

1
2 COUNCIL OF THE CITY OF PHILADELPHIA
3 COMMITTEE ON PUBLIC SAFETY
4
5

6 Room 400, City Hall
7 Philadelphia, Pennsylvania
8 Tuesday, December 14, 2010
9 10:25 a.m.

10 PRESENT:

11 COUNCILWOMAN DONNA REED MILLER, CHAIR
12 COUNCILWOMAN JANNIE BLACKWELL
13 COUNCILMAN DARRELL CLARKE
14 COUNCILMAN WILLIAM K. GREENLEE
15 COUNCILMAN CURTIS JONES, JR.
16 COUNCILWOMAN MARIA D. QUINONES-SANCHEZ
17 COUNCILMAN FRANK RIZZO, JR.

18 BILL 100722 - An ordinance amending Chapter
19 10-818 of The Philadelphia Code to provide
20 that no person shall carry a firearm on public
21 streets or public property unless the person
22 is licensed to carry such firearm by a
23 political subdivision of the Commonwealth of
24 Pennsylvania...

25 RESOLUTION 100731 - Resolution authorizing
City Council's Committee on Public Safety to
hold a public hearing to consider and evaluate
the issues surfacing around the Philadelphia
Police Department and the conduct of its
officers.

- - -

1
2 COUNCILWOMAN MILLER: Good
3 morning. The Public Safety Committee is
4 now in session. We have two bills today,
5 and we just want to first recognize a
6 quorum. I'm Councilwoman Donna Reed
7 Miller, Chair of Public Safety. To my
8 left is Councilman Greenlee, a member of
9 this Committee. To my far left is
10 Councilman Frank Rizzo, who is also a
11 member of the Committee. And to my
12 right, far right, is Councilman Curtis
13 Jones, who is also a member of this
14 Committee.

15 Will the Clerk please read the
16 bill into the record.

17 THE CLERK: Bill No. 100722,
18 amending Chapter 10-818 of The
19 Philadelphia Code to provide that no
20 person shall carry a firearm on public
21 streets or public property unless the
22 person is licensed to carry such firearm
23 by a political subdivision of the
24 Commonwealth of Pennsylvania, regardless
25 of whether the person possesses a license

1 12/14/10 - PUBLIC SAFETY - BILL 100722, ETC.

2 issued in another state, under certain
3 terms and conditions.

4 COUNCILWOMAN MILLER: Thank
5 you.

6 I believe our only witness for
7 this bill is Deputy Mayor for Public
8 Safety, Everett Gillison. Please sit at
9 the table and don't forget to speak into
10 the mike and identify yourself. Thank
11 you. And proceed with your testimony.

12 (Witness approached witness
13 table.)

14 DEPUTY MAYOR GILLISON: Thank
15 you. Good morning, Councilwoman Miller
16 and members of the Public Safety
17 Committee. My name is Everett A.
18 Gillison. I am the Deputy Mayor for
19 Public Safety. Thank you for the
20 opportunity to appear before you today on
21 behalf of the Nutter Administration to
22 testify on Bill No. 100722.

23 This bill seeks to amend
24 Section 10-818 of The Philadelphia Code
25 to provide that no person shall carry a

1 12/14/10 - PUBLIC SAFETY - BILL 100722, ETC.

2 firearm upon the public streets or on
3 public property in the City unless that
4 person is licensed by a political
5 subdivision of the Commonwealth of
6 Pennsylvania, regardless of whether such
7 person possesses a license issued by
8 another state to carry a firearm or
9 licensed to hunt. This bill seeks to end
10 what has been commonly known as the
11 "Florida Loophole."

12 In order to obtain a license to
13 carry a concealed weapon in Pennsylvania,
14 a resident must apply to his or her
15 county Sheriff or the Police Commissioner
16 in Philadelphia to issue the license. In
17 accordance with Pennsylvania law, the
18 Sheriff's Office or our Police Department
19 performs background and criminal history
20 checks to determine if the applicant
21 possesses the requisite character and
22 fitness to carry a concealed weapon. The
23 Florida Loophole allows an applicant who
24 has been denied a Pennsylvania carry
25 permit to apply via mail to the State of

1 12/14/10 - PUBLIC SAFETY - BILL 100722, ETC.

2 Florida for a non-resident license to
3 carry a concealed firearm. Because of
4 the way state law has been interpreted
5 and the reciprocal agreements that are in
6 place between the Commonwealth to
7 Pennsylvania and the State of Florida,
8 the non-resident Florida license is
9 honored as valid in Pennsylvania.

10 It defies logic that a
11 Philadelphia resident denied a license to
12 carry a concealed firearm by the
13 Philadelphia Police Department, applying
14 Pennsylvania law, may still carry a
15 concealed firearm on the streets of
16 Philadelphia because the State of Florida
17 has issued that Philadelphia resident a
18 license through the mail.

19 This Administration is
20 committed to ending this absurd provision
21 of the law. This Administration is also
22 committed to restoring sanity and reason
23 to our gun laws. Mayor Nutter has
24 approved much-needed reasonable gun
25 control measures passed by this Council.

1 12/14/10 - PUBLIC SAFETY - BILL 100722, ETC.

2 We are all aware of the danger,
3 pain and suffering inflicted upon our
4 city due to the proliferation of, and
5 easy access to, firearms. We have been
6 advised by the Law Department, however,
7 that this bill, in its present form,
8 would almost certainly be deemed
9 preempted by state law. While we are in
10 full agreement with the goals of the
11 bill, we believe that it is important to
12 develop reasonable gun control measures
13 that we believe we can lawfully enforce
14 because we believe we can defend that
15 enforcement against legal challenge.
16 Accordingly, the Administration would
17 like to propose an amendment to the bill
18 that we believe accomplishes the basic
19 substantive goals of the bill and also
20 would allow the bill to be defended
21 against legal challenge. We understand
22 that Councilman Clarke, the sponsor of
23 the legislation, is in agreement with the
24 proposed amendments.

25 The proposed bill, as amended,

1 12/14/10 - PUBLIC SAFETY - BILL 100722, ETC.

2 would allow only either residents of the
3 Commonwealth of Pennsylvania possessing
4 valid Pennsylvania permits or residents
5 of other states who are legally licensed
6 to carry a concealed weapon in their
7 state and whose state has reciprocal
8 carry agreements with Pennsylvania to
9 carry a concealed firearm in the City of
10 Philadelphia. It would not permit,
11 however, Pennsylvanians who are not
12 licensed in Pennsylvania to use licenses
13 obtained in other states to justify
14 carrying a concealed weapon in
15 Philadelphia.

16 The amendment further provides
17 that if this limitation is deemed too
18 restrictive under Pennsylvania law, then
19 only Pennsylvanians licensed in states
20 with firearm laws similar to those of
21 Pennsylvania and which states provide a
22 reciprocal privilege for Pennsylvania
23 licensees can carry a concealed weapon in
24 Philadelphia. The bill identifies those
25 states that the Commonwealth Attorney

1 12/14/10 - PUBLIC SAFETY - BILL 100722, ETC.

2 General has determined in accordance with
3 Pennsylvania firearms laws to satisfy
4 those requirements. Notably, Florida is
5 not one of those states.

6 These restrictions we believe
7 would be in keeping with the true intent
8 of the Pennsylvania law and would end the
9 absurd situation of allowing
10 Pennsylvanians to carry concealed
11 firearms lawfully with a permit issued by
12 the State of Florida. I, therefore, urge
13 this Committee to adopt the
14 Administration's proposed amendment and
15 favorably recommend this bill.

16 I am also committed to
17 continuing to work with Council and, in
18 particular, the members of this Committee
19 to draft safe, sane and legally
20 sufficient gun control legislation.

21 I thank you for the opportunity
22 to testify, and I would be happy to
23 answer any questions from the Committee.

24 COUNCILWOMAN MILLER: Thank
25 you. Thank you for your testimony. I

1 12/14/10 - PUBLIC SAFETY - BILL 100722, ETC.

2 have a couple questions.

3 So basically what we're saying
4 is someone that does not have a license
5 to carry in Pennsylvania to go and obtain
6 a license from Florida, that that Florida
7 license in Pennsylvania would be null and
8 void?

9 DEPUTY MAYOR GILLISON: That's
10 correct.

11 COUNCILWOMAN MILLER: You will
12 not be able to use it?

13 DEPUTY MAYOR GILLISON: That's
14 correct.

15 COUNCILWOMAN MILLER: Okay.
16 What about a person that's traveling from
17 out of state that has a license in that
18 particular state and they come to
19 Philadelphia?

20 DEPUTY MAYOR GILLISON: The
21 Pennsylvania laws in the 6100 series of
22 the Crimes Code allow for that kind of
23 passage through, and as long as you have
24 a valid license in that particular home
25 state, you are permitted, with notice to

1 12/14/10 - PUBLIC SAFETY - BILL 100722, ETC.

2 the police that you're coming through or
3 notice that you're here, to actually
4 continue that. But the difference is is
5 that you're passing through. You're not
6 setting up shop. You're not living here
7 for an extended period of time. You're
8 only going through. And so that's really
9 not applicable or -- we would not be
10 affecting that particular aspect of
11 carrying a gun for temporary purposes.

12 COUNCILWOMAN MILLER: And if
13 you have not ever applied for a license
14 in Pennsylvania and you go and get this
15 license from Florida -- and what other
16 states is it besides Florida where you
17 can get this license?

18 DEPUTY MAYOR GILLISON: There
19 are -- I believe that the reciprocal
20 states on the Attorney General's website,
21 there are seven states that people
22 have -- that he has approved as having
23 reciprocal arrangements with
24 Pennsylvania. That is Colorado, Idaho,
25 Indiana, Louisiana, Montana, North Dakota

1 12/14/10 - PUBLIC SAFETY - BILL 100722, ETC.

2 and Utah. Those are the ones that are
3 referenced in the amended bill, because
4 we have reciprocal arrangements with
5 those states and if a person has a
6 license in those states, they've already
7 passed the minimum test. All others are
8 not recognized because we do not have
9 reciprocity with any other states.

10 COUNCILWOMAN MILLER: What
11 about a Pennsylvania license, is that
12 good in, say, New Jersey, New York, some
13 of the local -- some of our nearby
14 states?

15 DEPUTY MAYOR GILLISON: They're
16 not, because we do not have reciprocity
17 with those states. The answer to that
18 question is no.

19 COUNCILWOMAN MILLER: Okay.
20 Councilman Rizzo.

21 COUNCILMAN RIZZO: Deputy
22 Mayor, let's make sure we get it really
23 clear here, at least I need it clear.
24 Are you telling me that Colorado, Idaho,
25 Indiana, Louisiana, Montana, North Dakota

1 12/14/10 - PUBLIC SAFETY - BILL 100722, ETC.

2 and Utah are the only states that the
3 Commonwealth of Pennsylvania recognizes
4 in a reciprocal agreement?

5 DEPUTY MAYOR GILLISON: That's
6 correct.

7 COUNCILMAN RIZZO: What would
8 stop Florida from getting their place in
9 order and what would stop these other
10 states from just getting the reciprocal
11 agreement? What are these states doing
12 that Florida is not doing?

13 DEPUTY MAYOR GILLISON: They
14 have either similar or laws that the
15 Attorney General in his or her capacity
16 has deemed to be sufficient to protect
17 the rights of Pennsylvanians. So if the
18 State of Florida, using your example,
19 changed some of its internal rules and
20 the Attorney General says we are now
21 going to execute a reciprocal
22 arrangement, then they would be able to
23 use those particular matters. You'd be
24 able to use that agreement.

25 COUNCILMAN RIZZO: Could you

1 12/14/10 - PUBLIC SAFETY - BILL 100722, ETC.

2 point out for the Committee what the
3 differences are? What does Colorado do?
4 Are they mirroring our Pennsylvania
5 application? Because the Pennsylvania
6 application is not a big deal anymore.
7 An average person can walk in and get a
8 permit to carry a gun, from what I
9 understand. If they haven't been
10 arrested, they're pretty much going to
11 get a permit. Am I correct? It's pretty
12 loose here now.

13 DEPUTY MAYOR GILLISON: Well, I
14 think that I would agree with you that
15 the minimum standards to get a license in
16 Pennsylvania is rather minimum. I would
17 also agree that there are different
18 requirements that different states have
19 by way of procedure and to apply for the
20 matters. In the State of Florida, for
21 example, you know that it is covered by
22 the Agriculture Department, and when you
23 go there, you actually apply through mail
24 order and you get a permit through the
25 Agriculture Department of the State of

1 12/14/10 - PUBLIC SAFETY - BILL 100722, ETC.

2 Florida. That's not done here in the
3 State of Pennsylvania. Your procedures
4 are quite different. You have to go to
5 what we know either the location, the
6 Sheriff or the Police Commissioner, you
7 have to go through a series of background
8 checks. Those are the kinds of things
9 that Colorado, Indiana, et cetera, they
10 do the same things that we do. The other
11 states in the union don't do that.

12 I would be able to get back to
13 the Chair with all of the differences
14 that these places have, but they don't
15 have the same agreements in place. They
16 don't have the same procedures in place,
17 and that's why the state Attorney General
18 has not recognized that as being a
19 reciprocity state.

20 COUNCILMAN RIZZO: Do we know
21 that the state Attorney General -- and
22 this will be my last question in this
23 go-around. Do we know that the state
24 Attorney General manages these reciprocal
25 agreements? Do we know that Colorado and

1 12/14/10 - PUBLIC SAFETY - BILL 100722, ETC.

2 the rest that I mentioned haven't relaxed
3 their rules and we're assuming that they
4 are the same as 20 years ago? I mean,
5 how do we know that these states that we
6 think we have a reciprocal agreement
7 really have a solid program that --

8 DEPUTY MAYOR GILLISON: That's
9 the purview of the Attorney General.
10 It's actually found in Pennsylvania
11 Control -- Criminal statutes, Section 18,
12 Section 6109, and it's actually a
13 requirement on the state Attorney General
14 yearly to take a look at each of these
15 states, take a look at what procedures
16 they have in place and to offer
17 reciprocity in Pennsylvania if they
18 change certain things in their matter, in
19 their laws.

20 It is incumbent on the state
21 Attorney General to follow the laws as
22 they are applied. This is a state law,
23 and I would assume that the Attorney
24 General, being the highest state official
25 and state law enforcement official, would

1 12/14/10 - PUBLIC SAFETY - BILL 100722, ETC.

2 follow the law.

3 COUNCILMAN RIZZO: That's what
4 I wanted to know. In the next go-around
5 I'd like to prepare -- I'd like you to
6 describe the process in Philadelphia to
7 get a permit, because earlier I said,
8 from what I understand, it's really been
9 relaxed. So I'd like to know a person
10 comes in and the process to get a permit,
11 but on my next go-around.

12 Thanks, Madam Chair.

13 COUNCILWOMAN MILLER:
14 Councilman Curtis Jones.

15 COUNCILMAN JONES: Thank you,
16 Madam Chair. It's kind of ironic that
17 this Committee is going to review two
18 different issues today. One of them is
19 obviously the one before us by way of
20 reciprocity in firearms and then the
21 other one is how to get a better handle
22 on community interaction with the police
23 force, and what is a striking
24 contradiction is that the last thing --
25 although I recognize everyone's right to

1 12/14/10 - PUBLIC SAFETY - BILL 100722, ETC.

2 bear arms and things of that nature. In
3 Philadelphia, we have reached an alarming
4 statistic, particularly in the African
5 American community -- and I saw this, I
6 checked it. I don't get all my
7 information from Google, but every now
8 and then, it is a good source -- that
9 African American men have committed
10 homicide one on the other. The statistic
11 now out-passes, surpasses, all of the
12 lynchings that the Klu Klux Klan did
13 since its inception, and for us to be
14 talking about seriously being a little
15 more lax about how firearms get into our
16 community is just -- it just flies in the
17 face of all rationale as to the trends of
18 what's going on in our community. So we
19 should not be looking for more reasons to
20 bring guns in. We should be looking for
21 more reasons to keep them out, and that's
22 my point.

23 Thank you, Madam Chair.

24 COUNCILWOMAN MILLER: Thank
25 you, Councilman Jones.

1 12/14/10 - PUBLIC SAFETY - BILL 100722, ETC.

2 I just want to make note that
3 in attendance is also Councilman Darrell
4 Clarke, and we also have Councilwoman
5 Maria Sanchez in the Chambers.

6 I have a question. Currently,
7 what is the policy if you stop someone
8 who has a weapon and the license is from
9 Florida?

10 DEPUTY MAYOR GILLISON: It is a
11 valid -- right now the law is that he has
12 a valid, he or she, has a valid permit.

13 COUNCILWOMAN MILLER: And they
14 can maintain their license, they can keep
15 their -- I mean, they can keep their
16 weapon?

17 DEPUTY MAYOR GILLISON: I will
18 defer to anyone that -- I mean, obviously
19 I have the entire command staff behind
20 me.

21 COUNCILWOMAN MILLER: We see.

22 DEPUTY MAYOR GILLISON: But it
23 is a valid permit. I think what the
24 Councilman's bill is trying to do is to
25 put a little bit of teeth into the fact

1 12/14/10 - PUBLIC SAFETY - BILL 100722, ETC.

2 that we should be able to investigate. I
3 know that we take their names. I know
4 that we take their addresses. I know we
5 try and figure out exactly what they're
6 doing and how they're doing it, because
7 if they run a regular Pennsylvania -- if
8 they run against the -- there's a check,
9 a computer check. It will not come up
10 with a valid Pennsylvania license, but if
11 they have the Florida permit, we'll take
12 the information, but it is a valid permit
13 to carry. And we're trying to get a
14 little bit of control over this
15 particular aspect of this loophole. I
16 think that's what the Councilman's bill
17 is trying to do, and we wholeheartedly
18 support these kinds of efforts.

19 COUNCILWOMAN MILLER: Well, I
20 think we all agree that there are just
21 too many weapons on the street.

22 DEPUTY MAYOR GILLISON: Amen.

23 COUNCILWOMAN MILLER: And we
24 can do -- we want to be able to do
25 whatever we can, and that's why we put

1 12/14/10 - PUBLIC SAFETY - BILL 100722, ETC.

2 gun laws in place.

3 Thank you.

4 Councilman Rizzo.

5 COUNCILMAN RIZZO: Mayor

6 Gillison, I'm a little confused. The
7 seven states that are listed here that
8 have reciprocal agreements with PA with
9 the same criteria, could you tell me how
10 many states -- you just said that you
11 could come here and carry a permit.

12 That's what we're talking about. But how
13 many states do have reciprocal agreements
14 that don't comply with Pennsylvania's gun
15 carry law?

16 DEPUTY MAYOR GILLISON:

17 Councilman, I will actually verify this,
18 but from what I am aware, I believe that
19 Florida is the only one, but I will
20 verify that and get back to the Chair.
21 But I agree that the one that this would
22 be aimed at is closing that loop now.

23 (Witness approached witness
24 table.)

25 COUNCILMAN RIZZO: But my point

1 12/14/10 - PUBLIC SAFETY - BILL 100722, ETC.

2 is, are there other -- and you just said
3 you'd get back to us, but does anyone in
4 the room know how many states we have
5 reciprocal -- a police officer stops
6 somebody from Boston. Do we have a
7 reciprocal agreement with them? I don't
8 know.

9 DEPUTY MAYOR GILLISON: I will
10 have to get back to you.

11 I've just been told that there
12 are 17 other states that are being
13 investigated to see whether or not they
14 meet the second criteria, that their laws
15 are similar and they are still going
16 through the process. But I'll get back
17 to you with that number.

18 COUNCILMAN RIZZO: What I'd
19 really like to know, how many more like
20 Florida are there.

21 DEPUTY MAYOR GILLISON: I'll
22 have to get back to you.

23 COUNCILMAN RIZZO: Okay. Thank
24 you.

25 DEPUTY MAYOR GILLISON: I think

1 12/14/10 - PUBLIC SAFETY - BILL 100722, ETC.

2 it's three. I'm being told it's three.

3 I've been told that there's three, but

4 I'll actually get back to you with the

5 exact name of the states.

6 COUNCILMAN RIZZO: Thank you.

7 COUNCILWOMAN MILLER: So if

8 someone is stopped and their weapon is

9 taken by the police, what happens?

10 Because that has happened. You know

11 that.

12 DEPUTY MAYOR GILLISON: If a

13 weapon or any time a property is seized,

14 there has to be -- there is a procedure

15 to get the property back, obviously.

16 It's called a return of property hearing.

17 You can actually -- the person can

18 actually say that I disagree with the

19 action of the police officer. The Police

20 Department will issue a property receipt.

21 That person can go to court, put their

22 case on and say that I have a valid

23 permit, this was seized illegally, and

24 let a judge decide whether or not they

25 should get the weapon back. That's the

1 12/14/10 - PUBLIC SAFETY - BILL 100722, ETC.

2 way that it works in all kinds of
3 situations, and that would be no
4 different in that circumstance.

5 COUNCILWOMAN MILLER: I asked
6 you that question because I wanted to put
7 the answer on the record, because that
8 has happened. I mean, I have that
9 constituent that keeps showing up in the
10 Daily News regarding his weapons. And
11 part of what we do here is to educate
12 people.

13 DEPUTY MAYOR GILLISON: Any
14 time a citizen believes that property has
15 been seized illegally or even if they
16 have a problem, they say that they don't
17 believe that it should have been subject
18 of the confiscation, they have a right to
19 go to court. And they can file to go to
20 court, and the judge, which is the
21 judge's role, is to stand in between and
22 make a decision whether or not the
23 seizure was legal or the seizure was
24 correct. That happens every day. I
25 mean, there are return of property

1 12/14/10 - PUBLIC SAFETY - BILL 100722, ETC.

2 matters in Motions Court and the Courts
3 of Common Pleas and the courts of civil
4 matters every day in this city.

5 COUNCILWOMAN MILLER: Thank
6 you.

7 Councilman Clarke.

8 COUNCILMAN CLARKE: Thank you,
9 Madam Chair.

10 Good morning.

11 DEPUTY MAYOR GILLISON: Good
12 morning.

13 COUNCILMAN CLARKE: Real
14 briefly, first I want to thank you and
15 members of the Law Department for coming
16 up with some amendments that would make
17 this more defensible. It will obviously
18 end up in court, such as the last bills.
19 I have to tell you, personally I would
20 have rather gone for the more aggressive
21 version, because, frankly speaking, I
22 don't understand -- and I'm sure that
23 most of you all agree -- why a person,
24 regardless of any reciprocal agreements,
25 should be able to carry a gun in the

1 12/14/10 - PUBLIC SAFETY - BILL 100722, ETC.

2 streets of the City of Philadelphia
3 unless they pass the criteria established
4 by the Commonwealth of Pennsylvania. I
5 mean, I just don't understand that, how
6 you can come here, you can walk around
7 the streets with a gun and you've never
8 gone through a background check in
9 Pennsylvania. That's just like amazing
10 to me, but there's the Pennsylvania law
11 and then there's Darrell Clarke's law and
12 then there's reality.

13 I want to say, though, I thank
14 you for what it is you're attempting to
15 do. I think that based on the amendments
16 that you've provided, it should be
17 extremely defensible, because we do look
18 at comparable criteria as it relates to
19 the reciprocal agreements through some of
20 the states. This whole Florida notion,
21 how you can online get a permit to carry,
22 is quite bizarre. I don't know how
23 anyone should suggest that somehow that's
24 defensible from that perspective, that
25 people should be able to do that. And,

1 12/14/10 - PUBLIC SAFETY - BILL 100722, ETC.

2 unfortunately, we've already had a couple
3 of instances where an individual did in
4 fact do that and ended up doing the
5 commission of an assault.

6 So I just want to say for the
7 record I want to thank you all. I look
8 forward to being with you in court again.
9 And actually as we move down the process
10 on the pending legislation that we have
11 had, I believe we're in Commonwealth
12 Court now, we've passed Commonwealth
13 Court and we're waiting a Supreme Court
14 challenge?

15 UNIDENTIFIED SPEAKER: The
16 Supreme Court declined to hear the --

17 COUNCILMAN CLARKE: They've
18 declined to hear it because of the
19 standing issue. And having conversations
20 with the District Attorney, I believe
21 that -- and I shouldn't put words in his
22 mouth, but I'm going to do it. I believe
23 that he says he's prepared on at least
24 one, possibly two of those to possibly
25 proceed with an actual arrest and a

1 12/14/10 - PUBLIC SAFETY - BILL 100722, ETC.

2 possible prosecution that will get us
3 into court as a defendant so we can get a
4 handle on this once and for all,
5 particularly on the lost or stolen guns,
6 which is another bill that I think is one
7 of the most reasonable approaches that
8 we've attempted to do.

9 So I just want to for the
10 record thank you all for your support and
11 look forward to helping you all put your
12 briefs together and we go to court.

13 DEPUTY MAYOR GILLISON: Thank
14 you very much, Councilman, and thank you
15 for your leadership on this matter. It
16 is much appreciated.

17 COUNCILWOMAN MILLER:
18 Councilman Rizzo.

19 COUNCILMAN RIZZO: Thank you.

20 I want to come back, Deputy
21 Mayor Gillison, to understand better.
22 We're critical of some of the other
23 states that maybe is loose as can be, but
24 I know that the standards in Pennsylvania
25 have deteriorated in the last few years

1 12/14/10 - PUBLIC SAFETY - BILL 100722, ETC.

2 on getting a gun. Could you tell me,
3 whoever is going to speak on it, describe
4 the process of a person applying for the
5 first time for a carry.

6 DEPUTY MAYOR GILLISON: I'll be
7 glad to provide that, and I know that the
8 person that's best situated to answer
9 that would be Lieutenant Healy, who is
10 present with me sitting here at the
11 table.

12 LIEUTENANT HEALY: For the
13 record, Lieutenant Healy from the Police
14 Commissioner's Office.

15 The process for obtaining a
16 firearm's permit in Pennsylvania, quite
17 frankly -- the standards haven't
18 deteriorated. Actually, they're slightly
19 higher than other states -- is actually
20 positive for Pennsylvania. The issues,
21 as you would come in with an application,
22 the state-filled application with your
23 references, it would be processed through
24 our Gun Permits Unit. They would do the
25 background investigation, which consists

1 12/14/10 - PUBLIC SAFETY - BILL 100722, ETC.

2 of the Pennsylvania Instant Check System,
3 which checks you for a criminal history
4 record as well as involuntary mental
5 commitments and stuff like that that
6 would preclude you under federal and
7 state law. In addition to Pennsylvania,
8 then, we would also look to the character
9 and reputation of the individual to
10 determine whether or not they're a hazard
11 to the community. That's a standard
12 which other states or other jurisdictions
13 don't actually apply. We do in
14 Pennsylvania. That's why we can
15 disapprove people in Pennsylvania and
16 then they can go, turn around to Florida
17 and apply.

18 Florida standard pretty much is
19 they just use the Pick Check. We use an
20 additional standard, a step higher than a
21 Pick Check. That's why they're qualified
22 in Florida, whereas we would disapprove
23 them in this state.

24 What's also important is, we
25 only just -- we don't just disapprove

1 12/14/10 - PUBLIC SAFETY - BILL 100722, ETC.

2 individuals. We also revoke people. We
3 revoke licenses based on good cause.

4 Now, what happened is -- and this is
5 really the scam that's happening, quite
6 frankly -- is to appeal our revocation,
7 if the Commissioner revokes your license
8 for some act and we determine that it's
9 careless, negligent or whatever the case
10 may be, it costs probably about \$1,500 to
11 appeal to the Common Pleas Court for a
12 decision, whether or not that decision
13 was right or wrong. It's cheaper for
14 them to now just apply in Florida and get
15 a permit irrespective of that revocation.
16 Therefore, they've circumvented the whole
17 appellate process, the whole
18 Commissioner's discretion process.

19 The issue that Florida presents
20 the problem for is this, quite honestly,
21 Florida standards are legitimate
22 standards. They actually have higher
23 safety standards than we have. You have
24 to actually prove that you have a safety
25 class, which you don't in Pennsylvania,

1 12/14/10 - PUBLIC SAFETY - BILL 100722, ETC.

2 but in Florida, you don't need to be a
3 resident. Therein lies the problem. We
4 have no problem with reciprocity
5 agreements that are substantially similar
6 to ours for their own residents. So when
7 a resident from another state comes to
8 ours, we recognize their license and we
9 recognize theirs. The problem is, with
10 Florida they're issuing licenses to
11 non-residents. We don't do that in
12 Pennsylvania. We issue licenses only to
13 us or only to Pennsylvania residents.

14 There's a very small class of
15 licenses that we will issue. If you come
16 to us from another state with already
17 have a license, we will accept it, and
18 we'll allow you to carry in Pennsylvania,
19 but what we'll do is, we will give you a
20 Pennsylvania license in addition to your
21 other state. Florida won't recognize
22 those licenses. So ironically enough,
23 they want us to recognize their
24 out-of-state licenses, but they won't
25 recognize ours. Therein lies the

1 12/14/10 - PUBLIC SAFETY - BILL 100722, ETC.

2 disparity between the law. And the fact
3 is, our laws are not substantially
4 similar; therefore, they should not be
5 subject to a reciprocity agreement.

