so, but I think it has to
8 be-- the image that the police department has within the
9 community has to be improved through education and
10 awareness directed specifically to this community and not
11 in the standard ways or ways that work with the anglo
12 community, let's say.

13 I think that there has to be something specifically
14 designed to focus on this community to make them aware of
15 what is going on to prevent a lot of the problems that
16 are happening.

17 THE CHAIR: This is a question for both of you.
18 If you could form this community relations group, how
19 would you do that?

20 MS. GONZALES: I would recruit more Hispanic
21 speaking officers and people to be on this board.

22 THE CHAIR: How would you also at the same time
23 try to change the perception of the Hispanic community,
24 that because you get involved with police it's not
25 necessarily a bad thing?

1 MS. GONZALES: Public television spots. It's free.
2 If they had more Hispanic Spanish speaking officers to
3 come on and say, "Hey, we are here. We are here to help
4 you. Don't be afraid of us."

5 There is three that I know of, and Mr. Reyes is the
6 only one that I see at meetings and different activities.
7 And once in awhile I have seen other officers, but it
8 seems that they are not interested in being there.

9 I have been to meetings where officers are there in
10 uniform, and I feel that it's for tokenism. And they are
11 there doodling, looking at their watch and talking
12 between the two, because they always sit together. You
13 know, that is not right.

14 MR. SANCHEZ: Do you feel there is no out-reach
15 program for Hispanics so far as recruitment for police
16 officers here?

17 MS. GONZALES: No, I don't believe so.

18 MS. FLORES: One of the things at that meeting we
19 had, which is a workshop-- Much of the groundwork is
20 already in place and the reports are there where we have
21 discussed this. And we stated what is needed, which was
22 bilingual officers, bilingual staff, on the phones all
23 day, 24 hours a day, someone who can do the reports for
24 them instead of giving them the report and having them
25 come back.

1 And that is already in place, but I feel that we
2 still need to go back and have that survey done because
3 we don't know what the perception of the police
4 department is. It's not to make it public. It's only to
5 help those of us who have done the multicultural
6 awareness to do an effective job and to be able to answer
7 their concerns.

8 If they are prejudiced, I'm sure they are not going
9 to say that they are. But if the question is stated in a
10 way that-- "What is it of the Hispanic community that
11 bothers you? What is it of a certain sex of the Hispanic
12 community that tends for you to stop a young man who is
13 dressed in black who has his bandana and is crossing the
14 street and is stopped? What is it that makes you stop
15 this individual?"

16 Questions like that will help us then go back to
17 the Hispanic community and say, "What is it that concerns
18 you about the police department?" But we have to start
19 somewhere so that both can meet at one certain point.

20 I am not saying that the police department has not
21 tried. They have tried, but it's not being funneled
22 through to some of these other officers. That is what my
23 main concern is.

24 THE CHAIR: Are you saying that the rank and file
25 officer on the beat is the problem, not particularly the

1 Chief and administration?

2 MS. FLORES: I am saying that there are some
3 officers out there who are prejudiced, and there are some
4 officers out there who are trying very, very hard to
5 understand the situation of the family. And they will go
6 as far as calling us to place a woman who has been
7 battered and to help with the interpreting.

8 But I'm also saying that they are stopping-- One
9 of the other incidents was that one of our clients was
10 stopped because he was dressed in black and crossing the
11 street. He was let go. But what is it? Why label a
12 certain group of kids?

13 And it's happening even though we have talked about
14 it in multicultural awareness classes. It's still
15 happening.

16 MS. GONZALEZ: I would like to add to that
17 an incident that happened last fall. We had two
18 trainees-- Part of the center employment training
19 mission is to provide English as a second language. We
20 had two young males approximately 22 years of age going
21 home from class at night. It was about ten o'clock.

22 One of the men was walking home while the other one
23 went to get the car because they were going to work.
24 They worked at Bally's. They had a graveyard shift. The
25 man in the car got home, got his clothes and picked up

1 the other one who was still walking. And all of a sudden
2 there is a police car following them. And they lived in
3 the northeast section of town off Montello. And the
4 gentleman that was driving says to the friend, "Hey,
5 isn't that weird that this police car has been following
6 us since we turned onto the highway?" And the friend
7 says to him, "Well, what did you do? Are you speeding?"
8 He says, "No, I don't think I'm doing anything wrong.
9 He's not flashing his lights."

10 And he said, "Well, he must just be going the same
11 way." These are very good kids. Not everybody is gang
12 related. They go in to the parking lot at Bally's, the
13 employees' parking lot. And by then there is ten police
14 cars there. They get out of the car. These are two nice
15 guys. They are thrown onto the concrete. They are
16 bruised, beaten, kicked in the head. And they said,
17 "Shut up." They are asking, "What did we do? What is
18 going on?" They said, "Just shut up," and beat them.
19 And then after they call back or whatever they let them
20 go.

21 MR. SANCHEZ: Was this reported?

22 MS. GONZALEZ: Yes, it was. I know it's in
23 dispatch. It was on television. It was brought to the
24 media's attention. They were never told what happened,
25 why they were stopped, why they were beaten, why they

1 were thrown.

2 The only thing that the police officers did make a
3 comment is afterward they said, "Well, the reason why we
4 stopped you--" or they didn't say it to them, but to the
5 people, the media, "was because there was a car reported
6 in the area similar to yours, and there had been a
7 killing."

8 But these kids did not deserve that type of
9 treatment. Nobody does. His shoulder was bruised.
10 There are pictures on file. That is just excessive.
11 They are just so ready to say, "You are guilty," just
12 because he was Hispanic or they were Hispanic.

13 THE CHAIR: What was the response of the police
14 department?

15 MS. GONZALEZ: I think it's still under
16 investigation. We don't know what has happened. These
17 two gentlemen, because they were going through the
18 legalization process, decided to not continue to pursue
19 this. But as far as we know the investigation is still
20 going on.

21 MR. SANCHEZ: Because there are a lack of bilingual
22 police officers who speak Spanish are you aware of any
23 program within the police department to train the anglo
24 officers in some conversational Spanish so that when they
25 are dealing with members of the Hispanic community, they

1 can at least give them instructions?

2 I know the Metropolitan Police Department in Las
3 Vegas has been doing this. Is there any program that you
4 are aware of here in Reno that would assist those police
5 officers speaking some Spanish?

6 MS. GONZALES: No. There was talk about it, about
7 last winter, but I don't know what has developed, if it
8 has continued.

9 MS. FLORES: There is one. Yolanda Baldrich has
10 written a book. I can't remember the title, but it has
11 conversational little phrases for them to-- It's a
12 pocketbook they can pull out, and they can just say,
13 "Okay. "Como se llama," and go on from there. It has
14 worked for some police officers, and some police officers
15 are very grateful. But I understand that Sparks Police
16 Department is the only one that has gone through the
17 extensive training.

18 One other thing that I wanted to mention was that
19 when I provide the awareness classes, I specifically
20 stated that immigration documents should not be asked of
21 individuals when they are stopped. This happened
22 yesterday where a client of mine was stopped in his place
23 of business and was specifically asked for immigration
24 documents.

25 I asked him to be here today at 4:30, so I'm hoping

1 that he will show up. This is again another client who
2 is going through his legalization process, and it's very
3 difficult for them to come and testify because they do
4 not want to be labeled.

5 They also feel that in some way immigration is
6 hooked in with the departments, the Sheriff's Department,
7 the Sparks Department and the Reno Department, because
8 for some reason they have an immigration hold. When they
9 are arrested, nobody knows how and why immigration shows
10 up all of a sudden. But they do have an immigration hold
11 when they are released.

12 And that is a main concern of mine. Why is it that
13 they are asking for immigration?

14 MR. SANCHEZ: From the Hispanic community's point
15 of view the police department and they are together, or
16 there is that perception that one is with the other in
17 terms of communication?

18 MS. FLORES: Yes, especially with those individuals
19 who are in the process of becoming legalized.
20 Salvadorians, Quatamalans, now know that they have
21 an opportunity to have protected status in the states.
22 But before they would say they were from Mexico, because
23 they did not want to be deported all the way to El
24 Salvador.

25 And these are the types of things that need to be

1 stated and stressed to the police officers so that they
2 can understand why there is these lies when they are
3 interviewing an undocumented person.

4 MS. GONZALEZ: I would also like to ask if anybody
5 knows why--or maybe they are all gone, the police that
6 were here-- is it that these police have to ask for their
7 immigration status when they are not breaking-- Their
8 only concern should be if they are breaking a law, if so,
9 let's take them in. Don't say, "Under the circumstances
10 let's see your green card," just because the person is
11 Hispanic.

12 And I don't believe a lot of police departments do
13 that, especially in California I know they don't, and
14 they don't have anything to do with the police
15 department-- excuse me-- with immigration, because it's
16 irrelevant. And here the minute some-- Even if they are
17 pulled over for speeding, the first thing the officer
18 says to that Hispanic looking individual is, "Do you have
19 your green card?"

20 MS. FLORES: One other case I was working on this
21 morning and I'm still trying to finalize is we have a
22 young man who was held at Sheriff's Department. And the
23 reason he was arrested was because he was trying to open
24 a bank account with his false Social Security number.
25 The Social Security number is under his own name.

1 In this case it was Sparks where he got arrested.
2 The client was was handcuffed and taken to jail. He had
3 to spend the night because he didn't have the money for
4 the bond.

5 One other thing is that one of the police officers
6 made-- It wasn't really-- I will let you decide what
7 you think it is. But he asked the brother for his
8 identification and asked him what his name and birth date
9 was.

10 When the brother was able to answer the name and
11 birth date that was on his I.D., it was like, "Very good.
12 You have really--" I can't remember the exact quote, but
13 making it seem like, "Oh, you finally memorized your
14 card." And it was very humiliating for that family to be
15 in the bank and be arrested and taken out.

16 And right now he's sitting in jail trying to find
17 out what is going to happen to him. These are the types
18 of things that are really happening. I can only talk
19 about the cases that I hear about, and I feel for those
20 people who do not say anything and just ignore it because
21 they don't want to deal with the system. They don't want
22 to get into more trouble.

23 It's a beginning. When I first started at the
24 agency, there were quite a bit of concerns. We have come
25 some steps forward, but there is still a very long way to

1 go. Number one is getting the bilingual staff and people
2 who are aware of what is happening in the community.

3 MR. SANCHEZ: It is still in existence here?

4 MS. FLORES: Yes.

5 MR. SANCHEZ: Will they be able to provide any
6 services to the police department in terms of--

7 MS. GONZALEZ: They would love to do anything they
8 can.

9 MR. SANCHEZ: --conversational Spanish?

10 MS. GONZALEZ: Absolutely.

11 MS. FLORES: We have also been offered that task.

12 Unfortunately we don't have the staff to do the
13 conversational training. There are some people also in
14 the community who have extensive training and can do
15 that, and I have also offered names from organizations
16 who have worked on indepth training with the police
17 officers where they put them in a situation and make them
18 understand what is on the other side, "How does it feel
19 when you are approached by someone who does not speak
20 your language," and going through the whole emotion of a
21 crime at that time and not being able to understand.

22 And it seems to be very effective. I can't recall
23 the place, but I do have the information at my office and
24 can provide that to Thomas V. Pilla.

25 THE CHAIR: Any other questions?

1 We really appreciate your comments and your coming.

2 Thank you.

3 What we will do is be in recess until 1:15.

4 (At 12:15 p.m. a recess was taken

5 until 1:15 p.m. of the same day.)

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1 RENO, NEVADA; THURSDAY, MAY 9, 1991; 1:15 P.M.

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4 THE CHAIR: I would like to call the Commission
5 meeting back to order.

6 Next is Chief Robert Bradshaw, Sheriff Vincent
7 Swinney and Chief George Coxe.

8 Welcome, and I will let you start out by each of
9 you introducing yourself, and we will go on.

10 CHIEF BRADSHAW: I'm Robert Bradshaw, Police Chief
11 of the City of Reno for awhile.

12 CHIEF COXEY: I'm George Coxe, Chief of Police in
13 Sparks.

14 SHERIFF SWINNEY: I'm Vincent Swinney, Washoe
15 County Sheriff. I'm beginning my third term as Sheriff.

16 THE CHAIR: Do any of you gentlemen have
17 introductory comments you would like to make?

18 CHIEF BRADSHAW: I would.

19 THE CHAIR: I will let you know in advance we have
20 lots of questions.

21 CHIEF BRADSHAW: I notice from this morning-- And
22 I had prepared some comments that I wanted to make, but I
23 also realized after being here this morning that you
24 would have more questions, and perhaps my comments are
25 somewhat esoteric as opposed to the more indepth

1 questions that you have. But I would like to make some
2 of those particularly just to set the framework from the
3 perspective of the community police model that we use
4 here in the City of Reno if it would be permissible.

5 THE CHAIR: Please do.

6 CHIEF BRADSHAW: I passed out a blue folder that is
7 symbolic of what we call our marketing plan with the
8 community policing. And if you open the folder, on the
9 right side of the folder is some material having to do
10 with some of the programs and some of the things we do to
11 reach out to the community.

12 On the left side there is three documents, one is
13 an organizational chart, one is a comment on surveys, and
14 another one is-- the last one is some training material.
15 I will refer you to those as we go through, but if you
16 can find that material--

17 Tom's letter asked me to comment on a couple
18 things. He asked me to talk about some comments on the
19 changing nature of law enforcement and the role of the
20 Police Chief and innovative programs having to do with
21 Cops Plus. I will try to do that all in one sort of
22 framework.

23 As I see policing today in the United States, I see
24 things changing. Obviously one of the things to change
25 is going to be because of this Rodney King incident down

1 in Los Angeles. I think the kind of work you are doing
2 is going to be instrumental in some change along with
3 some of the things that incident will bring about.

4 In this community we are seeing the same demands
5 that are occurring in a lot of communities, larger
6 demands for service, fewer dollars available and a
7 changing demographics.

8 And as a result of two failures before the voters
9 in the mid '80's, we decided in our staff meeting one day
10 and after a trip that I had taken to Washington, D.C. to
11 make some changes in the organization. And we came up
12 with a community-oriented policing, Cops Plus, model that
13 we currently use.

14 You have heard a lot about that this morning, and I
15 believe-- And I won't bore you with that, but I would
16 like to make a couple comments on what I believe that is.

17 I see policing changing from law enforcement back
18 to policing, and that is an interesting phenomenon that I
19 heard about when I visited last month. I was a member of
20 a group involved from Harvard University, John F. Kennedy
21 School of Public Administration where we talked about
22 community policing. And George Kelnig, who was one of
23 the tops in the field and was coauthor of the broken
24 window philosophy of crime prevention, mentioned this
25 distinction that he saw occurring.

1 All of us that have grown up in this business have
2 sort of tried to get people to think of this thing as the
3 more professional term of "law enforcement". He said,
4 "You're wrong. It ought to be going back the other way
5 because what we are doing in community policing is really
6 a policing model, not law enforcement. We are not here
7 to enforce the law. We are here to solve problems with
8 the community, that this whole model is not just going
9 out as you could imagine in the old days when you used to
10 watch Dragnet, "Just give me the facts, only the facts."

11 What we are talking about now is not treating the
12 symptoms but trying to determine the underlying problems.
13 And I think that is what community policing is about, and
14 I think that is the only way that we will survive. And
15 that is the reason that the Reno Police Department has
16 survived after our two failures before the electorate.

17 We need to empower our employees. That is, the
18 traditional model of a change of command, people
19 reporting to people, and demanding checks and balances,
20 have to be loosened up to where the employee on the
21 street who knows the community, who works in the
22 neighborhood, can help set the priorities.

23 And we have to empower those employees to go out
24 and solve problems. And that is what we have been able
25 to do in the last two years. And things that you would

1 never think that were important problems to the community
2 are things that in our traditional model had nothing to
3 do with the robberies and the murders that we thought the
4 people were interested in.

5 They are still interested in them, but their
6 touchstone is a battered vehicle in front of their house
7 or the group of kids harassing an elderly couple on the
8 corner or the derelict on the front lawn.

9 That is what they are worried about. And what this
10 does is empower-- what this model does is empower
11 an employee to try to solve that problem. We have to
12 protect the discretion of the officer on the street and
13 allow that officer to come up with innovative ways to
14 solve people's problems.

15 We have done some really unique things. For
16 instance, out in the Stead neighborhood when we started a
17 community policing, we had complaints from the neighbors
18 at our neighborhood advisory group meetings that, "Our
19 kids have to walk in dirt to go to school. Can't we get
20 any sidewalks?"

21 Well, on the traditional model that would have
22 been, "That is not our problem." That would have been
23 our standard response. The captain, who is not here
24 today, "Well, maybe I can do something with that." He
25 took the chance to step out of the standard mold, called

1 over to Public Works and suggested that they had a
2 problem out there. And the Public Works Director says,
3 "Well, we will build sidewalks out there in 1994, you
4 know. It's on the list. It's right here."

5 "Can you do something about moving that up? It
6 would really be appreciated."

7 Long story short, within a month they had
8 sidewalks. And the police department was a hero for a
9 change in this scenario. And I think that that is
10 an example of the kind of thing that we have to do if we
11 are going to be in partnership with the community.

12 Also community policing is customer driven, and
13 what we have done to try to make it customer driven is to
14 try to get as much community participation as possible.

15 If you look at the organizational chart, you will
16 notice that the circles on the organizational chart
17 represent community advisory groups, neighborhood
18 advisory groups. We affectionately call them NAGS. Some
19 people don't like that. They think that is demeaning to
20 them. So we changed one of them in the south area. We
21 now call it NAB, Neighborhood Advisory Board. These are
22 not formal in the sense of your board. They are not
23 formal in that they have a president, vice president.
24 They are groups of people who have come together to talk
25 about common problems in the neighborhood.

1 And then in some cases there is only one group in
2 the downtown area, for example, the central area of town.
3 Capt. Galli's board consists of the downtown renovation
4 folks, and they meet with him.

5 If you look at the south area, we have a number of
6 people who tend to follow the community around, so there
7 is a core group of neighborhood advisory group members.
8 And wherever the meeting is they sort of bring people
9 from the neighborhood in.

10 The idea of this is just to get the community to
11 help us set priorities, to find out if the traffic in the
12 neighborhood is the biggest problem, not necessarily
13 something we find in our crime analysis.

14 And when we run into these neighborhood groups, we
15 sort of expand beyond that because-- You heard Rosemary
16 Flores talk this morning, not in these terms, but in
17 referring to getting together with the police department
18 and giving them input. And I refer to that Hispanic
19 advisory group as my advisory group, and they tell us
20 what is going on in the Hispanic community. That is the
21 largest growing community group in the City of Reno. So
22 we do a lot of work to try to get direct community input.

23 The second thing we do-- And the next chart or the
24 next paper is a community survey, and that is the "plus"
25 in the community policing model. While there is probably

1 two hundred agencies or more across the United States now
2 that use community-oriented policing, very few, if any,
3 use the community survey as a driving force behind the
4 decisions that are made in the organization.

5 Most of them, as are tradition, look at every
6 quarter of the Part One crimes that come out from the
7 FBI, that 16 percent of the things we deal with and tried
8 to make decisions to reduce the number of Part One
9 crimes. It's almost ludicrous to try to do that.

10 First of all, we have very little influence over
11 any of those; secondly of all, it only represents about
12 16 percent of what we do. Most of what we do has to do
13 with odd maintenance type things. So what we have done
14 is we have created two kinds of surveys. You will hear
15 more about that from Deputy Chief Jackson and his crew.
16 And that is the "Plus" in our community policing model.

17 And this defines some of the benefits to that, and
18 I won't bore you by going into those. The things we find
19 out from these surveys are rather interesting, however.
20 We have been doing surveys since 1987. Before we did the
21 reorganization we had a baseline survey we did, and Dr.
22 Peak talked about some of that this morning. I came in
23 the middle of his presentation.

24 But interestingly enough we find out that police
25 officers-- This isn't interesting. We all know that

1 police officers are the most important product in terms
2 of the community's attitude. It doesn't make any
3 difference what I do or what my command staff does. That
4 contact with the police officer in the community is the
5 most important ingredient and that officer's attitude in
6 that contact is the most important thing that can happen.

7 We know if the contact is positive, if the
8 relationship is positive, between the individual and the
9 officer, 90 percent of the time that person will come
10 back on our surveys with a high mark on our image portion
11 of it. Even where the contact is negative almost 50
12 percent of the people come back and give us a good mark
13 on our image in the surveys.

14 Now, I heard the comment this morning about my
15 relationship with the local media, and not being so well,
16 and that was accurate. I'm not particularly enamoured by
17 some of the comments that were made in the press, because
18 I don't think they go deep enough into the issues. They
19 tend to skirt over them. But the media we find out from
20 the surveys is our biggest factor in influencing some of
21 the ratings. That is our best communication device.

22 We also know that their impact is very short-lived,
23 and I think that you commented this morning about us
24 taking a dip in one of our surveys. We took a dip. That
25 was directly after that survey was taken, the week after

1 some very controversial things had occurred in the
2 department. And on the next survey, the one you will
3 hear a little bit more about this afternoon, we started
4 back up on the upward scale again.

5 And we think that that is an anomaly. We don't
6 know on these surveys what the optimum is because nobody
7 is doing it this way, and no other police department is
8 doing it this way. We don't know what the standard
9 should be. We don't know if we are better or worse than
10 somebody else because we can't compare it with anybody
11 else. But with that we rely heavily on the survey. We
12 think that is an important gauge, barometer, if you will,
13 to what the community is saying about us and what kind of
14 service we provide.

15 Let me quickly comment on the community policing
16 and what it is and what it isn't. It's not a specialized
17 unit. A lot of police departments say it's a community
18 relations program. They take some handpicked people,
19 assign them to the community-relation unit and say, "This
20 is our community policing model."

21 That is I think a mistake. I think it's window
22 dressing frankly, and they are not committed. Community
23 policing is a philosophy in the organization, a
24 philosophy that says the customer is telling us what the
25 priority is. It says we solve problems; we don't treat

1 symptoms. Another thing that it is not is somebody
2 else's responsibility.

3 I believe everybody in the Reno Police Department
4 is a community-oriented policing officer. It isn't
5 somebody else. It's their responsibility. It's just not
6 another program. I think I spoke to that, and it's not a
7 p.r. gimmick, although we very strongly believe in
8 marketing this organization as some of the handout
9 material you have seen.

10 We don't believe that that is misleading in any
11 way. It is not a p.r. program. While there is a
12 community relations component to it, if you will, it
13 isn't a facade. That isn't the sole purpose of what we
14 are doing. Community policing I think is the wave of the
15 future, particularly if they use the survey instruments
16 to help make the decision. And I believe the departments
17 across the country will begin to pick that up more and
18 more as time goes on.

19 THE CHAIR: If the panel doesn't have any problems,
20 what I would like to do is have introductory comments
21 from all three gentlemen. Then we could ask questions of
22 the three. Does that sound fine?

23 CHIEF BRADSHAW: If I can say one more thing about
24 a question Tom asked me about the Chief's role, and I
25 think Vince and I talked about this a moment ago, and you

1 heard this morning some comments about police review
2 boards or citizen review boards. And I take a very
3 strong stand in opposition to that, not because I
4 necessarily disbelieve in review boards, but I believe
5 what review boards are there to do is my responsibility
6 as the Chief Executive Officer of that police department.
7 Hold me accountable for the actions of my personnel. If I
8 am not doing the job, find somebody else that can do the
9 job, who is willing to do the job and is willing to hold
10 those people accountable.

11 To me review boards is a cop-out in my belief, that
12 if somebody comes in with a complaint, I can turn to them
13 and say, "Well, go see the chairman of the review board.
14 They take care of that."

15 Believe me, ladies and gentlemen, my job would be
16 tremendously easier if I had the ability to do that. But
17 I don't think it's right because I think it's my job.

18 CHIEF COXEY: I'm George Coxey, the Chief of
19 Sparks.

20 As part of the letter from Tom, I will focus on
21 just some of the programs that our department is involved
22 in, and hopefully you will think that some of them are a
23 little unique and a little aggressive in our philosophy
24 to try to get out into our community.

25 THE CHAIR: Chief Coxey, how long have you been

1 Chief in Sparks?

2 CHIEF COXEY: I've been Chief in Sparks for a
3 little over four and a half years.

4 I don't want to-- I started formulating a long
5 list of different programs, and I don't really want to
6 take your time today and touch on each and every one of
7 them. And I don't mean to-- By stepping over them I
8 don't mean to deemphasize or devalue them, but I don't
9 want to waste your time on programs you are probably very
10 well familiar with and represent widely across the
11 country.

12 But I'm looking at the D.A.R.E. program--I'm sure
13 you are familiar with that--the Neighborhood Watch or
14 Block Watch programs, Operation I.D., but I will submit
15 these for your review later.

16 I've got a couple outlines here of some of the
17 programs that we do provide. We have I think a number of
18 programs that are perhaps overlooked today in reaching
19 out into the community, and one that I particularly enjoy
20 is the National Student Government Day.

21 Our city I guess has participated in this program
22 for the last couple of years, and I kind of smile because
23 I remember back when I was in high school, and I had the
24 opportunity to ride with a deputy sheriff for a day. I
25 don't know if that is why I'm where I'm at today, but I

1 think it's an extremely good program. And in our city it
2 has led to the team forum where representatives from our
3 two high schools meet with members of our City Council on
4 a regular basis.

5 In fact, one of the outgrowths of that team forum
6 program right now is we are looking at hosting a police
7 department-- the city is looking to host our two high
8 school graduating classes at Wild Island Waterpark here
9 sometime next month.

10 Some of the other programs I think that are
11 overlooked are ride-along programs where citizens are not
12 only allowed but encouraged to come down and take a tour
13 of duty with one of our officers.

14 Some things that I think most departments again
15 probably have is equipment to communicate with the audio
16 impaired in our communication center where we can help
17 anyone who has a speech or hearing problem by means of
18 this equipment over via the telephone.

19 Another program we found very helpful is our police
20 reserve officer program. It's a way of introducing
21 members of our community to a possible career with the
22 Sparks Police Department or a law enforcement career
23 elsewhere.