6 COUNCILMAN RIZZO: Lieutenant
7 Healy, let me restate what I said
8 earlier. Years ago -- been through the
9 process many times -- you mentioned about
10 the safety portion. When I say that the
11 process has gotten less, I can't even --

12 LIEUTENANT HEALY: I know
13 exactly where you're going.

14 COUNCILMAN RIZZO: We don't go
15 to the range anymore. A person can get a
16 permit in Philadelphia and not even know
17 what end of the gun to hold.

18 LIEUTENANT HEALY: Right. That
19 resulted from legislation, I believe, in
20 1995. Basically Philadelphia had a
21 higher standard than the rest of the
22 state. The state laws were consistent.
23 They had always been the same, but
24 Philadelphia had a higher standard. You
25 actually had to prove why you needed a

1 12/14/10 - PUBLIC SAFETY - BILL 100722, ETC.

2 gun and you actually had to shoot ten
3 rounds at the range.

4 COUNCILMAN RIZZO: So to
5 restate my claim, that at one time the
6 standards to get a permit to carry in
7 Philadelphia were higher than they are
8 presently today.

9 DEPUTY MAYOR GILLISON: That's
10 correct.

11 COUNCILMAN RIZZO: I'm not
12 comparing with other states. I'm --

13 LIEUTENANT HEALY: No, no. I'm
14 just making sure. Philadelphia had its
15 own separate standards, correct, but the
16 state standards were always the way they
17 are now. We actually in Philadelphia had
18 legislation which made it higher.

19 COUNCILMAN RIZZO: Were we
20 forced to adopt the state rule?

21 LIEUTENANT HEALY: Yes.

22 COUNCILMAN RIZZO: We were?

23 LIEUTENANT HEALY: 1995 the
24 regulations that we had for gun permits
25 were ruled illegal because they

1 12/14/10 - PUBLIC SAFETY - BILL 100722, ETC.

2 contradicted what the state had.

3 DEPUTY MAYOR GILLISON: That's
4 the whole preemption argument. That's
5 where it began.

6 LIEUTENANT HEALY: And that's
7 when our permits to carry skyrocketed, in
8 1995.

9 COUNCILMAN CLARKE: Yeah. And,
10 Lieutenant, correct if I'm wrong,
11 ironically I think that action actually
12 started as a result of a similar action
13 where the City of Philadelphia attempted
14 to ban assault weapons --

15 LIEUTENANT HEALY: Yes.

16 COUNCILMAN CLARKE: -- and
17 other issues as it relates to guns,
18 weapons availability in the City, and the
19 state legislation -- and, unfortunately,
20 it was one of our local legislators who
21 championed the cause --

22 LIEUTENANT HEALY: Yes.

23 COUNCILMAN CLARKE: -- actually
24 basically backhanded us and say, You know
25 what, you don't like the laws you have

1 12/14/10 - PUBLIC SAFETY - BILL 100722, ETC.

2 currently? They're going to get worse.

3 And they basically opened up the
4 floodgates in terms of being able to
5 allow people to get permits to carry.

6 LIEUTENANT HEALY: Well, not
7 only did that, as a result of that, there
8 was actually a specific provision put
9 into the Uniform Firearms Act
10 specifically stating that local
11 municipalities cannot pass gun
12 legislation and gun laws.

13 COUNCILMAN CLARKE: Right. So
14 as a result of that.

15 LIEUTENANT HEALY: That Senator
16 is no longer in Harrisburg.

17 COUNCILMAN CLARKE: Yeah.
18 We're aware of that.

19 All right. Thank you. Thank
20 you.

21 COUNCILMAN RIZZO: Thank you
22 very much, Lieutenant Healy.

23 LIEUTENANT HEALY: Thank you,
24 sir.

25 COUNCILWOMAN MILLER: Thank

1 12/14/10 - PUBLIC SAFETY - BILL 100722, ETC.

2 you. Thank you.

3 Are there any other questions
4 from the Committee members of these
5 witnesses?

6 (No response.)

7 COUNCILWOMAN MILLER: Seeing
8 none, thank you.

9 DEPUTY MAYOR GILLISON: Thank
10 you.

11 COUNCILWOMAN MILLER: Is there
12 anyone else here to testify on this bill?

13 (No response.)

14 COUNCILWOMAN MILLER: Seeing
15 none, we will go into the public meeting
16 to vote on Bill No. 100722 and then
17 return to the public hearing to hear
18 testimony on Resolution No. 100731.

19 The Chair recognizes Councilman
20 Clarke.

21 COUNCILMAN CLARKE: Thank you,
22 Madam Chair. Madam Chair, I move for the
23 adoption of the amendment to Bill No.
24 100722.

25 (Duly seconded.)

1 12/14/10 - PUBLIC SAFETY - BILL 100722, ETC.

2 COUNCILWOMAN MILLER: All those
3 in favor signify by saying aye.

4 (Aye.)

5 COUNCILWOMAN MILLER: Opposed?

6 (No response.)

7 COUNCILWOMAN MILLER: Great.

8 Councilman Clarke.

9 COUNCILMAN CLARKE: Thank you,
10 Madam Chair. Madam Chair, I make a
11 motion that Bill No. 100722, as amended,
12 be reported out of Committee with a
13 favorable recommendation and a request
14 for rules suspension as to allow reading
15 at the next session of Council.

16 (Duly seconded.)

17 COUNCILWOMAN MILLER: All those
18 in favor?

19 (Aye.)

20 COUNCILWOMAN MILLER: Opposed?

21 (No response.)

22 COUNCILWOMAN MILLER: This bill
23 has been properly moved and seconded and
24 will be reported out of this Committee
25 with a favorable recommendation and,

1 12/14/10 - PUBLIC SAFETY - BILL 100722, ETC.

2 further, that the rules of Council be
3 suspended so as to permit first reading
4 at our next session.

5 Thank you.

6 COUNCILMAN CLARKE: Thank you.

7 COUNCILWOMAN MILLER: We will
8 now return to the public hearing to hear
9 testimony on Resolution No. 100731.

10 Will the Clerk please read the
11 title of this resolution.

12 THE CLERK: Resolution 100731,
13 resolution authorizing City Council's
14 Committee on Public Safety to hold a
15 public hearing to consider and evaluate
16 the issues surfacing around the
17 Philadelphia Police Department and the
18 conduct of its officers.

19 COUNCILWOMAN MILLER: Okay.

20 Thank you.

21 (Witnesses approached witness
22 table.)

23 COUNCILWOMAN MILLER: The
24 purpose of this hearing is to look at
25 proactive measures that will ensure

1 12/14/10 - PUBLIC SAFETY - BILL 100722, ETC.

2 cooperation among the community, our
3 Police Department and government
4 agencies.

5 This is not a forum for bashing
6 or hate. It is rather a place to
7 understand what is going on, what we
8 should or should not do, and hopefully
9 learn ways to ensure that officers who do
10 not respect the authority entrusted in
11 them are reprimanded or removed, if
12 necessary.

13 It is true that what we are
14 seeing and hearing regarding police
15 corruption or abuse is very damaging to
16 the credibility of the Police Department,
17 but we must not allow this to destroy the
18 bridge between the Philadelphia Police
19 and the community.

20 There are about 6,576 police
21 officers. Like any profession, there are
22 people who make bad decisions, be it
23 erroneous or on purpose. Our mission
24 here is to minimize, if not eradicate,
25 those blatant wrongdoings or errors in

1 12/14/10 - PUBLIC SAFETY - BILL 100722, ETC.

2 decisions.

3 This hearing will discuss the
4 rights and responsibilities of the police
5 and individuals who come in contact with.
6 It is important to understand that people
7 are not taught what they should or should
8 not do when dealing with the police, and
9 I hope that this hearing will clarify
10 that.

11 The Deputy Mayor of Public
12 Safety, the Police Commissioner, the
13 Police Advisory Commission, just to name
14 a few, will be given an opportunity to
15 explain how police misconduct is
16 addressed, the importance of community
17 involvement and the different methods for
18 filing a grievance. This will also
19 explain that although it seems misconduct
20 is on the rise, it is not.

21 Practical measures must be
22 taken immediately to ensure that everyone
23 works together to help put an end to the
24 growth of these problems and demonstrate
25 a real response to the public's concerns.

1 12/14/10 - PUBLIC SAFETY - BILL 100722, ETC.

2 I must emphasize that the only
3 way to reprimand or remove officers who
4 act inappropriately is with the help from
5 the community.

6 It was not long ago when the
7 District Attorney was urging the public
8 to avoid playing into the "Don't Snitch"
9 campaign, because killers were walking
10 the streets out of reach from the
11 criminal system. That is similar for
12 police misconduct. Unless it is reported
13 and those involved come forward and
14 following the complaint to the end,
15 nothing can be done to reprimand or
16 remove.

17 Please understand that an
18 anonymous complaint can only go so far.
19 Both good and bad police officers have
20 rights and due process that must be
21 followed.

22 I hope that after this hearing,
23 our citizens will know what their rights
24 are, what is proper behavior and, most of
25 all, if they're involved in misconduct,

1 12/14/10 - PUBLIC SAFETY - BILL 100722, ETC.

2 how to report and follow through so that
3 justice prevails.

4 I want to emphasize that this
5 is not a forum for bashing the Police
6 Department. It is important to hear
7 everyone's issues and hopefully to hear
8 ideas for improvement and ways that we
9 can make the Police Department better and
10 ways to make our citizens and visitors
11 feel both safe and comfortable.

12 I want to emphasize that
13 neither the Police Commissioner nor the
14 Deputy Mayor for Public Safety can
15 comment on current investigations. So
16 this hearing will not be the venue to
17 discuss current matters under
18 investigation.

19 Everyone will be given an
20 opportunity to speak. So I expect that
21 when a witness is speaking, everyone will
22 be respectful and wait for their turn to
23 speak.

24 This is an important issue, and
25 there are many people here who wish to

1 12/14/10 - PUBLIC SAFETY - BILL 100722, ETC.

2 testify. So we have to set a time limit,
3 and that time limit is three minutes per
4 individual testifying.

5 Thank you. Councilman Jones,
6 do you want --

7 COUNCILMAN JONES: Thank you.
8 First of all, Madam Chair, I want to
9 thank you for calling forth this
10 resolution on this urgent matter and
11 paying attention to an issue that has
12 come before this body.

13 One of the things as a freshman
14 Councilperson I had to come to grips with
15 is that this body is not the law.
16 Although we get an opportunity to author
17 resolutions that become ordinances from
18 time to time, we are not the law.

19 I also know that the Police
20 Department is not the law, but it is
21 their job to enforce it, and it is a
22 difficult day-to-day job.

23 Judges aren't the law. All
24 they do is interpret it. And what they
25 interpret is the will of the people,

1 12/14/10 - PUBLIC SAFETY - BILL 100722, ETC.

2 birthed out of the Constitution, and all
3 the law simply is is a set of rules and
4 guides that govern us both, allowing us
5 to co-exist, work, live and play
6 collectively, peacefully.

7 And that's what we want to look
8 at today. We want to look at the rules,
9 and we want to make sure, as the
10 Chairperson said, that everyone
11 understands those rules and that we all
12 are governed by the same set of
13 guidelines in our day-to-day life.

14 So, again, I want to thank the
15 Chairperson for this hearing, and we have
16 an ambitious schedule and hopefully we'll
17 get through it today.

18 Thank you, Madam Chair.

19 COUNCILWOMAN MILLER: Thank
20 you.

21 Are there any other comments
22 from Councilmembers?

23 (No response.)

24 COUNCILWOMAN MILLER: With
25 that, will the Clerk please read the

1 12/14/10 - PUBLIC SAFETY - BILL 100722, ETC.

2 first panel.

3 THE CLERK: Deputy Mayor
4 Everett Gillison and Police Commissioner
5 Charles Ramsey.

6 (Witnesses approached witness
7 table.)

8 DEPUTY MAYOR GILLISON: Thank
9 you very much. Good morning,
10 Councilwoman Miller and members of the
11 Public Safety Committee. My name is
12 Everett Gillison. I am the Deputy Mayor
13 for Public Safety. Seated with me is
14 Police Commissioner Charles Ramsey and
15 Deputy Commissioner Richard Ross. Thank
16 you for the opportunity to appear before
17 you today on behalf of the Nutter
18 Administration to offer testimony
19 concerning Resolution No. 100731,
20 authorizing Council's Committee on Public
21 Safety to hold a public hearing to
22 consider and evaluate the issues
23 surfacing around the Philadelphia Police
24 Department and the conduct of its
25 officers.

1 12/14/10 - PUBLIC SAFETY - BILL 100722, ETC.

2 Public safety is of paramount
3 concern to this Administration. The
4 Mayor has tasked the Police Commissioner
5 with reducing crime in the City. A
6 review of the data shows that while there
7 is still work to be done, the City is a
8 safer place now than three years ago.
9 These results could not be achieved
10 without the hard work and the dedication
11 of the men and women of our Police
12 Department. The Mayor and I fully
13 support the hard work being done by
14 Commissioner Ramsey and the men and women
15 of the Philadelphia Police Department.

16 Of course, we are always
17 concerned about allegations that police
18 officers are abusing their authority.
19 The positive results of reducing crime
20 are diminished if the public does not
21 have faith in the integrity of its police
22 officers. Good, honest, law-abiding
23 people should not fear their police
24 officers. Police officers should be
25 viewed as partners in improving the

1 12/14/10 - PUBLIC SAFETY - BILL 100722, ETC.

2 community and creating a safer city.

3 After all, who are the men and women of

4 our Police Department? They are fellow

5 Philadelphians, our mothers and fathers,

6 our brothers and sisters, our neighbors.

7 We will absolutely not tolerate the

8 misconduct of a few that threatens the

9 good work of the vast majority of our

10 police officers. This Administration

11 will continue to identify, investigate

12 and remove the corrupt minority from the

13 ranks of the Philadelphia Police

14 Department. And as you will hear from

15 Commissioner Ramsey, we have implemented

16 several reforms designed not only to

17 identify and remove corrupt officers, but

18 also to enhance the culture of integrity

19 and professionalism throughout the entire

20 Department. Additionally, we have

21 implemented a variety of resources where

22 citizens may report complaints of

23 misconduct.

24 This past August, the Police

25 Department released its report,

1 12/14/10 - PUBLIC SAFETY - BILL 100722, ETC.

2 "Preventing Corruption Within Our Ranks:
3 Creating a Values-Driven Organization."

4 Since that time, the Department has acted
5 on steps laid out in that plan and has
6 continued to add to their efforts. I
7 have supported the Commissioner's efforts
8 to increase the Department's front-line
9 supervisory ranks since sufficient
10 supervision is necessary to ensure
11 accountability. The Department has
12 promoted 70 sergeants and 30 lieutenants
13 within the last year. Additionally, the
14 Department has increased the number of
15 investigators in the Internal Affairs
16 Division. This will allow the Department
17 to investigate claims of misconduct
18 faster and more efficiently.

19 I have supported the
20 Commissioner's efforts to increase the
21 professional caliber of recruits entering
22 the Police Academy. Recruits must now be
23 at least 21 years of age and have at
24 least 60 college credits or military
25 experience and three years of driving

1 12/14/10 - PUBLIC SAFETY - BILL 100722, ETC.

2 experience. Additionally, I am working
3 to replace the staff lost earlier this
4 year and reinvigorate the Public Safety
5 Office of Integrity and Accountability.

6 Our public needs to be aware
7 that the fact that police work, while an
8 honorable service to the community, is a
9 dangerous occupation. Police officers
10 are oftentimes called upon to place
11 themselves in harm's way answering
12 emergency calls. Even the most casual
13 encounters can erupt into violence in an
14 instant. The simple truth is that
15 despite their training, equipment and
16 modern communications technology,
17 oftentimes police officers don't know
18 what situation they will be walking into
19 or who they will be confronting. This is
20 why officers may seem to be defensive or
21 on guard when they interact with
22 civilians.

23 Police officers have a
24 responsibility to be professional and
25 courteous in their interactions with

1 12/14/10 - PUBLIC SAFETY - BILL 100722, ETC.

2 members of the public. Likewise, members
3 of the public, as our partners in keeping
4 the City safe, have certain
5 responsibilities when interacting with
6 police officers. Members of the public
7 who are approached by police officers
8 should speak with the officer in a
9 courteous and polite manner. They should
10 not escalate an already tense situation
11 by becoming angry, loud and
12 argumentative. They should keep their
13 hands where an officer can see them and
14 not make sudden or furtive movements.
15 Being mindful of these simple rules will
16 go a long way in improving interactions
17 between the police and civilians.

18 Not to be overly simplistic,
19 but many of these unfortunate encounters
20 can be avoided if civilians and officers
21 remember the golden rule: Treat others
22 as you would like to be treated. It is
23 important that everyone be mindful of
24 these rules. To that end, my office is
25 working in conjunction with the Mayor's

1 12/14/10 - PUBLIC SAFETY - BILL 100722, ETC.

2 Youth Commission in conducting training
3 for our young people on their
4 responsibilities when interacting with
5 police officers. The first in what is
6 hoped to be a series of training sessions
7 will take place on Wednesday, December
8 15th at the Global Leadership Academy,
9 5151 Warren Street. Finally, I continue
10 to support the efforts of the FOP to
11 continue working with the Commissioner to
12 ensure that public trust and confidence
13 in the Philadelphia Police Department
14 continues and improves.

15 I thank you for the opportunity
16 to testify, and I am available to answer
17 any questions that you may have.

18 I'll pass the mike to the
19 Commissioner.

20 COUNCILMAN GREENLEE: Thank
21 you, Mr. Gillison.

22 Commissioner.

23 COMMISSIONER RAMSEY: Good
24 morning, distinguished members of the
25 Committee on Public Safety and all

1 12/14/10 - PUBLIC SAFETY - BILL 100722, ETC.

2 members of City Council, the
3 Administration and the public who are in
4 attendance today. Thank you for this
5 important opportunity to testify before
6 you now, and special thanks to
7 Councilwoman Miller and Councilman Jones
8 for convening this hearing.

9 This has been a very
10 challenging time for the Philadelphia
11 Police Department. Nothing can tarnish
12 the reputation, the image and the morale
13 of the Department so quickly as police
14 misconduct and corruption. There are
15 more than 6,500 sworn members of this
16 Department, making it the fourth largest
17 in the United States. The vast majority
18 of our officers do their jobs very well,
19 but we are here today to discuss the few
20 officers who unfortunately because of
21 their actions discredit the Department.
22 Their actions call into question our
23 commitment to our core values of honor,
24 service and integrity, the bedrock
25 principles on which we stand and on which

1 12/14/10 - PUBLIC SAFETY - BILL 100722, ETC.

2 we base our relationship with the
3 community.

4 In the first week of August
5 this year, we released a plan that was
6 systemic in scope and involved all
7 aspects of prevention, training,
8 education, intervention and
9 investigation. Deputy Commissioner
10 Patricia Giorgio-Fox has been charged
11 with implementing many of these reforms
12 as she spearheads our Office of
13 Organizational Accountability. We have
14 taken many aggressive steps to remove
15 those individuals in the Department who
16 have misused their authority.

17 As outlined in our report, we
18 have added 38 people to the Office of
19 Professional Responsibility, in which the
20 Internal Affairs Bureau is housed. They
21 are currently at full staffing, and it's
22 my expectation that they will deliver the
23 results of investigations in a more
24 timely manner. Additionally, IAB has
25 partnered with the FBI and the District

1 12/14/10 - PUBLIC SAFETY - BILL 100722, ETC.

2 Attorney's Office in a joint task force
3 whose mission specifically is to
4 investigate police misconduct and
5 corruption. IAB staff now rigorously
6 reviews all incoming complaints, online
7 anonymous reports and violations of
8 Department policy and strategically
9 describe how they will be investigated.

10 We have created several new
11 reporting mechanisms to increase the
12 access and the ease with which people may
13 report misconduct. That includes a
14 hotline number linked directly to the
15 Commissioner's Office, 215-686-3009, and
16 an internal form for PPD personnel who
17 wish to report misconduct. Most
18 recently, we have developed an online
19 form on our website,
20 www.phillypolice.com, for the public to
21 file official complaints against police.
22 It is our hope that complainants who feel
23 uncomfortable reporting in person will
24 use this application. We also have an
25 anonymous reporting form on our website

1 12/14/10 - PUBLIC SAFETY - BILL 100722, ETC.

2 for those who wish to provide feedback or
3 report misconduct without being contacted
4 by the Department. Paper complaint forms
5 will continue to be available at any
6 police facility and numerous City-owned
7 buildings.

8 The Department has partnered
9 with the NAACP in holding six police
10 division-wide community meetings
11 specifically to address the issue of
12 police misconduct, its impact on the
13 community and how to file a complaint
14 against police. Members of the public
15 can speak to personnel from the Internal
16 Affairs Bureau and appointees from the
17 Police Advisory Commission. Tomorrow,
18 December 15th, as the Deputy Mayor
19 mentioned, the Philadelphia Youth
20 Commission will present a youth forum in
21 which members of the Philadelphia Police
22 Department, the Police Advisory
23 Commission and the Defender's Association
24 of Philadelphia will discuss what their
25 rights and responsibilities are during an

1 12/14/10 - PUBLIC SAFETY - BILL 100722, ETC.

2 encounter with police.

3 I have personally had many
4 meetings with minority community groups
5 and neighborhood organizations so that I
6 could respond to their questions and keep
7 them apprised of the Department's
8 efforts. This past October we also held
9 police and community forums in each
10 police district in which members of the
11 public shared their concerns, ranging
12 from crime and disorder to police
13 misconduct. We had personnel from
14 Internal Affairs, the police clergy and
15 the Police Advisory Commission available
16 at every meeting. These efforts to
17 partner with other City agencies and
18 non-profit organizations are essential
19 for rebuilding trust and maintaining an
20 open dialogue, and will continue in the
21 future.

22 In terms of the Department's
23 own policy on reporting corruption, we've
24 thoroughly revised Directive 114 and
25 retitled it, "Preventing Corruption

1 12/14/10 - PUBLIC SAFETY - BILL 100722, ETC.

2 Within Our Ranks - Creating a
3 Values-Based Organization." We have also
4 incorporated previous policies on race,
5 ethnicity and policing, as well as the
6 Law Enforcement Code of Ethics within
7 this single directive.

8 We have also requested that
9 adjustments to our recruitment hiring
10 standards be approved by the Civil
11 Service Commission so that we may attract
12 a higher caliber of applicant. These
13 changes include, as the Deputy Mayor
14 mentioned, an applicant being 21 years of
15 age, have at least three years of driving
16 experience and an Associate's Degree or
17 60 semester hours from an accredited
18 college or university, with a minimum
19 grade point average of 2.0. Certain
20 exceptions will apply for applicants with
21 at least two years of active military
22 service.

23 Lastly, there are many
24 opportunities during the course of a
25 member's career in which the Department

1 12/14/10 - PUBLIC SAFETY - BILL 100722, ETC.

2 can provide in-depth training and
3 education. They begin in the Academy,
4 extend into the field training program
5 for recruits and continue throughout a
6 member's career with roll call,
7 in-service and annual mandatory sessions.
8 Our overall goal is to prevent criminal
9 misconduct from occurring in the first
10 place. Formal discipline represents the
11 last stage of countering corruption.

12 The Department has developed an
13 ethics training program for all of our
14 members in which they role play and
15 cultivate the two major components of
16 good judgment, critical thinking and
17 self-awareness. More than 2,000 members
18 of the Department have already attended
19 this training, which uses real-life case
20 studies from law enforcement as a basis
21 for learning.

22 The Advanced Training Unit, the
23 Internal Affairs Bureau and the Police
24 Commissioner's Office will actively be
25 involved in disseminating Department-wide

1 12/14/10 - PUBLIC SAFETY - BILL 100722, ETC.

2 training materials and communications to
3 our personnel on a continual basis. This
4 is not a one-time communications
5 campaign. This is a shift in our
6 organization, one that reinforces every
7 step of the way who we are, our mission
8 and our professional code of conduct.

9 In conclusion, this is only the
10 first step as we move toward integrating
11 training, education and a values-driven
12 culture into every facet of the
13 Department. I personally have been and
14 will be involved in addressing all sworn
15 members throughout the upcoming year. I
16 have also mandated that our commanders
17 comprising the highest ranks, deputy
18 commissioners, chief inspectors,
19 inspectors and captains, play a much more
20 active role in attending roll calls and
21 delivering the same message over and over
22 again.

23 The message is simple and
24 powerful: Integrity starts with you. No
25 member of this Department should tolerate

1 12/14/10 - PUBLIC SAFETY - BILL 100722, ETC.

2 or protect other officers' bad behavior.

3 Their silence slowly but deliberately

4 erodes the legitimacy of this Police

5 Department. I asked the most recent

6 recruit class that graduated, What kind

7 of legacy do you want to leave in this

8 Department? What would you like people

9 to say about you when you retire? This

10 is a question that I will continue to ask

11 every single member here.

12 It doesn't matter how many

13 years a member is in this Department,

14 whether two or 32. Police officers build

15 their reputation one decision at a time,

16 and they have the power to choose how

17 they will be remembered. We must change

18 how we see ourselves as police

19 professionals and never forget that the

20 oath which we have taken stands for

21 something very sacred.

22 Times of difficulty can often

23 signify a much deeper call to action. I

24 hope that recent events can offer us a

25 chance to reflect on the role we play in

1 12/14/10 - PUBLIC SAFETY - BILL 100722, ETC.

2 upholding the constitutional rights for
3 all people. I have always felt that the
4 metaphor of a police being a "thin blue
5 line" is inadequate and that true
6 community policing does not define police
7 officers as a line, thin, blue or
8 otherwise. We're not now, nor should we
9 ever be, something that divides and
10 separates our communities. Rather, I'd
11 like to think of the police as a thread,
12 one that is woven throughout the
13 communities we serve. This is how we
14 will bridge the relationship between the
15 police and community that has been
16 damaged. This is how we will evolve from
17 a good department to a great department.
18 This is how the vast majority of our
19 members who are doing the right thing day
20 in and day out will be honored for a job
21 well done by their peers, their
22 commanders, by the media and, most
23 importantly, by the communities whom we
24 serve.

25 Thank you again for the

1 12/14/10 - PUBLIC SAFETY - BILL 100722, ETC.

2 opportunity to testify before all of you
3 today, and I'm certainly available to
4 answer any questions that you may have.

5 COUNCILWOMAN MILLER:

6 Commissioner, do you have any comments,
7 Deputy Commissioner Ross?

8 DEPUTY COMMISSIONER ROSS: No,
9 I don't.

10 COUNCILWOMAN MILLER: Okay.
11 I'm going to right now call on Councilman
12 Jones.

13 COUNCILMAN JONES: First of
14 all, thank you for your testimony and
15 thank you for being here today. Early on
16 in this process when this issue started
17 to perk up and get the attention of City
18 Council, we reached out to other
19 municipalities. You'll hear from some of
20 them today. We reached out to a City
21 Council person, Ms. Foster, in New York,
22 who you know about, who had similar
23 issues with aggressive policing, stop and
24 frisk. And we also talked to Cecil
25 Thomas of Cincinnati, who at the

1 12/14/10 - PUBLIC SAFETY - BILL 100722, ETC.

2 beginning of this decade underwent riots
3 in the City of Philadelphia and had to
4 deal with this.

5 The idea of reaching out to
6 them was some lessons learned, things we
7 could take from it, in an effort to try
8 to avoid some of the things they went
9 through, and one of the things that they
10 mentioned was the willingness of an
11 administration to come and face the music
12 and talk about it openly as opposed to
13 saying it doesn't exist or not
14 acknowledging that there may indeed be a
15 problem. So for that, I want to on the
16 record thank you for moving quickly to
17 deal with some of the issues.

18 And to that end, in your
19 testimony you covered some of the things
20 that if we were to use a before and after
21 scenario, that before the incident and
22 before this resolution was introduced,
23 what are some of the different changes,
24 maybe lessons learned, that you're
25 implementing, in a succinct manner? Your

1 12/14/10 - PUBLIC SAFETY - BILL 100722, ETC.

2 testimony is on record, but I just want
3 to underscore that for those people
4 listening and on TV.

5 COMMISSIONER RAMSEY: Well,
6 training and education, we're placing a
7 lot of emphasis on developing the kind of
8 skills necessary to de-escalate
9 situations, how to talk to people
10 appropriately. You know, when we listen
11 to a lot of our complaints, it's not so
12 much the stop that was made. It's the
13 attitude and the way in which the person
14 was spoken to that is really the basis
15 for the complaint.

16 We have to do a better job at
17 training and reinforcing the fact that a
18 situation may start off a little rocky,
19 because it could be any kind of call. It
20 could be a person with a gun, it could be
21 whatever. But there comes a point in
22 time when things have to de-escalate, and
23 even if tempers are hot and even if the
24 community member or members that you're
25 talking to are still a little agitated,

1 12/14/10 - PUBLIC SAFETY - BILL 100722, ETC.

2 it's up to us to be professional and we
3 have to try to do what we can to
4 de-escalate situations.

5 So a lot of the training, when
6 we talk about ethics training and when we
7 talk about the in-service that's going on
8 now and it being scenario-driven, just
9 like we go through training now for in
10 firearms instruction, for an example, and
11 we use the range -- they call it a FATS
12 machine or a Range 2000. They're two
13 different models. But it's a shoot/don't
14 shoot scenario. I want the same kind of
15 scenarios where you have to de-escalate
16 verbally. It's got nothing to do with
17 using firearms or other uses of force.
18 It's about talking to people, so putting
19 officers in situations where they have to
20 use their heads, they have to think, they
21 have to take a deep breath and step back
22 in order to de-escalate a situation. I
23 think that probably is one of the most
24 important things that we're doing right
25 now.

1 12/14/10 - PUBLIC SAFETY - BILL 100722, ETC.

2 We also have increased the
3 number of personnel in Internal Affairs
4 so we can be far more proactive. We can
5 complete investigations in a more timely
6 fashion. We're making complaint forms
7 far more accessible to people other than
8 just going into the same station, which
9 obviously creates an issue for a lot of
10 people. So that they can have a variety
11 of avenues in which to report misconduct
12 should misconduct occur.

13 But I want to be very
14 aggressive in providing the training we
15 need in order to prevent these things
16 from happening to begin with. The goal
17 isn't to dismiss people. The goal isn't
18 to punish people. The goal is to change
19 behavior.

20 COUNCILMAN JONES: Let me just
21 take a step back and say, before what
22 were the qualifications of a police
23 officer for acceptance into the Academy?

24 COMMISSIONER RAMSEY: High
25 school or GED, 19 years of age.

1 12/14/10 - PUBLIC SAFETY - BILL 100722, ETC.

2 COUNCILMAN JONES: And now they
3 are?

4 COMMISSIONER RAMSEY: Well, I
5 don't think it's been approved officially
6 yet by the Civil Service Commission, but
7 we're asking that the age be raised to 21
8 years of age, that there be three years
9 of driving experience. And that may seem
10 kind of strange to throw that in there,
11 but we actually because some of the
12 people coming on the job are so young,
13 they've never driven a car before, and
14 then you give them a Crown Vic and tell
15 them to go on a Code 1 assignment.
16 Obviously bad things can happen from that
17 combination.

18 Sixty semester hours of college
19 or an Associate's Degree. Again, New
20 York City, Chicago, my old department,
21 Washington, DC, there are many, many
22 departments in this country that have
23 gone to two- or four-year requirements.
24 Again, it shows a level of maturity. It
25 also -- because of the fact that you've

1 12/14/10 - PUBLIC SAFETY - BILL 100722, ETC.

2 had to complete some college, your
3 ability to read, to write, to comprehend,
4 all those things we have a different
5 comfort level.

6 We had abandoned the polygraph
7 at one point in time. I'm seeking to
8 bring that back. I think that's part of
9 background that we should not ignore.

10 But we need to do more thorough
11 background checks than we do right now,
12 and a lot of that has to do with dealing
13 with the character of the individual,
14 having people go out and talk to
15 neighbors, talk to teachers, talk to
16 people that they've interacted with to
17 find out the kind of person it is that
18 we're bringing on board and will have
19 with us for the next 20, 30 years.

20 COUNCILMAN JONES: In your
21 training process, to what degree do we
22 have geographic knowledge of
23 neighborhoods? Meaning there's a
24 difference in psychology and location of
25 Washington Avenue and Washington Lane.

1 12/14/10 - PUBLIC SAFETY - BILL 100722, ETC.

2 To what degree does an officer have to
3 know the neighborhood that they serve?

4 COMMISSIONER RAMSEY: Well,
5 right now what we're attempting to do --
6 let me go back. Previously when you
7 finish the Academy, you get an
8 assignment, you show up and you're there.
9 And in many instances, even though you're
10 a Philadelphia resident, because this is
11 such a large city, you can grow up in one
12 part of the City and know virtually
13 nothing about another part of the City,
14 yet that's where you're assigned. So you
15 don't know streets, you don't know the
16 neighborhoods, you don't necessarily
17 understand the culture of the people that
18 you're interacting with.

19 One of the things that we've
20 started doing with the recruits that come
21 out, one, they need an orientation. So
22 if they go to a district, they can meet
23 with community, they can meet with people
24 that have been there for a while to kind
25 of talk about some of those issues. We

1 12/14/10 - PUBLIC SAFETY - BILL 100722, ETC.

2 also start them off on foot patrol, where
3 we've put them out on beats and get to
4 know in an up-close-and-personal way
5 people in that neighborhood. And all the
6 recruits that come out now, they start on
7 foot patrol. They do not get in a car.

8 COUNCILMAN JONES: Now, this
9 is --

10 COMMISSIONER RAMSEY: Now.
11 This is currently now. In fact, the
12 last, what, three classes, four classes
13 we've had, it's the way we've started
14 them out.

15 I've been around for a while.
16 I'm what some people consider to be old
17 school in a lot of ways, but I'm a
18 proponent of foot patrol and getting to
19 know neighborhoods. I think you have to.
20 You can't have community policing without
21 it.

22 We've also reorganized our
23 department into police service areas
24 where we have a lieutenant in charge with
25 sergeants and officers. The goal there

1 12/14/10 - PUBLIC SAFETY - BILL 100722, ETC.

2 is to have the same officers assigned to
3 the same area on a daily basis, again, to
4 get familiar with the community.

5 You're never going to have a
6 situation where the officers are all from
7 the area that they're patrolling. That's
8 just not going to happen. But there's no
9 reason why people cannot become familiar
10 with that area and cannot provide quality
11 service.

12 COUNCILMAN JONES: If I may,
13 I'm going to shift a little bit. I just
14 wanted to get those things on the record.

15 Can you define -- and this is
16 for the entire panel -- what is stop and
17 frisk?

18 DEPUTY MAYOR GILLISON: Stop
19 and frisk is a police tactic that was
20 started out of Terry versus Ohio back in
21 1968. It actually predates that, because
22 Terry was the culmination and actually
23 gave a legal justification to the police.
24 It basically says that when a police
25 officer believes that there is criminal

1 12/14/10 - PUBLIC SAFETY - BILL 100722, ETC.

2 activity afoot, he can -- and based on
3 reasonable suspicion, he can stop and
4 actually frisk for his own protection,
5 his or her protection, to make sure the
6 person is not armed and/or dangerous.

7 COUNCILMAN JONES: And that is
8 a pre-existing policy and/or procedure
9 that is in writing somewhere?

10 DEPUTY MAYOR GILLISON: It's
11 not a policy. It is a legal way of
12 talking about how an encounter, something
13 that is -- a police officer can walk up
14 to somebody and encounter them. I can --
15 a question or anything else. A person
16 does not lose their right of being a
17 human being because they're a police
18 officer. As a matter of fact, they
19 become a little bit more sensitive to
20 what's going on.

21 You walk up to a person, that's
22 an encounter. But if you decide after
23 encounter -- if the police officer, based
24 on training or based on some particular
25 feeling that they have, that the

1 12/14/10 - PUBLIC SAFETY - BILL 100722, ETC.

2 environment seems to indicate that the
3 individual is acting in a particular
4 manner, they are trained, if they are
5 being furtive with their hands, if
6 they're jittery, if there's something
7 going on that the officer believes is
8 placing his or her safety at risk or if
9 they believe that a crime is being
10 committed, they can stop the person, they
11 can frisk them for the officer's
12 protection and be able to look for and
13 obviously look for weapons. And that is
14 the pat down. So that is a frisk. A
15 frisk is a pat down.

16 Encounters are not stop and
17 frisk. Encounters are encounters. A
18 police officer can walk up, talk to you,
19 say hello, question you, do whatever.
20 That is an encounter. That is not a stop
21 and frisk. Those stop and frisk matters
22 really are not as -- they don't happen as
23 much as people kind of think they do.
24 There are many encounters, and we have
25 actually upped the encounters between

1 12/14/10 - PUBLIC SAFETY - BILL 100722, ETC.

2 police officers and the citizenry, but
3 the stop and frisk aspect or does the
4 officer have reasonable suspicion to
5 believe a crime is occurring or that
6 there is a weapon that challenges their
7 own safety, those encounters, those
8 matters are things that an officer does
9 with their training.

10 COUNCILMAN JONES: Let's use
11 the term "encounter," and I would imagine
12 encounter happens before stop and frisk?

13 DEPUTY MAYOR GILLISON:
14 Correct.

15 COUNCILMAN JONES: Is there
16 written guidelines by which an encounter
17 escalates to something else, in writing?
18 And I specifically -- this is not one of
19 those -- I'm not trying to do this as a
20 court of law and entrap anyone. I just
21 want to understand and I just want the
22 public to understand. Is there a
23 written -- is this someplace in some code
24 where we know, or in some training
25 manual, where we know that here are the

1 12/14/10 - PUBLIC SAFETY - BILL 100722, ETC.

2 rules of engagement, I see a young person
3 on the street corner and here's how I
4 have to approach them, and then here are
5 the series of escalating factors that go
6 to stop and frisk? Is that written
7 anywhere?

8 DEPUTY MAYOR GILLISON: That's
9 part of training.

10 COMMISSIONER RAMSEY: It is
11 part of training, and when officers come
12 on the job and also we reemphasize
13 through in-service training and roll call
14 training what would constitute the
15 reasonable suspicion that would be needed
16 in order for an officer to conduct a
17 stop. Now, we make out a form called a
18 48-A whenever we do have a stop of an
19 individual. And so we do keep track of
20 that sort of thing. And the majority of
21 the stops we make do not end in a frisk.

22 So I'm glad you raised that
23 issue, because people think every time
24 you stop a person it results in a frisk.
25 It doesn't.

1 12/14/10 - PUBLIC SAFETY - BILL 100722, ETC.

2 However, an officer does have a
3 right to stop and, during the process of
4 stopping and questioning a person with
5 reasonable suspicion of criminal
6 activity, to conduct a frisk, pat down
7 for weapons only to make sure they're
8 protected, to make sure that they're safe
9 and secure.

10 We also have a document called
11 Legally Speaking that I started up maybe
12 a year ago with the legal staff that I
13 have in which we address a variety of
14 issues. One of those issues was, of
15 course, revisiting stop, question and
16 frisk. So that people fully understand
17 what it is, and there are even, I think,
18 three or four scenarios in the most
19 recent publication that outline
20 situations in which it would be
21 appropriate and in one situation it would
22 not be appropriate, so that people,
23 again, know and understand.

24 COUNCILMAN JONES: I guess
25 where I'm going with this -- and, listen,

1 12/14/10 - PUBLIC SAFETY - BILL 100722, ETC.

2 I've been on both sides of the equation
3 in the sense of having been stopped and
4 been glad that an officer came to the
5 scene. So I understand both sides of the
6 equation in that respect, but what I'm
7 getting to is that I don't think that
8 there is a clear understanding -- and I
9 know you can't type it up and have it so
10 specific that I have to check the rule
11 book before I proceed, but there needs to
12 be a general understanding of what those
13 progressive steps are, both on the parts
14 of the officers, in my opinion, and also
15 the citizenry, and I think to that end,
16 you're trying to do some of the role play
17 workshops, working with the Youth
18 Commission and others to create some type
19 of guideline so that people know.

20 We had an opportunity to share
21 some time, quality time, at some of those
22 hearings out in the various districts,
23 and one of the things that came up when
24 citizens asked officers about what is the
25 exact procedure and can you commit it to

1 12/14/10 - PUBLIC SAFETY - BILL 100722, ETC.

2 writing so that people know? And it's
3 words like "courtesy" and "respectful"
4 and things like that, which I understand,
5 but does everyone have a clear common
6 understanding definition of that and what
7 those progressive steps are that a person
8 who may be stopped understands? If I
9 cross this line right here, there is a
10 distinct probability that I'm going to
11 get arrested because I've disrespected or
12 violated some city code, and I don't know
13 where those lines exist and I don't know
14 if they are a question of judgment or a
15 question of written procedure, and that's
16 kind of where I'm trying to get to with
17 this.

18 COMMISSIONER RAMSEY: Well, let
19 me respond in a couple ways. One,
20 there's no way you could have any written
21 procedures that would cover every
22 possible circumstance that an officer
23 might encounter on the street. I also
24 think it's important to note that it's
25 not necessarily a progression that takes

1 12/14/10 - PUBLIC SAFETY - BILL 100722, ETC.

2 place. It depends on the circumstances.

3 You can get called to a scene, a man with
4 a gun, a description at this corner. You
5 pull up, there's a person matching that
6 description on that corner. You're going
7 to pat them down to make sure that they
8 don't shoot you.

9 So, I mean -- and as far as
10 clarity goes, I don't think there's a
11 lack of clarity as far as the police
12 officers are concerned, but I grant you
13 there's a lack of clarity probably among
14 the community in terms of how this whole
15 thing works. We spend a lot of time in
16 training of police officers, an awful lot
17 of time in training, and, again, officers
18 have to articulate what that reasonable
19 suspicion was. That's the point of the
20 48-A. That's the point of some of the
21 other documents that are made out. They
22 have to be able to articulate why. And
23 we do track that. So if there is someone
24 who is still clueless out there, I'd like
25 to know who they are so we could again

1 12/14/10 - PUBLIC SAFETY - BILL 100722, ETC.

2 bring them up to speed, but I've not seen
3 that. I mean, I've been in policing --
4 in fact, I actually -- my entry into
5 policing was in 1968, and in three
6 different departments, I've not run
7 across a policeman that did not
8 understand what a Terry stop involved.

9 COUNCILMAN JONES: Well, with
10 all due respect to your professionalism
11 and my lack thereof of your job, which I
12 could never do, and I acknowledge that
13 for the record, I think there may be some
14 nebulous nature to that understanding,
15 because the number of instances where
16 judgment is varying is wide, and one
17 person's encounter is another person's I
18 spent the night in jail. And if you --
19 and I have not, but if you ask people who
20 we will hear from, that discretion is
21 what may be in question in the whole
22 aggressive police posture. If I had a
23 good day, it is this. If I'm having a
24 bad day, it may be something else, and we
25 have to be very clear as to where that

1 12/14/10 - PUBLIC SAFETY - BILL 100722, ETC.

2 line should be. And that is my opinion.

3 It is not the rule and guide, but it is

4 my opinion that there may be some

5 question among some officers about where

6 those lines are and where the word

7 "courtesy" is. My courtesy is different

8 than maybe yours. Use of a curse word is

9 discretionary. And I'm saying that all

10 of us are human beings, those people who

11 suit up in the morning and make roll call

12 and those people who get stopped

13 sometimes in the process of you

14 performing your duties.

15 And so I think one of the areas

16 we need to look at -- we may disagree a

17 little bit -- is what those progressive

18 steps are so that they're clear. And I

19 can guarantee we agree that the public

20 does not know. The public does not know.

21 DEPUTY MAYOR GILLISON:

22 Councilman, if I could just add one

23 thing. There's another way that this is

24 always -- and since before 1968, but at

25 least since 1964, if someone actually

1 12/14/10 - PUBLIC SAFETY - BILL 100722, ETC.

2 feels that they have been wronged,
3 there's always remedies. You have a
4 right, you have a remedy. That remedy
5 may not be something, but in our country
6 we have the right to go to court. If a
7 person feels that there is something that
8 they have not been treated correctly and
9 especially in the criminal law, those
10 matters can actually go to court and can
11 be adjudicated by a judge and/or a jury.
12 Most of these things are challenges and
13 they would be a challenge to a judge, who
14 would then look at the situation and see
15 whether or not it was done correctly.

16 So I would always just remind
17 all of us that we do have a great place
18 that we live in, America, and we can
19 actually deal with these things in
20 several different ways.

21 What this Department has been
22 doing, I think, has been to put out and
23 to depend on training and to depend on
24 making sure that we work together and to
25 put community first and community

1 12/14/10 - PUBLIC SAFETY - BILL 100722, ETC.

2 policing, and that's what this
3 Administration, that's what this Police
4 Commissioner has been emphasizing. And I
5 think that where we have breakdowns, we
6 still make sure that we follow a set of
7 rules and guidelines to investigate, to
8 act on those things, to do it in a
9 transparent way and to continually
10 address it.

11 So to your point that we don't
12 hide behind it, we haven't. We don't
13 hide behind anything.

14 COUNCILMAN JONES: I agree with
15 that.

16 DEPUTY MAYOR GILLISON: And we
17 go straight out and we -- and this
18 Commissioner, with the full support that
19 I can give and obviously the Mayor, go
20 full out to say where we find things that
21 are wrong, we act on it. That's why we
22 need the cooperation of everybody. And
23 the community policing means something to
24 us. It is the fulcrum of how we will be
25 able to get trust and to get our city to

1 12/14/10 - PUBLIC SAFETY - BILL 100722, ETC.

2 be the safe city that we want it to be.

3 So I would --

4 COUNCILMAN JONES: We agree.

5 We agree. I applauded you guys in the

6 beginning of this for stepping up.

7 Let me ask a couple of

8 questions. How many complaints have

9 there been filed over the last three

10 years about the process by which people

11 have been stopped? How many complaints?

12 DEPUTY MAYOR GILLISON: The

13 exact number, I would ask you to defer to

14 the other members, because obviously I

15 have the Police Advisory Commission,

16 which will be on another panel. That is

17 one avenue that has come forward. The

18 Internal Affairs matters are something

19 that obviously complaints are subject

20 right now of litigation and we can't go

21 but so far --

22 COUNCILMAN JONES: I don't need

23 to know the specifics. I need to know

24 the numbers.

25 DEPUTY MAYOR GILLISON: But I

1 12/14/10 - PUBLIC SAFETY - BILL 100722, ETC.

2 believe that the numbers are rather
3 hundreds rather than thousands. And I
4 think that it is safe to say that even if
5 it was hundreds and it may be the one --
6 if you're in that one, it seems that it
7 should not have occurred. But I will
8 dare say that you're talking about
9 hundreds of complaints probably as
10 opposed to the thousands and thousands
11 that have come forward.

12 COUNCILMAN JONES: So should I
13 defer the questions as it relates to the
14 type and nature of the complaints to the
15 Commission?

16 DEPUTY MAYOR GILLISON: I would
17 think that those would come through the
18 Police Advisory Commission, are one. I
19 don't know whether Internal Affairs has
20 another way. I'll defer to the
21 Commissioner.

22 COMMISSIONER RAMSEY: I've got
23 numbers of complaints, but I can't tie
24 them all back into whether or not -- I
25 think your question was whether or not we

1 12/14/10 - PUBLIC SAFETY - BILL 100722, ETC.

2 were related to a pedestrian or a vehicle
3 stop. Or just in general?

4 COUNCILMAN JONES: I'd like to
5 know the number of complaints.

6 COMMISSIONER RAMSEY: In
7 general, the number of complaints against
8 police as of the 30th of November, 725
9 complaints against police.

10 COUNCILMAN JONES: Is that this
11 year?

12 COMMISSIONER RAMSEY: And
13 another -- yeah, this year. And another
14 170 internal investigations.

15 Last year we had 697 complaints
16 against police and 145 internal
17 investigations. But that's a year-end
18 total. So I'd have to go back even
19 further if you'd like to get more data.

20 COUNCILMAN JONES: I don't need
21 to do that at this time, but I think it
22 would probably be helpful to provide the
23 Chair. Since we declared stop and frisk
24 a policy, even though I don't know
25 where -- since '68 we've kind of

1 12/14/10 - PUBLIC SAFETY - BILL 100722, ETC.

2 ratcheted it up, but I'd like to look at
3 the number of the trends, if it has
4 increased or decreased over the last four
5 years, and then the types of complaints.

6 And I guess I can get that from the
7 Commission. And disposition of those
8 complaints.

9 Thank you, Madam Chair.

10 COUNCILWOMAN MILLER: Thank
11 you. Thank you, Councilman Jones.

12 Just along those same lines, I
13 actually wanted to know information based
14 on the community meetings that you had, I
15 believe, in October and what were the
16 outcomes, what were the numbers, what's
17 the data.

18 COMMISSIONER RAMSEY: The
19 majority of them -- and I can
20 certainly -- because I gave a summary of
21 each of the meetings to the Deputy Mayor.
22 The majority of the districts, the
23 complaints were crime related. There
24 were some that weren't. The 12th, the
25 19th, there were complaints about police

1 12/14/10 - PUBLIC SAFETY - BILL 100722, ETC.

2 conduct and so forth. I can certainly
3 get that to you, ma'am.

4 We took each one individually
5 and we summarized the complaints and the
6 issues that came up during that. This
7 covered everything from crime to
8 misconduct. The majority that came were
9 crime related, but we did have some very
10 specific around police misconduct.

11 COUNCILWOMAN MILLER: Will the
12 data include the next steps once
13 someone --

14 COMMISSIONER RAMSEY: Well, I
15 can do that, ma'am. That's under a
16 separate document that we put out about
17 the proactive steps we're taking to deal
18 with the issues. Now, many of those
19 complaints that we did get were already
20 under investigation. Some were new we
21 took and are now under investigation. It
22 may have been completed. I can get you
23 that information.

24 COUNCILWOMAN MILLER: Okay.
25 I'm going to -- I have questions, but I'm

1 12/14/10 - PUBLIC SAFETY - BILL 100722, ETC.

2 going to call on Councilman Clarke.

3 COUNCILMAN CLARKE: Thank you,
4 Madam Chair.

5 Good morning, Commissioner,
6 Deputy.

7 COMMISSIONER RAMSEY: Good
8 morning.

9 COUNCILMAN CLARKE: A number of
10 the questions that I was going to ask
11 have been already covered by my
12 colleague, but I just want to make a
13 brief statement. And, Commissioner, you
14 made reference early on in your testimony
15 to, from my perspective, one of the
16 things that I think that creates a
17 significant part of the problem as it
18 relates to police-community
19 relationships, this whole notion of how
20 individuals interact, how people talk to
21 people, how people unfortunately
22 sometimes escalate, and I actually think
23 it goes -- it actually starts prior to
24 that.

25 As a Councilperson and an

1 12/14/10 - PUBLIC SAFETY - BILL 100722, ETC.

2 African American who lives in North
3 Philadelphia, I have occasion to not
4 necessarily have on a suit when I'm out
5 in the neighborhood. I have this little
6 spot I hang out a lot during the course
7 of the weekend up around 19th -- 17th and
8 Cecil B. Moore. I know some of the guys
9 from back in the day and just kind of
10 hang out. And you just kind of get a
11 sense, if I'm standing there dressed like
12 this talking to some of the guys or if
13 I'm standing there dressed with normal
14 gear on, the first response as it relates
15 to a police officer driving by, it's like
16 night and day. It's the way people look.
17 And I got to say it's probably both ways.
18 I think it starts there, and the question
19 is, in terms of dealing with human
20 beings, because everybody is a human
21 being, people bring certain prejudices
22 and certain stereotypes to the table,
23 both sides of the equation, that you
24 can't test about -- frankly speaking, you
25 probably can't figure out what that

1 12/14/10 - PUBLIC SAFETY - BILL 100722, ETC.

2 person's background has been like with
3 respect to growing up, did the person
4 have an incident in high school or
5 throughout the period of life that has
6 created certain sorts of feelings about
7 individuals. And I think it starts
8 there.

9 I'm standing there with a
10 sweatshirt on, I get a look. I'm
11 standing there with a suit on, I get a
12 nod, and they don't necessarily recognize
13 who I am. And my concern is that when we
14 talk about recruitments -- and I don't
15 know how much you can do, because I
16 understand that we bring in significant
17 numbers of police officers during the
18 course of the terms of recruitment. We
19 spoke earlier about background checks as
20 it relates to Pennsylvania and the
21 ability to do background checks on people
22 who are getting permits to carry, unlike
23 in Florida. Do we do or is there a way
24 to get some sense of a background check
25 on recruits in terms of what their life

1 12/14/10 - PUBLIC SAFETY - BILL 100722, ETC.

2 experiences were when they grew up in
3 certain neighborhoods? I mean -- and we
4 can be candid here. This gentleman and I
5 are like extremely good friends, but when
6 we were growing up, he lived south of
7 Girard Avenue, I lived north of Girard
8 Avenue. I couldn't go south of Girard
9 Avenue, he couldn't go north of Girard
10 Avenue. I mean, and there are things
11 that we experienced in that point of our
12 lives that we probably don't talk about
13 today, but we look at each other and we
14 know, you know.

15 I mean, there's those types of
16 things that develop a person's mindset as
17 it relates to how they carry out their
18 life, and I'm just wondering, is there a
19 way that we can get into the psyche of an
20 individual so we can stop it at the early
21 phases so a person just doesn't drive by
22 in a car and look at somebody standing on
23 the corner and immediately, because of
24 the way that person is dressed, he's
25 probably up to something, you know. I

1 12/14/10 - PUBLIC SAFETY - BILL 100722, ETC.

2 mean, that's just kind of -- then it goes
3 from there, and it creates, as you said,
4 stop and frisk. Because I do think stop
5 and frisk has created a significant part
6 of the problem, because I believe that
7 the more interaction you have with
8 individuals in the community, the
9 likelihood that you're going to
10 subsequently have some challenges as
11 relating escalating as the tension
12 between those individuals. And I do
13 think that, and I guess the statistics
14 will bear that out or they won't.

15 But, Commissioner, I'm asking,
16 is there a way that we can get to some of
17 the early intervention issues?

18 COMMISSIONER RAMSEY: Well, I
19 think when I mentioned earlier the need
20 for very thorough background checks that
21 not only deal with running a person for a
22 financial check or things of that nature,
23 but we need to interview family, we need
24 to interview neighbors, we need to
25 interview classmates, we need to

1 12/14/10 - PUBLIC SAFETY - BILL 100722, ETC.

2 interview people to try to get a better
3 sense of that person's character and
4 whether or not they can perform the job
5 in a manner that's consistent with the
6 Department's standards, and, that is,
7 free of bias, free of prejudice, go out
8 there and just do the job and do it well
9 every single day.

10 There is no one fail-safe way
11 of doing it, and people do grow out of
12 things, too. I mean, maybe at one point
13 in time you couldn't cross a particular
14 street for a variety of reasons, but you
15 can cross it now and you don't have a
16 problem with that. The two of you may
17 not have been friends when you were 17
18 years old, but you're friends now. So, I
19 mean, life in itself changes people.

20 So I think we do the best we
21 can to try the background, to try to make
22 sure that we have people that have the
23 right character to become police
24 officers, the right temperament. It's
25 not perfect, and we can certainly

1 12/14/10 - PUBLIC SAFETY - BILL 100722, ETC.

2 strengthen it, but I want to put a lot of
3 emphasis on that, because I think it's
4 important that we get the right people in
5 the Department to begin with. I think by
6 and large we do that, but then we have
7 some that obviously there are some
8 issues. I fully acknowledge the fact
9 that we have a problem in our
10 organization right now, and I'm committed
11 totally to fixing it.

12 COUNCILMAN CLARKE: Thank you.

13 Commissioner, with respect to -- and
14 you've referenced this. As it relates to
15 an individual's ability to make a
16 complaint -- and I'm speaking mostly from
17 experiences that I've had over the last
18 year or so. As an example, another
19 friend of mine who lives up in North
20 Philadelphia, he gets stopped on his
21 block. He's actually a guy you probably
22 know. He's like Mr. Neighborhood guy,
23 does the basketball league. I mean,
24 everybody knows him. He's a good guy.
25 But that night he gets stopped. He's in

1 12/14/10 - PUBLIC SAFETY - BILL 100722, ETC.

2 his truck and police pull him over, and
3 it starts out with the MF's and all of
4 the language, and he's like, frankly
5 speaking, kind of blown away. He said,
6 I'm one of the good guys. And they tear
7 his truck, they pull the panels off the
8 interior of his truck looking for drugs
9 and guns, and it just escalates and
10 escalates and gets to the point where
11 it's ridiculous.

12 He calls me later on, tells me
13 what happened. I said, Well, you got to
14 go make a complaint. He goes to make a
15 complaint and he's immediately
16 discouraged. And I believe this guy,
17 because I've know him 25 years. He has
18 no reason to lie. He's discouraged in
19 terms of making a complaint, and the
20 person there wants to know why do you
21 want to make a complaint? Well, talk to
22 me about it, and then it goes on and on,
23 and eventually he has to give them the
24 form to put the complaint in. And,
25 fortunately, he knew me. I called the

1 12/14/10 - PUBLIC SAFETY - BILL 100722, ETC.

2 commander. The commander deals with it
3 swiftly. I got to tell you, dealt with
4 it internally, identified the
5 individuals, and that won't ever happen
6 again.

7 Can you be a little more
8 specific -- and I know you referenced in
9 terms of being able to make those
10 complaints without feeling any level of
11 intimidation, feeling very accommodating
12 in terms of being able to make that
13 complaint, because people that aren't
14 used to dealing with police stations, it
15 can be very intimidating. Can you talk
16 to me a little more in detail how we can
17 enhance that?

18 COMMISSIONER RAMSEY: I think
19 something that I've always thought was an
20 issue or a problem is when we tell people
21 that if you have a problem, go to the
22 district that it occurred in and make a
23 complaint. I mean, it's not really
24 logical to think that most people are
25 going to do that, number one, and that

1 12/14/10 - PUBLIC SAFETY - BILL 100722, ETC.

2 you're not going to have some issues. So
3 we need to make it a lot easier.