24 We participate in an awful lot of job fairs. We
25 through our Personnel Department and Human Resources

1 Department try to pursue an accurate minority recruiting
2 program. Some of the things that we do--and again I'm
3 sure a lot of other agencies do--is participate in
4 community social events or special events. And I
5 received a letter yesterday thanking us for our
6 participation in the black cultural awareness picnic a
7 couple weeks ago where we sent an officer and Explorer
8 and some of our equipment over for an opportunity to meet
9 with some of our of citizens.

10 A program that is probably not uniform across the
11 country but in a lot of places is our police chaplain's
12 court. We have ten members of our religious community,
13 community leaders and religious leaders, that assist the
14 police department in the delivery of emergency messages
15 and plan to assist us in any major dissaster in the
16 community.

17 I think it's an excellent program, and we are
18 looking to an expanding role in that program to assist in
19 relieving the stress of some of our officers. And
20 certainly it's been a program very worthwhile and very
21 productive in assisting some of our citizens.

22 Quickly I would like to talk about a few of the
23 programs, again maybe not all that unique, but we have
24 embarked on a program of training our front-line
25 personnel, not just our police officers and dispatchers,

1 but front desk personnel, in Spanish. And we have
2 another week-long class starting I believe it's Monday.
3 And I will be happy to leave this stuff with you.

4 In addition to being aware of a language problem
5 with just, you know, any conflict or difference in
6 languages among people in realizing that the Reno-Sparks
7 community sees an awful lot of people from around the
8 world that may have problems or difficulties or need
9 advice or help, we have entered into a contract with
10 AT&T. They have a language bank.

11 And again I will leave this stuff for you. But we
12 have a contract where within about 15 to 20 seconds we
13 can be in contact with an interpreter of any one of 140
14 or so languages. We think that it's important to be able
15 to provide the services and certainly not deny anybody
16 their rights simply because we don't understand what they
17 are saying.

18 Within one of the things we have done in our
19 redevelopment area is--Many of you may have picked up the
20 theme--Victorian Square. And to that end during some of
21 our special events downtown we put officers in Bobby
22 uniforms.

23 And this has been a very popular program with our
24 citizens and with the officers. I think at first they
25 thought, you know, "The Chief has gone off the deep end.

1 You know, that isn't for us." But I think within a
2 couple hours of the first time we had the Bobby uniforms
3 on the Square I had a couple officers, one saying,
4 "Chief, this is great. What do I have to do to convince
5 you that you need a walking beat down here in a Bobby
6 uniform and I'm the guy for the job?"

7 Another comment was, you know, along the lines,
8 "Chief, this is really great. I can't walk 40 feet
9 without somebody handing me their child and asking to
10 have our picture taken together." And the officers found
11 that to be really a very positive-- extremely positive
12 experience and that, "Gee, we are not here enforcing, you
13 know, arresting and, you know, in a role that is
14 difficult at times. This is very positive, and we really
15 enjoy it." And at appropriate events we turn out about
16 eight to ten Bobby uniforms at different events.

17 Another program that I would like to share with you
18 is to our knowledge we are the fourth in the country of
19 what we call the Sparks Senior Phone Patrol. And very
20 quickly what that does is on a daily basis we turn on a
21 computer, and it makes telephone calls to senior citizens
22 that are enrolled in our program to check on their
23 welfare.

24 Very simply, if they can answer the phone, they get
25 a recorded message, but by answering the phone it tells

1 our computer that they are all right. If they were not
2 all right, but can still get to the phone in order to
3 dial 911-- However, we also tell them that, you know.
4 "If we don't get an answer, you know, we will try again
5 later because if you are in the shower, we don't want
6 you-- The idea here is not to see if you can break your
7 leg running down the stairs to answer the phone. We will
8 check back with you."

9 And certainly the program checks back. And if we
10 are still not getting a response, we have a system where
11 they can also call in and say, "I will be at the beauty
12 parlor or church tomorrow. I won't be here at the time
13 the phone call comes." Okay, "fine."

14 But the bottom line is that if they do not and we
15 do not have a call from them telling us where they will
16 be, we will send an officer to check on them. We have a
17 complete dossier on them with their next of kin, any
18 medication, if their doctor-- You know, if they have any
19 pets, you know, certainly any pet gorillas, that tells me
20 we may want to bring help. But if we are dealing with an
21 eight-pound puppy, we can deal with that and get hold of
22 the veterinarian and arrange to take care of the pets.

23 And in the last two years this program has been in
24 effect I don't want to say we have saved eight lives, but
25 we certainly have assisted eight citizens that may have

1 gone through some unnecessary suffering, everything from
2 falling down where they couldn't get up to strokes. So
3 it's a program that we are very proud of, and we feel
4 it's a terrific program.

5 The last program I would like to touch on is our
6 citizen's police academy, and again very simply what that
7 is is we invite citizens from our community-- Right now
8 we are focusing on community leaders and members of our
9 Neighborhood Watch Program, schoolteachers, you know,
10 just a wide variety of people to come down.

11 It's an eight-week program, not everyday of the
12 week but one evening from about seven until ten. We
13 expose them to different programs or different parts of
14 the department, everything from the tour to ride-along
15 with officers and a few hours in our communication
16 center. We put on a demonstration by the SWAT Team. We
17 explain what is involved in criminal investigations. We
18 get into a few of the things like search and seizure.

19 Basically we try to answer a lot of the questions
20 that citizens would have as to why do police officers do
21 that and why do they do it the way they do. We also try
22 to make it fun and a lot of hands-on. We set up some
23 mock crime scenes and teach them a little bit about
24 fingerprinting, crime scene sketching and have them
25 actually go through and process some of these mock crime

1 scenes, everything from those important photographs to
2 lifting fingerprints and things like this.

3 We are in our fourth academy now, and this is a
4 program we have a lot of positive feedback from our
5 citizens on. In fact, they have decided to form an
6 alumni association. And we plan on meeting several
7 times, at least once a year, maybe more often, at picnics
8 or dinner.

9 And here a couple months ago I was able to bring in
10 Mr. Jim Loder, Head of the FBI for Nevada. And he
11 presented a very timely presentation to them on terrorism
12 during the Desert Storm period here.

13 With that, I think I will end my comments and
14 certainly be available for any questions, and I know you
15 are pressed for time. So I will turn it over to Sheriff
16 Swinney.

17 THE CHAIR: Thank you.

18 SHERIFF SWINNEY: Part of my comments will be
19 repetitive because we are involved in some of the same
20 programs. We are involved with the D.A.R.E. program
21 countywide. I'm proud to say the Sheriff's Office
22 introduced D.A.R.E. to the all agencies to put a D.A.R.E.
23 officer in the school and helped bring about the
24 uniformity that is occurring at the present time.

25 As an agency we are also the first one in the state

1 to have officers certified as drug recognition experts
2 and did the initial training state-wide on that. That is
3 a program whereby if you get a suspected driver, who
4 appears to be intoxicated, you get a reading on the
5 breathalyzer. You do such things as pulse rate and
6 expressions of the face, the gaze nystagmus, this type of
7 thing. And you can tell if they are under the influence
8 of other substances. And this is a program that I think
9 has removed a number of dangerous drivers from the road.

10 I would agree with Chief Bradshaw that service is
11 the predominant theme of the day. We are returning to a
12 policing concept, service-oriented, delivery of what is
13 needed in the community.

14 I would like to comment before I forget that the
15 media makes much use of words like the war on drugs and
16 the battle against crime, and I would like to point out
17 to you that we can't when we find the target issue a
18 cease and desist order in the sense of destroy-and-kill
19 mission to go out there and take it out of the military
20 unit. We must abide by some legal standard. So I think
21 the use of terms like battle, war, this type of thing,
22 sets up a lot of expectation on the part of the public as
23 to what the police can deliver. At least we can't simply
24 deliver in the same means that a military operation can.

25 I would like to also point out that crime has

1 become regional, national, international and empowered of
2 law. Enforcement is basically local. So we must do a
3 great deal of coordination and cooperation to achieve the
4 same thing.

5 One of the two areas of criminality that is getting
6 a lot of popular coverage is the serial rapist and
7 serial killer. And these are people who are here today
8 and then gone to Great Falls, Montana the next day and
9 may be committing a crime in each location and may or may
10 not return to our area for the same criminality. So
11 crime is not only local, but is regional, national,
12 international.

13 I think with regard to any of this that the initial
14 philosophy of the agency becomes a standard barrier for
15 the field delivery of service. I think you start with
16 the premise that you are the good guys and you empower
17 your officers with a chance to be the good guys, to be
18 polite, to be concerned, to go beyond the initial
19 response.

20 And in that regard I think that the community
21 relations is a result. It's not a bandaid cover for a
22 problem.

23 In terms of what Chief Coxey talked about with
24 regard to programs, we borrowed some from them. We are
25 also doing a citizens' academy. It's proving very

1 successful. The Sheriff's Office is unique in that we
2 have the responsibility for some additional activities.
3 Like in the civil processes we are required to serve
4 evictions, executions on real property, some fairly
5 sticky legal environments that take a great deal of
6 diplomacy to bring off without undue conflict.

7 Also we have the responsibility for search and
8 rescue, and this gives us a positive image builder that
9 if it's done correctly keeps you in front of the public
10 in a very positive way.

11 And in that regard we have got one of the best
12 first response teams, at least on the West Coast, in the
13 Hasty Team, which was just commented on by the
14 legislature in terms of resolution and naming of
15 yesterday's date as Hasty Day in Nevada.

16 The Sheriff in the State of Nevada is also charged
17 as a first legal responsibility with the keeping of the
18 jail, and we have got a 700-bed facility, which is now
19 averaging a 700-daily population. We are going through
20 29,000 bookings a year for a total of 19 agencies. And
21 we are recognized as one of the top three direct
22 supervision facilities in the United States at the
23 present time. This is not by our evaluation, but this is
24 by the evaluation of the National Institute of
25 Corrections and in the bodies that are sending teams here

1 to look at our detention facility and what it is doing.
2 And in that regard it is a model.

3 Last year we played host to over 20 foreign groups
4 of dignitaries of foreign countries, including the ten
5 Russian judges that were here at the judicial college.
6 We were the only local facility that they toured. And so
7 we are quite proud of that.

8 With regard to inmate programming, in that direct
9 supervision environment we have a literacy program going
10 that is automated. We have a GED program that will pass
11 our hundredth graduate this year in GED. We have got
12 other basic adult education programs going. We also have
13 the capacity to host Alcoholics Anonymous, Narcotics
14 Anonymous, Gamblers Anonymous, some of the other help
15 programs that are self-help oriented.

16 We use approximately 200 volunteers a week in the
17 jail, everything from religious Bible study instructors
18 to religious services to tutors and helpers in the
19 literacy program.

20 The last two items I would like to comment on is I
21 would like to echo what Chief Bradshaw said. I think a
22 civilian review board is a mistake. I think the civilian
23 input needs to be on the front end where we talk about
24 philosophy and practices and goals and objectives of the
25 agency and set that basic philosophy through the delivery

1 of service.

2 I think we have tools enough on the back end that
3 when an error is committed or a wrong is done, you have
4 got the chance of prosecution. You have the chance of
5 the Grand Jury, the Coroner's Inquest. There are any
6 number of things that can review the incident afterwards.

7 The one thing that I think is the Sheriff's or
8 Chief's responsibility, and if he's not doing it, then
9 bring him to task or her to task, not set up a review
10 board that is going to take six months to a year to
11 decide what was decided in the field in less than a
12 second.

13 I have got real strong feelings. In fact, if the
14 Legislature passes a civilian review statute, I will
15 seriously consider retiring on its face.

16 Also with regard to minority recruiting--I know
17 this question came up this morning--it's extremely
18 difficult. Chief Bradshaw and I started a program
19 several years ago with the black community and asked them
20 to recruit potential recruits for police work.

21 We went out personally and met with these people.
22 We had an initial interest group of 40 after the
23 screening. We ended up with four on the hire list. So
24 it's extremely difficult to recruit in that particular--
25 several of the ethnic identities you talked about this

1 morning.

2 With that I will sit with the rest of them for
3 questions.

4 THE CHAIR: I'm going to take my prerogative as
5 being Chair to ask the first one. We have had some
6 different opinions expressed this morning from different
7 minority communities, and there is a perception that
8 somehow immigration is connected with the Reno Police
9 Department.

10 If they get picked up, automatically they are
11 deported, et cetera, and a lot of the Hispanic community
12 especially feels that regardless of what is happening, if
13 they are picked up for speeding or something really, you
14 know, in consequence that they are always asked for their
15 green card.

16 Do you have any comments about that?

17 CHIEF BRADSHAW: Well, I guess my reaction to that
18 is that-- I have heard the green card comment before,
19 but I haven't heard it recently. That was something that
20 was brought to me in '84, '83 or 4. That was fairly
21 prevalent. I haven't heard that recently regarding the
22 connection between immigration and the police department.

23 I have no idea where that comes from. I don't have
24 any feeling that there is even any connection between the
25 two. I don't believe that there is holds put on at

1 booking necessarily unless somebody has a warrant out for
2 them or something like that. So I guess I'd have to have
3 the specifics of those incidents before I could look into
4 them.

5 THE CHAIR: It's strictly a perception that when
6 something happens, then immediately immigration is there.
7 And that is the perception of the minority community.

8 CHIEF BRADSHAW: Yes. I really don't have a good
9 feel for that. I can look into it and find out. But
10 that is sort of a new complaint to me.

11 THE CHAIR: What do any of you do about--Again
12 this is a perception issue probably. I don't know how
13 factual it is--the perception of a lot of the young
14 people in the minority populations that, you know, have
15 contact with the police and it is quote a bad experience.
16 And how do you try to turn that around so that it's not a
17 degrading, et cetera, type experience?

18 CHIEF BRADSHAW: My initial response to that is all
19 three of us have programs to try to put youngsters into
20 positive contact with uniformed police officers, the
21 D.A.R.E. program, the programs that we have all
22 mentioned, PAL and those kind of things, Explorers.

23 And so I don't-- If you are talking about the
24 enforcement aspect of it, and that relationship,
25 obviously we are going to-- You will hear a little bit

1 more this afternoon. And I believe all three of us do
2 this. We do what we call cultural communications
3 training.

4 We try to get the officer to look through the eyes
5 of the person they are talking to to understand from
6 their perspective what is going on, and I think that is
7 the most important type of training you can do, because
8 we do a very good job of training people how to be police
9 officers and how to enforce the law. We don't do a very
10 good job of teaching them how to feel when somebody who
11 is the law comes up to them, and I think that is
12 probably-- if we make a complete transition to that, that
13 is probably the best training we can have.

14 THE CHAIR: Is that training mandatory?

15 CHIEF BRADSHAW: As we speak right now, there is a
16 training class, a 24-hour training class, that is going
17 on in the Reno Police Department Training Center that is
18 mandatory for every employee, not just civilian but sworn
19 and non sworn, below the rang of captain. So I guess it
20 is, yes.

21 You heard comments this morning also from Rosemary
22 about her concern about the type of training we had, and
23 there it wasn't definite. I agree with that. When we
24 went to community policing in 1987, we went through 40
25 hours of community education. We brought in every aspect

1 of the community, the Hispanics, blacks, gays, the
2 handicapped, and we had them give presentations. The
3 suggestion from some of the community members was to do
4 that same type of training again.

5 And it was my decision and, therefore, my
6 responsibility, and I said I'm going to step back from
7 that. I'm going to go and do some values training. I
8 would rather get a good foundation on community values
9 and values that exist in the community rather than
10 getting down into the department, because I think you
11 need that foundation before you can really go into the
12 techniques type thing.

13 So the type of training we are trying to do now is
14 based upon the values. We have done the departmental
15 values, so that is part of it. And then we have the
16 consultant come in and try to talk about different
17 values, different cultures.

18 THE CHAIR: Do you think the minorities are being
19 too hard on the police department? Are their
20 expectations out of whack with what you can provide?

21 CHIEF BRADSHAW: One of the mediums we talked about
22 this morning, which is the Hispanic NAG, the meetings
23 that we have got together, that was frustrating for me
24 because they wanted immediate change. They wanted a
25 quick fix. If we had officers that were asking for their

1 green card, they wanted that stopped.

2 Now, we can stop it from occurring, but we can't
3 change the attitudes by writing an order. You can't
4 change people's attitude by saying you shall not do this.

5 My sense is a long-term fix is to get them to
6 understand why that is offensive to the officers, to
7 build a foundation instead of that. So I guess to answer
8 your question, if they want a quick fix, I think that is
9 too much to expect at this point.

10 MR. SANCHEZ: Chief Bradshaw, two questions: You
11 worked very hard to put together this philosophy of law
12 enforcement. One, do you have any input into selecting
13 your successor; and, two, do you have any assurance that
14 the next Chief will continue with your programs?

15 CHIEF BRADSHAW: I think the answer to that is a
16 qualified no. I've not been asked to be involved in the
17 process. It's left to others to select my successor,
18 with the exception that I have a lot of faith in all my
19 executive staff, the captains and the assistants and the
20 two Deputy Chiefs, that they believe in this philosophy.
21 I think that and I truly believe that we are a step ahead
22 of most other agencies across country. And that is based
23 upon the experience I have been through in the last year.
24 I would think that we would continue along this
25 philosophy if we are inside, but I have no guarantees

1 that will occur, nor do I believe that there is a strong
2 push for that at this point.

3 SHERIFF SWINNEY: I would like to make comment on
4 the question with regard to minority youth. None of us
5 in the three agencies that are represented here-- None
6 of us under the circumstances have manpower sufficient to
7 simply turn someone loose to be a contact person in the
8 minority youth community. A field officer can spend the
9 majority or all of his time or her time in that
10 particular environment.

11 We are operating something less than two persons
12 per thousand in Field Operations. And the national
13 average is approachings 2.5, and some of us are back to
14 1.7, 1.8, per thousand. So manpower would answer part of
15 that problem, and there is just not the budget in any of
16 the three entities to cover that kind of manpower
17 increase.

18 MR. SANCHEZ: Sheriff, do you have any bilingual
19 officers?

20 SHERIFF SWINNEY: Yes.

21 MR. SANCHEZ: Do you have any programs similar to
22 Chief Coxey in terms of training your people in some
23 conversational Spanish?

24 SHERIFF SWINNEY: We have gone through a training
25 program with conversational Spanish, and it probably

1 should be about time to do it again. And we try to keep
2 it scheduled, for instance, in detention. So we have
3 bilingual people on each shift in detention because that
4 becomes a problem when they are arrested and brought in.

5 We also cooperate with a number of language banks,
6 so we have access to interpreters.

7 MR. SANCHEZ: One final question. I know that
8 the Los Angeles County Sheriff's Department as well as the
9 Las Vegas Metropolitan Police Department are finding
10 themselves having to go outside their communities to
11 recruit in general. Do you find yourself in the same
12 situation?

13 SHERIFF SWINNEY: The last corrections or detention
14 deputy lists that we tested for had over 300 applicants,
15 and the majority of them were from outside the area.

16 MS. SADER: This is for Chief Bradshaw. In
17 testimony this morning we heard that additional Spanish
18 speaking officers are needed, and yet Mr. Reyes is
19 rotating out of his Hispanic Liaison Officer position and
20 is not being replaced. Do you think that will be a
21 detriment to the department?

22 CHIEF BRADSHAW: No. I'm not sure where they got
23 that impression. The Hispanic Liaison Officer that we
24 have is what we call a temporary duty assignment. That
25 is an assignment that I decided to do based upon some

1 conversation with the Hispanic community that has not
2 been approved by the City Council at this point.

3 I made a presentation to the budget hearings last
4 Saturday and requested that they make that a permanent
5 position along with the PAL positions and the D.A.R.E.
6 positions. At this point that is still in limbo. They
7 haven't made that decision. It is more of a technical
8 issue.

9 My intent is, and I think the intent of the people
10 that are on the department now, to maintain that. The
11 liaison position I think is an important position.

12 Now, Modesto Reyes has asked to go back to the
13 regular patrol assignment. We would have to find another
14 officer to replace him.

15 If I may make one comment, if I can, Madam
16 Chairman--Chairperson I guess it is--about the comment
17 about INS. The INS office is a building that we use as a
18 training, work card facility-- Some of the requests with
19 the police department maybe is easily explained being
20 they are the same location of the major faction of the
21 police department. I hadn't thought of that possibility.

22 MR. SANCHEZ: Chief Coxey, earlier we heard
23 testimony from members of the community here that
24 indicated that they felt that the Sparks Police
25 Department is not as well-trained in the use of weapons

1 as some of the other agencies. Do you have any comment
2 on that?

3 CHIEF COXEY: Well, I think Chief Bradshaw and
4 Chief Swinney can maybe elaborate a little bit further in
5 terms it is my understanding before I came to the Sparks
6 Police Department there was some concern or I don't know
7 if there is movement to come down and literally close
8 down the Sparks Police Department due to lack of training
9 and certification of certified officers.

10 Since then I have been getting beat up by the
11 officers because we have 80 hours of inservice training
12 every year. And as far as weapons and such are
13 concerned, we go through a weaponless defense. We
14 qualify with the duty weapons on a quarterly basis.

15 I guess I am biased. I'm very much in favor of
16 training. Our standards are-- The State's standard
17 while they require only 20 hours of inservice training
18 for an officer during the year I am proud to say in fact
19 we are doing at least 80 hours. That is not counting
20 where we sent officers to schools in other locations.
21 It's in addition to our POST academy-- you know, sending
22 officers to POST academy. It's in addition to our field
23 training officer program where an officer comes out of
24 the academy. We orient him for another three months or
25 so to the way we-- you know, our philosophy, our way of

1 doing things in the Sparks Police Department.

2 We train-- Our instructors are certified. The 80
3 hours of training is approved by the POST Board every
4 year and has been for the last few years since I have
5 been here. I'm trying to think of here a couple other
6 points I would like to make as far as training is
7 concerned.

8 In the community relations area we have reduced
9 citizen complaints by 45 percent over the last few years.
10 I attribute an awful lot of that to our training program.

11 We have expanded or made the citizen's complaint
12 process available on a 24-hour basis. We have a watch
13 commander on every shift that is certainly available to
14 respond immediately to that citizen and try and explain
15 or satisfy any questions or issues that they have, and
16 they certainly don't try to talk anybody out of it.

17 We have a follow-up process with an internal
18 affairs investigation, and we-- I sent a letter to each
19 citizen that signed a complaint informing them I'm aware
20 of their complaint, it is being investigated and when we
21 are through with it, we--

22 During the course of the investigation they are
23 obviously in touch with the assigned investigator or
24 commander. We use a lieutenant or higher to do the
25 investigations. At the end we send them a letter giving

1 them the disposition.

2 And our internal investigations are reviewed by the
3 City Attorney's Office so that when it goes out of the
4 house, there is so to speak no cover-up. There is no
5 whitewash. If they are doing something wrong, we will
6 straighten it out.

7 And we don't just look at the officer's actions.
8 We also try to do a policy that may be involved. And,
9 you know, if it's the Chief, and we have a bad policy, we
10 change it. We look at doing that. If there is a problem
11 with equipment, we look at changing that. So we try and
12 seriously evaluate those complaints, and they also play a
13 role in identifying some of the courses or topics,
14 subjects, that are going to be covered in our next
15 inservice training program.

16 An example of how important I think our training is
17 is two years ago we had a demonstration in Sparks on B
18 Street around the Nugget. It was the American Disabled
19 for Access to Public Transportation, if you remember
20 that. They are a nationally known group. They take some
21 extreme measures in their demonstrations.

22 And we ended up making 74 arrests. We have not
23 been sued. We have not been-- There were no complaints
24 against the department. In fact, representatives of that
25 organization spoke up in court complimenting the police

1 officers, and another group appeared before our City
2 Council saying they had no problem with the way the
3 Sparks Police Department dealt with them.

4 And it's kind of amusing I think that when they
5 left, we asked them, "Well, you know, if this was a
6 school, what kind of a grade would you give us?" And I
7 think the one guy wanted to say, "We will give you an A,"
8 but looking at all his friends I don't think he could do
9 that. So he said, "I will give you a B plus."

10 So I said we had 74 arrests during that week, and
11 the training that went into how to deal with that I think
12 was extensive. It was elaborate. We sent commanders to
13 different cities where they have had problems or
14 encounters with this group before, and we were able to
15 come back and work with the community resources, with the
16 Reno Police Department and Sheriff's Office and other
17 agencies and the school district. We were able to do the
18 resources that we need to deal with them and the
19 environment that was respectable of their right to
20 demonstrate and at the same time, you know, providing
21 public safety to other people that were at the hotel.

22 THE CHAIR: I'm just going to ask one question
23 because we are running out of time. You have made your
24 point real clear that you don't believe in some type of
25 citizen's review board. What is your recommendation in

1 terms of-- for this committee in getting citizen input
2 and getting some of the communication gaps worked out?

3 CHIEF BRADSHAW: I guess my response to that would
4 be an expansion and maybe refinement of the model we
5 already have with the Community Neighborhood Advisory
6 Groups, getting involved with the department and continue
7 to encourage continuation of that kind of a program.

8 Another area that I think needs to be studied from
9 a research standpoint tends to be-- citizen participation
10 tends to be directly in relationship to the number of
11 issues that are concerning them. If there is no issue,
12 you don't have a good turnout. That happens to be our
13 model in the northeast area. If we have a lot of issues
14 and lot of a notority, we have 150 people turnout. If it
15 has been a slow period, we will have 10 or 15. I think
16 some of that participation needs to be examined from a
17 research standpoint to see how to keep people involved in
18 these kind of programs without having to have an issue or
19 a hot spot that has to be treated.

20 THE CHAIR: Anybody else, anything to add briefly?

21 SHERIFF SWINNEY: Another point on citizen activity
22 I would like to see is time and budget. I have been in
23 the budget process with my own agency for in excess of 20
24 years, and the most citizens that ever turned out to
25 speak for or against the Sheriff's Office's budget has

1 been three.

2 THE CHAIR: Do you think if you had input from the
3 citizens, you would have different results from the
4 budgeting process?

5 SHERIFF SWINNEY: I really do, and I think that--
6 They talk about us spending money after the fact. They
7 very seldom show up to express their opinions as to how
8 they would like us to spend that money, and the dollar
9 does get attention.

10 MS. SADER: We heard from some officers that when
11 they are disciplined, they don't seem to be dealt with
12 fairly or on the same level. Do any of you have any
13 comments about uniform discipline codes?