4 You can do it online now. We
5 have a form that just went live recently
6 that allows you to make the complaint.
7 City facilities, in the meeting I had
8 with Councilmember Jones recently --

9 COUNCILMAN CLARKE: Excuse me,
10 Commissioner. You said what? City
11 facilities?

12 COMMISSIONER RAMSEY: City
13 buildings and facilities. We'll make
14 forms available for people. I want to
15 make forms available in your offices so
16 that if people come to you, you can give
17 it to them right there.

18 We want to make it as easy as
19 possible for people to file a complaint,
20 and then we need to be able to
21 investigate it. Not every complaint is
22 valid, but we need to investigate it.
23 People need to know that we listen, we
24 pay attention, we take it seriously. And
25 that's very, very important to me, and

1 12/14/10 - PUBLIC SAFETY - BILL 100722, ETC.

2 you can't do it -- and we'll continue to
3 have forms available at district
4 stations, and obviously reinforce the
5 fact that if someone comes in to make a
6 complaint, they should be able to get a
7 form, they should be able to talk to a
8 supervisor, they should be able to do all
9 those things, but realistically I
10 understand the reluctance of people to do
11 that, so we need to make it available in
12 settings other than just a district
13 police facility.

14 I have a hotline. That hotline
15 rings in my office. The 3009 number, the
16 686-3009, that's right in my office, and
17 we listen to it every single day, and we
18 refer any information. You've got the
19 Police Advisory Commission that will be
20 coming up shortly, and certainly that's
21 an avenue for people to be able to file
22 complaints. And we track these. They do
23 have tracking numbers. So we track them
24 to make sure that we have it and that we
25 need to be able to provide feedback to

1 12/14/10 - PUBLIC SAFETY - BILL 100722, ETC.

2 people that have outstanding complaints
3 so that they know exactly what's taking
4 place.

5 DEPUTY MAYOR GILLISON: Also,
6 Councilman, if I can add to that, we have
7 been opening up the other avenues, Town
8 Watch, the PDACs, the police districts.
9 And in addition, people call my office
10 and make the same type of complaints, and
11 I, of course, try and push things through
12 electronically, trying to be green,
13 making sure that we have an immediate
14 complaint number that is both filed and
15 followed up on.

16 You can call 311 and get the
17 same kind of things done. We are trying
18 to be as open and as -- to deal with the
19 issue of where do I go. I always call it
20 you have five different areas that if you
21 just think about those things, yes, you
22 can go to Internal Affairs; yes, you can
23 go to the Town Watch; yes, you can do the
24 PDACs; yes, you can do the Police
25 Advisory Commission; and, yes, you can go

1 12/14/10 - PUBLIC SAFETY - BILL 100722, ETC.

2 to Council. Quite frankly, I have heard
3 from significant numbers of you, both on
4 the phone at different times reporting
5 something, and my office takes a look at
6 it as well.

7 So between the partnership that
8 we have and our roles, I think that there
9 are a lot of different ways for people to
10 feel that not only will they get an
11 answer, but there is a way for it to be
12 lodged somewhere, answered and responded
13 to. And I think that our ability to have
14 put more resources in this area, quite
15 frankly, will help with the speed that
16 these things will be brought together and
17 something will happen. Not just you made
18 a complaint, you never hear about it, but
19 now we have additional resources that
20 will get those complaints handled and get
21 something back out so that you can have
22 it and you can be reported on that as
23 well.

24 COUNCILWOMAN MILLER:

25 Councilman Rizzo.

1 12/14/10 - PUBLIC SAFETY - BILL 100722, ETC.

2 COUNCILMAN RIZZO: Thank you.

3 Are you done?

4 COUNCILMAN CLARKE: No, I'm not
5 done.

6 COUNCILMAN RIZZO: Let him
7 finish.

8 COUNCILMAN CLARKE: Thank you,
9 Councilman.

10 Thank you. You referenced
11 certain changes that you're working on.
12 Can you through the Chair just give us a
13 list of some of the recommendations and
14 the timeline in terms of the possible
15 implementation of some of those things?

16 DEPUTY MAYOR GILLISON:
17 Absolutely.

18 COUNCILMAN CLARKE: It's very
19 helpful. And then real briefly -- and
20 I'll probably come back later -- I'm a
21 true believer of police-community
22 relations. I think because at the end of
23 the day, I think that if you deal with
24 the problem on the front side, we don't
25 have to deal with it on the back side and

1 12/14/10 - PUBLIC SAFETY - BILL 100722, ETC.

2 some of the challenges that we experience
3 in the newspaper about citizens being
4 abused, police officers being arrested.

5 I think that if we can create a better
6 environment early on as it relates to
7 police officers and individuals, I think
8 that that will eliminate a significant
9 amount of the negatives associated with
10 some of the back side.

11 The PSA -- and I see Deputy
12 Mayor Gillison smiling -- is something
13 that was implemented up in the
14 neighborhood up in a part of my district.
15 I know you're probably doing it
16 throughout the City. It is something
17 that has, frankly speaking, been somewhat
18 successful. I talked to Officer Williams
19 last night. I actually saw him at my
20 holiday function, and I think that if we
21 put more resources in those type of
22 activities, frankly speaking, that it
23 will create a better environment so we
24 don't find ourselves sitting in the City
25 Council Chambers having citizens feel

1 12/14/10 - PUBLIC SAFETY - BILL 100722, ETC.

2 that they need to come down here in 20
3 degree weather to talk about some of the
4 levels of abuse that they've experienced.
5 I mean, we shouldn't be in this position
6 in 2010.

7 We understand that there's
8 always going to be problems, but too
9 often, not just in this case, but I think
10 that we spend so much money on the back
11 side and the criminal justice system and
12 spending on, what is it, like \$20,000 a
13 year, higher than that, \$40,000 a year to
14 keep a person incarcerated as opposed to
15 spending \$15,000 a year to send them to
16 Temple University to get adequately
17 educated. And we talk about those
18 things, but I don't ever think that we
19 make the final decision to say, You know
20 what, we're going to just change this
21 approach dramatically and we're going to
22 put that money on the front side.

23 Is there the possibility -- and
24 I say this as we're coming up close to
25 our budget process -- that some of the

1 12/14/10 - PUBLIC SAFETY - BILL 100722, ETC.

2 resources; i.e., budget related, can be
3 focused on the front side of this,
4 creating the PSAs or creating these type
5 of programs that will benefit our
6 citizens on the front side, subsequently
7 improving the relationships between the
8 police and the local residents in the
9 City of Philadelphia so we can minimize
10 the negatives associated with some of the
11 back side?

12 DEPUTY MAYOR GILLISON: Well,
13 Councilman, absolutely. I think that
14 what you have been able to enjoy, I
15 think, is the way that we've been trying
16 to change that relationship and the PSA
17 model that the Police Commissioner
18 started with the police service areas and
19 now we've expanded it and we have a
20 couple of pilot programs. Your district
21 was the first, was one of the first
22 areas, that we had chose a small
23 geographic area to change the
24 relationship between the police and the
25 citizens, and to go in and listen to the

1 12/14/10 - PUBLIC SAFETY - BILL 100722, ETC.

2 citizens and have them drive, what I
3 call, they drive the bus. What they
4 think that they need in their communities
5 is how the City is responding. And we
6 are up to now four pilots, I believe it
7 is, where we are trying to look at
8 different areas so we get this right.
9 Because you can't just throw a whole lot
10 of resources in without having models
11 that you know will work. So we have over
12 the last year expanded it.

13 The Police Commissioner has
14 been just way out in front on trying to
15 make sure that the officers in that
16 district understand and in that pilot
17 area, how it's different, how this
18 community policing model is different
19 than any others that have been going on
20 in other areas and how they're responding
21 to the uniqueness that is Philadelphia,
22 quite frankly. Because some things that
23 work in your district may not work in
24 Councilman Jones' district, which is
25 where our second pilot is right now. And

1 12/14/10 - PUBLIC SAFETY - BILL 100722, ETC.

2 we're learning how to do those things and
3 listening to the community groups in
4 those areas, and that will be how we will
5 go forward and what resources I will have
6 to provide on behalf of the City to make
7 sure that we can pull these things and
8 keep them going so that we're not just
9 doing program change, we're doing culture
10 change. I mean, that's really the
11 emphasis. And the Police Commissioner
12 has provided quite a bit -- obviously
13 just great leadership in going forward.
14 I've been working with various
15 Councilpeople who we've chosen different
16 areas to pilot and to get those -- change
17 the cultures in those smaller PSA areas,
18 and you're going to hear more and more
19 about it, because we're getting the data
20 now as to how the community has responded
21 in a positive way to the community
22 policing efforts that we're using because
23 we are changing culture.

24 So the answer is yes. I'm a
25 big proponent. Quite frankly, I spent 30

1 12/14/10 - PUBLIC SAFETY - BILL 100722, ETC.

2 years trying to make sure that people
3 understood that if you put the money on
4 the front end, on the back end you'll
5 have to spend less. And we have made
6 those investments. We've done it in a
7 small area, because we didn't want to
8 just go out and say let's try and change
9 something and just have it fail. This is
10 a long-term matter. It will take years
11 to make sure that we get this right for
12 each community, but we wanted to make
13 sure that we're doing it right.

14 Between your district and, I
15 believe it's, Councilwoman
16 Quinones-Sanchez's district was the first
17 area where it started. It came as a
18 result of these two gentlemen sitting
19 next to me identifying what the police
20 needed and how we needed to turn it
21 around. And now after a year -- we're
22 coming up on a year anniversary -- we're
23 now putting it into three other areas to
24 see if those districts, with their unique
25 challenges, can be met and how that would

1 12/14/10 - PUBLIC SAFETY - BILL 100722, ETC.

2 change the delivery of services to those
3 as well. But that's what we're doing,
4 and that's what we're emphasizing. And I
5 wholeheartedly agree with you that that's
6 what the future is and where we're going.

7 COUNCILMAN CLARKE: Thank you.

8 COUNCILWOMAN MILLER:

9 Councilman Rizzo.

10 COUNCILMAN RIZZO: Thank you.

11 I'm going to start off with
12 something that was said, I think, by my
13 colleague Councilman Jones, the word
14 "courtesy," but, Commissioner, what I
15 want to ask you about is what it's like
16 to be a police officer. I know a lot of
17 young men and women before they were
18 police officers, today they're different
19 people because of what they've
20 experienced on the street. Their
21 opinions changed. They have become
22 either more liberal or, in many cases,
23 more conservative.

24 What do we do as a Police
25 Department after people are exposed, in

1 12/14/10 - PUBLIC SAFETY - BILL 100722, ETC.

2 some cases every day of their lives, the
3 worst conditions a person can see? We
4 have some police officers that work in
5 areas that are relatively okay, but then
6 you've got police officers the minute
7 they hit the beat or they get in a car,
8 it's violence, violence, crime, crime.
9 It's got to affect them.

10 What do we do to kind of work
11 with them? Because, again, I've seen
12 these young men and women that I know.
13 After three years on the job, they're
14 different people.

15 COMMISSIONER RAMSEY: Well, I
16 agree with you, Councilman, and you raise
17 a good point. There are a couple things
18 that I'd like to say here. First, the
19 thing that we have to do as an
20 organization and certainly as leaders of
21 the organization is make sure that
22 officers do not lose their perspective.
23 There are more decent, law-abiding
24 citizens living in the roughest
25 neighborhood than criminals. Now, you

1 12/14/10 - PUBLIC SAFETY - BILL 100722, ETC.

2 may not come in contact with them every
3 day because you're running from 911 call
4 to 911 call and you're dealing oftentimes
5 with people who are doing things that are
6 against the law, but we can't lose sight
7 of that.

8 Now, the psychological
9 well-being of our officers is pretty much
10 what you're getting at, and I think it's
11 very important. We certainly have always
12 had an employee assistance program, but
13 one thing that came about from the string
14 of tragedies we had back in 2008 when we
15 had five officers killed in the line of
16 duty, we formed a partnership with Penn
17 Behavioral Health to provide better
18 services to officers, because my concern
19 was that the trauma associated with
20 having so many losses in such a short
21 period of time certainly would have a
22 negative impact on officers as they get
23 out there every single day. We've
24 continued that relationship with Penn
25 Behavioral Health, and they're very much

1 12/14/10 - PUBLIC SAFETY - BILL 100722, ETC.

2 a part of our employee assistance
3 program.

4 We've also started something
5 now where we've got officers that are
6 returning from Iraq and Afghanistan.
7 Rather than after they've been exposed
8 for a year or so in combat situations
9 putting them right back on the street,
10 now we've got something in place where
11 they go through the Penn Behavioral
12 Health first to make sure that they're
13 okay, to make sure that they're ready to
14 go back in and serve the public as police
15 officers versus what they were exposed to
16 and what they were asked to do as members
17 of the military in a war zone.

18 So I'm very concerned about
19 that issue, but we do have a very strong
20 partnership with Penn Behavioral Health,
21 one of the premier behavioral health
22 schools in the country, to help us better
23 work with our officers, whether it's
24 group sessions or whatever it is that
25 needs to happen. We also have, as part

1 12/14/10 - PUBLIC SAFETY - BILL 100722, ETC.

2 of our ethics training, reinforcing
3 values, not so much just -- but trying to
4 stay in touch with the very basic things
5 that make you a decent human being.

6 COUNCILMAN RIZZO:

7 Commissioner, I want to go back. I
8 walked through the City of New York this
9 weekend and I noticed on the side of the
10 police car that "courtesy" was written on
11 the side. And I think that people, the
12 average person that doesn't have a lot of
13 contact, don't have a lot of contact with
14 police officers, don't understand. They
15 think police officers are not being
16 courteous to them.

17 An example, someone, a young
18 woman, a young man goes through a red
19 light. Two-officer car, one officer gets
20 out, the other stands behind the recorder
21 on the other side of the car. They're
22 very intimidated by that.

23 A person at the scene of a
24 police action are sometimes talked to in
25 a way where, Get away, get back. I

1 12/14/10 - PUBLIC SAFETY - BILL 100722, ETC.

2 understand that it's the way officers are
3 trained and sometimes you can't be
4 Mr. Personality or Ms. Personality at the
5 scene when a lot of stuff is going on,
6 but I do think that there is a way that
7 when a person does go through a red
8 light, that the approach could be a
9 little different. I don't necessarily
10 know that approach, but I can tell you,
11 I've talked to a lot of people in
12 preparation for this hearing. I asked a
13 couple people -- I had to ask a question,
14 What would be the question to ask the
15 Police Commissioner or the Deputy Mayor,
16 and I was told by more than just one
17 person, The way police officers and the
18 public communicate. That, in fact,
19 rather than an officer saying, Hey,
20 please, could you get behind the yellow
21 tape, you can't be here. I mean, just
22 ripping them up and telling them that
23 they're not supposed to be here. I mean,
24 it's how you say things, and that's why I
25 go back to the original observation that

1 12/14/10 - PUBLIC SAFETY - BILL 100722, ETC.

2 after you're out there so long, you
3 forget to be polite, I think. I don't
4 know that. But when I saw the word
5 "courtesy," knowing this hearing was
6 today, on the side of the New York police
7 car, I said in many police departments,
8 courtesy isn't always up front. And I
9 guess it's tough to come across in a way
10 that you would like them to come across,
11 but I think you know what I mean. People
12 sometimes get curious. They come out of
13 their homes, they get to a scene of a
14 crime in progress and the officer is
15 trying to keep them safe, or a building
16 might blow up on them. But people that
17 don't have contact with the police,
18 especially people -- one of my colleagues
19 at work handed me a note about different
20 cultures, that people come from different
21 parts of the world and that they come
22 from areas in our city that are fearful
23 of police, and immediately they're
24 fearful of police.

25 I feel pretty close to the men

1 12/14/10 - PUBLIC SAFETY - BILL 100722, ETC.

2 and women of the Philadelphia Police
3 Department and also the Fire Department,
4 but sometimes I see some things I just
5 shake my head and say, it's a shame.

6 COMMISSIONER RAMSEY: Well, I
7 had mentioned earlier about with your
8 training being more scenario based where
9 we put officers in those situations where
10 they have to de-escalate or they have to
11 verbally -- rather, use words in order to
12 change a dynamic of a situation as
13 opposed to force, and be judged based on
14 that.

15 You know, it's a difficult
16 situation and it's kind of like running
17 hot or running cold. You make a stop.
18 People that have heavily tinted windows,
19 you can't see inside, could be the best
20 person in the world, but when you're
21 approaching that car, you don't know
22 that. And, yeah, if it's a two-person
23 car, one is going to be out of the car on
24 the passenger side. But once you see
25 that the situation is not a threat and

1 12/14/10 - PUBLIC SAFETY - BILL 100722, ETC.

2 not dangerous, that's when de-escalation
3 has to take place.

4 Courtesy, respect, there's no
5 need to use profanity toward people,
6 things of that nature. I mean, even
7 though the individual that you're
8 speaking with may be using it toward you,
9 someone has to be the adult in the group
10 and calm things down best they can. If
11 you need to make an arrest, make the
12 arrest, but you don't have to insult an
13 individual in order to do that.

14 I think it's important that we
15 keep this in context. We've got a lot of
16 issues in our communities, and there are
17 a lot of places where the streets are not
18 very safe. We have had more than 1,500
19 people shot in this city this year.
20 We've had 290 murders. We've got 83
21 incidents where an officer has either had
22 a gun pointed at him or fired at him.
23 I've had two cops shot, one as recently
24 as last Thursday.

25 So it's not the best of

1 12/14/10 - PUBLIC SAFETY - BILL 100722, ETC.

2 situations, and I don't want to leave
3 this as if it's all the police creating
4 issues out there, because we all know
5 it's not true. Some of our neighborhoods
6 are impacted by crime far more than
7 others. There's a disproportionate
8 number of crimes occurring in some of our
9 communities versus other communities, and
10 there's a disproportionate number of
11 people committing those crimes as opposed
12 to others.

13 There's issues when you talk
14 about the street stops. You get a flash
15 message, male, African American, 5'7"
16 wearing a white T-shirts and blue jeans,
17 and you look out there and there's
18 probably about a thousand people that are
19 5'7" wearing a white shirt and blue
20 jeans.

21 So, I mean, there are all kinds
22 of issues that you have to sort through.
23 The bottom line is, there's no excuse for
24 not being respectful toward another
25 individual at all. You can do your job

1 12/14/10 - PUBLIC SAFETY - BILL 100722, ETC.

2 and do so in a professional way, and
3 that's what we're striving for. That
4 doesn't mean we're going to get down to
5 zero complaints. We probably won't, but
6 I think we can do a lot better than we're
7 doing right now.

8 I recognize that we have a
9 problem in our department right now in
10 the way in which we're interacting with
11 the public, and that's got to stop. We
12 are not against one another. We have to
13 work together to get at those individuals
14 who are out here causing harm in our
15 community. We can only do that in
16 partnership, and it's imperative that we
17 have strong relationships. That's why
18 the PSAs, that's why the same officers
19 working the same area every day, that's
20 why we're trying to improve our
21 recruitment and hiring, so we bring on
22 board the right folks, that's why the
23 in-service training for the veterans that
24 are already there. Reinforce the
25 positive, because for every negative case

1 12/14/10 - PUBLIC SAFETY - BILL 100722, ETC.

2 you show, I can show you some officer is
3 going above and beyond doing the right
4 thing and doing it very well and being
5 recognized by it.

6 So I think we got to just
7 maintain a balance. I'm committed to
8 doing everything humanly possible and so
9 is Deputy Ross and the Deputy Mayor and
10 everybody that's here today to make sure
11 that we move from a good department to a
12 great department. That can only happen
13 if the community sees us that way, not if
14 we see ourselves that way.

15 COUNCILMAN RIZZO:

16 Commissioner, thank you very much, and,
17 again, like you started off the
18 conversation, the majority of our men and
19 women do just such a great job, and this
20 place would be in chaos without you guys
21 for one day. And, again, I thank you
22 personally, and I think it's good that we
23 sit down occasionally and talk about this
24 stuff, because there's a lot of good
25 ideas on both sides of the table, and I

1 12/14/10 - PUBLIC SAFETY - BILL 100722, ETC.

2 personally appreciate it.

3 Thank you.

4 COMMISSIONER RAMSEY: Thank

5 you.

6 COUNCILMAN RIZZO: Thank you,

7 Madam Chair.

8 COUNCILWOMAN MILLER: Thank

9 you. You know, it is true, we could

10 not -- this city could not function

11 without a police department. We're just

12 trying to figure out how we can work

13 together and keep us moving. And we've

14 all said it, we all know it,

15 communication is the important key here.

16 Many, many incidents start as a result of

17 just the officer and a citizen

18 communicating.

19 So, therefore, do you do

20 customer service type of training,

21 reinforce it, and if you do it, how often

22 and can you change and do it more often?

23 DEPUTY COMMISSIONER ROSS:

24 Well, I mean, Councilwoman, a lot of that

25 starts with, again, what the Commissioner

1 12/14/10 - PUBLIC SAFETY - BILL 100722, ETC.

2 talked about, the training that we

3 incorporate from the Academy forward.

4 One of the reasons -- and I don't want to

5 overstate it enough, the foot beats and

6 how we try to get some of these young

7 officers so that they are out there out

8 of that vehicle so that they get to know

9 who the good people are versus the bad

10 people standing on the corner. And a lot

11 of times understanding that, that will

12 make the difference between people

13 feeling better about the police in short.

14 I mean, look, we all know -- I

15 mean, the Commissioner talks about it all

16 the time, recognizing the difference

17 between the basketball team and the

18 gang-banger on the corner, and we know

19 that that goes a long way towards

20 improving police-community relations.

21 We stress over and over,

22 because I get calls from you, I get calls

23 from Councilman, everybody up there,

24 about issues that happen in our

25 community, and when we get them, we deal

1 12/14/10 - PUBLIC SAFETY - BILL 100722, ETC.

2 with them very seriously.

3 In terms of community service,
4 I mean, maybe not in the sense that you
5 know Wawa will be talking about, but we
6 talk about these things each and every
7 day, because you can't stress enough the
8 importance of understanding that you
9 serve the community where you came from
10 and understanding that you want somebody
11 to patrol in the area the same way you
12 would patrol your mother's area or you
13 would want that area patrolled. I mean,
14 it's just something you just have to
15 constantly reinforce. You can't say it
16 enough.

17 And I would just say to
18 Councilman Rizzo's issue, I mean, there
19 are police officers out there with 35, 40
20 years on that don't know how to do
21 anything but be courteous, irrespective
22 of what they've seen, because they
23 understand the importance of treating
24 people right, treating people the way
25 you're supposed to be treated.

1 12/14/10 - PUBLIC SAFETY - BILL 100722, ETC.

2 We start from the Academy.

3 PSAs, again, I want to talk about that,
4 because it's very important. The
5 Commissioner brought this to town. This
6 whole concept talks about connecting with
7 the community, community service at its
8 best, and it gets beneath what you folks
9 were typically used to dealing with, even
10 myself, where that stopped at the
11 captain. Now you're talking about a
12 lieutenant and a sergeant having to take
13 on that charge just like the captain did,
14 holding those meetings just like a
15 captain would. And not only that, team
16 building from the standpoint of police
17 officers being a part of that
18 problem-solving, which I think is
19 critical. I mean, because once that
20 police officer recognizes that I'm as
21 much a part of solving the problems in
22 the community that I police, they see the
23 people there differently, and I think
24 that goes a long way.

25 COUNCILWOMAN MILLER: Well, I

1 12/14/10 - PUBLIC SAFETY - BILL 100722, ETC.

2 also think the PSA model is good and it
3 does give people an opportunity to get to
4 know other officers at the station other
5 than the captain and the -- I think it's,
6 what is it, the administrative officer?

7 DEPUTY COMMISSIONER ROSS:

8 Correct.

9 COUNCILWOMAN MILLER: So it's
10 really good. I mean, I've been to some
11 of those meetings and now I do know other
12 sergeants and things like that, and it's
13 really great.

14 What happens, though, if you
15 get the same complaint against the same
16 officer over and over again? What
17 actually happens? And what is the
18 internal, whatever you call it, internal
19 investigation process?

20 DEPUTY COMMISSIONER ROSS:

21 Well, there is a review process that
22 Internal Affairs undertakes whereby it's
23 almost a flagging system where when an
24 officer gets X number of complaints, the
25 Internal Affairs Bureau then calls up

1 12/14/10 - PUBLIC SAFETY - BILL 100722, ETC.

2 their commanding officer, and they sit
3 down, that commanding officer along with
4 their supervisor, and they discuss
5 problems that are inherent in that
6 officer's background, the complaints that
7 are constantly coming up. But there's
8 some new things that we'll be doing, the
9 Commissioner is putting in place, with
10 regard to exactly what you're talking
11 about in terms of going beyond that
12 scope, making certain that inspectors,
13 for example, are involved. So let me
14 give a real-life example.

15 If you get Officer Ross who
16 constantly gets verbal abuse complaints,
17 maybe it's on traffic stops, and after
18 the second or third one, Officer Ross now
19 has to go beyond the scope of just
20 dealing with his captain or his
21 lieutenant and has to sit before his
22 inspector. Now, your inspector has to
23 deal with this issue. The officer has to
24 deal with someone who he typically does
25 not deal with in the inspector and

1 12/14/10 - PUBLIC SAFETY - BILL 100722, ETC.

2 recognize instantly that I'd better get
3 my act together.

4 So, I mean, there are any
5 number of things that we're looking to do
6 and some of which we've already started
7 to do, where we just flag the people and
8 we know exactly where the problems are.
9 We're starting to deal with them and
10 trying to address them at their very
11 core.

12 COUNCILWOMAN MILLER: So at
13 some point there is an outcome, though?

14 DEPUTY COMMISSIONER ROSS: Oh,
15 there's an outcome, and those cases are
16 investigated. Each and every complaint
17 is investigated, but in terms of -- I
18 think I was getting at the crux of your
19 issue trying to identify somebody who is
20 problematic because the same issues keep
21 coming up.

22 COUNCILWOMAN MILLER: Well,
23 that was the issue too, right. Okay.
24 And it is a good idea to make sure that
25 we have those grievance forms, complaint

1 12/14/10 - PUBLIC SAFETY - BILL 100722, ETC.

2 forms in our office. We can always
3 download them, but it's just simpler if
4 you have them here. And I assume you
5 probably have them at libraries and
6 playgrounds or rec centers?

7 DEPUTY MAYOR GILLISON: Rec
8 centers. They will be at the rec
9 centers. I know they haven't been placed
10 there yet, but they will be. That's part
11 of the proactive things that the
12 Commissioner is putting forward.

13 COUNCILWOMAN MILLER: Okay. I
14 want to get to some of the other
15 witnesses that are here, and we may have
16 further questions for the Police
17 Department. Is everybody going to leave
18 or are some people going to stay or are
19 you available all day?

20 COMMISSIONER RAMSEY: There
21 will be some staying.

22 COUNCILWOMAN MILLER: Excuse
23 me?

24 DEPUTY COMMISSIONER ROSS: I
25 think the Commissioner and myself, at a

1 12/14/10 - PUBLIC SAFETY - BILL 100722, ETC.

2 minimum, will be here all day.

3 COUNCILWOMAN MILLER: Okay.

4 Great. Great. Thank you. Thank you for
5 your testimony, and we do want to get to
6 some of the other witnesses.

7 COMMISSIONER RAMSEY: Thank you
8 for calling this hearing, ma'am. Thank
9 you.

10 COUNCILWOMAN MILLER: You're
11 welcome. Thank you.

12 Okay. Our next group is the
13 Police Advisory Commission, Bill Johnson,
14 Joi Spraggins; Town Watch, Anthony
15 Murphy; and John McGrody from the FOP.

16 (Witnesses approached witness
17 table.)

18 COUNCILWOMAN MILLER: Hi. Good
19 afternoon. Please identify yourself for
20 the record. Don't forget to speak into
21 the mike so we can hear you. And if you
22 have written testimony, one of the
23 Sergeant-At-Arms will obtain it to
24 distribute to Committee members.

25 Thank you. You can proceed.

1 12/14/10 - PUBLIC SAFETY - BILL 100722, ETC.

2 MS. SPRAGGINS: Thank you.

3 Good afternoon, Councilwoman Miller,
4 distinguished members of the Committee on
5 Public Safety and other members of City
6 Council, the Mayoral Administration and
7 the public. My name is Joi Spraggins and
8 I serve as the Vice-Chair of the
9 Philadelphia Police Advisory Commission.

10 Joining me is William Johnson, who is the
11 Executive Director of the Police Advisory
12 Commission, as well as many of the
13 members who are here today as
14 commissioners.

15 The Commission would like to
16 take the opportunity to thank you for
17 having us testify concerning its efforts,
18 our efforts, to address the important
19 issues of police conduct and
20 community-police relations.

21 More than 15 years ago, the
22 Philadelphia Police Advisory Commission
23 was created by the Executive Order of
24 then Mayor Edward Rendell. Back then,
25 City Council in particular was greatly

1 12/14/10 - PUBLIC SAFETY - BILL 100722, ETC.

2 concerned with very serious allegations
3 of police misconduct arising out of the
4 39th District. Councilmembers felt a
5 strong need for independent civilian
6 police oversight to help restore public
7 confidence in the Police Department and
8 strengthen community-police relations.

9 Since its creation, the Police
10 Advisory Commission has worked tirelessly
11 to fulfill its mission. The Commission
12 receives, independently investigates and
13 issues recommendations in connection with
14 individual allegations of police
15 misconduct to the Mayor, to the Police
16 Commissioner and the Managing Director.
17 At the same time, the Commission engages
18 the community, serving as a sounding
19 board for concerns, a conduit for getting
20 those issues addressed and information
21 resources to help our fellow citizens
22 better understand the Police Department
23 and how the police are striving to make
24 Philadelphia a safer city for us all.

25 The Commission's investigative

1 12/14/10 - PUBLIC SAFETY - BILL 100722, ETC.

2 function is generally triggered by the
3 receipt of a complaint of police
4 misconduct. Any citizens who believe
5 that they are a victim of police
6 misconduct may file a complaint with the
7 Commission on a form devised by the
8 Commission. Commission complaint forms
9 are available at all district stations of
10 the Police Department, at our offices and
11 on our Commission website, at our
12 community meetings, at the offices of the
13 Mayor's Action Center and at the district
14 and City Hall offices of the members of
15 City Council.

16 The Commission's own
17 investigative staff first process and
18 then thoroughly investigates the
19 complaints we receive. Pursuant to our
20 Executive Order, the Commission is
21 empowered to subpoena police and other
22 records relevant to our investigations
23 and to compel the attendance of police
24 and other witnesses at hearings the
25 Commission conducts on complaints;

1 12/14/10 - PUBLIC SAFETY - BILL 100722, ETC.

2 following full investigation and, where
3 necessary, conduct hearings that include
4 the complainant, the police officer or
5 officers and witnesses. After this
6 process is completed, the Commission may
7 make written recommendations for
8 discipline or exonerating officers
9 accused of misconduct. The Commission's
10 recommendations are determined by the
11 vote of the commissioners, independent of
12 any findings by the Police Department.

13 The Philadelphia Police
14 Advisory Commission is comprised of 19
15 citizen volunteers who hail from every
16 corner of the City and every walk of
17 life. Our members include business and
18 community leaders, clergy, former police
19 officers, attorneys and academics, who
20 together represent the rich cultural,
21 racial and ethnic diversity of our great
22 city. As you know, we commissioners are
23 appointed pursuant to a selection process
24 involving the Mayor and City Council. In
25 April of this year, Mayor Nutter

1 12/14/10 - PUBLIC SAFETY - BILL 100722, ETC.

2 appointed eight new commissioners, and
3 after a fully transparent series of
4 public hearings examining approximately
5 over 50 applicants, Council submitted a
6 list of 21 recommended citizen
7 volunteers, of which 11 were appointed by
8 the Mayor in September to fully empower
9 the Commission. As a result, the Police
10 Advisory Commission now enjoys a full
11 complement of commissioners to fulfill
12 the important mission of providing truly
13 independent civilian police oversight in
14 Philadelphia.

15 Since April, the Police
16 Advisory Commission has been very, very
17 busy. In addition to our ongoing
18 investigative activities, the Commission
19 recently held a day-long retreat to help
20 us get to know one another and focus our
21 energies on providing quality,
22 independent civilian police oversight.
23 In addition, commissioners have attended
24 sessions of the Civilian Police Academy
25 to develop a better understanding of

1 12/14/10 - PUBLIC SAFETY - BILL 100722, ETC.

2 day-to-day policing at the officer's
3 level.

4 The Police Advisory Commission
5 has been holding and will continue to
6 hold many of its monthly meetings in the
7 community throughout the City during
8 which we have an opportunity to solicit
9 citizens' issues and ideas concerning
10 policing and community-police relations.
11 By inviting senior representatives from
12 the Police Department to our community
13 meetings, the Commission has helped to
14 open up the lines of communication
15 between the Department and the community
16 stakeholders. And, finally, the
17 Commission has been an active participant
18 in recent police forums hosted by the
19 Police Department and also participates
20 in the City of Philadelphia's Public
21 Service Areas pilot program, a model for
22 sustainable change in high-crime
23 neighborhoods with representatives from
24 community residents, City Council, the
25 Police Department and the Mayoral's

1 12/14/10 - PUBLIC SAFETY - BILL 100722, ETC.

2 Administration.

3 It is truly our honor to be of
4 service. Again, the Philadelphia Police
5 Advisory Commission would like to thank
6 you for the opportunity to speak at these
7 hearings, and we are available to answer
8 any questions that you may have.

9 Thank you.

10 COUNCILWOMAN MILLER: Thank
11 you.

12 Do you have testimony,
13 Ms. Johnson?

14 (Ms. Gess yelling from
15 audience.)

16 COUNCILWOMAN MILLER: Ma'am,
17 you can't ask --

18 MR. JOHNSON: I do not.

19 COUNCILWOMAN MILLER: You have
20 to ask a question from the table here.
21 You can't ask it from out there.

22 (Ms. Gess yelling from
23 audience.)

24 COUNCILWOMAN MILLER: Excuse
25 me. Mr. Johnson, do you have testimony?

1 12/14/10 - PUBLIC SAFETY - BILL 100722, ETC.

2 MR. JOHNSON: I do not, ma'am.

3 COUNCILWOMAN MILLER: I know
4 that you do, Anthony. Okay. Thank you.
5 Please proceed.

6 MR. MURPHY: Good afternoon,
7 Councilwoman Miller and members of the
8 Committee on Public Safety. I am Anthony
9 Murphy, Director of Town Watch Integrated
10 Services. Thank you for allowing me to
11 address this distinguished Committee on
12 the important topic of police conduct in
13 our city.

14 I would like to begin by saying
15 that Town Watch Integrated Services
16 organizes citizens throughout the City of
17 Philadelphia to patrol their
18 neighborhoods and serve as the eyes and
19 ears of the community. These patrols
20 help to serve as a deterrent to criminal
21 activity and also to provide immediate
22 information to the Police Department. As
23 a part of our work, we engage citizens
24 and police officers to improve and
25 maintain a positive relationship. In

1 12/14/10 - PUBLIC SAFETY - BILL 100722, ETC.

2 this manner, we are working to improve
3 public safety in a holistic way. We
4 strive to ensure that citizens understand
5 the police and the nature of police work.
6 We also strive to ensure that police
7 officers understand the needs and
8 concerns of citizens. We are also
9 available to assist citizens with
10 complaints against officers and help them
11 to understand the complaint process, and
12 in this way, it is hoped that the
13 citizens won't feel intimidated.

14 I also believe it's important
15 to note that participation in Town Watch
16 and our other safety programs continue to
17 grow.

18 Thank you for this opportunity,
19 and I will gladly answer any questions
20 you may have.

21 COUNCILWOMAN MILLER: Thank
22 you.

23 With the Police Advisory
24 Commission, how many complaints are you
25 currently investigating?

1 12/14/10 - PUBLIC SAFETY - BILL 100722, ETC.

2 MS. SPRAGGINS: To date, we
3 have approximately 136 complaints.

4 COUNCILWOMAN MILLER: So how
5 many did you have last year? What's the
6 date, timeline on that?

7 MS. SPRAGGINS: I'm going to --
8 I would like to defer to William Johnson,
9 Executive Director.

10 COUNCILWOMAN MILLER: Thank
11 you.

12 MR. JOHNSON: As of last year,
13 we investigated 195 complaints from
14 citizens. The 136 number is our count of
15 complaints to date.

16 COUNCILWOMAN MILLER: I'm
17 sorry. Say that again, that last
18 statement.

19 MR. JOHNSON: The 136
20 complaints is the total number of
21 complaints that have been filed with the
22 Commission to date.

23 MS. SPRAGGINS: For 2010.

24 MR. JOHNSON: For 2010. I'm
25 sorry.

1 12/14/10 - PUBLIC SAFETY - BILL 100722, ETC.

2 COUNCILWOMAN MILLER: I'm
3 sorry.

4 MR. JOHNSON: Up until this
5 point, December of 2010, we've had 136
6 complaints filed.

7 COUNCILWOMAN MILLER: December
8 of 2009?

9 MR. JOHNSON: '10.

10 COUNCILWOMAN MILLER: '10?

11 MR. JOHNSON: Yes.

12 COUNCILWOMAN MILLER: I'm a bit
13 confused.

14 MS. SPRAGGINS: I'll clarify.
15 For 2010 to date, there has been 136
16 complaints filed.

17 COUNCILWOMAN MILLER: From what
18 was the beginning of that time period?
19 Like was it last year?

20 MS. SPRAGGINS: For the
21 calendar year. In 2009 -- and we've
22 published this in our annual reports --
23 for the calendar year, there was 195
24 complaints.

25 COUNCILWOMAN MILLER: Okay.

1 12/14/10 - PUBLIC SAFETY - BILL 100722, ETC.

2 And now we're down to 136?

3 MS. SPRAGGINS: Correct.

4 COUNCILWOMAN MILLER: All
5 right. That's good. So we're showing
6 some progress.

7 Councilman Jones.

8 COUNCILMAN JONES: Yes. Good
9 afternoon.

10 COUNCILWOMAN MILLER: Wait.
11 I'm sorry. We really should have heard
12 from the FOP before we started questions.
13 So let's hear from you guys.

14 MR. McGRODY: Good afternoon,
15 Councilwoman Miller.

16 COUNCILWOMAN MILLER: Good
17 afternoon.

18 MR. McGRODY: My name is John
19 McGrody. I'm the Vice-President of the
20 Fraternal Order of Police, Lodge No. 5.
21 I appear here today with Eugene Blagmond
22 sitting behind me to my right. We
23 appreciate this opportunity to appear
24 before the Committee to address the
25 concerns of our police officers and our

1 12/14/10 - PUBLIC SAFETY - BILL 100722, ETC.

2 members. I appear before you here today
3 as a Philadelphia police officer and I
4 serve as the Vice-President of Fraternal
5 Order of Police, Lodge No. 5. FOP
6 President John McNesby has asked me to
7 appear to represent the concerns and
8 thoughts of our 14,500 members, of which
9 6,000 of them are active-duty officers on
10 the streets of Philadelphia. The FOP
11 stands united here today with Police
12 Commissioner Ramsey and Deputy Mayor
13 Gillison. We realize there's a problem
14 and we stand here to eradicate this
15 problem within our ranks and weed out
16 whatever misconduct may exist in our
17 ranks.

18 As I continue, police bear in
19 mind that I talk about a very limited
20 number of individuals in our ranks, and
21 the vast majority of our officers are out
22 there on a daily basis doing honorable
23 service.

24 Philadelphia police officers
25 continue to be the most investigated and

1 12/14/10 - PUBLIC SAFETY - BILL 100722, ETC.

2 second-guessed workers in City
3 government. On any given day, a
4 Philadelphia police officer can face a
5 scrutiny of the news media, a judge, a
6 jury, a district attorney, a public
7 defender, a politician, an FBI agent or
8 any public advocate outside of the
9 Department. Inside the Department, the
10 officer is subject to the scrutiny and
11 review of their supervisors, the Internal
12 Affairs Division, the command staff, the
13 IMPACT Division and the Police Advisory
14 Commission. I am quite sure that I
15 missed a few folks in this list of
16 solicitation of individuals here. But
17 please bear in mind that the vast
18 majority of our officers are doing a
19 great job on a daily basis.

20 By telling you that our
21 officers are the most investigated
22 members of City government, I ask that
23 you act thoughtfully and rationally as
24 you address the prospect of misdeeds or
25 wrongdoing within our ranks. What we

1 12/14/10 - PUBLIC SAFETY - BILL 100722, ETC.

2 don't need here for the vast majority of
3 our officers is a rush to judgment.

4 When a Philadelphia police
5 officer exits their patrol car or enters
6 a home or business, they have no idea
7 what they may encounter. Our members and
8 our officers are trained to respond to a
9 variety of situations that may arise.
10 Our officers are governed by numerous
11 departmental directives, laws, guidelines
12 and the like that govern their conduct.
13 Interaction with police and citizens is
14 inevitable in a free society in which our
15 citizens have more rights than any other
16 individuals in the world. However, in a
17 society with a rule of law, police
18 officers' actions are governed and
19 constantly reviewed.

20 When stopping individuals,
21 officers have the obligation to provide
22 for the safety of the individual they are
23 encountering, other members of the
24 community and the police officers
25 themselves. As we have seen far too

1 12/14/10 - PUBLIC SAFETY - BILL 100722, ETC.

2 often in the last several years, our
3 police officers have been the victims of
4 violence perpetrated upon them by
5 individuals they have encountered on the
6 streets. In fact, just five days ago, a
7 police officer was shot in an encounter
8 with a motorist. Thankfully, that
9 officer is expected to fully recover from
10 his wounds.

11 In the past year, I served as a
12 volunteer on a committee of the state MPO
13 Commission, which is the commission that
14 oversees training for police officers
15 throughout the State of Pennsylvania,
16 regarding ethics and career survival for
17 police officers. This course will be
18 mandatory training for all Pennsylvania
19 police officers in the calendar year
20 2011. The Philadelphia Police Department
21 has also devised their own internal
22 ethics course which every Philadelphia
23 police officer must complete in addition
24 to the 2011 state ethics course. By
25 nature, the police officers are trained

1 12/14/10 - PUBLIC SAFETY - BILL 100722, ETC.

2 to act and react. I can tell you that
3 the training programs and initiatives I
4 just mentioned are the result of police
5 officers doing the first thing.

6 When the first inkling of a
7 problem surfaced, it was members of the
8 Philadelphia Police Department and police
9 officers themselves that decided to act
10 swiftly and address the problem. Under
11 the leadership of Commissioner Ramsey and
12 FOP President John McNesby, these
13 initiative are going into effect. The
14 FOP fully supports these steps and will
15 work to maintain the good name of the
16 generations of Philadelphia police
17 officers and the respect and admiration
18 they've earned through the community.
19 Please know that it was the police who
20 first recognized a problem and acted
21 first to address it.

22 Some have asked me how to best
23 restore the honor and integrity in our
24 department. In my mind, there's nothing
25 to restore. The honor and integrity

1 12/14/10 - PUBLIC SAFETY - BILL 100722, ETC.

2 remains intact with 99.5 percent of our
3 members who leave the safety of their
4 homes and families and risk their lives
5 on a daily basis in completing the
6 honorable work of a Philadelphia police
7 officer. For the vast majority of our
8 members, there is no scandal. In our
9 world, the good guys ride in the front
10 seat of the police cars and the bad guys
11 ride in the back, and if there's anything
12 we can do to make that situation a
13 reality, we're here to help.

14 COUNCILWOMAN MILLER: Thank
15 you.

16 Any questions from members of
17 the Committee?

18 Councilman Jones.

19 COUNCILMAN JONES: Thank you,
20 Madam Chair.

21 Thank you all for your
22 testimony. I agree with 99 percent of
23 what you said, except for the good guys
24 always ride in the front and the bad guys
25 always ride in the back. Sometimes --

1 12/14/10 - PUBLIC SAFETY - BILL 100722, ETC.

2 (Applause.)

3 COUNCILMAN JONES: Sometimes
4 there are innocent people who find
5 themselves in the back of the car as
6 well, and we need to know the difference
7 and be able to treat all of them with
8 dignity and respect. Force that is due,
9 but not more. And that's the only
10 possible way we disagree on that.

11 MR. McGRODY: Councilman Jones,
12 that's not the way I meant it. If you
13 took it that way, I'm sorry. What I
14 meant is if there's bad guys sitting in
15 the back of the car -- in the front of
16 the car, we need to get them in the back
17 seat. That's our viewpoint.

18 COUNCILMAN JONES: Then we
19 agree. All right.

20 Let's go with a couple of
21 quantifiable questions. I don't -- I
22 think I got the figure wrong from
23 Commissioner Ramsey. I heard 700 or so
24 complaints a year, and then I heard a
25 figure of about 100-plus complaints, and

1 12/14/10 - PUBLIC SAFETY - BILL 100722, ETC.

2 I'm trying to figure out are they two
3 separate sources, and, if so, what are
4 those?

5 MR. JOHNSON: To answer your
6 question, Councilman, there are not
7 really separate sources. The 136
8 complaints that are filed with the Police
9 Advisory Commission are included in the
10 725 that the Police Commissioner reported
11 today.

12 COUNCILMAN JONES: So the
13 differential, it comes from where? I
14 know where yours -- you stated where
15 yours come from, but where then does the
16 other 600-plus come from that the
17 Commissioner referenced? Internal
18 Affairs?

19 MR. JOHNSON: Internal Affairs.

20 COUNCILMAN JONES: All right.
21 Over the inception of the Commission, how
22 many complaints have you received?

23 MR. JOHNSON: Over 2,500 since
24 the inception of the Commission back in
25 1994.

1 12/14/10 - PUBLIC SAFETY - BILL 100722, ETC.

2 COUNCILMAN JONES: Of those
3 2,500, how have they been disposed of?

4 MR. JOHNSON: Numerous ways.
5 Some are fully investigated, others are
6 sent to the Police Department for their
7 investigation, and then those
8 investigations are reviewed. Of course,
9 some are dismissed as not being factual
10 complaints.

11 So there are a number of
12 different ways that a complaint may be
13 taken out of the process. Along with
14 that, we also conduct public hearings,
15 actually panel hearings, into certain
16 complaints that we believe that there's a
17 need to bring certain issues to the
18 public forum, and so those would be
19 scheduled for public hearings.

20 COUNCILMAN JONES: Of the 2,500
21 complaints, how many have been found
22 warranted, how many have been dismissed?

23 MR. JOHNSON: Our numbers
24 follow pretty much the national numbers.
25 Usually about ten percent of all

1 12/14/10 - PUBLIC SAFETY - BILL 100722, ETC.

2 complaints --

3 COUNCILMAN JONES: I need to
4 know how many, not about. How many?

5 MR. JOHNSON: How many actual
6 complaints? I don't have that number
7 with me today. I can get that for you.

8 COUNCILMAN JONES: Of that,
9 when you say about disposed of, in what
10 way? I mean, how have they -- you said a
11 number of ten percent national average.
12 So tell me what the national average --

13 MR. JOHNSON: Let me clarify
14 that for you. The ten percent number I
15 quoted for you was the amount of
16 complaints that are actually sustained.

17 COUNCILMAN JONES: So out of
18 the hundred or so complaints we'll get --
19 if we say 150, we'll get 15?

20 MR. JOHNSON: That's right.

21 COUNCILMAN JONES: And then out
22 of that 15, what is the disposition?

23 MR. JOHNSON: It could be
24 various things. It could be --

25 COUNCILMAN JONES: I'm trying

1 12/14/10 - PUBLIC SAFETY - BILL 100722, ETC.

2 to --

3 MR. JOHNSON: Yeah. It could
4 be recommendations for discipline. It
5 could be recommendations for changes in
6 policy or practice. It could be
7 recommendations for training. It could
8 be reprimands. It could be a number of
9 different things.

10 COUNCILMAN JONES: I think it
11 is very important, Madam Chair, that we
12 know the exact disposition and work of
13 the Commission. I think that's an
14 important statistic. And I say this
15 because the public, of those 123
16 complaints on average -- let's use that
17 number -- people who file them want to
18 know that disposition, because one of the
19 concerns raised -- and you sat through
20 those lengthy community meetings -- was
21 that the belief is that they go somewhere
22 to die and that they go somewhere and
23 aren't followed up on, and it is very
24 important to keep the statistics.

25 Of those 15 or so complaints a

1 12/14/10 - PUBLIC SAFETY - BILL 100722, ETC.

2 year that you find founded, how many of
3 them have resulted in the dismissal of an
4 officer?

5 MS. SPRAGGINS: Councilman
6 Jones, you are raising excellent
7 questions and we thank you for those
8 questions, and that is the value of the
9 full body that we have now with the
10 commissioners on board. We actually have
11 an Investigative Review Committee that
12 has been put together and we are actually
13 going to be doing our due diligence
14 process to look at the data that is very
15 important so that we can understand what
16 the trends are and to look at some
17 proactive strategies that we can work
18 together collectively with City Council,
19 also with the Police Department, with
20 Deputy Mayor Everett Gillison.

21 So the questions that you
22 raise, we thank you so much. We would
23 like to be able to -- it is a high
24 priority for us, and we would like to be
25 able to capture all of the questions that

1 12/14/10 - PUBLIC SAFETY - BILL 100722, ETC.

2 you have in addition to the wealth of
3 questions that -- our commissioners are
4 meeting with actually as we speak every
5 week that we're together, and it is a top
6 priority. We will absolutely look
7 forward to getting back to you.

8 COUNCILMAN JONES: That's fair
9 enough, because we got budget time coming
10 up, and I'll ask them again. I
11 absolutely guarantee you that.

12 One of the things I'd like to
13 know while you're ferreting through those
14 questions is, what is the average length
15 of time that it takes to turn around a
16 complaint to a decision or a
17 recommendation?

18 MR. JOHNSON: The average
19 number of -- well, the average has varied
20 over several years. Right now it is
21 about seven months for a full
22 investigation to disposition.

23 COUNCILMAN JONES: And why is
24 the length of that -- what is the average
25 length of time it takes to send somebody

1 12/14/10 - PUBLIC SAFETY - BILL 100722, ETC.

2 to trial? A hundred twenty days, isn't
3 it? What is it?

4 DEPUTY MAYOR GILLISON: One
5 eighty.

6 COUNCILMAN JONES: One eighty?
7 All right. Just as a point of reference
8 there.

9 What do you attribute the
10 length of that discovery to?

11 MR. JOHNSON: The length of
12 time can be related to a number of
13 different factors. Part of the
14 investigative process requires us to
15 collect information not only from
16 complainants but also from independent
17 witnesses. We must also collect
18 information pertaining to injuries, which
19 involve doctors' records, as well as any
20 other type of information related to that
21 complaint. That, at times, can cause the
22 process to be a bit extended.

23 COUNCILMAN JONES: Now, you
24 didn't say budget, so okay. We're going
25 to take that one off the table, Everett,

1 12/14/10 - PUBLIC SAFETY - BILL 100722, ETC.

2 but we're going to be looking at that by
3 way of process.

4 But let me say this: It is too
5 long, and here's why it's too long. It's
6 unfair to the officer that has the
7 clouded title, cloud of suspicion over
8 him, and it is unfair to the complainant
9 who filed a complaint in good faith,
10 wants a determination. Whether you say
11 it's valid or not valid, at least it's
12 not hanging over their head, and there
13 are probably other connecting things that
14 go along with that, because usually it's
15 been -- well, maybe I'll pose it in the
16 form of a question.

17 When someone files a complaint,
18 how often is it there is a counter-charge
19 associated with the individual
20 complaining?

21 MR. JOHNSON: Well, when you
22 say "counter-charge" --

23 COUNCILMAN JONES: If I come to
24 you for a complaint, what is the
25 probability that there is some type of

1 12/14/10 - PUBLIC SAFETY - BILL 100722, ETC.

2 charge placed on the person complaining?

3 Meaning, I'm coming in to complain. Is

4 there something in court or is there a

5 charge associated with me? On average,

6 is that the norm or do you have a

7 statistic that tells us that?

8 MR. JOHNSON: Probably about 25

9 percent of all the complaints we receive

10 have some connected charge to them where

11 the individual is now in court to have

12 those charges resolved. So, yes.

13 COUNCILMAN JONES: I'm going

14 to ask the Commission to delve into that

15 and give me some exact, because "about"

16 and "approximately" -- whenever you say

17 25 percent on the money, I know that's

18 probably a little inaccurate. So I need

19 to know the accurate number, accurate

20 times, how long disposition takes. I

21 think that's critical in restoring faith

22 of the public that this process is

23 something that -- when somebody

24 complains, they take time to do it. When

25 an officer is under that cloud, you know,

1 12/14/10 - PUBLIC SAFETY - BILL 100722, ETC.

2 that may weigh heavily on promotions,
3 this, that or the other. So disposition
4 one way or the other is critical in
5 resolution of these matters and restoring
6 faith of the public.

7 MR. JOHNSON: Let me add just
8 for clarity that every complainant who
9 comes in is informed of a disposition on
10 their complaint. They are sent a formal
11 notice of the disposition of the
12 complaint that they filed. So no one is
13 going on without knowing the results of
14 their actual complaint.

15 COUNCILMAN JONES: All right.
16 And, finally, what is your budget and
17 what is the average cost to follow up a
18 complaint? How much does it cost to
19 investigate these things?

20 MR. JOHNSON: The last time we
21 looked at that was back in 2006, so I can
22 give you the statistics from that. Our
23 budget -- well, our budget I can give you
24 today. Our budget today is a little less
25 than \$300,000. We have five employees

1 12/14/10 - PUBLIC SAFETY - BILL 100722, ETC.

2 that are working at the Commission.

3 COUNCILMAN JONES: Five
4 employees that deal with the hundred and
5 what cases a year?

6 MR. JOHNSON: Hundred thirty
7 six new complaints that we receive.

8 COUNCILMAN JONES: And if we
9 have a seven-month period, that can be
10 some overlap.

11 MR. JOHNSON: There absolutely
12 has been some overlap. We are carrying
13 now approximately 185, I believe, pending
14 cases.

15 COUNCILMAN JONES: Just real
16 quick, and this will be my final
17 question, Madam Chair. There was a
18 reference in a news article of \$31
19 million that was a result of lawsuits
20 that the City settled on. How many of
21 them were connected? Is there a direct
22 correlation between complaints filed by
23 you and are some of the recipients of
24 those awards some of the cases that you
25 deal with?

1 12/14/10 - PUBLIC SAFETY - BILL 100722, ETC.

2 MR. JOHNSON: There have been
3 some. I couldn't tell you what the exact
4 statistic would be, but there have been
5 some people who have filed complaints
6 with us who have received settlement from
7 the City.

8 COUNCILMAN JONES: Of your
9 complaints, how many -- so Internal
10 Affairs deals with a different group.
11 How many of them have been domestic by
12 nature of the complaints that were filed,
13 a spouse of an officer or something like
14 that? Do you get those kinds of
15 complaints or is it generally just the
16 public?

17 MR. JOHNSON: We have gotten
18 those kinds of complaints, but they
19 are -- there's a very small number of
20 those we've received.

21 COUNCILMAN JONES: And how many
22 of them are business related, small
23 businesses? I need a breakdown, I guess,
24 of the anatomy of the types of complaints
25 that have come in by category. So when I

1 12/14/10 - PUBLIC SAFETY - BILL 100722, ETC.

2 say "by category," how many of them are
3 people that are a result of police stops?
4 How many of them are complaints that are
5 a little more generated by commercial
6 businesses, and a breakdown of them? And
7 I would ask that question also of
8 Internal Affairs. No details about any
9 particular cases, but I'd like some
10 general categories by which we are
11 receiving those cases to see if there is
12 a pattern and/or trend.

13 MR. JOHNSON: What I can tell
14 you statistically from the time that we
15 began tracking the stop and frisk
16 initiative, which we were asked to do by
17 the Deputy Mayor, in April of 2008 until
18 December of 2009, there had been 120
19 complaints of police misconduct connected
20 with the stop and frisk initiative. Now,
21 we haven't compiled the 2010 numbers as
22 of yet.

23 COUNCILMAN JONES: So how many
24 years' data do you have?

25 MR. JOHNSON: That would be

1 12/14/10 - PUBLIC SAFETY - BILL 100722, ETC.

2 from April of 2008 to December of 2009.

3 COUNCILMAN JONES: Do you keep
4 track of the racial composition of these
5 complaints?

6 MR. JOHNSON: We do. We
7 absolutely do.

8 COUNCILMAN JONES: Can you
9 share that with us?

10 MR. JOHNSON: I can.

11 Of the 136 complaints that
12 we've received thus far this year, 72
13 percent, or 97, of those individuals have
14 been African American, 12 have been
15 Latino, about nine percent of all
16 complaints, 24 have been Caucasian, about
17 19.5 percent, and three percent have been
18 Asian or other.

19 COUNCILMAN JONES: Any female?
20 Do you keep track of that?

21 MR. JOHNSON: We do keep
22 categories of male and female as well.
23 I'm just looking for it here on my sheet.

24 We do have that statistic. I
25 don't have it with me right now. We can

1 12/14/10 - PUBLIC SAFETY - BILL 100722, ETC.

2 supply it.

3 COUNCILMAN JONES: I know

4 Ms. Spraggins is going to make sure you
5 have that.

6 MS. SPRAGGINS: Yes, we are.

7 We will definitely look at breakdown with
8 female and male.

9 COUNCILMAN JONES: Thank you,

10 Madam Chair.

11 COUNCILWOMAN MILLER: You're

12 welcome.

13 Mr. Johnson and Ms. Spraggins,

14 what type of outreach do you do and how
15 do you think you can become a more
16 visible organization? Because many
17 people don't know who you are and what
18 you do.

19 MS. SPRAGGINS: Thank you,

20 Councilwoman Miller, for asking the
21 question. We have the opportunity now to
22 be much more effective and increase the
23 Philadelphia Police Advisory Commission
24 awareness in the community due to the
25 full body of the Commission's

1 12/14/10 - PUBLIC SAFETY - BILL 100722, ETC.