14 CHIEF BRADSHAW: I do. I have an opinion on
15 everything. You know, I think that is really a difficult
16 situation. We tried, oh, about seven, eight years, ago
17 to come up with a uniform code, and surprisingly enough
18 about the time we were putting the final touches on it
19 the ones that were the most critical of it were the
20 unions and associations themselves. They were opposed to
21 it. Yeah, I think have you to take each case
22 individually, and you have to treat each situation within
23 some parameters of progressive discipline. You have to
24 treat them as individual cases. And I get accused of
25 being unfair-- unequal treatment on some of these

1 discipline issues. And I have looked at those very
2 carefully, and I have a self-serving statement. I tend
3 to believe I weigh the evidence very closely, and I
4 scrutinize it very closely before I make a decision.

5 The idea of discipline is to keep that behavior
6 from repeating itself. That is why we do this.
7 Sometimes you have to send people out of the organization
8 to keep that from recurring, but as long you can
9 accomplish that goal, I think that you can say you are a
10 success.

11 My biggest problem in 1981 when I came here was
12 off-duty conduct, and frankly this town, as you can
13 imagine, is very conducive to that kind of stuff when you
14 have a bunch of young employees who want to go off after
15 work and have a good time. It took me about four or five
16 years before I was able to straighten that situation out.

17 And it ended up I had to send a very good police
18 officer down the road and tell him to go find another job
19 before I got that straightened out, but I don't have that
20 problem anymore. So I guess it's the proof of the
21 pudding argument. Although none of us of us like to be
22 disciplined when you are subject to it, oftentimes it's
23 unfair to you. But if you can keep those kind of
24 behaviors from recurring, it's been a success.

25 THE CHAIR: I would like to thank you all for

1 coming.

2 And what we will do is take about a two-minute
3 break and try and get back on schedule here.

4 (A recess was taken.)

5 THE CHAIR: I understand that Sgt. Roger Clark is
6 here.

7 All right. We will call this Commission meeting to
8 order again, and would both of you please introduce
9 yourselves.

10 SGT. CLARK: Madam Chairperson and member of the
11 Commission, I'm Sgt. Roger Clark, Reno Police Department.
12 I'm Training Commander for the department.

13 OFFICER SHIRLEY GILETTI: I'm Shirley Giletti,
14 temporarily assigned to recruiting for the police
15 department.

16 THE CHAIR: Please go ahead.

17 SGT. CLARK: Thank you very much. I welcome this
18 opportunity to make a presentation before this
19 Commission. I think it is long overdue. We should have
20 I believe in the police department-- Our training over
21 the last few years should receive some recognition.

22 I can think of no better forum than this to present
23 to you what efforts and strides we have made in training
24 members of our department. When I say "training for our
25 department", I mean all members of our department, not

1 just sworn personnel, but we traditionally hear about
2 also the non sworn members of the department.

3 I would like to start out with-- I would like to in
4 a chronological setting and start my presentation out
5 with the community-oriented policing training that the
6 department under-went when they implemented the Cop Plus
7 philosophy to the department when Chief Bradshaw first
8 indicated that was the service delivery philosophy which
9 was being employed.

10 In October of 1987 Chief Bradshaw met with myself
11 and several members of the executive staff and indicated,
12 like I said before, he wished to implement the Cop Plus
13 philosophy--"Plus" being the assurance section of it--but
14 in general the community-oriented policing philosophy in
15 our department in order to turn around some of the
16 problems we have been having in the community, the
17 relationships with the officers and not just officers but
18 the civilian employees also, to the community.

19 At that time I was directed to establish a training
20 program 40 hours in duration of all members of the
21 department in focusing on the introduction of individuals
22 from the community representing the community a, broad
23 spectrum of the community and all aspects, who the police
24 officers come in contact with. The relationships have
25 been somewhat less than desirable between those entities.

1 At that time we implemented the 40-hour training.
2 It went for three months, and it was so diversified and
3 broad in spectrum that it included in addition to the
4 cultural awareness also heritage awareness training put
5 on by the black, Hispanic, American Indian, asian
6 communities all the way down to members of the Alarm
7 Committee and everything in between, including members of
8 the gay community, members from the elderly community and
9 things like that.

10 The idea here was to make the officer aware that
11 there were other things out there in the community that
12 were available to him or her or to the civilian aspect--
13 were available to them to assist them in handling the
14 problems that come up in their contact with the citizens.

15 I think that at first initially there was some
16 resistance to that as there generally is to change in
17 philosophies. The officers didn't feel that it was
18 something that they wanted to really participate in, and
19 there was some resistance to that. However, I think as
20 the program progressed and the training progressed--

21 We completed that training, by the way, over a 12-
22 week period, 40 hours a week. As it progressed they
23 began to see that the job was getting a lot easier. They
24 weren't getting as many complaints against them as a
25 result of their contacts, and there is an awareness of

1 the fact that they weren't out there alone. They didn't
2 have to do everything themselves. There were other
3 agencies out there that could assist in their problems.

4 The idea was to stimulate them in their thought
5 processes in dealing with situations in other than the
6 traditional law enforcement way, which was strictly
7 an enforcement type of thing. You broke the law. You
8 are going to jail. We wanted to make them aware that
9 there were agencies that were there to assist them in
10 family counseling, if necessary, crisis intervention and
11 things like that in dealing with the diversified problems
12 out there.

13 Since that time we have undergone several other
14 training programs in that same vein, in particular the
15 interpersonal communications, which is part of the
16 original training, how to talk to people, how to talk to
17 each other--A lot of the problems stem from officers not
18 talking to each other--or how supervisors talk to
19 subordinates, et cetera. That was all included in there,
20 but since that time we have carried on with that. We
21 conduct that interpersonal training communication at the
22 academy level, and we do it inservice.

23 We started our Safety 88 hiring in 1988. We
24 implemented with those officers recruiting from the--
25 graduating from the academy sort of a mini retreat, a get

1 together with the Chief of Police and the officers and
2 their wives and sit down and talk out the issues, explain
3 to them what the officer's job is, to take some of the
4 stress off the officer, too.

5 Part of the problem is the officer is under a lot
6 of stress, and he reflects that stress when he deals in
7 the community. Get the stress out of the family, if at
8 all possible, alleviate that to some degree, and maybe
9 the pressure will be off the officer. He will be able to
10 respond a little bit better to the citizen.

11 We underwent that with all the Safety 88 hirees we
12 did, and that was part of their training. We implemented
13 the Regional Academy at the Truckee Meadows Community
14 College, and it really didn't focus in on the Reno Police
15 Department's philosophy.

16 As a result, we established a three-week
17 orientation at the end of that academy so when they
18 completed 12 weeks at the academy, they had an additional
19 three weeks of training, in-house training, to orient
20 them to the Reno Police Department's philosophy and its
21 procedures, policies and procedures.

22 And that is followed up by the Field Training
23 Program, which again the officer, the new hire, is placed
24 under the direct supervision of a regular officer who
25 should instill that philosophy, Cop Plus philosophy, in

1 the new officer as they apply the lessons learned in the
2 classroom.

3 Just recently we have conducted and as of today as
4 we speak are conducting a 24-hour program on cultural
5 communications, problems of policing and a variety of
6 other pertinent training techniques to the entire
7 department, both sworn and non sworn.

8 Now, the non sworn don't attend all of the
9 meetings. Some of them are instructed on things such as
10 incident handling and things like that. But if it is
11 applicable, they are-- It is right down to the
12 janitors, ladies and gentlemen. I can tell you it's not
13 just for the officers. It's for everybody in the
14 department. And it is mandatory training.

15 Now, that is over and above the 24 hours of POST
16 mandated training we put on normally. The police
17 department also has five critical task areas that they
18 receive training in on an annual basis, and that includes
19 handgun qualification, weapons defense training,
20 nightstick training, first aid, CPR and defensive driving
21 techniques.

22 So this all goes on continuously throughout the
23 year as time permits. You have to understand to try to
24 staff the police department and provide the service level
25 that we have been it takes an awful lot of commitment on

1 the part of the department, manpower, to put on training
2 for all of its personnel. It is quite a thing to juggle.
3 It's my responsibility to try to coordinate that, but it
4 does have a tendency to reduce our staffing on some
5 occasions.

6 Now, the Field Services Division have been very
7 innovative in their scheduling of personnel. So we have
8 two days a week as it is now that we can afford to pull
9 people out and do some rather extensive training. And we
10 have been utilizing that.

11 In addition to my responsibilities as the training
12 sergeant for the department, I'm also in charge of the
13 department's reserve officer program, which has grown in
14 number from two to right now we are at a 40-person level,
15 40 members, in the reserve program. This provides us
16 with an excellent avenue for employee development.

17 A lot of the people that are in that program are
18 there because they wish to become police officers, but
19 for maybe one reason or another they have not had the
20 exposure or the ability to receive training or other
21 things that might make them competitive. They fill the
22 reserve program. We have an opportunity to get a
23 protracted view of them over the years. There is a
24 career path available to them. We have just in the last
25 year got a career path available for transitional hiring

1 of reserve officers, and it's an excellent affirmative
2 action program. And we do use that.

3 THE CHAIR: I have a question for you in terms of
4 recruiting young men and women. If they have any type of
5 criminal record, even if it's, you know, something that
6 is not significant, I mean in terms of the range of
7 crimes, are they automatically eliminated?

8 SGT. CLARK: It would depend a lot on what the
9 crime is. It's very important what the crime is. If
10 it's a narcotic violation, it's very minor, it's a
11 possession charge or something like that of marijuana or
12 something like that, that may not factor in. It would
13 certainly be considered. Any criminal record would be
14 very closely scrutinized. We would do the presentation
15 to the Chief. It's his decision.

16 THE CHAIR: What we are trying to find out is as a
17 practical matter a lot of the young people today are not
18 quote clean. They have had a brush-in with the law for
19 some reason or another. No offense. Some of us grew up
20 in rural Nevada. If we got caught, we would have
21 probably had worse records. That is why I'm wondering
22 how significant that is.

23 SGT. CLARK: Well, let me pass that question on to
24 Officer Gilletti who can really give you some astounding
25 figures just how bad that is.

1 OFFICER GILLETTI: It is getting worse. We do the
2 backgrounds, of course, on people, and we are finding--
3 Every time we do backgrounds we are getting more and more
4 admissions of major drug use. There was a time when
5 probably all officers could put in a clean sheet, not any
6 longer.

7 And in conjunction with that, as you know, we have
8 the D.A.R.E. program and PAL program and everything
9 starting in schools now. And the sergeant has started--
10 He has put a presentation forward to the Chief for a new
11 program budget called the Yes Program. And this is
12 directed in correlation with "Say no to drugs, say yes to
13 a law enforcement career." Because our drug usage on our
14 backgrounds is just getting unbelievable. We are having
15 people that are having major, major drug usage up until
16 about six months before they decide they want to be a
17 police officer and expecting us to hire them. And
18 nothing, nothing, is a total disqualifier other than a
19 hallucinagen. The Chief has said no to anything that
20 could have a flashback. THE CHAIR: What about
21 vandalism or shoplifting?

22 OFFICER GILLETTI: The only thing by state law is a
23 felony conviction. You cannot be a police officer if you
24 have a felony conviction. We do have a questionnaire we
25 have them fill out. They are usually very candid. It

1 can be backed up with a polygraph. It is not always.
2 And certain areas are highlighted, and those are anything
3 from shoplifting, drug use, everything, and it is listed
4 serious admissions and critical admissions. Critical
5 admissions being the worst.

6 And we have had people admit to felony convictions
7 on that that up until that time we had not considered.
8 We have had other people admit to committing felonies but
9 just not getting caught. Of course, in this state
10 marijuana can be a felony. But it's just what type of
11 drug, what type of crime, and how much, how recent, and
12 it's a whole package presented to the Chief.

13 MR. SANCHEZ: I would like to ask a question of
14 Sgt. Clark. You were talking about stress earlier. Do
15 you happen to have an employees' assistance program here
16 for the officers?

17 SGT. CLARK: Yes, the City does have one.

18 MR. SANCHEZ: Do you find that is effective?

19 SGT. CLARK: I really haven't gotten any feedback
20 on that. I think the fact that it is there and available
21 is in itself something, but I really don't have any
22 feedback of that information. As far as I know, it is
23 confidential as to who actually-- I know it has been
24 effective in other cities, though.

25 MR. SANCHEZ: Another question. Maybe you are not

1 the right individual here, but I asked a question earlier
2 concerning psychological testing for police officers. Is
3 that done here in the City of Reno as part of the
4 selection process?

5 OFFICER GILLETTI: Yes, it is, by Dr. Nims. We
6 use his services.

7 MR. SANCHEZ: Is he local?

8 OFFICER GILLETTI: Yes.

9 MR. WALTHER: If you get-- it appears apparent from
10 evidence that an officer is maybe passing through the
11 initial screening, but after a few years is not perhaps
12 emotionally dealing well with problems with the public,
13 does he come back for another screening, another look,
14 from the psychologist?

15 SGT. CLARK: If he's been identified as having a
16 problem as a result of stress, are you talking about, in
17 his ability to handle people or deal with people?

18 MR. WALTHER: Whatever.

19 SGT. CLARK: There is psychological counseling
20 available to members of this department.

21 MR. WALTHER: Who decides when that is obtained?
22 In other words, suppose you getting some complaint or
23 incident that calls to your attention that the officer is
24 really not handling this situation well? Is there
25 somebody in the department who has the authority to say,

1 "Before you go back out on the street we want to have you
2 see so and so?"

3 SGT. CLARK: The Chief of Police has that
4 authority.

5 MR. WALTHER: And is it done?

6 SGT. CLARK: Yes, I believe it has been done.

7 OFFICER GILLETTI: Yes, it has been done.

8 SGT. CLARK: It's not just that. It could be a
9 drinking problem or something like that, so it's a
10 variety of problems that would be referred.

11 MR. WALTHER: There was substantial criticism this
12 morning, and just to probe into it a little bit,
13 apparently notice gets out to areas in the minority
14 community that there are potential job applications, but
15 it's difficult to have somebody make the decision. They
16 come in and then get through that process.

17 Is there anybody in your affirmative action group
18 or your affirmative action officer that goes out and
19 actually gives special attention to some people in the
20 minority community who have potential who go out and try
21 to bring them in the system even if you have to grab them
22 by the back of the neck and try and get them out of the
23 situation they are in? Do you have that potential?

24 SGT. CLARK: Yes, there is. Officer Gilletti does
25 that amongst others. We also have other officers that

1 identify them in the department who once a good applicant
2 or candidate is recognized, whether they apply or not, we
3 certainly would go out there and try to sway them to
4 apply.

5 Over and above that I might add that should the
6 applicant not do well on a test, not do high-- or finish
7 high enough to be hired, if that person is recognized as
8 an excellent candidate or something like that, we
9 approach them and ask them to affiliate with our reserve
10 program. Because maybe it's just that one little thing,
11 that we need to get them up there, that is going to
12 assist them in getting the career that they want, if they
13 are a good applicant, good candidate.

14 You have to understand, ladies and gentlemen, if we
15 are talking about 800 applications here and maybe we are
16 hiring 10 people and maybe the score here between the
17 first place finisher and the tenth place finisher is less
18 than one point, those people that are down below ten are
19 still very good applicants, very good candidates. And
20 particularly if they are minorities, you certainly don't
21 want to lose them.

22 MR. SANCHEZ: Sergeant, this document was just laid
23 on my desk. I wish I would have seen this last night.
24 It's an executive recruitment and selection plan from
25 Hughes, Hites & Associates, and I know they are very

1 expensive, so--

2 SGT. CLARK: That is a very comprehensive report.

3 MR. SANCHEZ: They have made some recommendations
4 here on page 19 concerning the number of refinements that
5 have been considered to strengthen the effectiveness of
6 recruiting women and minorities. I notice the last one
7 on page 2015 is, "Replace the rule of three with
8 banding."

9 Now, that you have raised the issue of scores,
10 "replace"-- And in this I know it means a Civil Service
11 rule issue. If you are going to the rule of three and
12 you have minorities, I know that depending on the
13 reliability of your test, there may not be a great deal
14 of difference between somebody who got a 92 and somebody
15 who has got an 89 or even a 90 and someone who has--
16 Have these recommendations by the consultants been
17 implemented? Are they in the process of being
18 implemented? What is the status of this?

19 SGT. CLARK: After this report we graduated, you
20 know, one academy since then, and it was very minor. We
21 only had one regular officer attending. So a lot of
22 these have been discussed. We are still looking at them.
23 We look at the cost effectiveness. We have to consider
24 the cost involved in some of these recommendations, too.
25 They are extremely-- Some of them are expensive. Not to

1 say that that is all important, but it is certainly a
2 fact we have to consider.

3 We have not been given a go-ahead to start
4 recruiting for another academy. Should we get that,
5 certainly we will look at these very carefully and make a
6 decision on what we want to do.

7 Now, the rule of three and banding was discussed in
8 the presentation that Mr. Hites made before the City
9 Manager, and I believe that there are certain provisions
10 in the State of the law that require a rule of three to
11 be implemented here.

12 MR. SANCHEZ: I have to object to that, but the
13 Chief wants to make a statement here.

14 CHIEF BRADSHAW: I can tell you what the status of
15 that is, Mr. Sanchez. That was presented to the City
16 Council. The City Council has referred that to a Charter
17 Review Committee. They review that to get that
18 implemented. We favor that kind of revision, but it has
19 not yet been implemented.

20 MR. SANCHEZ: I know. I've seen it done in many
21 agencies throughout Nevada. Whether they have to change
22 a charter or Civil Service rule, this I think probably
23 would be one of the best boons for you in terms of
24 affirmative action.

25 SGT. CLARK: We don't disagree with that. We would

1 like to do that.

2 OFFICER GILLETTI: We discussed along with that--
3 However, we did not have any blatant ethnic group that
4 did not do well this last time. We were really pleased
5 with every group in our-- In the top of our list we had
6 every representation in the top 50.

7 THE CHAIR: Do you have any explanation for why
8 it's necessary to recruit minorities outside of the area?

9 OFFICER GILLETTI: Well, if you look on page 11--
10 I know you asked that earlier. That was one of the
11 things we tried this time. And as you will see, number
12 80, page 11 on our successful people, they didn't come
13 from out of the area. So this was an excellent
14 experience for us. We went to many places in California,
15 Oregon and Washington trying to get more minorities to
16 apply, which we did. However, our successful finishers
17 were right here at home.

18 SGT. CLARK: There is some reluctance on the part
19 of minorities to leave their own community to come up
20 here to an unknown-- OFFICER GILLETTI: Some of our
21 trips were directly related to speaking to the leaders of
22 the community. We spoke to a couple people here at UNR,
23 one was Dave Torres. And two of the trips to California
24 were a direct result of what Dave Torres told us about
25 recruiting Hispanics.

1 THE CHAIR: How do you go into the community here
2 locally? What do you do?

3 OFFICER GILLETTI: We attend all the job fairs that
4 come up, classes, UNR, TMCC. Any time they call and ask
5 us to come speak to their class we have a recruiting
6 video we show.

7 We are currently working on a video, "A day in the
8 life of a police officer," to kind of give students
9 an idea of actually what the job really is rather than
10 what they see on t.v..

11 We just did a video on how to complete our test,
12 and we show those to anybody. And we will go speak to
13 anybody--

14 THE CHAIR: So even if a group asks you to come for
15 a presentation--

16 OFFICER GILLETTI: We have gone to nursery schools.

17 SGT. CLARK: --we are there.

18 OFFICER GILLETTI: We will go to anybody.

19 SGT. CLARK: I want to point out that we recognize
20 it as extremely important that we start orienting people
21 toward law enforcement at a very young age to keep them
22 clean throughout. We want to work closely in conjunction
23 with our other youth groups, especially people who are in
24 the high risk groups. And so that if they come up to us,
25 they are not putting in a resume saying that they used

1 cocaine 500 times in the last two months and they still
2 think they should be hired.

3 There has to be awareness right from the beginning
4 at a very early age. Through our youth programs I think
5 we can do that. We can build a good foundation, human
6 resource foundation, right here in this community. And
7 these are the people that are going to maybe be the best
8 police officers in my estimation, the ones that have a
9 vested interest in this community and want to work for
10 this community.

11 MR. WALTHER: Is there ever a communication or
12 maybe a cooperative effort, maybe a committee, between
13 Sparks and Reno and Washoe County to go out and find
14 qualified minorities in the community? Is there a
15 committee where you kind of say, "I know Fred over here
16 and, you know, we are full here, but--" you know,
17 communicate so that these efforts are not being
18 competitive or a group--

19 SGT. CLARK: We talk informally with the other
20 agencies, but I want you to keep in mind we are all in
21 competition for the best people, and I'm not going to go
22 over to Sparks and say, "Look, you know, here is a real
23 neat guy. You ought to recruit him," when I can recruit
24 him myself. It's very competitive. We are not only
25 competing in the public sector, but the private sector is

1 extremely important.

2 Minorities now know there is a great demand,
3 tremendous demand, for them, you know, for good paying
4 jobs. And we have to offer a lot to get the good ones to
5 come in here. It's not a give-away program. They know
6 they are being heavily recruited. You go up to any
7 University's campus and minorities are heavily recruited
8 because of affirmative action, particularly women. And
9 we are in direct competition.

10 We can't offer them money, so we have to offer them
11 benefits and a good, steady job, a good paying job, a
12 good career, and that is what we stress.

13 THE CHAIR: I hate to cut this off, but we are
14 running again behind time.

15 MR. SANCHEZ: A real quick comment here. We have
16 had testimony from members of the Hispanic community
17 stating that in this area Hispanics comprise
18 approximately ten percent of the population.

19 In the report and elsewhere I have seen in
20 documents presented to us that the Hispanic population of
21 the City of Reno is five percent, and that is indicated
22 on page nine of this report. Then we go to page 11,
23 talking about successful women and minority candidates
24 from the Reno-Sparks metropolitan area.

25 My concern is this: The Equal Employment

1 Opportunity Commission, if I'm not mistaken, requires in
2 an affirmative action plan that you compare yourself in
3 terms of the population of a standard metropolitan
4 statistic area. And so playing with statistics perhaps
5 that Hispanic disparity may be up to seven, eight, nine
6 percent that you have yourself up against.

7 So you might want to pass it on to your affirmative
8 action officers. I don't think five percent would be the
9 benchmark that you would be looking for if you are
10 talking about the entire metropolitan area.

11 SGT. CLARK: I want to qualify that, too, Mr.
12 Sanchez, by saying that while that is a realistic figure
13 that you are throwing out at us, let me tell you from the
14 standpoint of recruiting I hold myself to minimum
15 numbers. If we can recruit 14 percent Hispanic, we will
16 do it. If they are good, qualified people, we will do
17 that. I'm not sitting here shooting for parity in the
18 community at a minimum. If I can get more, I'm going
19 after all I can get. Okay.

20 THE CHAIR: Thank you. Your information will be
21 most helpful.

22 Next I would like to call on Deputy Chief Lonny
23 Jackson.

24 Did you have someone else with you?

25 DEPUTY CHIEF JACKSON: Yes. I have Mr. Steve

1 Bingham, Statistical Analyst for the Quality Assurance
2 Bureau.

3 THE CHAIR: Please come forward and introduce
4 yourselves.

5 DEPUTY CHIEF JACKSON: First, I would like to
6 introduce myself. I'm Deputy Chief Jackson from the
7 Quality Assurance Bureau for the Reno Police Department,
8 and this is Mr. Steve Bingham, who is the Statistical
9 Analyst in charge of surveys for the Reno Police
10 Department and Quality Assurance.

11 On your agenda I notice that you have Capt. Ron
12 Glensor, who was going to speak in my absence. I just
13 returned from Philadelphia, and I have a prepared
14 statement to the Commission that I'm going to deviate
15 from somewhat.

16 Perhaps it's because I have an enthusiasm for the
17 Reno Police Department. I guess that is parallel. I
18 have been associated with them as a civilian since 1965,
19 and I became a police officer in 1971.

20 During that period of time I have noticed a
21 transition from an era of segregation in the Reno area.
22 If you can recall, Reno itself was segregated as late as
23 1964. Blacks were not allowed to go into the clubs, and
24 some Hispanics, some native Americans were not allowed to
25 go into the casinos. They could not live where they

1 wanted to in the Reno area. Housing was segregated.
2 Jobs were segregated. There were no police officers at
3 all of color on the Reno Police Department.

4 So, therefore, I have been able to witness from
5 total segregation to what I consider total integration,
6 and I can't be more specific than that.

7 I heard you ask questions as to who goes out into
8 the community to see if there are qualified people. I
9 know there are people like Referend Cooper, Mr. Moon,
10 Referend Richardson. We have been involved in this
11 process for in excess of 20 years. They themselves will
12 be able to comment that we have taken liberties with
13 people and almost physically have taken them down to the
14 police station and said, "Now, why don't you try out to
15 be a policeman."

16 Now, once we have introduced them to the system
17 where they fall out in the screening process the police
18 department has nothing to do with that, because the tests
19 are administered by Civil Service. So, therefore, if
20 there is a fall-out process where we do not get enough
21 applicants to graduate from the process, I think you
22 should look a little higher than the Reno Police
23 Department.

24 I will try to get back to what I am here to speak
25 about, which is quality assurance. Quality assurance in

1 my idea, my estimation, is a networking of the community
2 and the police to gain an advantage on what the community
3 wants.

4 In other words, it's pro active to the extent that
5 we would like input from every segment of the community.
6 Now, when we initially started the Quality Assurance
7 Bureau, we had a lot of reluctance on the part of the
8 Reno police officers because quality assurance means that
9 we go out into the community, and we solicit ideas and
10 input from the citizens.

11 The officers at that time perceived that we were
12 going out soliciting complaints. And, as you can
13 imagine, when the administration goes out to solicit
14 complaints against officers, you have a problem. So it
15 took us in excess of eight to ten months to convince them
16 that we were there to embellish, to enhance, to monitor
17 and to critique their operation but not to investigate
18 them.

19 And in fact I didn't allow anyone on my staff to
20 use the word investigation, even in their dreams I
21 wouldn't want it, because once you say "investigate" or
22 "inspect", the officers formulate in their mind that this
23 is an internal affairs or a political or even some other
24 type of investigative bureau.