2 commissioners that we have on board.

3 We have been in the community.

4 I've held community meetings as well as
5 participate in the pilot program, and we
6 are in the process, in addition to
7 providing the -- reviewing the --
8 gathering the due diligence around the
9 statistical data, to look at the type of
10 complaints.

11 We are also -- our second top
12 priority, or you can say out of our top
13 three, is to develop a comprehensive
14 community outreach program that will
15 increase our awareness throughout the
16 City of Philadelphia.

17 COUNCILWOMAN MILLER: Certainly
18 we know you exist, but I do think that
19 more and more people need to know not
20 just about you but also about the police
21 advisory groups at the local districts.
22 And I know you have nothing to do with
23 that, but I just think it's a need that
24 we need to make sure that we publicize
25 more that you guys are around.

1 12/14/10 - PUBLIC SAFETY - BILL 100722, ETC.

2 MS. SPRAGGINS: Absolutely.

3 And we will be working very closely with
4 Deputy Mayor Everett Gillison and looking
5 at a comprehensive public safety strategy
6 which will highlight a lot of the
7 coordination as well as the comprehensive
8 strategy that we've put together to reach
9 the people in the community so that they
10 know that we are their partners, as well
11 as we want each City Council member to
12 know we're your strategic partners.
13 We're here to work together with you,
14 because we know how hard you work in the
15 community to effect change, as well as to
16 work with Commissioner Ramsey and the
17 fine police officers that really are
18 dedicated to ensure that the City is
19 safe.

20 COUNCILWOMAN MILLER: Okay.

21 Thank you.

22 Mr. McGrody, I have a question.

23 If someone has a complaint, is the FOP a
24 place that a person can come with a
25 complaint?

1 12/14/10 - PUBLIC SAFETY - BILL 100722, ETC.

2 MR. McGRODY: No, not at this
3 time. I don't -- we haven't had a
4 discussion with Commissioner Ramsey. We
5 actually represent and defend the police
6 officers. I don't know if that's
7 something we'd be involved in.

8 COUNCILWOMAN MILLER: Okay. I
9 mean, I know that you represent and
10 defend, but I just thought I'd ask the
11 question, because I never heard of
12 anybody going there and filing a
13 complaint.

14 MR. McGRODY: We have had
15 people come in and file complaints, and
16 we do direct them to the proper facility
17 or we provide them with a phone, if need
18 be.

19 COUNCILWOMAN MILLER: Okay.

20 Thank you.

21 Are there any other questions
22 for this panel by Committee members?

23 (No response.)

24 (Ms. Gess yelling from
25 audience.)

1 12/14/10 - PUBLIC SAFETY - BILL 100722, ETC.

2 COUNCILWOMAN MILLER: Thank
3 you. Thank you for coming today.

4 MS. SPRAGGINS: Thank you very
5 much for having us. Thank you.

6 (Ms. Gess yelling from
7 audience.)

8 COUNCILWOMAN MILLER: Our third
9 panel, Cecil Thomas, Cincinnati Council
10 President; Helen Foster, New York City
11 Councilwoman; Chad Lassiter, Professor at
12 University of Penn.

13 (Ms. Gess yelling from
14 audience.)

15 COUNCILWOMAN MILLER: Excuse
16 me, ma'am. Did you sign up to testify?

17 MS. GESS: Where's the place to
18 sign up?

19 COUNCILWOMAN MILLER: If you
20 sign up, we can have you testify when
21 it's your turn. Thank you.

22 MS. GESS: Want me to sign
23 right now, come up to the desk?

24 COUNCILWOMAN MILLER: We
25 actually have Cecil Thomas, Cincinnati

1 12/14/10 - PUBLIC SAFETY - BILL 100722, ETC.

2 Council President on the phone, so we're
3 going to hear his testimony first.

4 COUNCIL PRESIDENT THOMAS: This
5 is Councilman Thomas. Am I on?

6 COUNCILWOMAN MILLER: I'm
7 sorry. Say that again. We are having a
8 little disturbance here.

9 COUNCIL PRESIDENT THOMAS: This
10 is Councilman Cecil Thomas.

11 COUNCILWOMAN MILLER: Okay.
12 Can you proceed? You can just state who
13 you are and proceed with your testimony.

14 COUNCIL PRESIDENT THOMAS:
15 Sure. Absolutely. Well, I'm a member of
16 the City Council here in the City of
17 Cincinnati.

18 I'm getting a tremendous amount
19 of feedback. Sorry. So I'll try to work
20 through this.

21 I'm the President Pro Temp of
22 the Council here in Cincinnati, and I'm a
23 former law enforcement officer, retired
24 after 27 years as a member of the
25 Cincinnati Police Department. After

1 12/14/10 - PUBLIC SAFETY - BILL 100722, ETC.

2 retiring from the Police Department, I
3 spent five years as the Executive
4 Director of the Cincinnati Human
5 Relations Commission here in the City of
6 Cincinnati, and during that period was
7 when we had civil unrest in our city as a
8 result of problems between the
9 relationship between citizens and police,
10 and an officer-involved shooting sparked
11 some unrest in our city.

12 So I kind of feel that -- I
13 hear what's being said here. I listened
14 to the discussions, and it mirrors a lot
15 of what Cincinnati was experiencing that
16 led up to the civil unrest in our city.

17 And I want to check in to make
18 sure I'm still on the line, if someone
19 can let me know, because I just don't
20 want to be talking to myself and find out
21 I wasn't --

22 COUNCILWOMAN MILLER: You are
23 still on the line.

24 COUNCIL PRESIDENT THOMAS: Very
25 good.

1 12/14/10 - PUBLIC SAFETY - BILL 100722, ETC.

2 COUNCILWOMAN MILLER: Thank
3 you.

4 COUNCIL PRESIDENT THOMAS: So
5 as a result of that incident, prior to
6 that, there was a tremendous amount of
7 distrust between certain segments of our
8 community and the police. More specific,
9 the areas of our city that were
10 experiencing a number of problems, in the
11 African American communities in
12 particular, the areas of our city that
13 had high incidence of crime, high
14 incidence of police-citizen contacts,
15 those areas were strained tremendously as
16 it relates to citizens and police, and as
17 a result of all of that strain, things
18 started to just deal that we had citizens
19 being shot by the police, we had police
20 being shot by citizens, and the overall
21 perception was, it was an "us against
22 them" attitude in our community. And
23 when the incident occurred that resulted
24 in the unrest, prior to the unrest
25 breaking out, a large segment of the

1 12/14/10 - PUBLIC SAFETY - BILL 100722, ETC.

2 population that I just described came
3 down to City Hall concerned about the
4 ways police were treating citizens, and
5 as a result of that, they wanted answers
6 as to why that incident that sparked the
7 unrest, what happened, and they wanted
8 answers right away.

9 Well, the mistake that the
10 Cincinnati Police Department made, along
11 with the government at that time, was
12 that they said, Well, we're investigating
13 it and we'll let you know. Well, all
14 that did was add additional suspect to
15 what was going on and maybe there was
16 coverup and these types of things. So as
17 a result of that, the citizens left City
18 Hall in anger and then they started
19 throwing bricks and bottles and all these
20 other things that come with that.

21 So what we had to do in the
22 City of Cincinnati, once we stabilized
23 our community back to folks talking to
24 each other, we had to find out what was
25 it we were doing wrong in the City of

1 12/14/10 - PUBLIC SAFETY - BILL 100722, ETC.

2 Cincinnati that would have allowed us to
3 be in civil unrest in the 21st century.
4 So we needed to take a look at police, we
5 needed to take a look at citizens. We
6 needed to take a look at all of the
7 attitudes that were occurring at the
8 time.

9 We first looked at our Police
10 Department, and we said, Are you doing
11 everything -- are your procedures and
12 policies, are they the best practices
13 around the country? And our Chief of
14 Police said, by all means, everything
15 that they were doing were sanctioned as
16 the best practices, and they felt very
17 confident that if any outside entity
18 looked at what they were doing, they will
19 find that we were doing everything
20 correctly.

21 Now, being a former police
22 officer myself, I was a little concerned
23 when I saw that during my tenure, say,
24 three or four years before we actually
25 had the civil unrest, I saw

1 12/14/10 - PUBLIC SAFETY - BILL 100722, ETC.

2 indiscriminate stopping of young African
3 American males and using that as a
4 pretext to see if they were selling drugs
5 or carrying drugs. It was traffic stops.
6 They were saying, Well, you straddled the
7 line and you were pulled over because of
8 straddling the line, but when the officer
9 walked up and confronted the driver, the
10 first question is, Do you know why I
11 stopped you?

12 Well, yes. Well, no.

13 And then the next question was,
14 Do you have any drugs in this car?

15 So the pretext of that started
16 to happen much more frequently, not just
17 vehicle stops but just citizen-police
18 contacts. And the officers were trying
19 to do their job, because citizens were
20 real all upset with the fact that
21 violence and drugs and all of these
22 things, but the problem that occurred as
23 a result of that kind of indiscriminate
24 stopping was, there was a tremendous
25 amount of collateral damage where

1 12/14/10 - PUBLIC SAFETY - BILL 100722, ETC.

2 innocent citizens who really hadn't done
3 anything were getting stopped and they
4 began to complain, and those kinds of
5 complaints started to build up and build
6 up and build up, and as a result, that
7 tension continued to build.

8 Now, after the civil unrest,
9 when we looked at what we needed to do,
10 we decided that we -- well, we had to
11 come to an agreement. Meaning the FOP,
12 the Police Department, the City of
13 Cincinnati and the citizens all had to
14 come to some agreements. The first thing
15 that we wanted to do was allow an outside
16 entity, being the Justice Department, to
17 take a look at Cincinnati's policies,
18 police policies and procedures. The
19 Chief of Police had already said, by all
20 means, come in, take a look, we're doing
21 everything right.

22 Once the Justice Department
23 came in under an agreed-upon invite, they
24 determined that there were over 105 or
25 more policies or procedures of the

1 12/14/10 - PUBLIC SAFETY - BILL 100722, ETC.

2 Cincinnati Police Department that needed
3 some form of change or tweaking or some
4 corrections, 105 of those policies. That
5 was one of the first steps that began us
6 on a road to restoring trust and building
7 a much better relationship between
8 citizens and community.

9 Once we began to address those
10 105 or so changes -- and there was
11 resistance by our law enforcement
12 community, which was expected. However,
13 as we continued to evolve, things got
14 better and better. We then worked on
15 some additional methods by which we
16 police our communities, and this was in
17 agreement with the Cincinnati Police
18 Department, and we came up with what is
19 known as the Collaborative Agreement.

20 There were two agreements that
21 we worked out to begin to work through
22 some of our problems. One I sent to
23 Councilman Jones is called the RAN
24 Report. Another was the Memorandum of
25 Understanding, which was the agreement

1 12/14/10 - PUBLIC SAFETY - BILL 100722, ETC.

2 between the Justice Department and the
3 City of Cincinnati, which changed the way
4 we do a lot of our policies and
5 procedures. That was the Memorandum of
6 Understanding.

7 I said there were two, but
8 there was three. The third one was the
9 Collaborative Agreement, which was a
10 monitored, agreed-upon method by which we
11 worked together, citizens, police, the
12 Justice Department, as well as -- it was
13 the citizens and the government. We all
14 worked together to look at what we were
15 doing in terms of our police-community
16 relations, and we came up with a
17 Collaborative Agreement that has
18 worked -- it has worked wonders in the
19 means by which we now address policing in
20 the City of Cincinnati.

21 That Collaborative Agreement
22 has built relationships, very strong
23 relationships, between citizens and
24 police, and what was at the root of that
25 Collaborative Agreement was that we

1 12/14/10 - PUBLIC SAFETY - BILL 100722, ETC.

2 needed to find common ground as to what
3 everybody is saying to each other, and
4 the common ground factor that was put
5 forth was that Cincinnati was
6 experiencing a tremendous amount of
7 violence, meaning young African American
8 males killing other African American
9 males, and the community was sick and
10 tired of that.

11 The Memorandum of Understanding
12 pretty much solved a lot of our problems,
13 along with the Collaborative Agreement as
14 it related to the distrust and all those
15 other things that was hurting us as it
16 relates to police and community.

17 The other piece of that that
18 built that trust was that we agreed that
19 the most important thing is to stop the
20 violence and how do we do that without
21 violating the most principles of rights
22 of citizens, without pointing the finger
23 at police, without pointing the finger at
24 the community, but allowing them to work
25 together. That agreement I sent also to

1 12/14/10 - PUBLIC SAFETY - BILL 100722, ETC.

2 Councilman Jones.

3 Overall, you all are where we
4 were a number of years ago. I'm not
5 against arguing against the stop and
6 frisk. There's a means by which you do
7 that. The problem we had when I was on
8 the police force utilizing the same
9 tactics of stop and frisk, checking
10 people out, is that young officers -- and
11 I'm not condemning the younger officers,
12 but when you bring young officers on,
13 they're extremely aggressive. They want
14 to do the job and they want to lock up
15 the bad guy, and they want to use every
16 means by which to do that, and sometimes
17 they over -- they become overbearing in
18 how they do their work. It was so bad in
19 Cincinnati that the Chief of Police --
20 well, let me back up.

21 A lot of those cases that those
22 young officers were making those arrests
23 on would go to court and the prosecutor
24 for the City would just pull his hair out
25 saying, Well, you knew you couldn't make

1 12/14/10 - PUBLIC SAFETY - BILL 100722, ETC.

2 that kind of stop and arrest because you
3 didn't have probable cause. So the point
4 was, is that the Chief of Police decided
5 that -- and this was part of an
6 agreement -- that at any time a police
7 officer decides that he's going to
8 attempt to search a car, he cannot just
9 say to the citizen, Can I search your
10 car? What he has to do is have a consent
11 form that is presented to the citizen,
12 and the citizen signs it, and that way,
13 there will be no question as to whether
14 he was given permission to search.

15 But on more so than that, the
16 officers had to be retrained in a number
17 of areas as it related to search and
18 seizure so that we could kind of stop a
19 lot of that.

20 So what I'm saying to all of
21 you, there's a tremendous amount of data
22 that you all probably already have that
23 needs to be analyzed so that you can
24 determine exactly where the problems are.

25 We determined that there were a

1 12/14/10 - PUBLIC SAFETY - BILL 100722, ETC.

2 lot of citizens who would just make false
3 complaints against police. So we had to
4 write in our Collaborative Agreement
5 accountability for folks who file just
6 frivolous complaints that did not
7 actually occur, and then we tracked
8 those. So if you have a citizen who
9 files five complaints a year and they're
10 all frivolous complaints against an
11 officer, then you start to take mind of
12 that and maybe end up charging that
13 citizen with making a false report.

14 On the other side of that, we
15 also established tracking mechanisms for
16 officers who continuously get complaints
17 that either were sustained or there was
18 no way to determine one way or the other
19 whether it's sustained or not. When you
20 start to track that, the officer starts
21 to develop a pattern. Those are the
22 officers that we were able to begin to
23 say, Okay, are you sure you want to be a
24 police officer? Do we need to send you
25 back for additional training, and all of

1 12/14/10 - PUBLIC SAFETY - BILL 100722, ETC.

2 that.

3 So as a result of all of that,
4 we now have in place something that is
5 really working well in our city as it
6 relates to citizens and police working
7 together. There's an effort called the
8 Cincinnati Initiative to Reduce Violence,
9 CIRV, C-I-R-V is the acronym. That has
10 brought citizens and police together.
11 And the reason that works so well is
12 because the citizens are saying to the
13 police, You do your job. You're trained
14 to do a certain job, which is to protect
15 us. And then the citizens are saying to
16 the police, We will work with you and
17 weed out those that are the problem. The
18 only thing that the citizens are asking
19 of the police in -- I mean of the City
20 Administration is that we create
21 opportunities for those who want out of
22 that circumstance of crime and all those
23 other things. In other words, you can't
24 say enforce the laws on these individuals
25 over here and if there's an individual

1 12/14/10 - PUBLIC SAFETY - BILL 100722, ETC.

2 over there that want out of that --
3 that's caught up in that life-style and
4 want out of it, we got to create
5 opportunities for them to be able to get
6 out of that, but, however, if they insist
7 on continuing that life of crime, of
8 selling drugs on the corner, even after
9 we brought you in and said, Look, we know
10 who you are, the community knows who you
11 are, we want you to stop doing that in
12 our community, if you still insist on
13 doing that, the citizens will say to the
14 Chief of Police and his designees, Yes,
15 we will help you get this person out of
16 our community. And that has worked very
17 well because of the fact that everybody
18 now is doing what they do best.

19 And, finally, the third part of
20 all of that is when we talk about all the
21 collateral damage. What we've determined
22 is that there is only a very small
23 percentage of people in our community
24 that is causing the bulk of the problems
25 as far as the violence. We've identified

1 12/14/10 - PUBLIC SAFETY - BILL 100722, ETC.

2 it through a lot of intelligence from our
3 law enforcement community, intelligence
4 from citizens, everybody say, Well, these
5 are the folks that are the real problem
6 in our community. And when you identify
7 that through data that supports it, then
8 you can focus on them instead of going
9 after all the collateral damage, just to
10 try to hold your violence to a
11 sustainable level, and that works much
12 better and the community is not caught up
13 in that.

14 So with that -- okay. So with
15 that, let me wrap this up real quick. I
16 urge all of you to recognize that
17 everybody has a job to do, law
18 enforcement, the community, as well as
19 the government, and it's going to take a
20 concerted effort on everybody's part to
21 be able to address those problems, but if
22 you're divided on this issue, it's only
23 going to get worse.

24 So I'll end it there, because I
25 can go on for years.

1 12/14/10 - PUBLIC SAFETY - BILL 100722, ETC.

2 COUNCILWOMAN MILLER: Okay.

3 Thank you, President Thomas. I think
4 that Philadelphians and our different
5 entities are together on this issue. You
6 know, our goal is to just keep improving
7 and making sure that we're doing the
8 right thing. And we want to thank you
9 for your input today and look forward to
10 reading the documents that you've sent to
11 Councilman Jones.

12 Councilman Jones.

13 COUNCIL PRESIDENT THOMAS:

14 Okay. I'll hold on and just listen.

15 COUNCILMAN JONES: Thank you,
16 Councilman.

17 COUNCILWOMAN MILLER: Thank
18 you.

19 It's already on. See, ours is
20 red. I don't think yours is red. It's
21 controlled by the gentleman.

22 PROFESSOR LASSITER: Okay.

23 Good afternoon. My name is Chad Dion
24 Lassiter. I'm a Professor of Race
25 Relations at the University of

1 12/14/10 - PUBLIC SAFETY - BILL 100722, ETC.

2 Pennsylvania. I'm also on the Board of
3 Trustees of the Philadelphia Prisons, but
4 from an identity-based perspective today,
5 I'm a citizen that's concerned about
6 police misconduct.

7 I also want to acknowledge my
8 colleagues, Councilman Jones, Deputy
9 Mayor of Public Safety Everett Gillison,
10 Gabriel Bryant from Philadelphia Futures
11 and Deputy Commissioner Ross. And the
12 reason why I would like to acknowledge
13 them is simply because they're working on
14 the front lines from a sustainable effort
15 of being proactive and not reactive in
16 trying to bridge the gap between the
17 community as well as the police.

18 Regrettably, many African
19 Americans and Latino Americans are aware
20 of police misconduct in this nation's
21 history and specifically here in
22 Philadelphia, be it in the form of
23 excessive use of police force, brutality
24 or racial profiling. Oftentimes this is
25 a result of firsthand experiences or that

1 12/14/10 - PUBLIC SAFETY - BILL 100722, ETC.

2 of family members or friends. Therefore,
3 the more recent instances of police
4 misconduct, no matter how shocking to
5 some, confirm what many black and brown
6 people already believe about the American
7 criminal justice system: That justice is
8 not always leveraged fairly. Indeed,
9 when law enforcement officials are
10 charged with beatings or other forms of
11 misconducts are acquitted, the assertion
12 is reinforced.

13 Simply put, the public face of
14 a police brutality victim is that of
15 black and Latino male. This racial link
16 is the direct result of the
17 disproportionately high number of blacks
18 and Latinos who have been assaulted by
19 the police. The racialization of police
20 brutality has come at a high price. The
21 fact that police brutality is represented
22 as black has relegated it to the bottom
23 tier of the social problems. A clear
24 reflection of this is the public's
25 yawning response to the escalating claims

1 12/14/10 - PUBLIC SAFETY - BILL 100722, ETC.

2 of police brutality offered by members of
3 minority communities. More troubling is
4 the marginalization of police brutality
5 which may reflect the belief that there
6 is something unique about blackness that
7 explains and justifies police abuse.

8 This sends a subtle, yet clear message.

9 Is there a reasonable link between black
10 and brown skin and police assaults?

11 All told, the dismissal of
12 police violence as a black thing should
13 not surprise anyone on City Council or in
14 the City of Philadelphia. Historically,
15 social problems that disproportionately
16 affect blacks and Latinos were ignored.

17 Not only has police brutality
18 been widely defined as a black problem,
19 it has been positioned as a problem for
20 which blacks are solely to blame. Some
21 here will assert that the high levels of
22 police abuse against blacks and Latinos
23 can be explained by their high rates of
24 offending. It should not be dismissible
25 because of a tiny fraction of those

1 12/14/10 - PUBLIC SAFETY - BILL 100722, ETC.

2 criminals.

3 Councilman Jones and others,
4 many whites have no idea of how afraid
5 many black and Latino people are of
6 police. The black and Latino community's
7 reaction to law enforcement is often
8 presented in varying shades of cool pose.

9 You heard Commissioner Ross
10 earlier talk -- Commissioner Ramsey,
11 excuse me, earlier talk about the way
12 that individuals are communicating.
13 Oftentimes black and Latino males in the
14 community position themselves with this
15 false bravado, this cool pose, and it's
16 really anxiety manifesting itself.

17 The harsh truth is that young
18 black men have the highest probability of
19 being stopped and, therefore, harassed by
20 the police. This remains true whether
21 they are driving while black, walking
22 while black, running while black,
23 standing while black, sitting while
24 black --

25 (Applause.)

1 12/14/10 - PUBLIC SAFETY - BILL 100722, ETC.

2 PROFESSOR LASSITER: --

3 studying in the library while black,
4 working while black, or in my case during
5 the summer of 2005, attending church
6 while black, when two or four black cops
7 wanted to check my Bible for a weapon of
8 a crime that happened near or around the
9 church that I attend, Triumph Baptist
10 Church. I knew my rights, and this
11 upsets police when you know your rights;
12 i.e., my colleague, Marc Lamont Hill.

13 I asked a retired black police
14 officer for 30 years the following: Why
15 is it that those of us who grew up in the
16 inner city have developed a fear and
17 suspicion and distrust of some cops?
18 It's key for us to recognize that we
19 don't want to generalize or stereotype
20 and say that all cops, because we know
21 that on a day-to-day basis, there are
22 cops who put their lives on the line and
23 sometimes in the case of Officer Cassidy,
24 they die a noble death so that we can
25 live to see another day.

1 12/14/10 - PUBLIC SAFETY - BILL 100722, ETC.

2 He replied, Because all too
3 often some behave like a corrupt,
4 occupying army, terrorizing and
5 exploiting our community.

6 Where do we go? Because of the
7 "we against them" fraternity and
8 mentality and the "blue wall of silence"
9 within the Police Department, it has
10 always been difficult to prove police
11 brutality cases. Police officers often
12 refuse to come forward to expose brutal
13 and corrupt fellow officers. Police
14 officers are also invested with a special
15 dispensation of trust, which provides
16 them to get the benefit of the doubt in
17 court proceedings. He or she is a cop;
18 they, the criminals, are scum.

19 Therefore, the cops are right, is the
20 thinking. If we assert that not all
21 police engage in misconduct, then we must
22 also assert that not all black and Latino
23 people are criminals. The latter does
24 not happen within the psyche of some
25 police.

1 12/14/10 - PUBLIC SAFETY - BILL 100722, ETC.

2 The problem of police brutality
3 must be understood in a larger social,
4 economic and political context. The
5 policy of more police and prisons has
6 been used to substitute for policies that
7 promote social, economic and racial
8 justice for people of color.

9 (Applause.)

10 PROFESSOR LASSITER: Not saying
11 that these are forthcoming suggestions
12 that have not been looked at. Maybe they
13 have. I offer some following
14 suggestions:

15 Advocate for more police
16 training, not on cultural awareness,
17 anti-racism training, and how to interact
18 more effectively with minority
19 communities. In order to affect these
20 communities of color, police officers
21 must have the trust of these communities.

22 Advocate for more police
23 training on Fourth Amendment,
24 unreasonable search and seizure; Fifth
25 Amendment, protection from

1 12/14/10 - PUBLIC SAFETY - BILL 100722, ETC.

2 self-incrimination; and Fourteenth
3 Amendment, equal protection under the
4 law.

5 Call for swift prosecution of
6 police officers who engage in misconduct.

7 And, lastly, engage in greater
8 outreach and education to African
9 Americans and people of color. Talk to
10 them about their rights in dealing with
11 law enforcement; an example, Miranda
12 rights, as well as how to follow a
13 complaint should they become the victim
14 of misconduct at the hands of some police
15 officers in the City of Philadelphia that
16 at the present time is anything but
17 sisterly or brotherly.

18 (Applause.)

19 COUNCILMAN GREENLEE: Thank
20 you, sir. Thank you for your testimony.

21 Are there any questions?

22 (No response.)

23 COUNCILMAN GREENLEE: Thank
24 you. Thank you for your patience in
25 waiting. Thank you.

1 12/14/10 - PUBLIC SAFETY - BILL 100722, ETC.

2 The next witnesses we have on
3 the list -- and if I could just add,
4 there are a number of people who still
5 wish to give testimony and I just -- we
6 all appreciate if you could be as brief
7 as possible so everybody has a chance to
8 testify and doesn't have to leave.

9 The next ones I have on my list
10 are Pastor Brian Jenkins. Is he here?
11 Yes. Joe Easton, is he here? Okay. And
12 Sara Mullen or anyone representing the
13 ACLU. If you three could come forward,
14 I'd appreciate it.

15 And, again, if you have written
16 testimony, we can have that put in the
17 record.

18 (Witnesses approached witness
19 table.)

20 COUNCILMAN GREENLEE: Pastor
21 Jenkins, you're first. If you could just
22 identify yourself for the record and
23 proceed, please.

24 PASTOR JENKINS: Thank you.
25 Good morning -- afternoon actually now.

1 12/14/10 - PUBLIC SAFETY - BILL 100722, ETC.

2 COUNCILMAN GREENLEE: Yeah,
3 it's afternoon now.

4 PASTOR JENKINS: My name is
5 Brian Jenkins. I'm the Senior Pastor of
6 Chosen 300 Outreach and Worship Center at
7 1116 Spring Garden Street and Executive
8 Director of Chosen 300 Ministries
9 worldwide. I'm coming because out of
10 concern for our community and
11 particularly those that are homeless in
12 which we serve.

13 My congregation is made up of
14 primarily homeless people. Ninety
15 percent of the congregation is actually
16 homeless. We've experienced two
17 incidents in particular during worship,
18 during worship in which police officers
19 have come into our worship services and
20 disrupted worship. One was in October of
21 2008. There were six police officers
22 that stormed into our building during
23 worship service to look for someone. We
24 informed the captain of the 6th District
25 as well as Councilwoman Jannie Blackwell,

1 12/14/10 - PUBLIC SAFETY - BILL 100722, ETC.

2 who we are very close with, informed them
3 of the issue, did not make a big stink
4 about it, but just kind of let them know
5 this cannot happen again.

6 July 5th of 2009, two officers
7 stormed into our Sunday morning worship
8 during prayer and wanted to look for
9 someone who had pick-pocketed someone on
10 Arch Street, which is three-quarters of a
11 mile away. We informed the officers upon
12 entering that we were in worship.

13 There is an ordinance that is
14 actually mandated by the Police
15 Department since 14 years ago when two
16 officers -- some officers entered into
17 Divine Baptist Church of Philadelphia and
18 arrested the groom out of the wedding.
19 There was policy that was put in place by
20 the Police Department that officers could
21 not enter into a worship service without
22 notifying a supervisor and unless there
23 was severe just cause. Those officers
24 disobeyed that procedure and entered
25 anyway.

1 12/14/10 - PUBLIC SAFETY - BILL 100722, ETC.

2 When we informed them that we
3 were in worship and I told them they
4 cannot enter, he decided to go beyond me.
5 I then stopped the officer. I was told
6 that if I touched him again, he would
7 arrest my ass.

8 So from that, you know, we
9 finally got the officers out of the
10 building. We had filed a formal
11 complaint on July the 24th.

12 I do want to commend Deputy
13 Commissioner Richard Ross and also Deputy
14 Commissioner Kevin Bethel for calling a
15 meeting and listening to our concerns.
16 They also, both of them, came to our
17 Sunday morning worship and addressed the
18 issue. We did not ask them for an
19 apology, because we felt that the apology
20 was the necessity of those two officers.

21 I believe that everybody has a
22 right at some time to make a mistake or
23 bad choice. The issue, the greater
24 issue, is not the decision that was made
25 on the day of our worship service. The

1 12/14/10 - PUBLIC SAFETY - BILL 100722, ETC.