25 So I would like you to know that we do not in the

1 Quality Assurance Bureau investigate or inspect. We are
2 there to monitor, critique, evaluate and recommend if we
3 see that something is wrong.

4 I will get back to my prepared introduction, and
5 then we can go from there.

6 First, I would like to thank Mr. Pilla and the
7 Equal Rights Commission for inviting me to speak on the
8 inception of Cops Plus and quality assurance, and I would
9 like to preface my remarks with a thought that I'm overly
10 optomistic with the accomplishments of RPD.

11 I have been affiliated with this department since
12 1968. During that time I observed tremendous changes,
13 the better part of which occurred between 1986 and 1991.
14 At that time Chief Bradshaw returned from Washington,
15 D.C. with the idea of implementing a community-oriented
16 policing with the additional concept of quality
17 assurance, which he called Cop Plus. The "Plus" in the
18 community-oriented policing is quality assurance,
19 because once again we monitor everything that goes on in
20 the police department.

21 I will embellish that as we go on to give you
22 examples. I have in my notes to make a pun here that
23 Cops Plus is a quality assurance program, which is a
24 plus. And later on I received a D.U.I., and I don't know
25 if that became a minus to the Chief or not. I would like

1 to talk about that as we go on.

2 The entire department initially perceived Cop Plus
3 as just another p.r. gimmick. I myself was a little
4 skeptical. The Chief took me on the side, and he says,
5 "The most important point of the "Cop Plus" philosophy is
6 that people have a believability factor. They can
7 believe that if we say something, we mean what we say.
8 If the police officer is in contact with you, they have
9 to believe that what you are doing is for their benefit.
10 If the captains, the lieutenants, look at you, there has
11 to be a believeability factor."

12 It took time to build up that trust, and I think
13 that by my own perception that we have been able to do
14 that, alluding to the 91 percent public acceptance of the
15 job that we do that Steve will talk about in our surveys,
16 community input.

17 Chief Bradshaw indicated that it was absolutely
18 necessary to have as much community input in our
19 operation as possible. He initiated survey taking, NAG
20 group meetings, and we have the 1500 of full-out training
21 that Roger talked about.

22 I personally along with the other staff went out
23 into the community, and we asked native Americans,
24 Hispanics, senior citizens, the gays, the blacks, anyone
25 that felt that they had some comment they would like to

1 make against the Reno Police Department or for the police
2 department, to come and be a part of this presentation to
3 the policemen.

4 Now, imagine this scenario. You have policemen,
5 some of which I don't have any idea of what their history
6 was, but they were traditional. They were the type that
7 thought that the community wanted a police car parked in
8 every driveway at their beck and call, that the community
9 wanted a separation of the have and the have nots, that
10 they have had preconceptions of what blacks were, what
11 Hispanics were, what gays were. They had conceptions of
12 what the white community was all about, some
13 misconceptions.

14 But we brought in every officer in a setting like
15 this, 40 at a time, and set them down. And we had those
16 people I just mentioned to stand up and say, "I do not
17 like policemen cause of--" Blacks would say, "I do not
18 like cops, because you call me 'Boy,' and because when
19 you stop my car, you make me lay facedown on the street
20 with a gun at my head."

21 Orientals would say, "I don't like it because when
22 you tell me I'm doing a good job, you give me a sign like
23 that (demonstrating), but in our culture that means
24 something different. We like this."

25 The Hispanics would talk about, "You call me

1 'Spick'." The gays would say, "You call me other names."
2 But after an interaction between the two-- And then the
3 police would say, "Well, I don't like you because you do
4 this. I don't like you because of this."

5 We found that we were able just through
6 communication to have the policemen respect those people
7 in the community that were sort of diverse. And again
8 the community, those people that were diverse, were able
9 to gain a healthy respect of why the police did certain
10 things.

11 So we came out a big winner there, and I think that
12 that is what enabled us to have our policemen go out into
13 the community, react in such a manner that we achieved
14 community acceptance, and we were able to get 88 more
15 policemen because at that time--

16 Yes, sir?

17 MR. WALTHER: Sheriff Swinney said that there
18 wasn't standards that appeared to go with what you think
19 about actually allocating--You have 88 policemen. That
20 is a big addition to the staff--a person to go out into
21 the community to really just work on bringing in
22 minorities, so the disparity here.

23 And there has been proof, and I grant that is
24 handled with some dispatch, and that parity in some of
25 these goals that are suggested are met with respect to

1 minority hiring.

2 Do you think that maybe the priority ought to be
3 shifted a little bit so that when you get 88-- You know,
4 you have a budget for 88 more people, maybe one or two
5 people ought to be allocated just to deal with that?

6 DEPUTY CHIEF JACKSON: Okay. Two things come to my
7 mind. Number one is when we hired the 88 policemen, I
8 think we had in excess of 1400 applicants initially for
9 those 88 positions. Then we paired that down to 400. Out
10 of that, and I don't know the exact figures, but I think
11 there were 45 minority applicants.

12 And if you think in terms of the pyramid system
13 whereby you have 45 out of 400, when you reach the
14 pinnacle there, unless these people are super Jackie
15 Robinsons, they are never going to attain the top of that
16 pyramid.

17 Chief Bradshaw delegated me and Lt. Berry from my
18 department--Also Officer Primus was made a part of the
19 recruiting team--to target minorities, to go to Hug High
20 School where the majority of the blacks go to school, to
21 go to Reno, to go to Wooster, to go to the University of
22 Nevada, to target blacks, to churches. We went on Sunday
23 mornings. I will be able to go through that.

24 And I was personally assigned the mission of going
25 out to make sure that we reached some target of trying to

1 interact with everyone. I don't think anyone can come
2 before this Commission and say at one time or another I
3 haven't talked to them personally about recruiting in the
4 minorities in the Reno area, not one. And if someone
5 would say that, I would be glad to raise my hand and say,
6 "Hey, remember."

7 But to get back to it, yes, we do target them. And
8 as Sgt. Clark said we have special tutoring classes for
9 people if they would like to become involved in that.
10 But we actually take them by the hand. I have personally
11 directed five to six people to Roger to become involved
12 in the reserve program, also to become involved in the
13 cadet program.

14 Now, we looked at these programs as being able to
15 develop minorities because if they can't compete because
16 of the multitude of people seeking one position, then we
17 can develop them in the reserve program and in the cadet
18 program. It's like a grow-your-own-type thing.

19 We can take them right out of high school, get them
20 in the cadet program, take them when they come in, and if
21 they do not pass the test high enough to be hired, put
22 them in the reserve program. And then at some point when
23 they become certified, we can hire them right out of the
24 reserve program.

25 So we do have I think, to answer your question, a

1 vehicle whereby we can target minorities so they do not
2 have to compete against the majorities.

3 MR. WALTHER: When they are in the reserve program,
4 what is that? Do they get paid?

5 DEPUTY CHIEF JACKSON: No, sir. It's a non paying
6 position. It's like an auxillary program. You are
7 hired. You take an examination. You are put into the
8 reserve program, and then you are elevated from a level
9 three through a level one, which means that you receive
10 training. You receive training at the police department.
11 You receive training at Truckee Meadows College, and then
12 eventuallyly you go through an academy. And that takes I
13 think 200 hours, if I'm not mistaken, which is hard to
14 achieve if you are a working man or you live out of the
15 area.

16 But if you want the job bad enough, that is the
17 sacrifice that you will make. But once you reach a level
18 one, which means that you are certified, if we have
19 an opening and we do not have an academy, the Chief has a
20 latitude, saying this man is qualified and he can be put
21 onto the police department.

22 MS. SADER: In this report that we have been handed
23 there are no blacks, there are no Hispanics, there is no
24 asian, there is no anything in the reserve unit.

25 DEPUTY CHIEF JACKSON: I think that report is

1 outdated. I think there are two blacks, I think three
2 Hispanics. I don't know about native Americans. But
3 initially we couldn't find-- And when I say "couldn't
4 find", people that wanted to spend their free time.

5 Remember, we are talking about spending 16 hours a
6 months, and before you can become eligible to become a
7 police officer I think it's 200 hours. Don't quote me on
8 those exact numbers, because I'm not in the program
9 myself.

10 MR. SANCHEZ: It suddenly dawned on me a little
11 while ago that Reno has a bifurcated system. You have
12 the Civil Service Commission and Personnel Department,
13 with your Civil Service Commission basically having the
14 responsibility to do your testing for you, your written
15 testing portion and examining, is that correct?

16 DEPUTY CHIEF JACKSON: Yes, sir.

17 MR. SANCHEZ: Has the police department ever looked
18 into that written test they use or has anybody looked
19 into this?

20 DEPUTY CHIEF JACKSON: I think Chief Bradshaw would
21 be better to answer that, but I can tell you at staff
22 what we have done. We have questioned why minorities
23 have obtained a certain level, whether it be passing or
24 below at staff. We have gone back to Civil Service, and
25 we have discussed this at length, what are the reasons

1 that we are not getting more minorities to pass. But it
2 seems as though it isn't always the written test that
3 disqualifies them. It's some other screening processes.

4 MR. SANCHEZ: That was one of my points here. I
5 asked the City Manager earlier if he was aware if the
6 written test or the testing procedures had been validated
7 in accordance with EEOC guidelines. And he said he
8 really couldn't tell me that, that was really up to the
9 Civil Service Commission.

10 But I'm looking at two reports here that contradict
11 what you just mention, because on your Quality Assurance
12 Bureau, service level surveys, 1990, there is
13 an indication that 53 percent of the blacks failed the
14 written test as opposed to only 8.7 of the whites and 7.1
15 percent of the Hispanics. So this might indicate that
16 there is a high failure rate on the written test for
17 blacks at this level here.

18 Also on page 13 of the Hughes, Hites & Associates
19 report they also indicate that the mean scores for black
20 males and black females is 68 and 64 percent
21 respectively, well below the passing percentage of any
22 other group on the written scores.

23 So it seems to me that somebody might want to take
24 a look at that written test that is being used, because
25 if the written test is weighted along with the oral and

1 the physical agility, if you combine that across-- you
2 can't wash that out, you combine them altogether with
3 this 25 percent, 30 or 45 percent, that is going to
4 affect the level of the final eligible list.

5 If you don't have a banding, rule of three, you are
6 not going to be able to pick up as many minorities and/or
7 women as you would like to do.

8 DEPUTY CHIEF JACKSON: We have noticed that. I
9 would like Mr. Bingham to answer that.

10 MR. BINGHAM: On the quality assurance part of the
11 survey on the recruiting practices I think the number of
12 blacks that we actually surveyed was a very small
13 percentage. So even though it came into 53 percent,
14 which on the surface looks like a drastic difference, it
15 still doesn't reach a significant level of 95 percent.

16 MR. SANCHEZ: Was it significant enough to even
17 survey then?

18 MR. BINGHAM: I'm sorry.

19 MR. SANCHEZ: Is your population that you sampled
20 significant enough to make any recommendations on--

21 MR. BINGHAM: The population was-- The specific
22 element of blacks that we surveyed in that was not.

23 MR. SANCHEZ: Then your data here may not indeed be
24 subject to interpretation with any confidence?

25 MR. BINGHAM: On that particular question dealing

1 with race in the written test.

2 THE CHAIR: Any other questions of these gentlemen
3 or any other comments you would like to make?

4 DEPUTY CHIEF JACKSON: Yes, I deviated somewhat. I
5 would like to finish this up. But I would like to think
6 of some questions that--

7 THE CHAIR: We are running a little bit behind
8 time. Can we do this in about five minutes?

9 DEPUTY CHIEF JACKSON: Yes.

10 THE CHAIR: Okay. Great.

11 DEPUTY CHIEF JACKSON: In the handout that I gave
12 you I spoke about the Pat Baker Park incident. I would
13 like to tell about an incident that occurred in the Cops
14 Plus enhanced perception.

15 At Pat Baker Park 30 blacks were believed to be
16 selling cocaine, and the community acquired-- The police
17 department rather than knocking on the Mayor's and City
18 Council's door, we had the input on how to handle the
19 situation. We went out and personally told them-- They
20 came to us and said, "We have this group of people
21 selling crack cocaine out of the park, and we would like
22 you to arrest them."

23 And we said, "We will come over, and we will do our
24 best. But we know that as soon as we arrest them you
25 will say we are harassing them. So we would like to give

1 you an opportunity to go out and resolve this problem
2 yourselves while we observe. And then if you can't
3 resolve it, we will give you our idea of how we can
4 resolve it. And, therefore, collectively we will try to
5 do that."

6 We had ministers come back to us three weeks later
7 and say, "We can't resolve this problem. They are
8 stopping people on the street, and they are selling them
9 crack cocaine." We formulated a plan of action. We did
10 the police work. We went over. We arrested 30 suspects,
11 and the community applauded us for arresting these
12 suspects, and not one person came down and said there was
13 any harassment involved.

14 The Cops Plus theory I don't think can work unless
15 you have a different philosophy of policing. But the
16 Cops Plus theory-- I can't conceive of an incident like
17 that involving the LAPD occurring here because of our
18 unique chain of command and staffing, whereby the
19 district captains report directly to the Chief of Police.
20 And the activities are monitored and critiqued by the
21 Quality Assurance Bureau.

22 I can't see any negative collusion of personnel
23 taking place without the administration's knowledge.
24 Each officer is held accountable for his own actions.
25 However, this administration takes full responsibility

1 for the department of every individual within the agency,
2 the eyes and ears of the police department.

3 We are aware of our many diversion cultures, racial
4 groups and ethnic traditions. We are very alert to the
5 demographics of the city. We have established
6 neighborhood advisory groups so that we have eyes and
7 ears in different parts of the community. We have open
8 dialogue with the Department of Justice in the San
9 Francisco branch and have had in excess of eight meetings
10 with them. We have meetings with every group within the
11 boundaries of Reno that would like to participate. We
12 have meetings Saturday mornings, and we attend church
13 gatherings on Sunday mornings. We meet Friday evenings
14 at hospitals, schools, recreation centers, anywhere
15 anyone is willing to discuss our philosophy of policing.

16 I feel that the reason the City has given us a 91
17 percent performance rating is because of the openness of
18 this department. I began by saying I am optimistic about
19 this department. I am also well-aware that the messenger
20 is often beheaded. I received this memo this morning,
21 and it relates to filling the position of Chief of Police
22 on an interim basis while searching for a permanent
23 replacement.

24 I feel strongly that this technique for filling the
25 acting position will disrupt long-standing traditions and

1 values of this department that have been built over the
2 last ten years. There is a process to fill the acting
3 position, the Assistant Chief of Police.

4 Why this process is being subverted I have no
5 knowledge. However, I would request this Commission ask
6 that question of the originator of this memo, which you
7 have in your possession and I gave you earlier.

8 Because of the success we have experienced in the
9 Cop Plus Program we have decided to market this concept.
10 The area chosen for marketing was the accreditation of
11 the department. I hope all of you are familiar with
12 police accreditation processes.

13 Accreditation is granted through COALEA, which is
14 the Commission on Accreditation for Law Enforcement
15 Agencies, who are working in concept with NOBLEE, who is
16 the National Organization of Black Law Enforcement
17 Executives, IACP, International Association of Chiefs of
18 Police, and PERF, Police Executive Research Foundation.

19 We are in the final stages of accreditation and are
20 looking forward to certification around July of 1922. I
21 spoke with the Chief-- In closing I spoke with the Chief
22 the other day, and I am one of those people that they say
23 I carry out his philosophy along with the rest of the
24 staff and, therefore, when he leaves, the philosophy of
25 the Reno Police Department won't change. I think that is

1 for the better. Some people don't think so.

2 The political furor that has come around-- When
3 Chief Bradshaw announced his retirement, he says he feels
4 about the department like a parent with a child. He's
5 apprehensive about the future of this department if it
6 should revert back to its traditional way of doing
7 business.

8 We like the Cop Plus concept, and I think we are
9 good for the community. In closing I would ask if there
10 are any questions? If you would like to discuss my
11 D.U.I. or any negative impact that you think it has
12 played in the department's image, please feel free.

13 THE CHAIR: I have one question along that line.
14 The Mayor the very first thing this morning said that he
15 felt what was needed in the police department because of
16 poor moral was a uniform disciplinary policy with uniform
17 sanctions. Do you feel that that is a need or not?

18 DEPUTY CHIEF JACKSON: I feel that the department
19 policies are in concert with the courts. If an
20 individual is convicted of theft the first time, normally
21 you would expect he might be given probation. If he's
22 convicted of theft a third time, there is a provision
23 whereby he can be considered a habitual criminal. And,
24 therefore, you are adjudged and sentenced accordingly.

25 I would like to think along the lines of my D.U.I.

1 that was more political in getting me and the Chief than
2 it was-- If you can recall, it set a record of sorts.
3 Some people didn't want me to be the next black Police
4 Chief in my estimation.

5 MR. WALTHER: Doesn't that argue for having some
6 kind of guidelines, sanctioned guidelines? I mean then
7 nobody can claim, well, there was favoritism here. I got
8 this treatment because this is in the guidelines. And to
9 me maybe if I were subject to some kind of sanction and
10 concerned about perceptions in the community, I could
11 say, you know, whatever you say about treatment what I
12 got was within the guidelines. And it might help the
13 perception problem if there is one in the community, and
14 I sense there is, too. But you might have a lot better
15 feeling about that than the Mayor and Police Chief
16 Bradshaw. But that to me is a way of resolving the
17 perception problem.

18 DEPUTY CHIEF JACKSON: You recall that when the
19 Chief spoke, he said at one time we were well-along the
20 line of developing those, and it was the unions, the same
21 people who are saying the same thing, that said, "We
22 don't want that." You can't have your cake and eat it,
23 too. We had developed 90 percent of that program when
24 they said, "We won't allow you to implement--"

25 MR. WALTHER: Let me just ask you this: I gather

1 you are for it then, but the problem is the unions aren't
2 for it?

3 DEPUTY CHIEF JACKSON: That was the last thing that
4 I heard.

5 MR. WALTHER: Well, are you for it?

6 DEPUTY CHIEF JACKSON: Myself?

7 MR. WALTHER: Yes.

8 DEPTY CHIEF JACKSON: I think there should be
9 guidelines as to how we deliver punishment, yes,
10 definitely. There are the statutes, you know, for the
11 Courts. It gives you a guideline which you can work
12 into, and I have no problem with that.

13 MR. SANCHEZ: Chief Jackson, isn't it a fact that
14 the unions didn't want this or they wanted to negotiate
15 it into the contract?

16 DEPUTY CHIEF JACKSON: I can't tell you at this
17 time.

18 MR. SANCHEZ: I think they are coming up, so we
19 can ask them.

20 THE CHAIR: Thank you very much.

21 Next I would like to ask Todd Shipley, President of
22 the Police Association to come forward.

23 OFFICER SHIPLEY: Miss chairperson and members of
24 the Committee, what is in front of you is just a
25 transcript of what I'm going to read, and then we will be

1 open for questions afterwards.

2 The Reno Police Protective Association appreciates
3 the invitation this afternoon to speak with you, and we
4 would also like to thank Mr. Pilla for his professional
5 demeanor during this investigation.

6 Mr. Pilla has addressed in his correspondence
7 several areas on which the Committee is interested in
8 hearing the opinion of the Reno Police Protective
9 Association: Police-Community relations, Community-
10 Oriented Policing, the fairness of the internal
11 investigations, efforts to promote professionalism,
12 training, and innovative proposals to insure progressive
13 law enforcement service to the City of Reno.

14 The officers of the Reno Police Protective
15 Association are very proud of their department. The
16 officers of the Reno Police Department feel they are some
17 of the most professional in the country. They are also
18 committed to doing the best job they can do for this
19 community and the desire to do an even better job.

20 Police-Community Relations: The cooperation
21 between the community and the police department is better
22 than it has been in years. The adoption of the
23 community-oriented policing concept puts the Reno Police
24 Department on the cutting edge of police-community
25 relations in this country.

1 The addition of a Quality Assurance Bureau to poll
2 the community and identify problem areas is positive and
3 progressive. However, the attitude of those that have to
4 implement the program has not been taken into
5 consideration. The officers on the streets of this
6 community are concerned, concerned for a program that is
7 oriented around public perception and not reality. A
8 facade more concerned with making the public believe we
9 are doing a good job than actually protecting the public.

10 In some cases this position has gotten the Reno
11 Police Department away from traditional protection of the
12 public. An unwritten policy has been implemented that
13 believes in leaving armed, drug and alcohol crazed
14 individuals in Reno neighborhoods because times are a
15 changing. An attitude that believes that the more time
16 you put between a publicized incident and public statement
17 about that incident the better the chances that the
18 public will forget. The officers of the Reno Police
19 Department are concerned about protecting the public and
20 ensuring that this community gets what it pays for.

21 Currently one of the most explosive situations in
22 this country faces this community, the problem with
23 gangs. The administration of the Reno Police Department
24 has an unwritten policy that it will not openly address
25 the gang problem. So far the administration has

1 responded to the increased gang activity by appointing a
2 gang officer whose primary duties are to insure that
3 graffiti is removed from buildings and to maintain
4 information collected on gang activity. The
5 administration the Reno Police Department has adopted a
6 policy of burying its head in the sand. The problem that
7 this policy poses for both the police officer and the
8 community is that it creates the perfect environment for
9 gangs to flourish.

10 Unlike those in the administration of the
11 department the patrol officers must deal with the
12 realities of the gangs' increasing criminal activity.
13 Absent any planned policy for effectively dealing with
14 the gang activity the patrol officers are initiating
15 what they feel is appropriate for each circumstance.
16 However, a lack of training and information on the
17 problem and the means to control it hinder the officers
18 options.

19 Internal Affairs: The Reno Police Department takes
20 an aggressive look at most every legitimate complaint,
21 concerning non supervisory officers from citizens in this
22 community. The officers of the Reno Police Department
23 understand the need for investigating those complaints,
24 the need for maintaining a professional police department
25 and weeding out those that do not meet the standards set

1 by the department is a concern of its officers. However,
2 the fairness of the application of discipline resulting
3 from the Internal Affairs process has been a matter of
4 public debate.

5 Internally what has fostered an air of distrust has
6 been repeated violations of officers' rights under Nevada
7 Revised Statute 289, "Rights of a Peace Officer." As an
8 example, a policy that had excluded officers' rights to
9 representation in shooting review board hearings was only
10 resolved when we pushed the issue.

11 After one shooting incident I personally was
12 ordered out of shooting review board after insisting the
13 officer had the right under Nevada law to have a
14 representative present. The situation was resolved later
15 when a hired legal advisor to the department told the
16 Chief of Police that the officers had a right to a
17 representative. In other words, the Reno Police
18 Department had been violating the rights of its officers.

19 Many other incidents have occurred were the
20 officers right to representation have been violated. To
21 have a command officer call an officer and ask him to
22 simply to relate an incident surrounding a complaint
23 quote so we can resolve a complaint unquote or that quote
24 we are just doing an inquiry. You don't need a
25 representative unquote violates the intent of the law and

1 the protection afforded under the law to the officers.
2 The officers are concerned when they see a disparity in
3 the treatment of supervisors within the department.
4 Complaints against supervisors have gone uninvestigated.

5 Public accusations of criminal wrongdoing by at
6 least one command officer have never been addressed to
7 this day. How does the community know if that command
8 officer is trustworthy, if the allegation is simply
9 dismissed as not valid and not investigated.

10 A rank and file officer accused of a crime surely
11 would be investigated to determine the validity of the
12 complaint.

13 Training: The Reno Police Department in
14 conjunction with the Truckee Meadows Community College
15 and the other local agencies provide the best available
16 academy training. A good base education is provided
17 through the college both academically and practically.
18 The Reno Police Department has employed one of the best
19 field training program models in the country. Officers
20 are evaluated and rated according to strict standards.

21 The program provides for means of excluding those
22 persons not capable of performing to the standards set in
23 the program. The only recent problem in this area has
24 been inclusion of patrolmen with one year on the
25 department, and in one case an officer with one less than

1 a year as a police officer, as training officers. The
2 problem was complex and involved the mass hiring of
3 officers in short period. The inflexibility of
4 management and their resistance to solving problems
5 caused older and more experienced officers to suffer burn
6 out during this period.

7 Besides the field training program the department
8 employs several officers and a sergeant to provide in-
9 service training. Our training section has many
10 dedicated officers, a satellite system, the finest
11 education and training equipment money can buy. The
12 training section has the best facilities locally for
13 conducting training. In fact the sergeant in charge has
14 an office as nice as the Chief of Police. It's no wonder
15 since he lives in, provides the maintenance for, and
16 manages the building that the City of Reno leases the
17 space from.

18 Until we advised the management of the department
19 of a possible ethical problem and potential conflict of
20 interest, that same sergeant managed the building from
21 his Reno Police Department office. At one time he was
22 using the city employed secretary to take messages for
23 rental inquiries. The section with all this fine
24 equipment and capable manpower has not been used to its
25 full potential in providing training to the officers of

1 the Reno police Department.

2 Proposals for Progressive Law Enforcement: The
3 Reno Police Department, as has already been stated, is
4 in many ways on the cutting edge of modern law
5 enforcement. In others we are far behind. A police
6 officer in general needs to be self-sufficient while at
7 work. Often he must handle dangerous situations alone
8 without any assistance. Why then have repeated requests
9 for the department to provide costly individual body
10 armor not been resolved? Each officer must provide out
11 of his own pocket \$400 to \$600 for this protection and
12 and our training section has the best of equipment. Body
13 armor is an item required by law in California and paid
14 for by each department. The tactical team on the
15 department necessarily to handle the most extreme of
16 situations is without necessary basic equipment and
17 regular and consistent training. There is an attitude by
18 the management that a situation like what recently
19 happened in Sacramento, California will never happen in
20 Reno, or at least they are betting on the chance it
21 won't. Can this community afford not to have the best of
22 protection and the assurance that in the most extreme of
23 situations that the police will be trained and equipped
24 to protect them.

25 The Reno Police Department has computerized itself

1 to a degree that has brought it into the main stream of
2 society. The Reno Police Department has a networked
3 personal computer system that has brought the officers
4 from computer illiterate to being unable to operate
5 efficiently without them. However, the Reno Police
6 Department has a computer-aided dispatch and criminal
7 history system called PLIMS that is fraught with
8 problems. A multimillion dollar boondoggle that has
9 never operated as designed and is expected to take more
10 tax dollars to resolve. Solutions to certain immediate
11 problems have been suggested. Some programs could be
12 placed on the more successful personal computer system.
13 This would solve some immediate investigative concerns.

14 Every time responsible requests or suggestions for
15 cutting the department's losses on this system have been
16 made, and unyielding and resistive attitude has been
17 shown by the administration. An attitude that the PLIMS
18 system will be made to work no matter the matter cost to
19 the taxpayers in this community.

20 The RPPA successfully bargained for, and obtained,
21 a contractual Labor/Management meeting on a monthly basis
22 to discuss these and other problems within the
23 department. Many issues have been successfully resolved
24 before any conflict has occurred. The forum
25 unfortunately has been avoided by the administration at

1 times and has caused RPPA to react publicly when issues
2 could otherwise have been resolved internally.

3 Promotion of professionalism: Above all, the
4 officers of the Reno Police Department see themselves as
5 a modern professional police department. The Reno Police
6 Protective Association takes every opportunity to instill
7 in its members and remind them that although some in the
8 community public may dislike police, in general most
9 citizens in Reno believe in them and support them. The
10 officers of the Reno Police Department are proud of their
11 community and the protection that they provide.
12 Occasionally some officers may not exemplify this
13 commitment to the community, but overall the officers of
14 the Reno Police Department tower above their peers as
15 providers of professional law enforcement to the City of
16 Reno.

17 And with that I would like to thank the Committee
18 for its time today, and I would certainly be open for
19 questions.

20 THE CHAIR: Officer Shipley, I have a question for
21 you. Do you perceive there is a difference in the
22 philosophy of the officers on the beat versus the
23 administration in terms of things like Cops Plus?

24 OFFICER SHIPLEY: Well, the philosophy is a good
25 philosophy, and as I stated I think that it's brought the

1 Reno Police Department into the main stream of what is
2 going on in law enforcement, certainly the cutting edge,
3 because it's the philosophy that is permeating the
4 country at this time. And most departments are looking
5 towards it as the means to resolve problems. Traditional
6 law enforcement is not necessarily the means of going out
7 there and just busting heads. That is not what is needed
8 in communities anymore. Law enforcement has recognized
9 that as a profession we are directing our energies more
10 towards resolving problems in the community.

11 The difference in the opinion between the officers
12 and the administration is that we feel that the
13 administration is seeing this as a political ploy and
14 p.r. tool to make the department's image better, which is
15 fine. But we, the underlying people that have to
16 implement the program, are not brought into the program
17 and not sold the program itself. There is a problem and
18 that has been where from the beginning the problem
19 started was that the program was sold to the community
20 before the officers that had to implement the program
21 ever had an opportunity to do anything with it.

22 THE CHAIR: How are the officers responding to the
23 program now that it's been in effect for a few years?

24 OFFICER SHIPLEY: I think that they are responding
25 to the program in theory and problem policing very well

1 and actively want to go out and solve problems. In a lot
2 of ways they don't feel, though, that they are getting
3 the support that they need at the street level to go out
4 and actually do the work. They feel that there has been
5 with this concept getting away from doing actual police
6 work to protect the community and insuring that we have
7 got a p.r. program that makes the public think we are
8 doing a good job. There is a significant difference
9 between that reality and that perception and the reality
10 of what is actually going on in the streets.

11 MR. SANCHEZ: With respect to the reality on the
12 streets, how do you perceive the officers treating
13 minorities, Hispanic, black, whatever?

14 OFFICER SHIPLEY: I think, and I haven't been here
15 today to see what the testimony was, but I don't think
16 that there is a grave attitude within the department of
17 racism. Certainly all the officers were appalled at what
18 happened in Los Angeles. The officers when they saw the
19 videotape of what happened here by one of our black
20 officers on a white suspect certainly did not think that
21 was within reasonable judgment and understand that
22 officer was punished for it and understood why he was
23 punished. Did I answer the question?

24 THE CHAIR: Well, how do you actually get along on
25 the streets?

1 OFFICER SHIPLEY: For me that is a difficult
2 question, because I'm a detective. I haven't been on the
3 street for the past year and a half. The last time I was
4 rotated out to uniform I think that there was a good,
5 positive communication with the minority groups. The
6 communication was getting better in speaking with-- And
7 I've had several meetings with Reverend Moon or, excuse
8 me, Mr. Cooper on occasions. And we have been trying to
9 resolve the situation.

10 The Chief has taken a progressive look into that in
11 trying to resolve those problems and get the officers to
12 understand community problems and minority problems,
13 including what is going on currently at the department.
14 The training section is putting on sensitivity training
15 for those officers to make them understand how to deal
16 with minorities better.

17 MR. SANCHEZ: Are those types of sessions being
18 well-received?

19 OFFICER SHIPLEY: Yes and no. Yes in the sense
20 that the officers understand that they need a better
21 exposure to minority problems. I think they are
22 accepting that part of it. They don't like some of the
23 ways that the program has been forced on them. One of
24 the problems I always hear about is the value section of
25 the class. And I don't know if you have been given a

1 rundown of how the class goes. One of the sections is
2 about values. Values are important.

3 At one of the last executive retreats that I was
4 invited to with Chief Bradshaw, his executive retreat,
5 they had a class, and the Chief will have to tell me
6 because I can't remember the Chief's name that came from
7 Colorado that put on the class about how to make a set of
8 values for the police department.

9 He explained in detail how a group of people can
10 determine what their values are collectively and how they
11 want to be and what standards that they want to be held
12 to. And it was I thought very enlightening and a very
13 positive thing for the department, something they rally
14 around, that the officers could be part of, that they
15 could get involved finally in determining the standards
16 that they wanted to be held to.

17 And the group that was there, the Chief's executive
18 staff, went through the process of determining that
19 point, that group's values, and the one thing that the
20 speaker stated was that, one, this has got to be done by
21 the group, the group has to determine these values; two,
22 the process has to be institutionalized from above.

23 Well, during the current Cops Plus training they
24 have been teaching a block of values. To regress a
25 little bit, after that executive retreat there was a

1 committee put together, and we were supposed to meet and
2 discuss this and try to come up with and determine the
3 department's values.

4 Well, it never happened. There was one meeting
5 planned, and then it was canceled. And nothing ever
6 happened. And then Cops Plus training comes along. Now,
7 there is a set of department values.

8 Well, the person teaching those values was one
9 captain that nobody has any respect for below the rank of
10 sergeant and has had a credibility problem with those
11 officers, and he's up there trying to teach them what
12 their values are and should be within the department.
13 And the officers just looked at him and laughed.

14 They have since changed the person teaching that
15 value section, but the whole process of determining what
16 the department's values are and what they should be and
17 the standards that those officers should be held to the
18 original concept when it was told to the group, the
19 original group was that the department as a whole has to
20 determine what those values and those standards are. You
21 can't just make them up and press them on a group.

22 MR. WALTHER: Again what values are you talking
23 about?

24 OFFICER SHIPLEY: Well, what you think-- Values is
25 a real broad term.

1 MR. WALTHER; I know. That is why I'm asking.

2 OFFICER SHIPLEY: We are talking about how you
3 operate within the department, what your standards of not
4 only training but your treatment of minorites is and how
5 you want to be treated. It covers a broad spectrum, and
6 it's a statement of how you want to treat the community
7 and how you want the community to treat you and the way
8 you are going to provide your service to that community,
9 what standards you are going to be held to.

10 MR. SANCHEZ: Detective Shipley, when is your
11 contract up for renewal?

12 OFFICER SHIPLEY: When is it up? It was up July 1
13 of last year.

14 MR. SANCHEZ: Are you in negotiations at this
15 point?

16 OFFICER SHIPLEY: We are currently at an impasse.
17 We have gone to fact finding, and we are waiting for the
18 fact finder's report, which we should have by the end of
19 the month.

20 MR. SANCHEZ: Is there some animosity right now
21 between the P.O. and administration?

22 OFFICER SHIPLEY: Right now and for about the past
23 ten years.

24 MR. SANCHEZ: What is the position of the Reno P.O.
25 toward affirmative action?

1 OFFICER SHIPLEY: I don't think we have taken a
2 public stand on it, but we have never had any problem
3 with affirmative action. The department has taken a
4 progressive look, the city has taken a progressive look,
5 at affirmative action, and I know the Chief has gone out
6 of his way with the current hiring program of Safety 88
7 to try to locate minorities to hire for the department.

8 MR. SANCHEZ: Has the P.O. in any way been involved
9 in assisting--

10 OFFICER SHIPLEY: No. In that respect no. We have
11 not been asked and have not become involved. That is a
12 Civil Service process, and we have not been asked to be
13 involved in that.

14 MR. WALTHER: As far as complaints against
15 policemen go, I understand that on the complaint you
16 refer to do you think there should be a point when these
17 hearings are opened to the public?

18 OFFICER SHIPLEY: The hearings in what respect?

19 MR. WALTHER: Involving any police misconduct.

20 OFFICER SHIPLEY: Well, that is a real volatile
21 situation. I'm certain the officers would tell me that
22 at no point do we want-- I know prior to coming to the
23 department I came on in '78 as a cadet. They did have in
24 the mid '70's a civilian review board that didn't process
25 very well, and I know Assistant Chief Deputy Jackson can

1 tell you a lot about that. But the officers feel that
2 there is a process within the department that does work.
3 They don't like sometimes what occurs from it, but to
4 have the public input into how they function they are
5 afraid in the sense that people, the public, doesn't
6 understand what they do.

7 And although Deputy Chief Jackson says he wants to
8 correlate the discipline along with the courts the things
9 we get disciplined for the courts don't even look at. We
10 are talking personnel matters where, you know, somebody
11 does something wrong, and he gets disciplined for that
12 action.

13 MR. WALTHER: A good example is-- You know, you
14 could take a whole series of potential happenings
15 involving the episode in L.A., but you have a number of
16 officers who are using language which was racial or
17 racial slurs and racial conduct, discrimination,
18 excessive violence. Now, suppose you have that
19 situation. It seems to me that there needs to be some
20 kind of ongoing guidelines by which conduct can be
21 judged.

22 Now, I understood that there was a movement toward
23 it and that the unions then scuttled it. Can you shed
24 some light on that?

25 OFFICER SHIPLEY: Movement towards what?

1 MR. WALTHER: I'm going to define my remarks right
2 at the moment to the uniform guidelines for misconduct
3 for sanctioning--

4 OFFICER SHIPLEY: Let's refer to the
5 differentiation. As I always publicly say, we are not
6 a union. We are an association of officers. We were
7 formed in 1936 as a fraternal order, and we have been
8 that ever since. We take on the responsibility of the
9 union, and I understand what you are saying.

10 And as those members of the board that are from
11 Reno know, we publicly went to the Council and asked for
12 review of the disciplinary process in this community. So
13 you can't say the Reno Police Protective Association
14 didn't ask for it because we were at the forefront. The
15 other unions were concerned about what we wanted, but
16 they didn't have the problems that we had in our
17 department and our concern about disparity in the
18 treatment of officers. And so we are on the forefront of
19 trying to resolve that issue and ask the Council to look
20 into it. And the Council was advised by the City
21 Attorney's Office that they couldn't do that.

22 MR. WALTHER: Right. So it sounds like the Police
23 Chief wants it, your organization wants it, and the
24 unions don't?

25 OFFICER SHIPLEY: The other unions-- What was put

1 on the Council agenda was a review of policy within the
2 city because they couldn't for whatever reason limit it
3 to the one department, and we were concerned. We think
4 there should be some form of uniform discipline. So an
5 officer knows when he goes out and calls somebody a bad
6 name and he's out of line, that he knows he's either
7 going to get a letter of reprimand if it's the first time
8 or a day off if it's the second time, so that there is
9 some guideline. So he knows, just like the laws that are
10 on the books in the Nevada Revised Statutes, that if you
11 commit a burglary, you know what you are going to get.

12 MR. SANCHEZ: Isn't it true you would like to
13 negotiate--

14 OFFICER SHIPLEY: We never said anything about
15 negotiation. We went to the Council and requested them
16 to review the policies and discuss it. There has been no
17 movement past that. We haven't even brought it up
18 because the Council won't listen to it.

19 MR. SNIDER: Of the total police force how many
20 officers or personnel representatives--

21 OFFICER SHIPLEY: We represent 230, approximately
22 240, non sworn personnel or, excuse me, non supervisory
23 personnel in the department.

24 MR. SNIDER: That is sergeant and below.

25 OFFICER SHIPLEY: This is just officers. We don't

1 represent any supervisory rank.

2 MR. SANCHEZ: Is there any bilingual training that
3 goes on for your officers in the streets?

4 OFFICER SHIPLEY: Sporadically over the past ten
5 years that there has been some attempt and one of our
6 concerns has been there has been no incentive for it, so
7 the officers don't do it.

8 The officers understand that there is a problem,
9 and many officers have taken it upon themselves to learn
10 another language, specifically Spanish because it's the
11 most common other language in the community. There has
12 been some disagreement at the negotiations table on when
13 an item goes on the table that has not been resolved to
14 have an incentive for the officers to be bilingual.

15 MR. SANCHEZ: A bilingual-bonus type of situation?

16 OFFICER SHIPLEY: Yes.

17 MR. WALTHER: Do you have an opinion on the
18 citizens review board or does the organization have a
19 policy they have adopted in connection along with
20 something where lay people would have some judgmental
21 role about the policeman's conduct?

22 As a lawyer we have begrudgingly, but it's been
23 good I feel, injected lay people into the discipline
24 process for lawyers. It gives the public a better
25 understanding of how the process works, and we have found

1 that it works pretty doggone well. You don't have to be
2 in a professional field in order to properly adjudicate a
3 problem of discipline. I'm just wondering if maybe that
4 is a step that couldn't be taken at some point.

5 OFFICER SHIPLEY: Well, the Reno Police Protective
6 Association has not officially or publicly taken a
7 position on citizen review boards, because they have not
8 actively come up yet in the community. And we just
9 haven't discussed it.

10 We have discussed within the Department of having
11 some kind of peer review board for disciplinary matters,
12 and the department has not seen fit to discuss that other
13 than at a tacit level at our meetings. And nothing has
14 been done with that issue.

15 MR. WALTHER: Would you like a peer review board?

16 OFFICER SHIPLEY: I think it's something that needs
17 to be explored. We haven't discussed it enough, but the
18 Chief has always taken the position that he's the one who
19 imposes discipline and publicly said that if that
20 authority is taken away from him, you know, what use is
21 he, because that is his main function in control of the
22 department. I'm paraphrasing, and he's probably going to
23 correct me, but something to that effect.

24 THE CHAIR: Any other questions? What I would
25 like to do for the court reporter is take about a two-

1 minute break. And I know we are running a little bit
2 behind schedule.

3 (A break was taken.)
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1 MR. SANCHEZ: I would like to convene the meeting
2 again and call upon Patricia Lynch, City Attorney for the
3 City for the Reno Police.

4 Identify yourself and the guest that you have
5 there.

6 MS. LYNCH: Thank you. I am Patricia Lynch, the
7 Reno City Attorney, and I have with me today Mr. Stephen
8 Volek, who is one of my city attorneys. He is assigned
9 full time to represent the police department.

10 He advises them on all civil matters. We also deal
11 with the police department on criminal matters, but we
12 just handle misdemeanors in the municipal courts. We are
13 not involved in any gross misdemeanors or felonies.

14 Prior to my coming into office there really was no
15 one assigned to advise the police department. I think it
16 was somewhat hit or miss, and I think that in and of
17 itself is improving.

18 I'm going to turn it over to Mr. Volek.

19 MR. VOLEK: Thank you, Madam Chairman.

20 For four years I was working in the Washoe County
21 Civil Division, representing the Sheriff. And I met
22 Patricia and came to work with her when she was Deputy
23 Attorney General representing the Highway Patrol. And we
24 had conferred on a number of issues involving law
25 enforcement. So when Patricia was elected, she called me

1 up and invited me to come over and assume responsibility
2 for representing the police department.

3 Before you I believe is my resume. I have been
4 practicing law about 17 years. Better than half of that
5 has been dedicated to law enforcement representing both
6 the agency and individuals.

7 The issue that you are wrestling with today in part
8 is as old as time. In preparing some notes to speak to
9 you today I recall that 2,000 years ago a Latin or Roman
10 writer in effect said, "Who will watch over the watchmen?
11 Who will guard the guardians?"

12 And that seems to be the issue that we have been
13 struggling with ever since. Who do you put in authority
14 over you and how do you control them or how are you
15 assured that they will protect you and not dominate you?
16 That has been a concern of mine all along, and one that
17 certainly is a recurring theme.

18 All we have to do is look at the evening news even
19 in Los Angeles or even up here when we had the incident
20 at the Cal Neva. When Tom and I spoke sometime ago on
21 the possibility of my appearing before you, I think I
22 bent his ear for 90 minutes in outlining my experience.
23 And I will try to compress it down to about 15 minutes.
24 I will just hit the highlights. If you would like some
25 support testimony or supplementary material, what I will

1 do is arrange to file some additional material with you
2 to look at specifically.

3 Let me begin by saying that my position as legal
4 advisor prevents me as a matter of policy from becoming
5 involved in criminal prosecutions because I am in effect
6 a critic of the department when I have to be, as any good
7 lawyer is.

8 You will have to tell your client things he doesn't
9 necessarily want to hear. And so I have been divorced
10 from the prosecution system, and my job is solely of
11 that, representing the department. And if it comes to a
12 division of the ways between the department and an
13 individual officer, I represent the department.

14 If we come to discipline, I am the prosecutor of
15 the internal disciplinary action, whether it be before
16 the Civil Service Commission or before an arbitration
17 panel under the contract, under the labor contract.

18 By way of general involvement with the City
19 Attorney's Office we try to take a fairly pro active--I
20 hate the word, but it's easier to say it than the
21 alternative--position with regard to information we
22 receive regarding criticism of police action.
23 Customarily what we do whether it comes to us under the
24 circumstances by way of information that filters in
25 through municipal prosecution or in some cases I will

1 receive cold calls from citizens simply calling up
2 saying, "I was treated in such a way, and I think I was
3 treated badly--" And I am not part of the formal
4 internal affairs process. I'm not a investigator. So
5 what I do is I turn it immediately over to the
6 responsible commander or to the internal affairs unit,
7 which is then responsible for following up.

8 To my knowledge the calls that I have received have
9 in fact been followed up. They have been followed up
10 rather consistently. On fairly complex investigations I
11 would be consulted substantially on a matter as a
12 prosecutor might be consulted in a criminal case, which
13 very often the investigator will come to see me and say,
14 "This is what I think I have got, what have I got or
15 where are the holes, or what is wrong with this?" And I
16 will advise them of what I think we need if we are going
17 to go forward or if I think we need something on the
18 order of finding additional witnesses or so forth.

19 It has been my experience that the internal affairs
20 process within the police department is effective. It is
21 in my experience reliable. I am not consulted on every
22 case. Ultimately the decision regarding punishment lies
23 in the Chief, but there are certain basic principles that
24 should be followed, which are referred to as what is
25 called horizontal and vertical consistency. That is

1 simply that you punish like acts in the same way, and you
2 punish on a progressive basis. That is that while there
3 is some room to maneuver in terms of the seriousness of
4 the offense, if I have an officer or if we have
5 an officer who has committed a serious crime, we are not
6 going to start with a written reprimand. It's not a real
7 good way to do business.

8 On the other hand, you do not terminate an officer
9 for failing to make a municipal court appearance for the
10 first time. So there is a concept of progressive--
11 There has been testimony earlier along the lines of
12 that-- It just slipped my mind.

13 MR. SANCHEZ: Can I interrupt you for a minute,
14 because I asked a question earlier. Are you then
15 suggesting that the City of Reno has a policy of
16 progressive or positive discipline?

17 MR. VOLEK: Yes.

18 MR. SANCHEZ: Because I asked that question, and it
19 wasn't really clear to me.

20 MR. VOLEK: I have seen it in use. I have seen it,
21 and I have seen it upheld by arbitrators consistently.
22 You do not execute people for minor offenses to put it in
23 the vernacular.

24 MR. SANCHEZ: So you would have something like
25 an oral reprimand or written reprimand?

1 MR. VOLEK: In the department's General Orders
2 Manual there is one of three documents, a general order
3 on discipline, and it lists the permitted disciplines in
4 progressive order. It does not specify what will be used
5 as to what crime. What you are looking for is a matrix
6 of punishment.

7 And I have not been asked this before, but I'm
8 going to go ahead and offer an opinion. I am leery of a
9 matrix-- some kind of a formal matrix of discipline. I
10 will tell you why. Because it fails to take into account
11 the individual circumstances that may apply to a given
12 set of facts.

13 All you would have to do for those of you who are
14 attorneys on the Committee is look at all the pain and
15 suffering that has gone into the recommended federal
16 sentencing guidelines and the agony that the Commission
17 went through and the trouble the Commission went through
18 where you have a declared range of penalties and then you
19 have five pages of aggravating or mitigating
20 circumstances.

21 You would wind up I think with a punishment matrix
22 that would be as big as the disciplinary or as big as the
23 General Orders Manual itself. That doesn't mean that the
24 principle of progressive discipline should not be
25 applied. It has to be applied, particularly with

1 arbitrators. If an arbitrator senses that progressive
2 discipline is not being applied, he may uphold punishment
3 but mitigate the discipline, saying you are getting way
4 out of line.

5 I had a case--not with this department--where we
6 demoted a supervisory officer for racial discrimination,
7 because we had deep concerns. It was his first offense,
8 and we were deeply concerned. We couldn't sustain the
9 termination. It was only after the arbitrators sustained
10 everything we did that in the footnote and in his
11 arbitrary award he told us we could have fired the guy.
12 So there is a self-limiting process that goes into
13 discipline, which is that you are worried--

14 MR. WALTHER: Is there any way you should have
15 known that? It seems to me elementary. You ought to be
16 able to know what you can fire a guy for. You are just
17 going a little further than that. We all know judges now
18 have their own guidelines. They are in the statutes.

19 There is a certain minimum penalty for certain
20 types of offenses, and I don't find that offensive so to
21 speak, some guidelines in there rather than just say in a
22 given case, you know, we use progressive discipline with
23 no-- Basically that is a policy statement, but there is
24 still unbridled discretion that can be used, and it does
25 give the perception and sometimes perceptions are as

1 important as reality.

2 MR. VOLEK: I agree.

3 MR. WALTHER: That there can be an arbitrary
4 imposition of sanctions, and so to my mind-- And Chief
5 Bradshaw says he was going for it, and we hear, you know,
6 everybody is going for it except I guess Pat or maybe
7 somebody in the office said, "You can't do it because of
8 unions and--"

9 MR. VOLEK: No.

10 MR. WALTHER: We ought to clear up the area.

11 MR. VOLEK: Let me clarify one thing, that the
12 problem that was alluded to by Todd was a problem of
13 access by the union to counsel during the pendency of
14 labor negotiations. It was not an objection to the
15 concept of a matrix or a written matrix or some kind of a
16 written set of punitive guidelines.

17 MR. WALTHER: Mayor Sferrazza said he was for it,
18 but he was advised by the City Attorney's Office that the
19 guidelines could not be implemented. That is what he
20 testified to this morning.

21 MR. VOLEK: I never-- Let me put it this way: I
22 never rendered that advice. I never rendered that
23 advice. I had urged before that even broke out-- I had
24 suggested sometime ago that was a possible way of looking
25 toward consistency as a rule of thumb, that what should

1 be done is that the internal affairs unit compile a
2 statistical summary going back over the past eight or ten
3 years of the violations that had occurred and had been
4 sustained, the nature of the violations and the level of
5 punishment imposed to provide a rough rule of thumb as to
6 what, you know-- to reflect the Chief's philosophy.

7 And I agree consistency of discipline is paramount
8 because as you pointed out-- And you have stolen my,
9 favorite line which is appearances are every bit as
10 important as the facts. And if you don't have a
11 disciplinary system that is seen to be fair, it's
12 useless. It is absolutely useless, and because of the
13 And because of the individual's ability to rationalize
14 the punishment as, "All they did was get me." And they
15 don't accept the legitimacy that "I did something wrong."

16 MR. WALTHER: It just seems to me that you have a
17 situation where you have one person who has a full range
18 of sanctions that can be imposed. And granted there may
19 be a history, but there is nothing that requires history
20 to be utilized in a given instance. It seems to me some
21 guidelines ought to be appropriate; and if the main
22 roadblock is investigation from the City Attorney's
23 Office, then maybe there needs to be some verification.

24 MS. LYNCH: If I could just sum up, there are a
25 couple of things that are playing a part in this, a lot

1 of tension between labor and administration. I'm really
2 glad this is being discussd at this hearing I have to
3 tell you because I advised the City Council that it would
4 be an interim bargain for them to meet with the labor
5 union to discuss discipline because that is something
6 under NRS 288, that they have to negotiate. Therefore,
7 it would be very inappropriate for them to come into the
8 council meeting and discuss discipline. So we have
9 bargaining units. I believe they would have to
10 negotiate.

11 Now, the the city could say, "All right. This is
12 how we want to handle this point," but they have to
13 negotiate that with each unit because each unit has the
14 right to negotiate their own discipline. Then you have
15 people who are not in bargaining units. They may fall
16 under Civil Service. They may fall under confidential.

17 So you have all these different groups. And what I
18 think the Mayor was looking for was a very simple answer
19 to a complex problem. And I am telling him--
20 Unfortunately when it gets down to having to defend the
21 city the answers aren't that easy, and so I am just kind
22 of telling you where I'm coming from. There are a lot of
23 things going on that I don't want to go into necessarily
24 at the time, but I can tell you that the discipline that
25 was given was consistent. And there were people trying

1 to make hay out of inconsistency, and it was in fact
2 consistent.

3 MR. WALTHER: You are talking about the fact
4 situation. I am not. I have no interest in pursuing
5 that particular case. I'm just looking at the theory,
6 why there seems to be all these roadblocks when everybody
7 wants it.

8 MR. VOLEK: Perhaps I can satisfy you with a couple
9 comments. First of all, Patricia's comments are
10 something in my mind. One of the concerns I had at the
11 time was that you have extensive case law that I hope the
12 concepts that police officers are held to a higher level
13 of trust and scrutiny than the guy driving the school
14 bus. And, therefore, they can be more closely
15 supervised, regulated and theoretically punished for
16 their conduct.