2 greater decision or the greater error
3 that was made, that when we asked for
4 just a simple apology -- we did not ask
5 for discipline at first, we asked for an
6 apology -- that those two officers would
7 come to our worship and simply apologize
8 to those that are homeless, those that
9 are downtrodden and those that were poor,
10 those apologies were ignored.

11 We then filed another written
12 complaint both to the Mayor of the City
13 of Philadelphia, also the Police
14 Commissioner. Those complaints were
15 ignored.

16 We finally -- an internal
17 investigation was done. One officer was
18 deemed that it was inappropriate for him
19 to, one, use profanity in a place of
20 worship and also threaten a pastor.
21 However, they were not found that they
22 had disobeyed policy, because they did
23 not know that we were a church, but
24 outside of our church it says Chosen 300
25 Outreach and Worship Center, and lo and

1 12/14/10 - PUBLIC SAFETY - BILL 100722, ETC.

2 behold, we were in prayer at the time
3 that they walked in.

4 To date -- this incident
5 happened July the 5th, 2009, over a year
6 and a half ago -- what we have received
7 is no answer. No answer.

8 My concern at this point is not
9 so much the incident, but in our public,
10 in our City government, we have the
11 inability when complaints are filed that
12 they are not answered. And I think you
13 made an outstanding point earlier that it
14 takes 180 days for a criminal to be
15 prosecuted and that complaint to be
16 completed. However, when we file a
17 complaint against the Police Department,
18 a year and a half has gone by and yet
19 still no answer.

20 I believe that we have an
21 outstanding police force. There's a lot
22 of good officers on our police force.
23 The challenge comes is when those who are
24 not good officers make poor judgments and
25 refuse to even apologies to a

1 12/14/10 - PUBLIC SAFETY - BILL 100722, ETC.

2 congregation of homeless people and no
3 action is taken. It puts almost a thumb
4 up -- a nose thumb up to our society and
5 our community and says that the police do
6 not have to respect us, and, therefore,
7 it really puts a bad taste in our mouth
8 and causes us to not to respect the
9 entire police force.

10 Like I said, we have some great
11 officers. We have a great Commissioner.
12 We have great people that serve like
13 Richard Ross and Kevin Bethel. However,
14 if problems are not addressed and
15 answered, then it really puts a bad taste
16 in the community's mouth.

17 COUNCILMAN GREENLEE: Thank
18 you, Pastor, for your testimony.

19 Mr. Easton.

20 MR. EASTMAN: Yes. Thank you.
21 And it's interesting the Pastor and I are
22 sitting at the same table, because my
23 brief testimony today will be about my
24 involvement with 6th Police District and
25 actually coming to praise what I think an

1 12/14/10 - PUBLIC SAFETY - BILL 100722, ETC.

2 organization does a great job.

3 And, again, my name is Joe
4 Eastman. I'm the President of Chinatown
5 Town Watch and a member of 6th Police
6 District Advisory Council and a
7 facilitator for 6th Police District
8 Patrol Service Area 2.

9 As I said, I think it's helpful
10 and almost necessary that we come
11 together and talk about things that don't
12 work, but I think we also need to mention
13 those things that do work too to be fair.

14 For the past five years, it has
15 been my honor and privilege to work with
16 and get to know a man I believe to be the
17 best district commander in Philadelphia,
18 Captain Brian Korn, Commanding Officer,
19 6th Police District. I make this
20 statement for many reasons.

21 Sixth District may be one of
22 the most diverse in the City, going from
23 Poplar Street in the north to Lombard in
24 the south, Broad Street to the Delaware
25 River. Everyone from the LGBT community

1 12/14/10 - PUBLIC SAFETY - BILL 100722, ETC.

2 to Chinatown, in my opinion, is treated
3 with equal respect and dignity by Captain
4 Korn and his officers. Whatever the
5 issue may be, it has been my experience
6 that we're all equal in the eyes of 6th
7 District.

8 Another reason and one in which
9 I think is very beneficial for the sense
10 of community within 6th District is the
11 dialogue between 6th District and the
12 community. There are no fewer than five
13 and sometimes up to eight monthly
14 meetings within the district in which
15 community members may voice any concerns
16 or ask any questions they may have.
17 Couple this with Captain Korn's open-door
18 policy to community members and it is
19 easy to see the reason most issues are
20 handled very quickly. If an issue is not
21 resolved the day it is voiced, it's been
22 my experience that it is resolved before
23 close of business the next day. And I've
24 seen this kind of response time time and
25 time again for the past five years.

1 12/14/10 - PUBLIC SAFETY - BILL 100722, ETC.

2 Now, speaking only for the
3 Chinatown community, I can tell you that
4 most of the community leaders, including
5 myself, have Captain Korn's cell phone
6 number and are encouraged to use it.
7 Most have the cell phone numbers of other
8 officers within the district, and these
9 officers encourage us to use them as well
10 any time, night or day.

11 As President of Chinatown Town
12 Watch, I have the cell numbers and e-mail
13 addresses of most of 6th District command
14 structure, and I'm sure other community
15 leaders within the Chinatown community
16 and throughout 6th District would tell
17 you the same thing.

18 Something else 6th District
19 does that I believe fosters positive
20 relations with the various communities is
21 that 6th District personnel get involved
22 with various events important to the
23 diverse communities within the district.
24 This involvement can't help but foster a
25 sense that open dialogue and

1 12/14/10 - PUBLIC SAFETY - BILL 100722, ETC.

2 communication are not only welcomed but
3 encouraged, and this also includes
4 reaching out to the various local
5 immigrant community press.

6 I spent 25 years in the United
7 States military. I received orders and I
8 gave orders. I think I understand the
9 art of leadership. A positive command
10 environment starts at the top and works
11 its way through the chain of command.
12 This is certainly true in 6th District,
13 in my experience. Whether a lieutenant,
14 sergeant or patrol officer, each one
15 treats every community member within 6th
16 District with respect and dignity. When
17 you ask 6th District officers for help,
18 you know you will get their best effort.

19 Almost done.

20 With respect to the hearing, I
21 believe this sense of community engrained
22 within 6th District would empower those
23 who believe it may have happened --
24 misconduct now -- to come forward and
25 report it. I don't think any community

1 12/14/10 - PUBLIC SAFETY - BILL 100722, ETC.

2 member would feel threatened by coming
3 forward. Just the opposite would happen,
4 I believe. Because of the dialogue and
5 trust that has been developed within 6th
6 District, I have no doubt people can come
7 forward and report something they think
8 is wrong.

9 In my opinion, this is the
10 standard and something else that I think
11 should be seen throughout various
12 districts in the City.

13 Thank you.

14 COUNCILMAN GREENLEE: Thank
15 you.

16 Ms. Mullen.

17 MS. ROPER: Hi. Actually, Mary
18 Catherine Roper. I'm a staff attorney
19 for the American Civil Liberties Union of
20 Pennsylvania, and I want to thank you for
21 inviting us here today, but, more
22 importantly, thank you for holding this
23 hearing.

24 The most important thing I have
25 to say to you, though, is that you need

1 12/14/10 - PUBLIC SAFETY - BILL 100722, ETC.

2 to hold another hearing in a year. We
3 have heard a lot of aspirations and
4 promises from the leadership of the
5 Police Department today. I have to tell
6 you, they are aspirations that I have
7 been hearing from this Administration for
8 two years that have not yet come to pass,
9 such as the revitalization of the
10 Integrity and Accountability Office.

11 We agree with Commissioner
12 Ramsey, with Deputy Mayor Gillison that
13 the only way to effectively fight crime
14 is with a police force that has a
15 cooperative relationship with the
16 community, which means communication,
17 which Commissioner Ramsey certainly has
18 been working on. But it also means
19 accountability, and that is something
20 that I think this community has not had
21 from the Police Department.

22 The new plan that has been put
23 forward certainly has some excellent
24 strategies for putting that kind of
25 accountability into place. It doesn't

1 12/14/10 - PUBLIC SAFETY - BILL 100722, ETC.

2 have any deadlines in it. I'm wondering
3 when these things that -- we heard a lot
4 of things, we want to do this and we want
5 to do that. We are interested at this
6 point in results.

7 This Administration has been
8 here for nearly three years, and
9 certainly the problems with the
10 Philadelphia Police Department and its
11 relationship with the community have been
12 in existence much longer than that and
13 have been known much longer than that.

14 When this Administration first
15 came in, when Commissioner Ramsey first
16 came in and proposed a crime plan for
17 dealing with what was then a crisis in
18 crime, particularly violent crime in this
19 city, one of the things we did at the
20 ACLU was put forth a public call for an
21 accountability plan. I can't tell you
22 how happy I am to see an accountability
23 plan from the Philadelphia Police, but
24 the proof, of course, will be in the
25 results.

1 12/14/10 - PUBLIC SAFETY - BILL 100722, ETC.

2 I'm very happy in particular to
3 see the new means of the public making
4 complaints to the police. We have talked
5 to many, many, many people with
6 complaints about the conduct of
7 Philadelphia police officers, ranging
8 from simple rudeness to unnecessary
9 violence. The vast majority of these
10 people are completely terrified at the
11 idea of walking into a police district
12 office to file a complaint. The idea
13 that they can now do that through a
14 hotline, over the Internet, that is a
15 huge improvement.

16 I've also spoken to many people
17 who have gone to police district offices
18 to file complaints and they have been met
19 with resistance, with discouragement,
20 with efforts to talk them out of it, even
21 though very polite and at times with
22 downright threats.

23 This is not always the case.
24 There are -- there is -- no one wants to
25 paint a generalization that says every

1 12/14/10 - PUBLIC SAFETY - BILL 100722, ETC.

2 police officer misbehaves, every
3 complaint is dealt with improperly. None
4 of that is true. Unfortunately, it
5 happens often enough and the consequences
6 don't follow often enough that what the
7 public sees is a lack of accountability.

8 Obviously Philadelphia
9 residents --

10 COUNCILMAN GREENLEE: Ma'am, if
11 I can just ask you to wrap it up as soon
12 as you can, please.

13 MS. ROPER: Absolutely. I will
14 wrap it up.

15 COUNCILMAN GREENLEE: Because a
16 lot of people are complaining that
17 they're waiting a long time. Thank you.

18 MS. ROPER: And I have every
19 sympathy with them.

20 I've said the most important
21 thing I have to say. We all know the
22 history of problems with this Police
23 Department. We certainly trust in the
24 genuineness of the statements here by
25 everyone associated with the Police

1 12/14/10 - PUBLIC SAFETY - BILL 100722, ETC.

2 Department that they want to fix the
3 problem. The question is, will there be
4 a follow-through, and that's why I ask
5 this Committee, please, to follow through
6 on your investigation.

7 COUNCILMAN GREENLEE: Thank
8 you.

9 I think Councilman Jones, you
10 had a question for one of the witnesses.

11 COUNCILMAN JONES: No. I'm
12 going, for brevity, to hold it and I'll
13 talk to you guys separately. Thank you
14 so much for your testimony.

15 COUNCILMAN GREENLEE: Yeah.
16 Thank you all for --

17 PASTOR JENKINS: If I can say
18 just one quick final thing.

19 COUNCILMAN GREENLEE: Please,
20 quickly.

21 PASTOR JENKINS: I am highly
22 opposed to the stop and frisk policy.
23 Why can't it be stop and say good
24 morning?

25 (Applause.)

1 12/14/10 - PUBLIC SAFETY - BILL 100722, ETC.

2 PASTOR JENKINS: I mean,
3 oftentimes stop and frisk is simply a
4 pre-determination that person is guilty
5 of doing something. Why can't you just
6 say hi? I mean, hello. Good morning.
7 Good afternoon. How are things going?
8 Not, What do you have on you?

9 COUNCILMAN GREENLEE: Okay.
10 Thank you. Thank you, sir.

11 (Applause.)

12 COUNCILMAN GREENLEE: The next
13 people I have on the list, Latasha
14 Williams, is she here?

15 (No response.)

16 COUNCILMAN GREENLEE: Hugh
17 Giordano or a representative of Green
18 Party? Okay. They're here. Greg
19 Brinkley? I think I saw Greg. I thought
20 I saw him before. Greg Brinkley here?
21 No.

22 The National Lawyers Guild,
23 anyone representing them? Okay. And I'm
24 probably going to say this wrong, and I
25 apologize ahead of time, Sweit Adeen

1 12/14/10 - PUBLIC SAFETY - BILL 100722, ETC.

2 Muhammad (ph), the Muslim League of
3 Voters, anyone here representing them?

4 (No response.)

5 COUNCILMAN GREENLEE: No?

6 Okay. Why don't we start with you two.
7 And I hate to do this, but, again, we got
8 people complaining. The Chair of the
9 Committee first set a three-minute rule.
10 I'd really like to try to stick to that.
11 Okay? I think you could say it in three
12 minutes.

13 If you could --

14 MR. HETZNECKER: Very well.

15 I'll be glad to. I'll do my best.

16 Good afternoon, Councilmembers.

17 I welcome the opportunity to come here
18 and testify as a representative of the
19 National Lawyers Guild.

20 Just to give you some
21 perspective, my name is --

22 COUNCILMAN GREENLEE: Could you
23 just identify yourself for the record.

24 MR. HETZNECKER: I will. My
25 name is Paul Hetznecker. I have been

1 12/14/10 - PUBLIC SAFETY - BILL 100722, ETC.

2 practicing as a criminal defense attorney
3 and civil rights attorney in the City of
4 Philadelphia for almost a quarter
5 century. I began my career at the
6 Defender's Association of Philadelphia.
7 I spent six years there. I was in the
8 Special Defense Unit before I left to go
9 into private practice. And in private
10 practice, I have continued since 1993 to
11 represent individuals in the Court of
12 Common Pleas in criminal matters, in
13 federal court both at trial and on
14 appeal, and also in litigating and
15 prosecuting civil rights cases on behalf
16 of individuals in the City of
17 Philadelphia.

18 Let me just talk a little bit
19 about the National Lawyers Guild, and
20 I'll try to be as brief as possible.

21 The National Lawyers Guild is
22 an organization of lawyers that has been
23 committed to fighting for social justice
24 since the 1930s. Lawyers from the Guild
25 have played an important role in

1 12/14/10 - PUBLIC SAFETY - BILL 100722, ETC.

2 progressive movements in this country,
3 such as the Labor Movement in the 1930s
4 and '40s, the Civil Rights Movement in
5 the 1950s and '60s, the Anti-War Movement
6 in the '60s and '70s. Lawyers from the
7 Guild have been instrumental in
8 advocating for the rights of the poor,
9 disenfranchised and oppressed in our
10 society. The protection of civil
11 liberties has been an important part of
12 that mission.

13 Guild civil rights lawyers have
14 long been at the forefront of combatting
15 police misconduct for decades in this
16 country. The Guild sponsors the National
17 Police Accountability Project, which is
18 specifically designed to combat police
19 misconduct and the culture of abuse that
20 has developed in so many police
21 departments throughout this country. The
22 mission of the Guild, and I hope all who
23 cherish our civil rights in this country,
24 is to end police abuse through
25 coordinated legal action, public

1 12/14/10 - PUBLIC SAFETY - BILL 100722, ETC.

2 education and support for grassroots
3 community organizing, confronting police
4 misconduct.

5 In order to combat police
6 misconduct, it must first be understood.
7 In offering this testimony, I bring
8 almost a quarter century of experience as
9 a criminal defense attorney and civil
10 rights attorney. Two weeks ago I settled
11 the civil rights case where the City of
12 Philadelphia settled with respect to two
13 officers who were defendants in the case,
14 each of which had at least six complaints
15 against them, none of them founded, none
16 of them sustained. That's not unusual,
17 unfortunately, in my experience.

18 And I don't offer just
19 anecdotal experience. I offer everyday
20 confrontation of police abuse in the
21 courtroom as a criminal defense attorney
22 in violation of our Fourth Amendment
23 rights and also as a civil rights
24 attorney litigating cases that range from
25 wrongful death all the way down to an

1 12/14/10 - PUBLIC SAFETY - BILL 100722, ETC.

2 illegal stop and frisk.

3 So that's my experience, and I
4 offer my testimony based on that
5 experience.

6 And this does not disparage the
7 well and good intentions of the command
8 structure of the Police Department.

9 Everett Gillison and I were colleagues at
10 the Defender's Association for many
11 years, but I stand in opposition to the
12 culture that has developed within the
13 Police Department for decades and has
14 been maintained, despite the reforms that
15 have been implemented over the years,
16 including the Police Advisory Commission.

17 COUNCILMAN GREENLEE: That's
18 your whistle there, your 30-second
19 warning.

20 MR. HETZNECKER: I understand
21 that. If I could just offer --

22 COUNCILMAN GREENLEE: If you
23 have written testimony, you can submit it
24 and it will be made part of the record.

25 MR. HETZNECKER: If I could

1 12/14/10 - PUBLIC SAFETY - BILL 100722, ETC.

2 just offer some of the highlights.

3 COUNCILMAN GREENLEE: Okay. If
4 you could do that quickly, please.

5 MR. HETZNECKER: Very well.

6 A couple of things that have
7 been offered in testimony today. One is
8 the code of silence, which I think is
9 entrenched within the Police Department
10 and the police culture. It has to be
11 combatted systematically.

12 I laud the Police Department
13 and the Commissioner for suggesting that
14 the code of silence should be undermined
15 by their new measure, and I applaud their
16 efforts and I hope, as Mary Catherine
17 Roper suggested from the ACLU, that a
18 hearing in a year from now will be a good
19 measure of whether or not that entrenched
20 code of silence has been undermined.

21 Secondly, there must be
22 adequate supervision. An Internal
23 Affairs complaint is not enough to have a
24 review of -- an adequate review of police
25 misconduct in the City. It doesn't do

1 12/14/10 - PUBLIC SAFETY - BILL 100722, ETC.

2 it.

3 (Applause.)

4 MR. HETZNECKER: And, in fact,
5 oftentimes a referral to Internal Affairs
6 ends up being nothing more than
7 ratification of that misconduct because
8 there isn't in place the proper
9 independent accountability that's been
10 discussed, and, more importantly, there
11 needs to be transparency. There isn't
12 transparency in the structure of the
13 decision-making that goes on in the
14 Police Department.

15 And, again, I laud the
16 Commissioner's statements this morning
17 about some of the reforms and some of the
18 statements that Deputy Commissioner
19 Gillison has suggested that will
20 essentially create this transparency and
21 accountability. But what I've seen over
22 the years through all the cases that I've
23 handled, the cases that I will handle
24 tomorrow in the Court of Common Pleas or
25 the lawsuits that I will bring on the

1 12/14/10 - PUBLIC SAFETY - BILL 100722, ETC.

2 numerous complaints that I get from
3 civilians in my office every week about
4 police abuse, what I hope to see is
5 undermining that culture, is that a
6 re-emergence of a new culture within the
7 Police Department that lauds the
8 principles of accountability and
9 transparency.

10 Thank you.

11 COUNCILMAN GREENLEE: Thank
12 you.

13 Mr. Giordano. Again, three
14 minutes, please.

15 MR. GIORDANO: I'll try.

16 My name is Hugh Giordano. I am
17 a representative of the Green Party,
18 which is an independent third party, and
19 one of our main planks is social justice.
20 I am also a union representative, and I'm
21 a longtime citizen of Philadelphia.

22 I'm here today to speak about
23 stop and frisk, which I think is a direct
24 attack on the civil liberties and
25 freedoms of the people of Philadelphia.

1 12/14/10 - PUBLIC SAFETY - BILL 100722, ETC.

2 And I have a real problem with it, and

3 I'll give you a direct reason why.

4 When I was 16 years old, I am
5 from -- and I'll say, I'm from the
6 Roxborough part of the City,
7 predominantly middle-class, working-class
8 white neighborhood. But stop and frisk
9 goes beyond racial barriers. I think
10 it's ageism and urbanism is attacked.

11 When I was 16, I had my
12 license, just got a brand new Monte
13 Carlo, which was not brand new, but 1971.
14 I thought I was the man, had the two
15 diamond earrings in my ear, going to pick
16 up a girl for a date. And as I was
17 driving, I was looked at by a white
18 officer -- and, again, I am white -- and
19 he did an immediate U-turn. I looked
20 down at my gauge. I was going 23 miles
21 per hour in a 25. I'll never forget this
22 day. I was pulled over. He came up to
23 my window and said, Chico, I think this
24 car is stolen. First thing he said to
25 me.

1 12/14/10 - PUBLIC SAFETY - BILL 100722, ETC.

2 Now, I'm not Hispanic, and at
3 16, I thought, you know -- I didn't think
4 of anything that way.

5 When he told me to get out of
6 the car and put my hands on the hood on
7 Ridge Avenue in front of Kathy
8 Manderino's office at 5 o'clock on a
9 Friday, it was embarrassing, and it made
10 me hostile as a young man and gave me
11 that, you know -- young people get upset
12 about this type of thing, and that's why
13 you have a disconnect between the
14 community and the police, and that's why
15 you have that don't snitch mentality.

16 And so through that, it really
17 opened my eyes that I grew up real fast.

18 Now, ten years later, I'm 26.
19 I see an African American cop pull over
20 an Hispanic male in Roxborough and yell
21 and scream at him because he couldn't
22 speak English, saying, This is America,
23 Homeboy. You don't like it, go back.

24 So there is intolerance still,
25 ten years later, and I saw it on the

1 12/14/10 - PUBLIC SAFETY - BILL 100722, ETC.

2 street.

3 Here's the real issue: Stop
4 and frisk is a Band-Aid on a gunshot
5 wound. City Council may not be the law,
6 but you create the law, and it's your
7 responsibility as a politician and as a
8 leader to make laws that protect your
9 citizens. This is a representative
10 democracy and it's your job to protect
11 them.

12 I would like to see real issues
13 be talked about. Stop and frisk --

14 COUNCILMAN GREENLEE: If you
15 could try to wrap it up.

16 MR. GIORDANO: I'll wrap it up.

17 We need to fight poverty. You
18 want to abolish crime, not just stop it
19 and hold it down, you want to abolish it?
20 Good jobs, good schools, that's what you
21 need to do. It's an attack on the poor.
22 Stop and frisk is a Jim Crow law. That's
23 what it is, and the Green Party stands
24 against that.

25 (Applause.)

1 12/14/10 - PUBLIC SAFETY - BILL 100722, ETC.

2 COUNCILMAN GREENLEE: Thank
3 you. Thank you both for your testimony.

4 Thank you. I'm sorry to rush
5 you along, but, again, there's a lot of
6 people, and as you can see, some people
7 have already left because they couldn't
8 wait.

9 The next ones I have on my
10 list, Basiymah Bey, is she here? I'm
11 sorry again if I mispronounce a name.
12 Abdus Sabur. Is that you, sir?

13 MR. SABUR: Yes.

14 COUNCILMAN GREENLEE: Okay.
15 Christopher Brown, is Christopher Brown
16 here?

17 (No response.)

18 (Witness approached witness
19 table.)

20 COUNCILMAN GREENLEE:
21 Mr. Sabur, why don't you start. Just
22 identify yourself for the record and
23 proceed. I understand Ms. Bey may be in
24 the hallway. So, please, start.

25 MR. SABUR: Good afternoon.

1 12/14/10 - PUBLIC SAFETY - BILL 100722, ETC.

2 COUNCILMAN GREENLEE: Good
3 afternoon.

4 MR. SABUR: My name is Abdus
5 Sabur. I was told to come at 10 o'clock.

6 COUNCILMAN GREENLEE: Well, the
7 hearing started at 10 o'clock, sir.
8 That's why I'm trying to move people
9 along.

10 MR. SABUR: I know.
11 We heard a whole lot about the
12 Police Department. I just want to add a
13 little bit to it.

14 My son, Askia Sabur, was
15 traumatized by the Police Department. He
16 suffered six staples in the back of his
17 head from a beat-down by the 19th
18 District police officer. Myself, I
19 charged the other police officers that
20 was with him to be irresponsible in not
21 stopping him.

22 I'm really concerned, being a
23 citizen of Philadelphia, the City of
24 Brotherly Love, as one of the gentlemen
25 said, that's not too brotherly nor

1 12/14/10 - PUBLIC SAFETY - BILL 100722, ETC.

2 sisterly. I have some serious concerns.

3 I have concerns about how the police are
4 not being fair dealing with the people
5 that pay their salary. I too would like
6 to see some kind of law in place by the
7 City Council to change some of these
8 attitudes and behaviors. One of the ways
9 you can start, as far as I'm concerned,
10 you could stop the drop and frisk
11 situation, and, two, you can lock up the
12 cops that's mistreating the citizens of
13 Philadelphia.

14 (Applause.)

15 MR. SABUR: I don't understand.

16 I just can't get it. I'm trying very,
17 very hard to contain myself. It's a very
18 emotional situation. If any of you have
19 sons and your son has been beat down by
20 somebody that you think is supposed to
21 protect them, you tell me how you feel.

22 (Applause.)

23 MR. SABUR: I'm not college
24 like you people. You people are college.
25 I went to Ben Franklin and I quit because

1 12/14/10 - PUBLIC SAFETY - BILL 100722, ETC.

2 I wanted a job. I wanted something else
3 in my life. I wanted to be a man in my
4 life, but you people beat my child down
5 and think that he's supposed to accept
6 it.

7 If you got a cop that's wrong,
8 get rid of them, because he's no good for
9 the Police Department.

10 (Applause.)

11 MR. SABUR: Do you understand?
12 I would like to see something better, and
13 right now I don't see it.

14 Police brutality in
15 Philadelphia is at an all-time high, and
16 you want to sugarcoat it and make it seem
17 like nothing is going on. It is going
18 on. Racism is going on in America. Not
19 just in Philadelphia but in America, all
20 over, and you need to stop it, if you
21 have any power. Otherwise, you're just
22 puppets on a string dancing by a mensural
23 man that's behind you.

24 (Applause.)

25 MR. SABUR: That's what I'm

1 12/14/10 - PUBLIC SAFETY - BILL 100722, ETC.

2 talking about. Yes, I'm a member of the
3 nation of Islam. You might wonder where
4 is the Muslims at in all of this? Their
5 children are getting beat. Well, I'm
6 standing up, and I'm standing up for my
7 child, my family and myself, and if you
8 got any gumption, you'll stop all this
9 here namby-pamby talking around around
10 here and do something about the police
11 officers that are not doing anything for
12 the people in the City of Philadelphia.

13 Do you have any questions for
14 me?

15 (Applause.)

16 COUNCILMAN GREENLEE: Ms. Bey.
17 Ms. Bey, you want to testify?

18 MR. SABUR: No questions?

19 MS. BEY: The gentleman asked
20 is there any questions for him, sir.

21 COUNCILMAN GREENLEE: There
22 wasn't. There wasn't any. Ms. Bey,
23 please.

24 MS. BEY: Just a moment, sir.
25 What I will not condone, brother, sir, is

1 12/14/10 - PUBLIC SAFETY - BILL 100722, ETC.

2 to sit here and be adopting to a rude
3 form of introduction. The gentleman was
4 speaking, and if you are finished with
5 him, I think appropriately so, then
6 someone need to say to him that there is
7 no more questions for him.

8 COUNCILMAN GREENLEE: As we did
9 in all --

10 MS. BEY: I will not speak over
11 him without him being dismissed.

12 COUNCILMAN GREENLEE: As we did
13 in all panels, ma'am, we waited for the
14 panels to finish and then we ask
15 questions. We did that --

16 MS. BEY: So that is the
17 process. He didn't know that. He's
18 asking did anybody have any questions.

19 COUNCILMAN GREENLEE: If there
20 are any questions after both of you are
21 finished, the Councilmembers will ask.

22 MS. BEY: Thank you, sir,
23 for --

24 COUNCILMAN GREENLEE: Please
25 identify --

1 12/14/10 - PUBLIC SAFETY - BILL 100722, ETC.

2 MS. BEY: Thank you, sir, for
3 addressing it.

4 COUNCILMAN GREENLEE: Please
5 identify yourself for the record and
6 proceed, please.

7 MS. BEY: My name is Basiymah
8 Muhammad Bey. I live in the 5th District
9 Council of the City of Philadelphia.

10 I have a lot to say, but
11 unfortunately most of our time as the
12 constituents was given to the City
13 officials, so I will try to be as brief
14 as I can in my three minutes of all my
15 concerns.

16 I was first brought into police
17 brutality at the age of 12 years old. My
18 father told me the next time, turn my
19 head. My mother said I'd better make
20 sure that I look out and make sure that
21 no one's sons was hurt and let them know.
22 So I took my mother's advice and made
23 sure that I looked after my community and
24 made sure that I stay involved with my
25 community, and I have been an advocate

1 12/14/10 - PUBLIC SAFETY - BILL 100722, ETC.

2 for our community since I was a child,
3 and I'm still an advocate. Today I sit
4 as the Fourth Assistant President-General
5 to the World Body of UNIA. I say that to
6 say that nothing has changed in that
7 time.

8 I'm here today to testify on
9 behalf of my family. My daughter, my
10 son, my children, my husband have all
11 been violated by the 22nd, 23rd Police
12 District where I reside at now in the
13 Philadelphia area. We were told that
14 this process would not go back but for
15 five years. If I may, I'm extending one,
16 because that's where it start with our
17 horror as a family of the Muhammad,
18 McCray and Barnes family.