17 So it would be unfair and inconsistent to adopt a
18 city-wide schedule of discipline, which you would have to
19 predicate upon the police department unfortunately as
20 being the highest level. And then you get into the
21 argument about consistency, which is what is being done
22 by police officers as opposed to file clerks in the
23 clerk's office.

24 So, there was a further problem, personal
25 problem--I don't know that I ever expected it--with the

1 fact that you are comparing apples with oranges, that the
2 police are going to have to be judged at the police
3 department, sworn personnel are going to be judged in the
4 context of that employment and not-- The discipline
5 cannot be so diluted that you are saying that we are
6 going to treat every city employee, sworn or not, in a
7 certain way. I'm not saying that some kind of schedule
8 of discipline is not workable. I mean that is dishonest.

9 What I will tell you is that my concern as a
10 prosecutor and to an extent as advisor to a Chief of
11 Police is that what will happen if the guidelines are too
12 stringently drawn, which is that what you will lose in
13 that process is the ability to adjust the discipline to
14 fit the circumstances.

15 In effect you have got this schedule, and the first
16 thing that is going to happen is that when the Chief
17 feels there are some serious, aggravating circumstances
18 which go beyond-- I mean you still have this violation,
19 but there are aggravating circumstances which go beyond
20 the mere line on the page the first thing that will be
21 challenged is, "By God, this is part of the contract, and
22 you can't discipline me any more than what is on this
23 page."

24 And I think that is the concern as well as whether
25 you can create a matrix sophisticated enough to give

1 latitude to allow a Chief to be able to be consistent.

2 MR. WALTHER: That kind of problem surfaced in the
3 legal system.

4 MR. VOLEK: I'm not saying it can't be done. After
5 this mini confrontation before the Council the matter was
6 more or less just kind of put aside and nothing-- I mean
7 nobody ever came to us and said, "Well, give us a run on
8 how we could do this." Maybe the discussion today will
9 prompt that, and it's a challenge. It will be something
10 maybe we can do.

11 MR. SANCHEZ: Earlier I asked Detective Todd
12 Shipley, "Isn't it true you would like to negotiate
13 discipline?" I can't recall what his comment was, but I
14 didn't get the impression this was an item on the table
15 that was being negotiated at this time. Are you saying
16 that it is?

17 MR. VOLEK: No. Chapter 288 of the Revised
18 Statutes provides for certain mandatory items of
19 bargaining. One of the items of bargaining is
20 discipline. That has in the past been a matter of how
21 the discipline is subject to review, not what is or is
22 not a disciplinary item.

23 The negotiations have centered around-- And
24 nothing I'm saying should be understood as being any kind
25 of majority comment about collective bargaining. This is

1 just the facts.

2 The Reno City Charter in Article Nine sets up the
3 Civil Service System and Civil Service Commission, which
4 is a check on the discretion of individual administrators
5 in personnel matters.

6 In fact up until a few years ago any discipline
7 imposed had to go the Civil Service Commission because
8 police officers are Civil Service. One of the items that
9 was subsequently negotiated at each one of the collective
10 bargaining agreements was an alternative pact. And that
11 alternative pact was after you get to the step of final
12 review by the City Manager that the employee has the
13 choice--And this is written up in the labor agreement--
14 of invoking his Civil Service Rights and going to the
15 Civil Service Commission or of waiving his Civil Service
16 Rights and going before an arbitrator. You are familiar
17 with the process?

18 MR. SANCHEZ: Yes, I am.

19 MR. VOLEK: So that is what was negotiated, and
20 that is what has been negotiated under 288--

21 MR. SANCHEZ: That's on the table right now. That
22 is being-- They said that they were at an impasse. I
23 don't want to get into this at this point.

24 MR. VOLEK: I've not participated-- One of the
25 other things I have been expressly kept out of to be able

1 to do other things is out of the collective bargaining
2 process, so I'm not in a position, even if I wanted to,
3 to comment specifically on what is or is not an impasse.

4 MR. SANCHEZ: I think the whole discussion centers
5 around discipline. That is where we are coming from.

6 MR. VOLEK: I would be very reluctant to try to
7 rigidly tie a schedule of discipline to a labor contract.
8 I have a lot of misgivings from the again standpoint of
9 freezing the relationship between frankly the Chief and
10 the individual officers. I think it's incumbent on the
11 Chief to be consistent and for his actions to be seen as
12 being just. That is certainly critical.

13 But as a matter of fact in trying to recall--I'm
14 very active with the National Association of Chiefs of
15 Police and with their Legal Officer Section--and I don't
16 think I have ever heard a comment suggesting any other
17 department in this in the last couple of years having
18 adopted this kind of a matrix of discipline. There is
19 great talk and great concern about consistency and
20 progressivity, but I don't know whether that has ever
21 been formalized.

22 MR. WALTHER: What if the Chief says, "Well, this
23 is what I'm likely to do," and have kind of a schedule of
24 sanctions so people can see where he is at on things and
25 judging by his own standards and criticizing if they

1 don't like his standards? "This is what I'm likely to
2 do." That is why you have a Chief.

3 MR. VOLEK: I guess I don't understand where you
4 are going with that.

5 MR. WALTHER: Well, again I think my perception is
6 that people think that there is potential for--

7 MR. VOLEK: Abuse?

8 MR. WALTHER: --Abuse, favoritism.

9 MR. VOLEK: The Chief answers to the City Manager.
10 The City Manager answers to the Council.

11 MS. LYNCH: We also operate as a check on the Chief
12 because we are the people who go in front of the
13 arbitrator or go in front of the Civil Service
14 Commission. And if we did something-- And hopefully we
15 are involved at an earlier step to jump in here, Steve.
16 We will say, "No, you can't do this. This is not
17 appropriate." So we are there also as a watchdog.

18 I have been allowed to comment on proposed
19 discipline and have been listened to in terms of, "Given
20 the conduct, given this guy's disciplinary history, I
21 think what you are suggesting is too much," or in at
22 least one case, "I don't think it's enough. I don't
23 think you have the man's attention yet. I think you have
24 to do something else."

25 MR. WALTHER: But that is him relying on your

1 subjective evaluation.

2 MR. VOLEK: I agree. I'm not arguing against it.
3 I'm just saying that this could be something we could
4 work on in the future.

5 THE CHAIR: Interestingly enough with one of the
6 speakers this morning it was their impression that in
7 discipline minorities were treated better in the police
8 department than non minorities. I thought that was
9 an interesting comment.

10 MR. VOLEK: I'm trying to remember any discipline
11 I've been involved in that involved a minority to be
12 honest with you. I'm not involved in all discipline. I
13 kick in when it appears the discipline is going to be
14 formally reviewed. So I'm not in every failure to appear
15 in Reno Municipal Court, which gets a reprimand and that
16 type of thing. I don't know whether that is true or not
17 to be honest with you.

18 MS. LYNCH: Lonny Jackson.

19 MR. VOLEK: I don't know if the argument-- Yeah, I
20 guess I could make one point here. There has been
21 repeated criticism of the incident Chief Jackson referred
22 to that Chief Jackson got a better shake out of the
23 situation either because he was a commander or because he
24 was black than certain other officers.

25 And since I was involved in both disciplines I'm

1 here to tell you of my own-- I can't get into detail, but
2 of my own personal knowledge and belief he got no
3 favorite treatment in that and that in fact the
4 discipline that he took was identical to the discipline
5 that a line officer took for the same conduct.

6 THE CHAIR: I have no clue what people were
7 referring to.

8 MR. VOLEK: Unfortunately you have been hearing
9 very oblique statements today, which are not very helpful
10 to you, and I have heard some of them as well. Let me
11 try to speed this up. You are running out of time, and
12 you are concerned about--

13 MS. SADER: Just one quick question. When the
14 citizen complains to you about a specific police officer,
15 what are your recommendations to that person? You don't
16 advise them because you represent--

17 MR. VOLEK: I will tell you what I do when I get
18 what I call a cold call. Basically my secretary calls
19 and says, "So-and-so is on the line and wants to talk to
20 you." I say, "Why?" She says, "Well, they want to talk
21 to the police lawyer, the police attorney." I say,
22 "Okay, put them on."

23 I try to get their name. I try to hear them out
24 through a first cut of exactly what their complaint is.
25 If I can determine what it is, I urge them to do two

1 things. I urge them to contact-- If it's a field-
2 service situation, I urge them to contact the responsible
3 captain. That's the starting point.

4 If it is not a field-service person, if it is
5 someone in support services or detective activities, I
6 refer them either to the Chief of Detectives or to
7 whoever I can determine is basically their unit
8 commander, because that is the person who is responsible
9 for making the first cut on a complaint.

10 Customarily I will give them the name and direct
11 number of the officer I want them to call. I tell them
12 to tell the person that they are calling at my request
13 and to use my name on the theory that if there is any
14 reluctance at all it will disappear when they hear that
15 I told them to call.

16 I make a personal point of waiting a couple of days
17 and then checking with the responsible commander to see
18 if in fact he has received a phone call. Now, there is
19 nothing I can do to make somebody call a commander, but I
20 don't want to be put in the position of being a back door
21 to criticism of the police department or, you know, to a
22 complaint. That's not my role.

23 I don't see a conflict at that point because I am
24 being approached for information about who do I talk to.
25 I feel that I'm being approached with the question who do

1 I talk to, how do I get my complaint heard. And in that
2 regard I feel that, well, the best I can do is get them
3 to the right people to hear what they have to say.

4 On a couple of occasions I have said-- You know,
5 they say, "Well, I don't want to talk to the cops or I
6 don't want to talk to the commander." I say, "Why don't
7 you talk to the Chief." I give them the Chief's number.
8 The Chief has an open door-- literally an open door
9 policy. He will take a phone call, and he will listen.
10 And, you know, based on that he will refer it to the
11 responsible supervisor.

12 So I've never known of a situation where a
13 complainant got the door slammed on him. And on several
14 cases I have had information brought to me not from a
15 citizen complaining but from another source. And I have
16 picked up the phone, called the responsible supervisor
17 and said, "I think you need to look into this." And they
18 have.

19 MR. SNIDER: When an officer is subjected to
20 discipline, doesn't the RPD give them some assistance in
21 this matter or do they stay out?

22 MR. VOLEK: No. Both under state law, ~~which is~~
23 Chapter 289, which is a peace officer's bill of rights,
24 and under the disciplinary general orders of the
25 department they have certain rights. There is

1 an obligation to inform them when a formal investigation
2 is initiated. They have a right to have a
3 representative, whether it be lay or an attorney, present
4 during any formal questioning.

5 There is, on the other hand, no obligation that
6 they be questioned, okay. So they have certain rights,
7 and to the extent that I've been involved they receive
8 those rights.

9 MR. SNIDER: Who does the arbitration in the event
10 the discipline--

11 MR. VOLEK: Under the agreement I have a really
12 good working relationship with the representatives from
13 the basically two units, line union and supervisor union.
14 After the formal steps have been exhausted-- And the
15 formal steps are a divisional review at the supervisor's
16 level, immediate supervisor's level, divisional review,
17 sustained or not sustained, and the recommended
18 discipline. This is what I'm going to recommend to the
19 Chief. I think the charges are sustained, and I think
20 that I am going to recommend a two-day suspension."

21 And this is with the labor representative present
22 with the officer. "Now, you have a choice. At this
23 point you can take the discipline, in which case this
24 case is closed. If you feel that the discipline is too
25 much or you feel that the case isn't there, that I'm

1 wrong, you may take an appeal to the Chief. And you have
2 I think it's 10 days to perfect an appeal to the Chief."

3 At that point then a meeting is scheduled with the
4 Chief, with the individual officer and with his labor
5 representative and with the administrator of the Internal
6 Affairs Union. And it's held in the Chief's office, and
7 the Chief basically sits down and says, "Tell me about
8 this," and he goes through it. And this often takes a
9 couple of hours.

10 At the conclusion of that the Chief then will
11 indicate whether it's been sustained, whether he agrees
12 with the discipline, whether he agrees that it's been
13 sustained, but he disagrees with the level of discipline
14 and he mitigates, the officer mitigates. He says, "Yeah,
15 you did what you did, but I think you only deserve a
16 written letter of reprimand. So I'm not going to
17 escalate or I'm not going to sustain the level of
18 punishment."

19 If the employee is still, you know, disappointed
20 with the result, the charter says, and contract agrees,
21 that he has the right of review, right of appeal, to the
22 City Manager. Actually the City Manager delegates that
23 authority back down to the individual department heads.
24 So the way it works now is that if the employee is to
25 satisfy what the employee has received at the hands of

1 the Chief, at that point he makes a choice. He can
2 either go to Civil Service for review or he can go to
3 arbitration. The labor arbitrator calls me or a letter
4 is sent to Human Resources saying, "We demand
5 arbitration." I call up the labor representative in
6 Sacramento, and we say, "Are you going to write the
7 letter or am I for the panel?"

8 I mean you may know this process, but very often--
9 And, of course, we have the right to strike, but normally
10 on the phone we agree to one of five people on the subs
11 list. We schedule an arbitration, and then we go in and
12 discipline. The city has the burden of proof. The city
13 has the burden of going forward, so we put on our case.

14 One final comment, and then we will wind this down.
15 In talking this over with Tom Pilla one of the questions
16 that arose, and you have alluded to it today, is the
17 issue of civilian review boards. And let me just give
18 you a couple of comments. Then I will offer some
19 research that an organization has done on this and make it
20 available to you.

21 It is a common expression among law enforcement
22 people that discipline from civilian review boards is
23 never as rigidly-- that investigations are not as
24 thoroughly applied, and the punishment is not as rigidly
25 imposed as it is in the case for the Internal Affairs

1 process.

2 Internal Affairs is viewed as being much more
3 critical of conduct because internal affairs and Chiefs
4 believe they know better than civilian review boards
5 whether the officer's conduct is not acceptable.

6 In other words, there is less hesitancy to give the
7 benefit of the doubt to the officer. There is a lot of
8 criticism of civilian review boards of diluting the
9 executive authority of a Chief of Police.

10 Nevertheless, I do not sit here and in all good
11 faith tell you that it is impossible to have a civilian
12 review board. I simply have never seen one and don't
13 know of one that works well, nor do I know of one that
14 has ever lived up to its proponents' expectations.

15 I practiced in Kansas City, Missouri before I came
16 here. One of the civilian review board inventions of the
17 '70's occurred in Kansas City. The Kansas City Police
18 Department had had a horrible time with its minority
19 community. Kansas City is about 45 percent black now.
20 It also has a sizable Hispanic population.

21 One of the solutions that was urged, as a matter of
22 fact was imposed more or less on the Board of Police
23 Commissioners, was the adoption of the civilian review
24 panel that would allegedly help the process along.

25 I have to say that in the remaining time I spent in

1 Kansas City I never saw it come alive or be able to do
2 anything like what Sid Willens, its proponent, thought it
3 was going to be able to do. I regularly return back to
4 the city. I have relatives and family back there, and I
5 go two or three times a year.

6 And every time I go back it is my impression that
7 the Kansas City, Missouri Police Department is in every
8 bit as much trouble as it ever was with regard to
9 minority relations.

10 You know, perhaps my feelings aren't as strong as
11 Sheriff Swinney, where I will resign if something is put
12 in. On the other hand, I will have to tell you that I am
13 very skeptical of the efficacy of that kind of process,
14 because I've never seen one that worked, and I've never
15 heard of one that worked the way its proponents wanted it
16 to for a lot of reasons.

17 MR. WALTHER: What are those reasons?

18 MR. VOLEK: Part of it is resistance from obviously
19 the police. There is very strong arguments against them
20 in terms of-- I don't necessarily subscribe to the
21 argument, by the way, but I will just list them briefly.
22 Nobody knows the job I do until they stand in my shoes is
23 one of the most prevalent ones.

24 MR. WALTHER: We have always heard that on
25 disciplinary boards in the State Bar, but it's proven not

1 to be valid.

2 MR. VOKEK: Steve, I'm not suggesting that I
3 subscribe to it. I'm just saying to you that it does
4 dilute and confuse the responsibility of the executive,
5 of the Chief or of a governing body, a Board of Police
6 Commissioners. It dilutes it. I wonder why you are
7 going to it when we already have a Civil Service
8 Commission and arbitrator process that reviews
9 discipline.

10 It seems to me like if you are talking about
11 somebody on a review board, where is the City Council and
12 where is the Civil Service Commission in all of this?
13 It's like you are inventing something else out there to
14 do essentially what the political executive, the Civil
15 Service Commission, is supposed to do. Most of the--

16 MS. SADER: Can I add a point? It is the citizen
17 who doesn't trust the system when they have to call a
18 captain of the police department to complain about a
19 policeman. That is where the system breaks down, or that
20 is where it is perceived to break down. That is why we
21 have been discussing citizen review boards today because
22 it's-- What did you say, Steve? The perception is--
23 What was your comment?

24 MR. WALTHER: Is as important as reality.

25 MR. VOLEK: Perception is reality in many cases.

1 MR. SANCHEZ: There is no Civil Service Board,
2 review or appeal process at this point for a citizen
3 complaint.

4 MR. VOLEK: No, that is true. That is true.

5 The other thing is I think the general criticism
6 that there is a fear of inquisitorial process in the
7 worse sense of that term, which is that you will take
8 an officer and you will have some kind of an outside
9 panel that will conduct an inquisition in its technical
10 sense, not as perjorative, but in its technical sense.
11 And even if the officer is exonerated, his name is
12 ruined.

13 There are legal concerns which maybe just the
14 lawyers on the panel would recognize. There is the
15 problem of destroying liberty. There are some severe
16 problems about being able to compel officers to give
17 testimony in violation of the Fifth Amendment Right.
18 We have case law which allows the police investigative
19 unit to order a police officer to give a truth-related
20 statement regarding a job-related incident. If he
21 refuses, he can be fired for it because he has been
22 immunized to any subsequent criminal prosecution.

23 I don't know how that works if you are conducting a
24 public hearing. I just don't see how that works because
25 in effect what you are going to wind up doing is having

1 to make a conscious decision to give up criminal
2 prosecution to get at a disciplinary issue. I don't see
3 how those can be reconciled.

4 MR. WALTHER: But that doesn't relate-- It seems
5 to me just because a person is a lay person as opposed to
6 a police officer that there is a procedural problem or
7 maybe a Fifth Amendment problem, but that doesn't to me
8 relate to who is hearing the information--

9 MR. VOLEK: Well, as a matter of fact it has led to
10 problems with a couple of boards with regard to what
11 investigation a board can see and officially rely on.

12 In other words, what you are publishing when in
13 effect you are publishing privileged material-- It
14 would have the effect of poisoning a prosecution. I will
15 offer-- There is an organization called-- It has a very
16 unfortunate-- It was created about 20 years ago, and it
17 is called Americans for Effective Law Enforcement. It
18 was the brain child of a law professor at North Western
19 who invented the concept of the police legal advisor.

20 They put together an issues paper a number of years
21 ago called Police Survey Review Boards--I will offer it
22 to you--which gets into a lot of details. This starts
23 out-- Actually this was written by someone who started
24 out very critical of civilian review boards. The funny
25 thing about it was that once it was written it was

1 reviewed by some academic at Berkeley who came back and
2 agreed with it, much to everyone's surprise. They
3 expected it to be torn apart, and they came back and said
4 basically, "The criticisms are valid."

5 There are a lot of good technical issues that are
6 raised in here that you might want to look at and think
7 about that I could go on for hours on, and I know I
8 shouldn't.

9 THE CHAIR: We are running out of time. You need
10 to conclude--

11 MR. VOLEK: Okay. One last final comment. That is
12 that there are a number of statutory provisions governing
13 employee relations and rights of peace officers in this
14 state that would have to be addressed by the Legislature
15 if you were going to overcome some of the problems that I
16 mentioned. There is no authority in my opinion for the
17 creation of such a panel simply by ordinance or by the
18 City Council. If you are going to do it right and
19 reconcile the problems that I have been outlining, you
20 are going to have to go to the State Legislature to do
21 it.

22 I appreciate your patience and thank you very much.

23 THE CHAIR: Could you make a copy of that article
24 available to us?

25 MR. VOLEK: Yes.

1 THE CHAIR: That would be great. You can send it
2 to me or Tom.

3 MR. VOLEK: What I thought I would do is have a
4 copy-- get a copy to Tom.

5 THE CHAIR: That would be great. Thank you for
6 coming.

7 Our next presenter is-- This is great. My last
8 name is Piscevich, but I'm having a little trouble with
9 these names.

10 MR. SANCHEZ: Peaua and Afoa.

11 THE CHAIR: Please come forward.

12 Would you please introduce yourselves, and then
13 tell us a little bit about yourself and express your
14 concerns, please.

15 MR. AFOA: My name is Lafayette Afoa. I'm Director
16 for the Tongan Society of Reno.

17 MR. PEAUUA: My name is Sitelimani Peaua. I am
18 the Chairman of the Tongan Society of Reno.

19 THE CHAIR: Okay. Please proceed.

20 MR. AFOA: I would like to make sure that we are
21 here not to complain or to do something that is not
22 relevant to the programs. We are about 2,000 Tongans
23 that lives over here in the City of Reno and Sparks or
24 Washoe County.

25 The Tongan Society of Reno was established in 1977,

1 but it didn't incorporate until 1988 because of no
2 interest from our community, you know, to get involved
3 with the community and civic leaders and state, county
4 and city.

5 But Tonga Island is in the South Pacific, and it's
6 close to Samoa. And that is where I come from, and the
7 organization is trying to serve the needs of our people
8 over here in this area of the United States.

9 We had a meeting with the representative from the
10 census bureau, and some figures that that lady brought
11 down to us was inaccurate. To her office there are only
12 6,000 Tongans in the United States. And that is not
13 true. There are more. There are over 35,000 Tongans in
14 the Bay Area alone.

15 We like to get to know the Commission on Civil
16 Rights Agency because we do believe that there are some
17 complaints that involve not only the Tongans but Samoan
18 people in employment or any other activity that United
19 States has set out for the people that lives in this
20 country. We also would like to work together with our
21 law enforcement department agency.

22 I learned a lot about minority sensitivity when I
23 was involved with that police training about a month ago
24 I believe. I think that not only the law enforcement
25 needs to find out about Tongans and Samoans but any

1 American citizens to learn the cultures and the customs
2 of our people.

3 The Samoans' and Tongans' traditions are similar.
4 In Tonga there is a king, and it's the only island in the
5 South Pacific who have a monarch, and in Samoa the
6 islands or each village is run by Chiefs. There is a
7 high Chiefs and there are token Chiefs. And in both
8 cultures if the token Chief don't know the exact words to
9 address somebody like you folks, then he shouldn't be
10 sitting in that seat.

11 We have Chiefs who take cares of all the problems,
12 domestic or-- Well, we never had money before back in
13 those days, but we do now. And those noblemen and
14 Chiefs, they are the ones who is trying to take care of
15 the problems in the family. And that culture and that
16 custom we want to bring that over here and still exercise
17 in the United States or any part of the world.

18 There is no-- There is hardly any domestic
19 problems in our people over here in the United States due
20 to the fact that we each respect each other and the
21 traditions. And if there is domestic problems, we don't
22 like to have the police involved with it. We have
23 community leaders, and we have bishops, ministers, in our
24 church. There are six different denominations for the
25 Tongans over here in Reno and one in Sparks.

1 THE CHAIR: Sir, do you perceive that the police
2 get involved in problems that they shouldn't be in?

3 MR. AFOA: I don't think there is a need for the
4 police to involve in the family matters, let's say a
5 husband and a wife or childrens. We were raised back in
6 the island in the old ways, and they still exist, that we
7 can spank our childrens. It's not we spank our childrens
8 because we hate them, no. It is a discipline, and it is
9 love. Because we always tell them, "Life is hard.
10 Someday your parents will be out of this world, and you
11 will find out how difficult it is to face the life by
12 yourself."

13 And that is why we discipline our kids over here
14 the way our parents discipline us. And they still have
15 that control on us, even if we are 40, 50 years old. My
16 father is about 80 something years old now, and he still
17 take care of me, not of the needs that I am working for,
18 but counseling. He always tell us to walk the path of
19 righteousness, those kind of things that our parents
20 taught us when when we are young, and it's the same thing
21 that we are trying to tell our childrens even they were
22 born here in the United States.

23 THE CHAIR: But what I'm trying to find out is do
24 you perceive that the police are interfering with your
25 families when they shouldn't be?

1 MR. AFOA: If it is a matter of let's say somebody
2 holding a gun, then I think, you know, the law
3 enforcement should be involved. But if it is just a
4 shouting match, we can handle that problem.

5 THE CHAIR: Are your people experiencing any
6 problems with the police or law enforcement?

7 MR. AFOA: There is not to us over here in Reno,
8 but I hear a complaint about some peoples in the paper
9 that the police department or somebody from the sheriff
10 department had-- a piece of an article from the paper
11 that there is a Tongan gang over here in Washoe.

12 And that upset me because we know our people. We
13 know our community. And we are trying to have that
14 officer-- I made some calls to the Chief of Police and
15 to the Police Community Relations Sergeant, because I
16 want them to point out those individual, those kids, that
17 they said in the paper that they belong to a Tongan gang.
18 No response.

19 THE CHAIR: You have not received a response from
20 the police?

21 MR. AFOA: No.

22 THE CHAIR: When they indicated that there was
23 some kind of problem with the Tongan gang--

24 MR. AFOA: They mentioned this when I was in the
25 minority sensitivity training about a month ago, and then

1 later on I read in the paper after that incident took
2 place in some--

3 MR. SANCHEZ: Mr. Afoa, are there any Tongan police
4 officers on the Reno Police Department?

5 MR. AFOA: No.

6 MR. SANCHEZ: Are there any Samoan officers?

7 MR. AFOA: No.

8 THE CHAIR: Have the police departments or
9 entities that you contacted been open and receptive to
10 talking to you?

11 MR. AFOA: Right now we have a good-- I don't want
12 to use the word good, but right now we are starting to
13 establish a relationship with the police department. And
14 then the people that are responsible for this article I
15 try to get in touch with them, and I never get any word
16 from them. So I don't know what is going on, but we are
17 starting to establish a, you know, fair relationship with
18 the police department so far.

19 MR. SANCHEZ: But is it my understanding you would
20 like the police department to respect your culture and
21 domestic matters regardless of what the laws on our books
22 may be and let you handle those matters yourself?

23 MR. AFOA: Can I--

24 (A discussion was held off the record
25 between Mr. Afoa and Mr. Peaua.)

1 MR. AFOA: I think after talking to the President
2 of the Society again I say that there are problems we can
3 handle in domestic, and then we have our childrens. We
4 always want to teach and train and discipline our
5 childrens just the way we were.

6 THE CHAIR: Well, maybe that is part of the
7 conflict, and that is what we are trying to find out is
8 is the way that you were taught and the customs that you
9 have in conflict with our laws?

10 (A discussion was held off the record
11 between Mr. Afoa and Mr. Peaua.)

12 MR. AFOA: I know that there is a conflict in the
13 law and our cultures, but never in the history when I
14 grew up in the island, and also Mr. Peaua, that a parent
15 abuse childrens the way you people describe it over here
16 in United States or any part of the world.

17 But when we spank our children, it is not that we
18 hate them. But it is a discipline, and we show them the
19 love of the parent, of a father and a mother. But over
20 here we also try to make sure that we don't step over the
21 line over here in the United States because of the law.
22 And some of the kids already know if a parent has spanked
23 them, you know, they can call the police and--

24 MR. SANCHEZ: Is there, Mr. Afoa, any Tongan
25 tradition about striking a wife?

1 MR. AFOA: No.

2 MR. SANCHEZ: In other words, are there any
3 domestic disputes concerning a husband and wife that the
4 Reno Police Department would then get involved with?

5 MR. AFOA: I don't think there is any incident like
6 that ever happen or occur.

7 MR. SANCHEZ: Just spanking the children then?

8 MR. AFOA: Yes.

9 THE CHAIR: So what is happening is the children
10 are then making complaints against the parents?

11 MR. AFOA: No. They respect the teaching of the
12 parents.

13 THE CHAIR: How does law enforcement or social
14 agencies then become involved when you indicate there are
15 some conflict between the laws and your culture?

16 MR. AFOA: I didn't say that there was anything
17 went on so far, but I am just giving you a picture or
18 an idea, you know, because we have to make sure-- You
19 see, right now in the community not only that we are
20 teaching our children but we are also helping our
21 parents, you know, to make sure that the law is the law.
22 And this is the United States of America, and this is not
23 Tonga, and this is not Samoa.

24 THE CHAIR: I see.

25 MR. SANCHEZ: Mr. Afoa, are your children then

1 becoming Americanized?

2 MR. AFOA: They were born here.

3 MR. SANCHEZ: No. I mean in terms of adopting the
4 American culture as well as the Tongan culture.

5 MR. AFOA: My childrens speak three language. They
6 speak Tongan and Samoa and English, and if you tell them
7 we are going to have a hula dance practice, they will
8 dance.

9 THE CHAIR: I think we understand. Thank you. Do
10 you have any other comments that you would like to make?

11 MR. AFOA: I will have him say something.

12 MR. PEAUA: You know, I would like to continue--
13 Like Mr. Afoa said, like we growing up in-- We in the
14 place growing up never had somebody-- I mean the father
15 or the mother abuse the children, okay. And this one
16 like in here, like Mr. Afoa said, you know, this why we
17 teach our kids, our children, like in the island like my
18 parents teach me. They told me, you know, do that, you
19 know, and stop that. And if I don't, you know, follow
20 what they said, one, two, three, four times, five times,
21 they spank me, okay. They hit me, you know. And they
22 told me, you know--

23 I like to say that, you know, the animal I can tell
24 him three, four, five times, okay. Human beings it is
25 one, two, three, four is enough, you know, to change,

1 stop, you know. But this is why we spank, you know, the
2 kids.

3 But, you know, the next one, we don't believe the
4 police department love our kids more than us. See, we
5 don't believe that.

6 THE CHAIR: Are your people having any problems
7 with the police?

8 MR. PEAUA: Yeah, I mean like Mr. Afoa said, okay.
9 Like, see, if we teach our culture, you know, when the
10 parents started to spank, you know, they tell them five,
11 six times, and they don't stop it, you know, spank them.
12 And the kids call the police, okay. And the police come
13 and tell the parents, "If you hit the kids, we take the
14 kids away from you, okay."

15 THE CHAIR: Okay.

16 MR. PEAUA: This is why we don't believe the police
17 department or any department love our kids more than us,
18 than the parents, see.

19 And the next one, we never say to our children,
20 "Okay, step outside from our house. I don't want to see
21 you here in this house." We never do that. We never say
22 that in our whole life in our culture, you know, except
23 how bad-- You know, I mean our kids, they are still
24 welcome home. We still love them. We never-- You know,
25 it's bad in our culture if I say, "Okay. I don't want to

1 see you here," you know, my son or my daughter. You
2 know, we never do that.

3 THE CHAIR: So you are having problems with the
4 police coming in and threatening to take the children
5 away from you?

6 MR. PEAU: You know, some of us-- The police, I
7 mean, tell the kids call to the police. This is the
8 problem, okay. The kids call the police, you know,
9 "Mamma or Papa hit us." The police come, and you have no
10 say what I said. But we believe this is the part our
11 kids-- our lesson to teach them like this.

12 THE CHAIR: All right. We understand that.

13 MR. PEAU: And our next one, like Mr. Afoa said, I
14 think maybe three, four weeks ago our-- See, yeah, I
15 mean we saw in the paper that the police department
16 said-- Okay. Our culture in here we know every Tongan
17 here. We, you know, know each other very good. But, you
18 know, some 14, 15 year olds when the Tongan work at home,
19 you know, the one boy, he walk to this house, you know
20 the Tongan boy there, and they walk to the other house,
21 something like that and when they walk in the-- I mean in
22 the street, I think the police, you know, take them and
23 put them--

24 THE CHAIR: --a gang?

25 MR. PEAU: Yes, and they put them in a jail I

1 think maybe three, four weeks ago.

2 THE CHAIR: Okay. So what you are saying is when
3 your children get together in groups of three or four,
4 then they are perceived to be a gang and put in jail?

5 MR. PEAUA: See, okay, you know, they don't know.
6 They don't understand. They want, you know, to wear
7 anything they want, like T-shirt, something like that.
8 They wear, the police tell them, you know, something like
9 a color, they are a gang or something like that, but the
10 kids they don't understand the color belong to the gang.
11 You know, like jacket, they wear something like that.

12 THE CHAIR: You mean wearing like an arm band? Is
13 that what you are saying?

14 MR. AFOA: I think whenever a police patrol car
15 drove by and saw maybe four or five Tongans or Samoa kids
16 are walking along together or standing in a corner,
17 presumably the cops said they belong to a gang.

18 THE CHAIR: Are they wearing gang colors or
19 special colors?

20 MR. AFOA: I did some survey, you know, what kind
21 of dress or what kind of jacket they wear. The majority
22 of everybody in our neighborhood, all the kids in our
23 neighborhood, wearing that L.A. Rams or Raiders jacket,
24 you know, that black jacket from the Raiders jacket, you
25 know.

1 And I call to the Spanish people, you know, I take
2 a look at them. They wear the same kind of jacket, the
3 Raiders, even some of the white kids, you know, the black
4 kids. You know, and I think our kids is trying, you
5 know, to intimidate, you know, but somehow the police
6 have a wrong idea of dressing or manners as a gang, you
7 know.

8 And we have only I think about nine or 12 kids that
9 go to the same school. They all walk together to the
10 school, you know. They play around and somehow, you
11 know, an officer said, "Well, there is a Tongan gang, you
12 know."

13 That is why it upset me when that thing was
14 mentioned in the paper, you know, because we know our
15 community, and we all live together in the same
16 neighborhood. A few of us live in Sparks, and the
17 majority of the Tongans are residing at the northeast
18 neighborhood in Reno. And to me the police has to
19 evaluate what they say, you know, how they address
20 people.

21 MR. SANCHEZ: Do you have a complaint of the police
22 department that they have not gotten back to you?

23 MR. AFOA: No. They never return my call. I call
24 the sergeant who was responsible for the police-community
25 relations. I didn't get a call from him.

1 I called the other sergeant in the Sheriff's
2 Department because he was the one who mentioned it in the
3 paper.

4 You know, in addition of what Mr. Peaua said about
5 the disgrace to us if we throw somebody out of the house,
6 that is a no/no in our culture. Even if your uncle or
7 your aunt or cousin or relative, a distance relative,
8 doesn't have no money to provide the needs for himself,
9 we don't do that. We don't just tell somebody to get out
10 of the house. There is no homeless Tongan or Samoans on
11 the street.

12 MR. SNIDER: In what area of the Reno do most of
13 the Samoans or Tongans live?

14 MR. AFOA: It's on the northeast of Reno.

15 THE CHAIR: I hate to cut this discussion off, but
16 we are running a little bit late. Thank you very much
17 for coming. Is there anything else that you wanted to
18 tell us other than those couple of points that we have
19 gotten?

20 MR. PEAUA: Can I finish?

21 THE CHAIR: Sure.

22 MR. PEAUA: Like I said, the last two, three weeks,
23 okay, the police get-- you know, Tongan kids walk in the
24 street. They took them in, put them in jail, okay. They
25 said-- You know, I think they come from the movie,

1 something like that, and, you know, why they don't take
2 them home? You know, they take them straight to the jail
3 and put them in the jail, you see.

4 THE CHAIR: Unfortunately Chief Bradshaw was here
5 all day except for about the last hour. We will see if
6 we can get the message to him.

7 MR. PEAUA: This is why we are concerned I think,
8 why they took them to the jail and don't take, you know--
9 bring them home, something like that.

10 MR. AFOA: Can I add one more thing, please?

11 THE CHAIR: Yes.

12 MR. AFOA: Our people don't use profanity language,
13 and that is something I told those officers, "Well, you
14 go minority sensitivity training. We don't use profanity
15 or swearing. You know, we respect anybody. We respect
16 our elders. We respect the young, and we respect any
17 other minority or any other ethnic groups." And I know I
18 like to make sure the police department or anybody else--
19 that when we address each other, we make sure that we
20 know each other is individual.

21 THE CHAIR: Thank you very much.

22 Now, we have an open session, and I have been
23 provided with one person who would like to speak. I have
24 been provided with a name.

25 Is Mr. Cooper here or has he left?

1 There is a sign-up sheet. Did anybody see it
2 outside? Let me go see if I can find it quickly.

3 Tom, do you have a sign-up sheet?

4 Would people who would like to speak please sign
5 up. Why don't we just do that, and who would like to
6 speak? Okay. Why don't we start with you, and then
7 would you fill out the paperwork and give it to Tom.
8 And then while she is speaking would other people fill
9 out the paperwork and give it to me. And we will move
10 this along.

11 Would you please state your name and spell your
12 last name for the court reporter or your first name if
13 it's difficult.

14 MS. SHAW: My name is Shirlee J. Shaw,
15 S-h-i-r-l-e-e, S-h-a-w. I live at 1945 East Second
16 Street, Reno. And I'm here on behalf of myself out of
17 concern of our people. I live on the Reno-Sparks Indian
18 Colony. I'm a little bit nervous.

19 THE CHAIR: Just relax. It's okay.

20 MS. SHAW: Okay. The reason I'm here is I'm
21 concerned about the interaction that the back-up police
22 have with our people when the tribal police make a call
23 to them. We have had instances where we have had those
24 officers verbally abusing our people.

25 THE CHAIR: Which officers, the back-up?

1 MS. SHAW: The back-up Reno P.D. officers or
2 officers from Washoe County or Sparks Police Department.
3 We consist of 28.38 acres there, and we have
4 approximately about 750 people there, okay. And the
5 majority-- As I say, there is about maybe 300 adults
6 there.

7 And we have had instances where one of them, who
8 was my cousin, was being chased by the police officers--
9 The Reno P.D. showed up. They chased him. My cousin had
10 a broken arm. They pulled him by his arm, and it was
11 overheard by one of the police officers that they wished
12 he would have ran so he could have shot him.

13 We are having a lot of abuse by those officers that
14 back up our tribal police officers. And I think it's
15 getting out of hand, and I think something really needs
16 to be done.

17 THE CHAIR: I just have a couple of questions. Is
18 the Indian Colony federal?

19 MS. SHAW: Yes. We are under federal jurisdiction,
20 and I do not know if those officers that come into our
21 jurisdiction if they are commissioned to serve federally.

22 THE CHAIR: Okay. But somehow the police have
23 access to be on the land?

24 MS. SHAW: I really don't know, because they are
25 supposed to be commissioned. But I don't think the

1 majority of them are commissioned. I think they take
2 that upon themselves, and I do-- I have seen Reno police
3 officers ride through the area on bicycles. I have seen
4 patrol cars go through our colony and around it. And I
5 think they are out of their jurisdiction.

6 And I think that when they are called, they should
7 come with respect and find out what the situation is.
8 And if they need to stand by and watch while the other
9 officers are in whatever matter they are taking care of,
10 they should stand there and just preserve the peace among
11 the people.

12 MS. SADER: Did your cousin file a formal complaint
13 against the police officers?

14 MS. SHAW; Well, no, because the people are
15 intimidated. We have a lot of complaints even within our
16 own department. When we have had problems, the majority
17 of the complaints have gone to File 13. So there is that
18 lack of confidence in the system, so they won't do that.

19 MR. SNIDER: Are there occasions where your own
20 police officers do call upon the Reno Police Department
21 or Sparks Department for assistance?

22 MS. SHAW: As far as I'm concerned, yes, they do.
23 I think sometimes they cry wolf. And I think some of our
24 police officers make the situation worse than what they
25 actually are. And I think that also they need to enhance

1 their abilities with communication with the people, too,
2 and not just be there to strongarm our people as well as
3 allow other agencies to do the same.

4 MR. SNIDER: Do your police officers have a working
5 arrangement with Chief Bradshaw or any of the--

6 MS. SHAW: I really don't know. I don't know what
7 those inner actions are between the agencies. As far as
8 I'm aware, Washoe County were the only individuals who
9 were authorized as commissioned, and I don't know if
10 those commissions are carried on any longer.

11 MR. SNIDER: Are you stating that only certain
12 officers are commissioned to go into the Indian Colony?

13 MS. SHAW: Yes. As far as I know, there are only
14 certain commissioned officers.

15 MR. SNIDER: Just a few officers?

16 MS. SHAW: That would be through the Bureau of
17 Indian Affairs.

18 THE CHAIR: Are you finding that when other than
19 tribal officers get involved that the situation becomes
20 abusive and there is excess force?

21 MS. SHAW: Yes, very much so.

22 MR. SANCHEZ: Have you lodged any complaints with
23 the Bureau of Indian Affairs regarding this?

24 MS. SHAW: Yes, we have. And we have with our own
25 police officers where we have problems. The BIA hasn't

1 really done anything. They haven't-- Oh, you know, you
2 don't hear from them. You don't receive a report back of
3 what the findings might be or anything. So it's just,
4 you know, hard to get at those problems and try to get
5 them resolved.

6 THE CHAIR: Please don't get too discouraged with
7 us, but it takes us awhile to get our reports out, too.
8 This does not happen overnight.

9 MS. SHAW: But I would like to be considered as a
10 Committee member, if you have such, regarding--

11 THE CHAIR: Your comments will be taken into
12 consideration, and they are part of the record and part
13 of the findings. That is one of the reasons that it is
14 important that you fill out the form.

15 MS. SHAW: Yes, because I have another appointment,
16 and this is the first time I've ever spoken before
17 anybody, so that is why I'm nervous.

18 THE CHAIR: You did fine.

19 MS. SHAW: Okay, but I am really concerned about
20 other officers coming onto the federal reservation. And
21 I think that they should let those officers check out the
22 situation and give guidance to those other officers that
23 come on and not allow-- Because I have even seen a Reno
24 police officer harassing a native American off of the
25 colony on the street. When I came around the corner, he

1 stopped. I saw him grab that young kid and start to beat
2 on him, and when I came around, he stopped.

3 THE CHAIR: Thank you.

4 MS. SHAW: So something needs to be done.

5 THE CHAIR: I appreciate your comment.

6 MS. SHAW: Thank you.

7 THE CHAIR: Okay. Bishop Vincent Thompson,
8 please. He stepped out, so we will go with Sue Smith.

9 MS. SMITH: Thank you for the opportunity to speak
10 to you this afternoon.

11 THE CHAIR: Would you for the record state your
12 name.

13 MS. SMITH: Sue Smith. I'm a Reno City Council
14 member. I represent Ward 4, which is the area of town
15 that does have quite a few minorites living in it. And I
16 have had occasion often to interact with many of those
17 minority groups. And in fact my life has been very
18 enriched by their involvement in my life.

19 When I first came on the Council, we were short
20 police officers. We needed to hire police, and Chief
21 Bradshaw came forward to the City Council and asked that
22 that happen.

23 I went back and I looked through the records at two
24 previous questions that had been placed on the ballot and
25 found in fact that Northeast Reno and all of Ward 4 had

1 voted in favor of that proposal on both occasions.

2 Therefore, we went forward, and we got the police
3 officers that were needed. I guess my point is that the
4 people in that area want to have police service. They
5 want to enjoy police protection. But I think they also
6 want to be treated with respect in the process of
7 receiving that police protection.

8 I would like to be quite clear that I realize that
9 police work is a hard job, and I would never propose that
10 police officers be sent out on the street with one arm
11 tied behind their back. On the other hand, I do think
12 that there may be some opportunities to have police
13 officers be more culturally aware and maybe be more
14 sensitive.

15 And this was one of the things that I spoke of
16 during the time that we were going out to the community
17 trying to get an increase in our police force is that I
18 felt that we needed to have police officers out there,
19 but I also felt that they needed to be well-trained and
20 almost a first-line social worker kind of thing. I
21 myself have a social work background, and so I'm
22 sensitive to that.

23 I am aware that we are trying to hire minority
24 officers in the Police Department. I gave all of that
25 information to Mr. Pilla. Since the time I spoke with

1 him--And perhaps he has spoken with some of the people
2 that I'm going to refer to--I have had minority police
3 officers come forward and explain to me that they are not
4 treated well by their other police officers that work the
5 beat with them.

6 And it almost is unconscious the things that are
7 said. And I, therefore, think that we need to do a
8 better job. I would propose that we do review the
9 possibility of having a citizen committee that oversees
10 the Police Department.

11 I guess the reason that I say that is because I see
12 that work with other departments in the city, and when
13 there is citizen involvement, there is a way of getting
14 direction. I am concerned about the things that the City
15 Attorney has brought up as possibilities. And I would in
16 no way want to have my comments slight the current Police
17 Chief or any of the administration. I just think that
18 there is some room for improvement in these areas, and I
19 think that we would value your direction in telling us
20 how we might go about achieving those things.

21 MR. SANCHEZ: Have any of these minority officers
22 that have talked to you lodged any complaints within the
23 system?

24 MS. SMITH: No, no, but I don't know that they
25 would. I mean they told me these things in confidence,

1 and then when somebody tells you something in confidence,
2 how do you really take care of it without doing something
3 to, you know, undermine that confidence.

4 And so I think it would improve if we were able to
5 recruit more minority officers. But we do need some
6 direction along those lines on how to get those people
7 forward and in uniform and also trained in sensitivity.

8 And as I told Mr. Pilla I am saying that, right, I
9 am often at neighborhood meetings, and we get people
10 standing up complaining about the way their kids were
11 treated by police officers. And just as often somebody
12 will come to, you know, the officer's aid out in the
13 community, saying in fact your kid was doing something
14 wrong and, you know, that officer doesn't--

15 So it's hard to sort out, but I think that maybe we
16 could use some sort of a citizen involvement in the
17 police department, and the Chief has honestly tried
18 through his neighborhood advisory committees I think to
19 have the police department out there interacting with the
20 community.

21 But maybe we are not getting the full story through
22 that means, and we need to have a means where the
23 community talks to us instead of us talking to them or
24 something.

25 MR. SANCHEZ: As a member of the City Council,

1 would you support the notion of charter change or
2 whatever it takes to change the Civil Service Rules to go
3 to a banding concept and doing away with the rule of
4 three--

5 MR. SANCHEZ: I don't know that I am. I would be
6 interested in looking at it.

7 MR. SANCHEZ: --for affirmative action purposes?

8 MS. SHAW: If it would in fact move us forward
9 toward getting more minority officers hired then, yes,
10 possibly I would be. I very much think that we need to
11 have minority police officers and female police officers
12 out in the street.

13 And as I have said, we are trying-- You know,
14 there are programs. We have the Police Athletic League.
15 We have police officers going out and doing athletic
16 programs with kids and getting gang members so that they
17 see their police department and other means. So I think
18 there is some efforts, but I just think we could use some
19 direction about what to do.

20 I also would like to add from a fiscal point of
21 view I think this is a big concern because of the number
22 of brutality cases that we are having brought against the
23 city at this point, and we could use some direction about
24 that. And I know that it probably is being enhanced
25 because of the Los Angeles situation, but we really need

1 to not have those cases being brought forward.

2 THE CHAIR: Thank you.

3 MS. SHAW: Thank you.

4 THE CHAIR: Is Bishop Vincent Thompson here?

5 Would you please state your name for the record.

6 BISHOP THOMPSON: I'm Vincent Thompson.

7 THE CHAIR: Would you like to introduce yourself
8 again.

9 REV. RICHARDSON: Reverend Chester Richardson.

10 BISHOP THOMPSON: First of all, I would like to
11 give some testimony as to a statement that I had heard
12 from Deputy Chief of Police Lonny Jackson that there was
13 racism that existed towards blacks in law enforcement.

14 I had not heard any discussion of that during his
15 trial, the trial that he was charged with his charges. I
16 forgot what those charges were. But racism was not
17 addressed during the trial, and it tends to be something
18 that is lacking here in Northern Nevada.

19 Racism very seldom is addressed, regardless of
20 whether it's in the police department or whether it's in
21 any other form.

22 Here are some headlines that appeared in the paper
23 periodically, "Regent UNR, Racism Continues; Skinheads
24 Arraigned in Murder; Trial Postponed for Three Teenagers
25 in Racial Slaying in Reno; Racial Motives Seen in Car Lot

1 Vandalism; There is New Racism Seen Emerging up at UNR."

2 There is constantly headlines indicating that
3 racism does exist, not only in law enforcement, but it
4 exists in a large segment of the society living here.

5 That statement that I just made-- I made the
6 statement before. Nothing has ever been done.

7 Committees like your Committee come in, and they listen,
8 they find facts, and they do nothing about it. It tends
9 to be a continuous problem here in Northern Nevada that
10 people come and gather statistics and leave and don't do
11 anything about it. Not only does it start at the White
12 House that nothing is being done about civil rights
13 today, and nothing is being done here.

14 That is a statement that I would like to make to
15 this fact-finding Committee, and those are my feelings.
16 The headlines speak for themselves. The statement made
17 by a senior law enforcement officer speaks for itself.
18 The study made by this professor at UNR on the constant
19 jailing of black men speaks for itself. So the statement
20 is made to you this evening that racism does exist. It
21 exists extremely against black men in Northern Nevada.

22 THE CHAIR: Do you have any suggestions for what
23 we can do to help that situation? And right now we are
24 focusing on police relationships.

25 BISHOP THOMPSON: Well, I think that number one,

1 you know, we get bogged down in statistics and
2 suggestions.

3 THE CHAIR: We are here to get some answers.

4 BISHOP THOMPSON: There is something that needs to
5 be done. It's the same story since the days of Martin
6 Luther King, "Where are your statistics? What are your
7 suggestions?" But when you go back to the White House,
8 the President still wants the same story, "Where are your
9 statistics?"

10 You get bogged down in studies. There needs to be
11 some direct action in the area of affirmative action.

12 THE CHAIR: Can you give under the circumstances
13 what you like to see done if we could solve the problem?

14 BISHOP THOMPSON: I would like to see some blacks
15 working in the legal system here as attorneys and judges,
16 judges mainly. There never has been a black judge in
17 Northern Nevada. There needs to be some working in the
18 legal system. And then the affirmative action program
19 should not be something that is just on paper that is
20 never read, only when somebody questions it. But it
21 should extend to the legal system, and it should be put
22 to work. So I would like to see affirmative action be
23 worked as a plan and something done about that.

24 THE CHAIR: I don't know if this is true or not,
25 but what was represented to us by the Police Department

1 since they have been able to hire 88 new policemen is
2 that their increase in minorities and female
3 representation has increased. I don't think it's
4 perfect, but it has increased.

5 BISHOP THOMPSON: Well, I'm quite certain with the
6 census reports that have possibly been the same for the
7 last 20 years here on the minority representation or
8 black-- On black it has not changed, and it's going to
9 bear out some phony statistics that they would have
10 anywhere in any office here.

11 MR. SANCHEZ: Bishop Thompson, I raised some
12 questions already earlier in the day regarding the
13 affirmative action plan here in the City of Reno. There
14 is a little confusion in my mind whether the plan is
15 updated. We have been told that it is updated, and we
16 have been told it's not updated even though the 1990
17 statistics have come in for this area.

18 My confusion also lies in the fact that they are
19 not utilizing standard metropolitan statistical data
20 either. I am concerned about that, and I'm not so sure
21 anybody knows what the affirmative action plan says here,
22 and we have not had an opportunity to have any testimony
23 from the Affirmative Action Officer or from the Reno
24 Civil Service Commission, et cetera. So your point is
25 well-taken about the affirmative action plan.

1 BISHOP THOMPSON: For years we were told that we
2 had an Affirmative Action Officer at the City of Reno,
3 and we had no Affirmative Action Officer. There was a
4 clerk that was acting out of the Personnel Office, and we
5 were misled. We have been misled by the consent decree
6 to hire firemen. And there was no Affirmative Action
7 Officer monitoring that program.

8 When it comes to affirmative action in Northern
9 Nevada there is a lot of talk and no action. When it
10 comes to doing something about racism there is a lot of
11 talk and no action. And those statements I want to make
12 loud and clear. And discrimination continues, and it is
13 in a very very blatant form. Racism continues in a very
14 blatant form here in Northern Nevada. That is my
15 statement this evening. Thank you very much.

16 THE CHAIR: Thank you.

17 Would you like to add any comments, Rev.
18 Richardson?

19 REVEREND RICHARDSON: In reference to the question
20 Mr. Sanchez raised about the affirmative action plan of
21 the City of Reno, when Mr. Glenn Taylor was brought on
22 board by virtue of the federal decree, as it pertains to
23 Willy Washington, the Fire Fighters, the city was
24 mandated to come up with an affirmative action plan that
25 Mr. Taylor did submit that is about two and a half years

1 old but is by no means an acceptable affirmative action
2 plan because they did not follow the decree as a judge
3 mandated that involved minority organizations and
4 agencies and organizations that dealt with civil rights
5 issues.

6 So we felt the city was in violation of that
7 further testimony that was shown that they failed to
8 follow the decree by hiring women in place of minorities
9 when the decree specifically mandated that he hire ethnic
10 minorities. So the city has shown bad faith in following
11 that decree. So consequently we have no confidence in
12 the affirmative action plan that currently exists. I
13 don't know if that answers your question.

14 And in response to the statistics that you pointed
15 out, why there is a decrease in African Americans over
16 the period of a year is the fact that they believe the
17 other minority groups were going on the rise, including
18 women, therefore, changing the parity levels.

19 So instead of increasing minorities they plan to
20 decrease it systematically based on the census count,
21 which we plan to challenge as being inaccurate in that it
22 has not changed in the last, as Bishop Thompson said, 15
23 to 20 years. We have been 6,000 blacks for 10, 15 years.
24 That is unheard of.

25 BISHOP THOMPSON: Our churches have increased.

1 When I first came here in this city, we had four black
2 churches. Now, we have 16. But our population stays the
3 same.

4 I have something that I found in a telephone booth
5 here this afternoon, and it is called The National
6 Association for the Advancement of White People. It
7 says, "If you would order 100 for two dollars and keep
8 the chain going or call on the 24-hour hotline and get a
9 free packet of literature call this number."

10 There tends to be more of this type of information
11 floating around, and the quiz on the front of it-- And I
12 can pass it to you if you would like to see it for your
13 own information and that would keep me from expressing
14 what I had to say. But those sorts of little things are
15 being found in phonebooths and on park benches all over
16 the city now. And it will increase racism.

17 MR. SANCHEZ: Bishop Thompson, is your point that
18 there still exists racial bias and prejudice and as a
19 result racism and as a result of racism employment
20 discrimination?

21 BISHOP THOMPSON: Yes. One of the things that I
22 faced when I first came here is I went to an employment
23 office, and they told me to go back where I came from.
24 And I asked them was it because I was black, and the lady
25 said, "Yes. We don't want any blacks living here. We

1 want as few as we can possibly have."

2 And from that day on I began to look at the signs
3 here. In the post office there is still swastikas. On
4 the floor of the county courthouse there is swastikas and
5 in several other buildings around.

6 But the excuses that are given by the politicians
7 and by community leaders is that these swastikas were
8 part of the building designs in the days that these
9 buildings were put up. But that is not so. It brings to
10 the attention of young white people that the support of
11 racism is still very strong in Northern Nevada.

12 THE CHAIR: Thank you. Do you have anything
13 further?

14 REV. RICHARDSON: I just want to add one thing in
15 terms of recruitment and so forth. There has been a lot
16 of comments made about trying to recruit local African
17 Americans to become part of the Reno Police Department.

18 I would like to point out that I have been a part
19 of, as I said, designing the cultural sensitivity
20 training for the Reno Police Department prior to the
21 Safety 88 officers being hired and orchestrated a major
22 sting operation in one of the local casinos and an
23 undercover embezzlement.

24 And when the Safety 88 hirees came long and they
25 said they wanted minorities, I wanted to see if they

1 really meant what they said. So I went out for the Reno
2 Police test, and I passed the written, the physical, the
3 psychological and went for the oral exam.

4 There was one officer on there who I had saved her
5 life when she was a meter maid, and we chased down a
6 mugger in a corner five years earlier. She was now a
7 police officer, and there was a native American on the
8 board who claimed that I knew all of the other African
9 Americans. They had asked. So they couldn't have one
10 sit on my oral board.

11 I answered all the questions to the best of my
12 ability and felt very confident at the conclusion of my
13 little oral exam. The minimum score was 70. I got my
14 result back. It was a 69.8. When I went in to talk to
15 the Chief Civil Service Examiner with another individual,
16 another minister, to ask why did I fail to meet the
17 minimum score when I thought I did so well, she did not
18 know.

19 She opened up the folder, and the first thing out
20 of her mouth was, "Well, Mr. Richardson, it appears you
21 have trouble with public speaking. Do you stutter? What
22 I'm asking you, sir, is do you have trouble expressing
23 yourself?" And from then it went downhill.

24 Those are the kind of problems and the problem that
25 was faced there that they recently made a change was the

1 fact that that oral exam had a motivational part on the
2 test, which was purely subjective. It was the highest
3 score on that test, which is two questions, "Why do you
4 want to be a police officer?" There was no right or
5 wrong answer. "What did you do to prepare yourself to be
6 a police officer?" No right and wrong answer, purely
7 subjective.

8 When I tried to meet with the Chief to point out
9 there was some discrepancy, they launched an internal
10 investigation because there was a whole lot of incidents
11 involved and the community-- The type of pressure that I
12 received from the Reno Police Department based on me
13 raising those concerns through the media and so forth was
14 just unbelievable. It was only by the Grace of God that
15 I was able to survive that.

16 Later on I brought that issue up before the Civil
17 Service Commission, which refused to launch a formal
18 investigation, saying that I did not have merit, but yet
19 they approved changing that examination because they felt
20 that those two questions were purely subjective.

21 MR. SANCHEZ: Reverend, I have to make a comment
22 here, a personal comment, as a member of the Committee
23 and also to Mr. Pilla, after listening to testimony today
24 I just feel dissatisfied that we were not able to have
25 testimony from representatives from the Civil Service

1 Commission, because many of the indications of testimony
2 indicate there may be some things that we need to look
3 into at that level.

4 REV. RICHARDSON: The Affirmative Action Officer
5 was here today. I don't know if you knew that. I went
6 and got him and asked him to come and speak and to
7 address your concerns, but I don't know what happened.
8 He probably got tired of waiting, but I think that is
9 just indicative of the attitude that the Civil Service
10 Commission has as well as the Human Resource Department
11 towards addressing the concerns that we have raised.

12 And I don't like to give horror stories, and I do
13 believe in the Reno Police Department. I wouldn't have
14 tried to be one if I didn't believe in it. I just want
15 to see it made better.

16 THE CHAIR: Thank you.

17 Next is Laura and Jose Segura.

18 Would you please go ahead and state your name and
19 make any comments that you would like.

20 LAURA SEGURA: He needs to have a-- I'm Laura
21 Segura.

22 JOSE SEGURA: Jose Segura.

23 LAURA SEGURA: Yesterday me, him and his brother
24 went to the bank to open up a savings account for his
25 brother, and one thing led into another. We waited about

1 45 minutes. The teller was stalling, stalling. We
2 didn't know why. She said that the I.D. was false, and
3 she didn't tell us this until four police officers came
4 behind us.

5 The police officer said, "Do you know why we are
6 here?" And I said, "No," He says, "Because the Social
7 Security belongs to a lady in Washington." He accused me
8 and my husband and his brother of laundering drug money,
9 took my purse without a search warrant or didn't even ask
10 me to take my purse, and said he was looking for a gun or
11 knife and opened it up and took out our money. He said,
12 "What is all this money in your purse?"

13 I had just gotten an appeal-- I had unemployment,
14 and I got my settlement the day before yesterday, and we
15 got our income tax money.

16 I don't launder drug money, and I don't like people
17 going through my purse without asking or a search warrant
18 and being accused of that. They took his brother to
19 jail. They took our I.D.'s, photocopied them, would not
20 let us go until our things were ran to see if we were in
21 any other trouble or anything and was asking--

22 Well, I guess he can say. Do you want to--

23 (A disucussion was held off
24 the record in spanish.)

25 RAQUEL SEGURA: My name is Raquel Segura. I'm not

1 part of this group or a relative that I know of. And I
2 want to interpret for them.

3 He wants to know why he was treated that way when
4 he never uses drugs, why was that search necessary, that
5 treatment necessary?

6 MR. SANCHEZ: Has there been a complaint filed with
7 the Reno Police Department?

8 LAURA SEGURA: There has been a complaint filed
9 against the Police Department and the bank. His
10 brother-- They set his brother's bail at \$2,500, but
11 they won't let us bail him out, not even with cash. And
12 so the Hispanic group, one of the ladies that was here
13 today, she is trying to get him out.

14 But they took his I.D. and was asking him questions
15 on his I.D. and saying, "Did you know your card well,"
16 like he was lying, and being really rude and sarcastic to
17 both of us.

18 (Jose Segura spoke in Spanish.)

19 MR. SANCHEZ: Would you translate for the reporter.

20 RAQUEL SEGURA: The police took his card, looked at
21 it, said, "So what is your birth date," and they were
22 kind of-- very sarcastic about it. And they said, "It's
23 very good you know your birthday, huh," kind of sarcastic
24 also, like making fun of him. They asked him if he had a
25 gun or any other arms.

1 MR. SANCHEZ: Do you have the name of this officer
2 with you?

3 LAURA SEGURA: I think it's Officer Miller.

4 MR. SANCHEZ: How did this officer communicate with
5 Jose?

6 RAQUEL SEGURA: The policeman asked if he had any
7 guns or any other arms, and he replied, "No." He wanted
8 to know-- He told the police, "Why are you asking me
9 these things?" He wanted to know why he was treated that
10 way.

11 LAURA SEGURA: Also the officer asked the lady, the
12 clerk at the bank, to call Jose's work to see if he
13 really worked there, to call immigration to see if Jose
14 really had an immigration card. I mean Jose has his
15 immigration card, and he has his driver's license.

16 So the clerk was playing Miss Detective, and she is
17 the one that brought the police officers in there, and
18 then she was working with the police officers trying to
19 find if there was something wrong with us.

20 MR. SANCHEZ: So he was asked for his immigration
21 papers?

22 LAURA SEGURA: He was asked for his I.D.-- I mean
23 his driver's license and asked if he had his immigration
24 papers. He said that he had his card. She called
25 immigration.

1 RAQUEL SEGURA: That seems to be a thing that is
2 happening to a lot of Latinos. The police will stop and
3 ask for immigration papers.

4 MR. SANCHEZ: Earlier the Police Chief testified
5 before this Committee that that was not a common
6 practice.

7 RAQUEL SEGURA: It is. It happens a lot. He was
8 also arrested without cause, and he was even handcuffed.
9 Also I would like to say--

10 LAURA SEGURA: His brother, he was working under a
11 fake Social Security number, and he did tell the police
12 officer he was illegal. Well, immigration doesn't want
13 anything to do with it because of the procedures, the way
14 it went, so they are going to stay out of it. And then
15 they will pick him up later.

16 But there is no way we can get him out of jail.
17 What are we supposed to do? I mean we have been trying
18 since yesterday. We have the money to bail him out, but
19 they don't want to bail him out. They won't let us bail
20 him out because he doesn't have a social security number.

21 And when we first walked in, me and Jose went and
22 got an account two months ago. We walked in, showed both
23 our driver's license-- We had our account within five
24 minutes, the same account. We walked in with his brother
25 because his brother doesn't speak any English at all.

1 The first thing she was did was call his work, call
2 the Police Department, call Social Security, then call
3 his work back. He no longer has a job. You know, she is
4 doing this for the police officers. Her job is a clerk.
5 She is not immigration.

6 I just don't think we were treated fairly
7 yesterday. And his brother is sitting up in jail, and no
8 one can help him. Even though we have the money, and we
9 have the colateral, and we have everything, there is
10 nothing we can do.

11 THE CHAIR: My recommendation on that would be get
12 a criminal lawyer, seriously, and he would probably
13 qualify for the public defender. I would check on that
14 immediately. There is the Public Defender's Office. He
15 would probably qualify and to check with that first.

16 MR. SANCHEZ: Is this the first time that Jose has
17 been dealt with by the police? Is the first time they
18 have approached and dealt with him the same way?

19 RAQUEL SEGURA: Never before has he ever had any
20 problems with the Police Department. He says on a
21 previous occasion they were driving a vehicle, and
22 another vehicle got alongside of them. And they started
23 to throw rocks.

24 And one of the people that was riding in the car
25 with him got hit in the face with a glass from the broken

1 window with a rock. The police stoped and investigated
2 it, but that was the reason.

3 LAURA SEGURA: One more thing I would like to add.
4 When the police took me and Jose's driver's license, he
5 looked at them and said, "Oh, are you guys married?"
6 Then he says, "How long have you been married? Is that
7 his baby?"

8 It's not their business. They don't have any right
9 asking us how long we have been married and if this is
10 his baby. Yeah, we have been married for almost a year,
11 and this is his baby.

12 RAQUEL SEGURA: He wants to know why his brother is
13 in jail. He didn't commit any crime at all to be
14 incarcerated for.

15 THE CHAIR: That is why I think you need a Public
16 Defender. I can't answer the question. There could be a
17 a problem with using the social security number--

18 LAURA SEGURA: But what they don't understand--
19 They said-- All his I.D. has his name on all of them,
20 his real name. He's not giving a false name, but the
21 Social Security is fictitious. It's no good. It's
22 somebody else, some girl from Washington.

23 THE CHAIR: I think there is a federal law against
24 that.

25 LAURA SEGURA: But also we don't understand-- For

1 fake I.D. the bail is a thousand dollars. His is set at
2 2500. Why is it so high?

3 THE CHAIR: I'm not involved with the criminal
4 system at all. That is why I recommend that you see
5 somebody that is.

6 RAQUEL SEGURA: They say they take fake Social
7 Security cards to make a living and be able to put a roof
8 over their heads, not to do any harm to anyone. They are
9 not aware of the laws against doing those things. He
10 says why do they treat them like thieves?

11 THE CHAIR: There is a problem with the treatment,
12 no question.

13 Thank you very much.

14 Before we officially close is there anyone else
15 that would like to make any comments for the record?

16 RAQUEL SEGURA: This is the editor of the La Voz
17 Delos Hispanos, the Spanish newspaper, that was arrested
18 the day before Cinco De Mayo. I will speak for him. He
19 doesn't speak English very good. He was working late,
20 getting ready for Cinco De Mayo. It was late. The alarm
21 sounded in the building. The police came down, and he
22 was arrested and handcuffed.

23 THE CHAIR: Would you please state your name.

24 MR. TORRES: Herbrigo Torres.

25 MR. SANCHEZ: Would you spell that out for the

1 reporter.

2 MR. TORRES: H-e-r-b-r-i-g-o, T-o-r-r-e-s.

3 First of all, I would like Mrs. Segura to give me a
4 little hand with English because also I have some
5 limitations. I publish the newspaper because I have seen
6 a lot of things wrong with immigration and police
7 officers and some other people.

8 (A discussion was held off the record in Spanish.)

9 RAQUEL SEGURA: He says unfourtunately that in the
10 City of Reno the Police Department instead of inspiring
11 confidence they inspire fear with all the Latino
12 community in general. He says the first thing they do
13 when the Police Department stops them is ask them for
14 their immigration papers and if they are legal in this
15 country.

16 MR. SANCHEZ: Is that a common practice?

17 RAQUEL SEGURA: It's a very common practice. They
18 did it to him and took him in, and we were trying to
19 raise the money so he could be free for May 5th for 765-
20 dollar bail. They handcuffed him like a common criminal,
21 and it took us several hours. We got him out about one
22 o'clock in the morning.

23 THE CHAIR: What was the reason for stopping him?

24 RAQUEL SEGURA: The alarm rang in the building
25 because he was leaving. We were working late. We were

1 preparing for that festivity. So when the police came
2 down, there was three of them. They let two of them go
3 and took him in because he says, "What is the problem?
4 Why are you doing this to me?" And the next thing you
5 know he was handcuffed. He was in jail.

6 They called me. I was in bed already. We had to
7 get out and try to go to a casino to get cash, because
8 they wanted nothing but cash. We took the cash out
9 there. They let him out about one o'clock in the
10 morning.

11 THE CHAIR: Reno P.D.?

12 RAQUEL SEGURA: Reno P.D..

13 MR. SNIDER: When did this happen?

14 RAQUEL SEGURA: May 4th.

15 MR. SANCHEZ: The day before Cinco De Mayo?

16 RAQUEL SEGURA: The day before, yes. This is a
17 problem. He is a member of our community. He is the
18 editor of the newspaper. So there is no differentiating
19 who it is. They treat everybody the same way, you know.
20 If they stop you, they ask you for your papers.

21 (A discussion was held in Spanish.)

22 MR. SANCHEZ: Would you translate that part.

23 RAQUEL SEGURA: We are situated on the third floor
24 of the building. The two fellows that were helping
25 assist him with the festivities were downstairs. When he

1 got downstairs, the police was already there, and they
2 were abusing the two younger fellows. He interfered, and
3 then they say-- They don't even know how to say our
4 names. And they say, "Jesus, these Mexican fuckers don't
5 even know their names."

6 MR. SANCHEZ: The officers were speaking in
7 English?

8 RAQUEL SEGURA: Right. It was really hard to get
9 him out, believe me. They gave us a very hard time. So
10 we are writing about it, of course.

11 MR. SANCHEZ: Let me ask you a question: Is it the
12 perception of Hispanic community here that they are
13 harassed by the Police Department because they not only
14 look different but they also either have Spanish accents
15 or do not speak English as well?

16 (A discussion was held in Spanish.)

17 MR. SANCHEZ: He thinks that is part of it, that
18 they look different?

19 MR. TORRES: Yeah. I asked them for a business
20 card, and they gave me a business card. But before they
21 take me-- you know, took me to the truck they ask me to
22 give them the business card back, you know. So we
23 couldn't write the names.

24 RAQUEL SEGURA: He asked them for a business card,
25 police card, but when they put him in the truck, they

1 took the card back. They searched him for the card and
2 took it back.

3 THE CHAIR: Thank you. I appreciate it.

4 RAQUEL SEGURA: Also the Immigration Department is
5 harassing our people quite a bit in gatherings. We have
6 dances. They show up. We have the Amnesty Unification
7 Program. The people-- We interviewed Senator Bryan last
8 week and asked why is this practice continuing of getting
9 the people to go ahead and file for the papers, and they
10 file for the papers. And while they are waiting they are
11 not given any receipt at all, and then the police and
12 immigration comes and throw them out of the country. The
13 people have already filed the papers.

14 And the response of the Senator was that there was
15 not enough people to process the papers, and our response
16 was why do you put the people-- throw the people out who
17 are processing the papers? So these people are going
18 around in circles. They are throwing people out that
19 already have this documentation. This goes on and on and
20 on. It's a vicious circle. It has got to be stopped.

21 MR. SNIDER: This is the immigration people?

22 RAQUEL SEGURA: The police and the Immigration
23 Department. Between the two of them it's incredible.

24 THE CHAIR: We heard that.

25 RAQUEL SEGURA: So we thank you for listening to

1 us.

2 THE CHAIR: The last person is Roberto Delgado.

3 MR. DELGADO: My name is Roberto Delgado,
4 D-e-l-g-a-d-o. I live at 1820 Greenbrae, Sparks, Nevada
5 89431. I came here to just listen to my uncle's
6 complaint, but I heard all these people talking about
7 what was going on. And like it shook me up a little.

8 I just wanted to give you guys a recent story of
9 what happened to me. It was somewhere like around last
10 winter when there was an incident in downtown Reno.
11 There was a little scuffle in Circus Circus. Everything
12 happens there, you know. And I exited with a couple of
13 friends, and two were blacks and one was Philippino. And
14 we were all a little minority group.

15 And we came down the stairs to get away from the
16 scuffle, when two policemen--They didn't flip out the
17 badge or nothing--just started throwing profanities at
18 us. I guess they were undercover. They told us to get
19 down on the sidewalk. Well, I didn't know who they were,
20 so I just got down, but my other two black friends got
21 offended. They started a fight with the police officers.

22 I told my friend, you know, "Let's go. Let's run."
23 But I didn't see any policemen chasing me or any I.D.
24 being shown at me, so I didn't bother to do anything. I
25 just kept running just to hide or get out somewhere.

1 So I hid behind this one pillar, and I came out.
2 And I heard, "Reno P.D.. Put your hands up." So I put
3 my hands up, and I just started hearing these smart
4 remarks about my nationality and about the way I was
5 dressing. I was just dressed in normal dance wear.

6 MR. SANCHEZ: What did they say?

7 MR. DELGADO: They were saying, for example, "How
8 did you get that drug money, you Spicks?"

9 MR. SANCHEZ: Did they use the word "Spick"?

10 MR. DELGADO: Yeah, it was a woman cop that was
11 doing this, and she was undercover, too. And I was just
12 like, "Why are you guys saying this? I didn't do
13 nothing." She goes, "Shut up." I go, "No, I got my
14 rights." They go, "No, you don't have no rights." I go,
15 "What do you mean I don't have rights?" They go, "That
16 is right."

17 So they handcuffed me, and they called four other
18 patrols. And they go, "Yeah, we got this guy over here
19 that you guys are looking for." They go, "Hold him."

20 So I was right there, and then two cop cars come.

21 One guy gets me, and I was handcuffed. And he
22 pounds my head into the back thing. I was handcuffed. I
23 go, "What did I do?" He goes, "You just hit me between
24 the legs." I go, "How could I hit you? I was standing
25 and I was handcuffed."

1 Then he again hit me, and then the girl pounded me
2 against the car. And then I was thrown on the ground,
3 and three more cop cars came. And a senior-- It looked
4 like a Chief or something came out. And they hogtied me,
5 and then they all went at me. They all started kicking
6 me and hitting me.

7 And then I looked up, and the guy said, "Time.
8 Everyone stop." They pick me up hogtied and threw me in
9 the car." I was then took downtown. They threw me on
10 the pavement, put me in the paddy wagon, and I was
11 scraped up, my hair was falling, everything.

12 But then I was droven back, and then, you know, I
13 wanted to say something to an attorney or something, but
14 I'm like all the kids in my minority, they are so
15 intimidated by the cops. And they put me down to where I
16 was intimidated, and I couldn't do nothing. I was like,
17 you know, a minority--

18 MR. SANCHEZ: How old are you?

19 MR. DELGADO: I'm 17. It was me, a minority,
20 against about seven cops with a badge.

21 MR. SANCHEZ: Did you ever file a complaint?

22 MR. DELGADO: I never filed a complaint. I was
23 totally intimidated, but I wanted to say something since
24 I was here and I was hearing all these complaints on
25 minorities. And, you know, this wouldn't have happened

1 except downtown gets so much trouble. But I mean it's
2 because there is no where else to go in Reno except
3 downtown, and there is so many people that hate each
4 other.

5 And everyone wants to have fun, and they all go
6 downtown and see each other. Of course, this is going to
7 be a fight because there is no where else to hide from
8 that person. And I mean you guys can have more community
9 dances or something, because all the dance clubs here
10 they all got shut down and everything because the
11 bodyguards were too rough on people or something
12 happened.

13 But I mean if you guys have more community or city
14 sponsored dances or something to get the kids going
15 somewhere, start to spread them out, I mean you wouldn't
16 have the problems with downtown and stuff like that.

17 And I would like to see more police, you know,
18 attention on the complaints by minority people because
19 it's not just Hispanics. And I get racial things said at
20 me by public officials and everything, but I don't let
21 that touch me because I know who I am, and I'm not going
22 to let that offend me.

23 But I wish there was somebody who could speak for
24 us and give us more attention and focus on what we can
25 do, because I mean a lot the things-- We have poor jobs,

1 and you have a lot of crime. But they can't find any
2 other jobs. I mean if we can get more government jobs
3 through to the people who are permanent residents or to
4 the black people who can like express themselves more to
5 the employers in the government, that way touching them
6 off so they have a sense that, you know, we are not just
7 thieves and stuff, you know.

8 You can give us more jobs with higher pay, and then
9 those people that are higher pay can touch off on the
10 poor people so they can get started and help them out.

11 But, you see, almost all the Mexicans are porters,
12 dishwashers, bus persons. We have to go get fake Social
13 Security. And the black people-- There is so much
14 animosity-- And the people, when we go looking for jobs,
15 as soon as you look at a pure Hispanic or black, right
16 away they check criminal records. It's the first thing
17 they do.

18 And I mean there should be less animosity from the
19 employers to the minorities or otherwise we aren't going
20 to be able to get jobs. We will have to look for that
21 money that we need.

22 I just want more jobs for the minority, better
23 paying jobs. I would like to see an effort by the
24 employers to go out to the minorities and tell them that
25 there is jobs for higher pay instead of them going out

1 there and finding low paying jobs and thieving, you know.
2 Because I don't like seeing my race going out there
3 thieving just to get their money.

4 I don't think that is right. But if that is the
5 only way they can get money, and no one is giving them a
6 job, I can't say nothing.

7 MR. SANCHEZ: Roberto, thank you, because for being
8 only 17 I think you have presented a very clear picture
9 of what is going on.

10 MR. DELGADO: Well, I just wanted to say something.

11 THE CHAIR: Thank you for coming.

12 The Commission meeting is now adjourned.

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1 STATE OF NEVADA)
2 COUNTY OF WASHOE) ss.
3)

4 I, LYNDDA CLARK, CSR #73, a Notary Public in
5 and for the County of Washoe, State of Nevada, do hereby
6 certify:

7 That on Thursday, the 9th day of May, 1991,
8 at the hour of 9:00 a.m. of said day, at the Midby-Byron
9 Building, 1041 North Virginia, Reno, Nevada, that I was
10 present in the matter entitled herein:

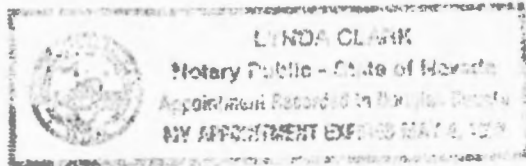
11 That said hearing was taken in verbatim
12 stenotype notes by me, a Certified Shorthand Reporter,
13 and thereafter transcribed into typewriting as
14 herein appears:

15 That the foregoing transcript, consisting of
16 pages 1 through 304, is a full, true and correct
17 transcription of my stenotype notes of said deposition to
18 the best of my knowledge, skill and ability.

19 Dated at Reno, Nevada, this 23rd day of
20 May, 1991.

Lynda Clark

LYNDA CLARK, CSR #73



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