19 The police ran in my home
20 trying to give my son a burglary case,
21 but because his name is Kassim Muhammad,
22 they wanted to make him have a case. He
23 never had a case in his life. At 21
24 years old he never had a record. They
25 imposed a burglary charge on him, and we

1 12/14/10 - PUBLIC SAFETY - BILL 100722, ETC.

2 fought it. Fortunately, we had some
3 police officers that was in our house who
4 did not act as ugly as the others. They
5 did not take my son out the house at that
6 time.

7 But they did come back. They
8 came back and they drug my husband
9 outside. They drug my children down the
10 steps, my nephew, who I raised, student
11 at Strawberry Mansion High School, "A"
12 student, never had a problem with the
13 police in his life was drugged out of his
14 house. We were raided by hoodwinks, I
15 like to call them, but you all call them
16 the -- what's that hit list? I'm sorry,
17 but I'm lost for names. When they come
18 in with those shotguns, level one, level
19 two, level three? Somebody help me out.
20 SWAT team came in my home and injected my
21 young nephew, who had never had a case in
22 his life, took him, falsified his age,
23 falsified his crime, took him out of our
24 house and sent him up on State Road for
25 six months. Why? Because they know that

1 12/14/10 - PUBLIC SAFETY - BILL 100722, ETC.

2 most families within the African
3 community don't have \$2,500 to throw out
4 every time they come in and snatch one of
5 us up. So he sat and he waited until
6 they discharged his case.

7 They came back. They came back
8 for my son, Kassim Muhammad, who had no
9 charges, and they brought him and dragged
10 him through the courts. They threw his
11 case out.

12 Just recently, two years ago,
13 my daughter, Tayyaba Muhammad, was
14 brutally beat by the police officers in
15 the Center City area. They drug my
16 daughter up and down the street. She had
17 eight stitches in her leg, three stitches
18 in her head, and she now has a criminal
19 complaint against the Philadelphia Police
20 Department.

21 But what was so brutal, when my
22 husband filed charges and sued the
23 Philadelphia Police Department, we knew
24 it wasn't over, because we grew up in the
25 City and we know that there's always

1 12/14/10 - PUBLIC SAFETY - BILL 100722, ETC.

2 revenge going from the community -- from
3 the police to our community on one hand
4 to the other.

5 My husband at the time went and
6 hired a lawyer. We won our case. When
7 they came back to get my nephew, they
8 made me very clear of who they were and
9 how familiar they was with our situation.
10 They wanted us to identify ourself again
11 just for the record. And we gave them
12 our names, and he looked at us and said,
13 Oh, you all sued the City of
14 Philadelphia, you sued the Police
15 Department.

16 I was stunned. My question to
17 him was, Officer, how do you know that?

18 We know these things.

19 One and one is two. You don't
20 need to read between the lines. We knew
21 it was retaliation.

22 I'm saying to you all as our
23 City representatives and officials, if
24 you all think that the people will be won
25 over by just a mere hearing of today --

1 12/14/10 - PUBLIC SAFETY - BILL 100722, ETC.

2 there is not enough information in our
3 community about this situation. This
4 will not be won over by this presentation
5 that we are bringing forward to you
6 today.

7 We went to the Clerk Court,
8 only to find out that there was just four
9 little measly ads that went out in the
10 newspaper that identified that these
11 hearings will go on. Four. And they
12 were done on December the 9th.

13 It is appalling to me as a
14 mother and certainly as an advocate that
15 when Commissioner Ramsey and his team was
16 to go out in the community and speak to
17 the people, you seen it all over
18 everywhere. It was in every newspaper.
19 There was press conferences.

20 Where's our City Council
21 representing us as a people? Where is
22 the press conference in our community
23 allowing us to know?

24 (Applause.)

25 MS. BEY: I made personal calls

1 12/14/10 - PUBLIC SAFETY - BILL 100722, ETC.

2 to some City Council members asking them
3 for their support to help us to put the
4 information out in their areas to their
5 constituents, and they reassured me that
6 once the hearings go down, that it would
7 be advertised in the paper.

8 My concern is that advertising,
9 that's not enough. We need a press
10 conference. We need the City of
11 Philadelphia representatives to say to
12 the people that we are with you, that
13 this is what we are doing.

14 This today to me -- and
15 somebody have to tell me when my time is
16 up, because I'm longwinded and I started
17 off by saying I got a lot on my mind.

18 COUNCILMAN GREENLEE: I didn't
19 want to interrupt you, ma'am, but your
20 time is up.

21 MS. BEY: Well, please give me
22 a second, sir. I'll close out with this.

23 COUNCILMAN GREENLEE: Okay.

24 MS. BEY: When you sit here and
25 you ask for the representatives to listen

1 12/14/10 - PUBLIC SAFETY - BILL 100722, ETC.

2 to the people, where are the people at?

3 No, we're not here. This is a drop in

4 the bucket of what is being bombarded

5 with the abuse that goes on inside of our

6 community.

7 I called the Hispanic

8 community. Where's the

9 representatives -- where is Fumos and all

10 of the Hispanic representatives for the

11 people in this city? Why isn't the

12 Hispanic community sitting at these

13 tables? Why aren't they calling -- we're

14 not having no ethnico separation to be

15 able to get heard. This is the

16 constituents of Philadelphia's concerns

17 and complaints.

18 When I met with Ramsey's

19 officer -- Commissioner Ramsey when he

20 first came to the City of Philadelphia at

21 William Penn High School, I looked that

22 gentleman in his eye and I hoped that he

23 would read my sincerity. Sir, we need

24 not to have the continuous brutal

25 relationship with the police officers in

1 12/14/10 - PUBLIC SAFETY - BILL 100722, ETC.

2 your term. We need a stop to this. If
3 he would listen and took in consideration
4 that the people are not just always,
5 Well, I'm for the police officers. I'm
6 not always right. I have five children
7 and two that I raised. We're not always
8 right, so we have to be reprimanded.

9 Aren't we, Brother Abdus?

10 If the police officers are a
11 problem, remove them. This has to stop.
12 If they would have listened to us way
13 beforehand, Askia Sabur would not be a
14 victim of the brutal police talent that
15 we have been seeing in this city and
16 longer than I have been a young child.

17 I'm here today. I would not
18 leave. This is deplorable. We sat up
19 here. We listened to all of this. The
20 people called for this. This was
21 supposed to be the people's hearing. We
22 had to go through the whole entire
23 morning of a structure of every City
24 official in the house. You got every
25 representative of the Police Department

1 12/14/10 - PUBLIC SAFETY - BILL 100722, ETC.

2 right here, every last one of them.

3 Whichever one don't care to handle, the
4 other one there to back them up.

5 This is not no charade. They
6 know what time it is. They know what's
7 going on with our city. Look what
8 happened to Jewell Williams, Jannie
9 Blackwell, and the list goes on and on
10 and on. This have to stop. Represent or
11 get off the pot.

12 COUNCILMAN GREENLEE: Ma'am --

13 (Applause.)

14 MS. BEY: If there's any
15 questions, I will wait for Brother Abdus.

16 COUNCILMAN GREENLEE: Okay. I
17 know Councilmembers have questions. Just
18 for the record, there were press releases
19 sent out to all the various media outlets
20 on this. It's up to them obviously
21 whether they cover it, but there were
22 notices, I know, given out on the radio,
23 because I've heard them.

24 Hold on one second.

25 And also just to let you know,

1 12/14/10 - PUBLIC SAFETY - BILL 100722, ETC.

2 sir, we appreciate your testimony. You
3 know, there cannot be comment officially
4 on any case that's under investigation
5 right now.

6 MR. SABUR: I'm not looking for
7 a comment.

8 COUNCILMAN GREENLEE: Okay.

9 MR. SABUR: I just wanted to --
10 I wanted to vent my situation.

11 COUNCILMAN GREENLEE: No. I
12 understand.

13 MR. SABUR: And I also want to
14 thank Councilman Curtis Jones, who is a
15 dear friend of mine, and I respect him
16 greatly, and Councilwoman Donna Reed
17 Miller, I thank you and I thank you. I
18 thank you as well, dear brother. But
19 something has to be done.

20 COUNCILMAN GREENLEE: No. I
21 understand.

22 MR. SABUR: We can't live like
23 this, because it appears to me that the
24 Police Department, if they continue on
25 going on the way that they're going,

1 12/14/10 - PUBLIC SAFETY - BILL 100722, ETC.

2 they're facing a situation that's going
3 to be very, very critical. It's going to
4 be very, very critical. We need to be
5 more together as opposed to being apart.
6 Because, I mean, the scare tactics that I
7 was hearing from one of the
8 representatives from FOP talking about
9 them afraid to go home, I mean, they'll
10 be scared in the streets, working in the
11 streets and they might not go home. I
12 mean, I'd be scared to go outside. I may
13 not be able to go outside because of the
14 Police Department may shoot at somebody
15 and a stray bullet will hit me.

16 I mean, these are the things
17 that go on in our city, and it shouldn't
18 be. It shouldn't be.

19 I mean, I hope I have said
20 something that touched some people's
21 mind, maybe not your heart but touched
22 your mind, and we need the right-minded
23 people out here serving us in the City of
24 Philadelphia.

25 Thank you.

1 12/14/10 - PUBLIC SAFETY - BILL 100722, ETC.

2 (Applause.)

3 COUNCILMAN JONES: Thank you,
4 Madam Chair.

5 MS. BEY: Does anyone have any
6 questions?

7 COUNCILMAN JONES: Yeah. I was
8 going to ask you a question.

9 MR. SABUR: I'm sorry.

10 COUNCILMAN JONES: That's all
11 right.

12 First of all, on behalf of
13 myself, I feel your pain as a father.
14 Don't and can't talk about the
15 circumstances with the case, but no one
16 wants their child abused. And to
17 whatever pain that is, I offer my
18 personal apology.

19 I would like to know, if there
20 were three things that you could
21 recommend to this body that you'd like to
22 see changed -- and I mentioned to the
23 Police Department, attitudes are harder
24 to change. What laws, rules would you
25 recommend to us to consider changing, or

1 12/14/10 - PUBLIC SAFETY - BILL 100722, ETC.

2 processes? I mean, share that with us
3 for the record.

4 MR. SABUR: That's a fantastic
5 question. I think we covered it since
6 the testimonies and whatnot been going
7 on. The Philadelphia Police Department
8 and others have to get to know their
9 constituents, have to get to know the
10 people. You want to have a relationship
11 with the people, but I don't think you're
12 going to get that if people are being
13 beat down in the street. You have to
14 kind of like reevaluate how you want to
15 deal with the people.

16 I don't know the answer, to be
17 perfectly honest with you. I don't even
18 know your process in here. I saw a
19 caucus room where you go and talk next
20 door, but the police also have a caucus
21 room. It's called their district, and
22 some people, whatever they learned in
23 school, when they get out of school, they
24 say you can throw all that away. You
25 know, this is the real world. This is

1 12/14/10 - PUBLIC SAFETY - BILL 100722, ETC.

2 how we handle criminals, and in most
3 cases, the criminals are my next-door
4 neighbor, you know, or some other young
5 person.

6 I think we have to stop all the
7 foolishness that we're doing. Whether
8 you black, white or candy-striped, it
9 don't make no difference. You got to be
10 a human being first. You got people
11 talking about, Well, I'm white and -- you
12 got to be a human being first, you know.
13 We all have that.

14 And, I mean, I really don't
15 have the answer. Maybe at some other
16 point in time talking with other people
17 and getting some ideas I could sit with
18 you and maybe some other Councilpeople
19 and maybe we can come up with a plan that
20 we can execute.

21 COUNCILMAN JONES: Because
22 that's very important to us.
23 Councilwoman Miller, myself and all the
24 members of this Committee want this not
25 to be just an exercise in venting, but

1 12/14/10 - PUBLIC SAFETY - BILL 100722, ETC.

2 what I think we are sincerely trying to
3 do is look at the policy and figure out
4 what can be changed for the better, what
5 can be changed so that you understand the
6 rules, we understand the process and to
7 do something substantive so that -- you
8 said since you were eight years old.

9 MS. BEY: Twelve years old.

10 COUNCILMAN JONES: Twelve years
11 old. I don't want my grand-kids growing
12 up in that kind of environment or sense
13 of mistrust. I want them to be safe,
14 safe from people in the community and
15 safe from those sent to the community to
16 protect them, and that's what I want as a
17 human being.

18 MR. SABUR: Could we possibly
19 have a meeting later on down the road --
20 it don't have to be tomorrow -- and we
21 can talk over some things? Could we have
22 some grassroot people that we can get
23 together, we can talk over some things?
24 It's very important. And if we have a
25 representative of the Police Department

1 12/14/10 - PUBLIC SAFETY - BILL 100722, ETC.

2 to be there, somebody that's sincere
3 that's going to get the information out
4 and he's not going to be looked at as
5 though he's a detriment to the gang.
6 That's the way they perpetrate
7 themselves, as a gang, you know, and it
8 ain't -- it's not good. It's not good.
9 You got to come up with some other kind
10 of stuff.

11 MS. BEY: May I interject for a
12 moment just on that same question? I
13 think in a real form of reality is that
14 the relationship that we've had with --
15 and I speak on "we" as the black
16 community in particular, but in general,
17 the exercising of format that the police
18 use against the people need to be looked
19 at.

20 You all asked quite a bit of
21 questions up here in terms of process and
22 procedures of handling different things,
23 but the bottom line is is that I think
24 one of the first things that came to my
25 mind is that we've been talking about

1 12/14/10 - PUBLIC SAFETY - BILL 100722, ETC.

2 stop and frisk. Before that, we was

3 talking about driving while black.

4 Before that there, it was because you was

5 just black.

6 So whenever we look at these

7 situations that we see generation to

8 generation that we get new stereotypes

9 and titles to continue on the oppression

10 that goes on with the people, then I say

11 that we have to look at us as people and

12 stop looking at us as slaves in the City.

13 And this is the working relationship that

14 we've always had with the Police

15 Department. The last 30 years or so

16 we've had black police officers that has

17 been hired throughout the City of

18 Philadelphia, our way in history in terms

19 of the numbers, some of my families and

20 friends who have joined in on the police

21 forces, but nothing has changed. The

22 brutal beat-down that goes on in the 22nd

23 District, just recently a medical doctor

24 at Temple University, his family member,

25 he allowed us to know, was arrested in

1 12/14/10 - PUBLIC SAFETY - BILL 100722, ETC.

2 the 22nd District and had a nightstick
3 shoved up his rectum. Well, I was upset
4 about that, but it was certainly nothing
5 new to my ear. I grew up with that type
6 of misbehavior and brutal behavior
7 towards our people.

8 So I think the Police
9 Department needs to be re-advised. We
10 got this whole thing is, you tell the
11 people that we must tell. We got to stop
12 this don't snitch. But I got a problem,
13 because inside the Police Department we
14 have a sophisticated code that's called
15 code of silence. They don't tell them to
16 snitch, but they know they better not.

17 So I'm saying, you can sit here
18 and watch what happened to Sabur, Askia
19 Sabur, and you had all those police
20 officers standing around, not one
21 officer, not one officer threw they body
22 on that brother, took the risk for what
23 was right. Nobody didn't say that every
24 last one of them was going to be
25 prosecuted for conspiracy to assassinate

1 12/14/10 - PUBLIC SAFETY - BILL 100722, ETC.

2 this brother's child.

3 So the working relationship of
4 how it deals with us as constituents and
5 the privileges that the police have to
6 beat, maim and sometime even kill us has
7 to be looked at. Something wrong with
8 the whole analysis.

9 We are human beings. We're not
10 dogs. We're not slaves. We have more
11 black electoral officials representing us
12 in this time and this day than we've ever
13 had in history. Look what we dealing
14 with. Why isn't this room filled up?
15 When we had those meetings where the City
16 officials came out to speak to us, you
17 can't tell me about no little newspaper
18 article or they only went out to -- you
19 had massive advertising going on, because
20 you wanted the people to hear and be
21 pacified from the police officer's
22 strokes. Well, we're saying that we want
23 the people to hear that they have a right
24 to stand up against those licks and
25 lashes that they get, and that the City

1 12/14/10 - PUBLIC SAFETY - BILL 100722, ETC.

2 Council should have came along with us as
3 advocates and said to us that we stand
4 with you on these concerns and we will
5 have a press conference and allow the
6 people know that the City Council is
7 representing the very best interests of
8 the constituents. They have to start by
9 being honest and being real about what
10 we're dealing with.

11 MR. SABUR: Speaking of honest,
12 I just wanted to ask in regards to
13 Councilwoman Donna Reed Miller in regards
14 to this 2009 Bill 080795, what does that
15 give the police officers in regards to an
16 Executive Order?

17 COUNCILWOMAN MILLER: I'm
18 sorry, sir. I don't know bills by
19 numbers.

20 MR. SABUR: That's good. Me
21 and you in the same --

22 COUNCILWOMAN MILLER: It's just
23 too many numbers to remember, too many
24 bills. I'd have to read it actually.

25 MR. SABUR: It's an Executive

1 12/14/10 - PUBLIC SAFETY - BILL 100722, ETC.

2 Order in regards to the drop, stop and
3 frisk situation. I think that's
4 something that we need to ponder over and
5 see if we can do some alteration in
6 regards to that and possibly maybe change
7 the format or maybe have some other
8 peoples involved in it.

9 COUNCILWOMAN MILLER: Okay. I
10 want to call on Councilman Clarke,
11 because he has to leave. I don't want to
12 miss your point. Earlier you did say
13 something about meeting, and I think
14 that's probably a good idea.

15 MR. SABUR: Yes. No doubt.
16 I'm for it.

17 COUNCILWOMAN MILLER: All
18 right. Councilman Clarke.

19 COUNCILMAN CLARKE: Thank you,
20 Councilwoman.

21 With respect to what you just
22 referenced, if it's an Executive Order,
23 it's not a bill. The Executive Order is
24 issued by the Administration without
25 involvement of City Council.

1 12/14/10 - PUBLIC SAFETY - BILL 100722, ETC.

2 MR. SABUR: Okay. I see.

3 COUNCILMAN CLARKE: I know that
4 one bill that we did pass was the
5 creation of, per the Mayor's request, for
6 certain emergency powers, but that
7 related to things like floods and
8 emergency, but nothing related to police.
9 And that was a concern. We were asked to
10 do that. We wanted to make sure that it
11 had nothing to do with the citizens of
12 the City of Philadelphia.

13 MR. SABUR: Well, I just wanted
14 to say that. If it's one thing, it may
15 turn out to be something other. So I
16 think you have to be specific.

17 COUNCILMAN CLARKE: Yeah, but
18 it was nothing that we -- I just wanted
19 to -- I want to reference the fact that
20 there were some concerns about our
21 process, Council today, and I actually
22 heard early on in the day by a couple of
23 residents in the audience about the fact
24 that Council was kind of monopolizing the
25 level of conversation, and it is right

1 12/14/10 - PUBLIC SAFETY - BILL 100722, ETC.

2 that this was characterized as an
3 opportunity for people to come in and
4 talk about the concerns that they had
5 about the relationships with the police,
6 and one of the things that Councilmembers
7 do, we do listen. In spite of the fact
8 that some people don't think that we do,
9 we do listen. And in deference to the
10 Chair, my assumption is that, one, there
11 will be follow-up subsequent
12 conversations in a very public way, one,
13 because the Police Department has
14 indicated there are a number of things
15 that they're prepared to do and are in
16 the process of doing, and we'd like to
17 have that documented in some response in
18 a very public way.

19 Two, I think that we need to
20 review all of the information that's been
21 put before us today and, most recently,
22 the conversation about having a separate
23 dialogue.

24 MR. SABUR: Yes, sir.

25 COUNCILMAN CLARKE: And I think

1 12/14/10 - PUBLIC SAFETY - BILL 100722, ETC.

2 the next level of public conversation
3 should -- although we want to encourage
4 people to continue to talk about these
5 issues, it should probably have some
6 portions of it to be a solutions-based
7 type of public dialogue, because at the
8 end of the day, the fact that, as you
9 say, we continue -- Basiymah, since you
10 were 12 years old. We grew up in the
11 same neighborhood, so I understand the
12 concern. At some point, we got to get a
13 handle on this. At some point, we have
14 to set a timeline on resolution to this.
15 We can't just keep talking about it and
16 talking about it --

17 MR. SABUR: Exactly.

18 COUNCILMAN CLARKE: -- coming
19 up with ideas and nothing ever happens,
20 because I don't want my kids and you
21 all's kids to be sitting here.

22 So I agree with that
23 wholeheartedly, and I know that
24 Councilmembers are committed either in
25 this format or in another format.

1 12/14/10 - PUBLIC SAFETY - BILL 100722, ETC.

2 One of the things that we as
3 Council did understand throughout a lot
4 of the budget problems, there were a lot
5 of cuts early on. We understood that we
6 had to get out of this building and go
7 out there in the neighborhoods, and we
8 had very successful hearings out there
9 where a lot of people felt real
10 comfortable coming to a church or some
11 other place within their area.

12 So not speaking for the Chair,
13 but I think that we will be prepared to
14 be accommodating in terms of being able
15 to have that conversation out in the
16 neighborhood.

17 MR. SABUR: One brick by brick.
18 You know, one at a time. It doesn't
19 matter, as long as we're building the
20 right house.

21 COUNCILMAN CLARKE: Okay. All
22 right. But I just want to thank you all
23 for your testimony.

24 MR. SABUR: No. Thank you.
25 Thank you for allowing us to come before

1 12/14/10 - PUBLIC SAFETY - BILL 100722, ETC.

2 you, and I'm just looking forward to
3 meeting.

4 COUNCILWOMAN MILLER: Right.

5 And I just want to say too that we thank
6 you for coming in, not just you but
7 everybody for coming in. Unfortunately,
8 these hearings take a long time.

9 MR. SABUR: Yes, they do.

10 COUNCILWOMAN MILLER: And it's
11 not that anybody has abused the
12 three-minute testimony, because they
13 really haven't. It's just that we have a
14 lot of questions.

15 MR. SABUR: Of course.

16 COUNCILWOMAN MILLER: But I do
17 want you to know that your testimony did
18 not fall on deaf ears.

19 MR. SABUR: Well, I thank you.

20 COUNCILWOMAN MILLER: And
21 that's one of the reasons -- and also
22 Sister Bey here, and everybody actually.
23 And as Councilman said, we will be
24 reviewing the notes of testimony to see
25 what we really need to follow up on and

1 12/14/10 - PUBLIC SAFETY - BILL 100722, ETC.

2 figure out next steps. But this is not
3 the last time.

4 We've had something very
5 similar to -- I think it was Sister Bey's
6 suggestion before. We've had meetings.
7 We've had discussions with the police and
8 the community regarding certain types of
9 behavior. We do not condone, and we just
10 have to keep working at this.

11 MR. SABUR: Yes, ma'am.

12 COUNCILWOMAN MILLER: Back in
13 the '70s, long before I became a
14 Councilmember, I was very active with
15 police issues up in Germantown. So we've
16 been there, too.

17 MR. SABUR: Yes, ma'am.

18 COUNCILWOMAN MILLER: Okay?

19 MR. SABUR: You know, I'm just
20 grateful. You know, Dave Richardson come
21 to mind as being a great activist for us,
22 you know.

23 COUNCILWOMAN MILLER: Well, you
24 know, I used to work with Dave and for
25 Dave, and when we organized a meeting, we

1 12/14/10 - PUBLIC SAFETY - BILL 100722, ETC.

2 thought maybe a couple hundred people
3 would show up, and thousands showed up,
4 which, you know, kind of shocked us,
5 but...

6 MR. SABUR: Hopefully it won't
7 take a thousand.

8 COUNCILWOMAN MILLER: Right.
9 We don't need to do that. That's why
10 we're having these hearings. We don't
11 want to get to that point. We want to
12 begin to start mending.

13 MR. SABUR: Thank you.

14 COUNCILWOMAN MILLER: Thank you
15 for coming.

16 MS. BEY: Just before you all
17 let us go, I did raise the concern about
18 the Hispanic community. I'm just really
19 concerned. I mean, out of all of our
20 organizing, we have been reaching out to
21 the Hispanic community, going in
22 businesses, talking to them, finding out
23 were they faced with the same thing. We
24 knew that they were, but we wanted to get
25 their unity and support what was going

1 12/14/10 - PUBLIC SAFETY - BILL 100722, ETC.

2 on. I mean, where are the representative

3 at? I mean, where are the people at?

4 This is like an ethnico screening.

5 There's nothing in here but Africans

6 complaining about the police brutality.

7 We're not the only ones that's being

8 abused in the City. We're certainly not

9 the only constituents that are under the

10 leadership of the City Council.

11 So I just wanted to raise it.

12 I mean, I don't know if you're going to

13 answer now, but it certainly have to be

14 addressed, like we cannot do this. If

15 this is citywide, it is concern for the

16 constituents of the City of Philadelphia,

17 we need to pull the numbers in and the

18 people need to unify. This is why we

19 voted you all in, to represent our best

20 interest.

21 And so I just need to say that

22 in my closing, and I thank you both very

23 much. I mean, I know it's been

24 difficult. We're not easy to get along

25 with, because we will not allow Askia's

1 12/14/10 - PUBLIC SAFETY - BILL 100722, ETC.

2 case to be pushed up under the rug. As
3 one of our brothers said, no broom to
4 this. It will not be swept away. This
5 is one process. We're still knocking.
6 We will continue to be knocking, because
7 Askia is one case. My daughter didn't
8 get the publicity that's going on with
9 Askia, who is a very, very dear loving
10 brother to me, but I know there's
11 numerous, hundreds and thousands of us
12 who are being beaten and bruised by
13 police every single day. And so the cry
14 needs to come out from the
15 representatives with some love that this
16 is really a concern and not just a due
17 process that has to go on.

18 I thank you again very much.

19 COUNCILWOMAN MILLER: Thank
20 you.

21 (Applause.)

22 COUNCILWOMAN MILLER: Greg
23 Brinkley, Sweit Adeen Muhammad. I just
24 saw him.

25 UNIDENTIFIED SPEAKER: He'll be

1 12/14/10 - PUBLIC SAFETY - BILL 100722, ETC.

2 back at 4:00.

3 COUNCILWOMAN MILLER: Four

4 o'clock? Okay. What about the

5 Shabazzes, Inas, Hannibal, Mikel?

6 (Witnesses approached witness
7 table.)

8 COUNCILWOMAN MILLER: Okay. So

9 we've also been joined in Chamber by

10 Councilwoman Jannie Blackwell.

11 COUNCILWOMAN BLACKWELL: Thank

12 you.

13 COUNCILWOMAN MILLER: Don't
14 forget to pull the mike close enough so
15 that we can hear you, identify yourself
16 for the record and proceed with your
17 testimony.

18 MR. BRINKLEY: I'm Greg
19 Brinkley. I am the President of the
20 Philadelphia Chapter of the National
21 Action Network.

22 Please bear with me. I
23 provided Council with copies of my
24 testimony so you can -- I gave it to your
25 assistant right there. So you can follow

1 12/14/10 - PUBLIC SAFETY - BILL 100722, ETC.

2 and read along. After I read the
3 testimony, I would like to specifically
4 address a question that was posed by
5 Councilman Jones, because in addition to
6 reading the gist of why we're here, we do
7 have some specific suggestions on ways to
8 address a very serious problem in our
9 neighborhood. I'm glad Commissioner
10 Ramsey is here and Deputy Gillison is
11 here. Very important.

12 Good morning, Chair Lady and
13 members of the Public Safety Committee.
14 We would like to thank you for
15 convening -- please forgive me. I don't
16 have my glasses on, so I'm reading.

17 We would like to thank you for
18 convening these most-needed and historic
19 public hearings on the very important and
20 serious, we believe, systematic problem
21 that has affected the citizens of this
22 city primarily and, more specifically,
23 the African and Latino communities, that
24 being the issue of police brutality and
25 police misconduct by the Philadelphia

1 12/14/10 - PUBLIC SAFETY - BILL 100722, ETC.

2 Police Department.

3 For far too many decades, our
4 communities have endured the atrocities
5 of the well-documented abuses by this
6 agency up to and including to this date
7 many questionable and still unresolved
8 police shootings. These abuses have been
9 further exacerbated by the lack of any
10 prosecutorial action by the various DAs
11 throughout the years, most notably during
12 the reign of this past DA, Lynne Abraham.
13 We are aware that it was common knowledge
14 amongst the Philadelphia police ranks
15 that as long as they committed aggressive
16 acts of violence in the guise of their,
17 quote, "official duties" against people
18 of our communities, the chances of them
19 being prosecuted were slim to none.

20 Many groups throughout the
21 years and up to the present have
22 advocated and sought help from the
23 various agencies in addressing and
24 eradicating these focused and directed
25 attacks on our community.

1 12/14/10 - PUBLIC SAFETY - BILL 100722, ETC.

2 In June 2009, the Philadelphia
3 Chapter of the National Action Network
4 held a public community tribunal at the
5 African American History Museum
6 specifically addressing the issue of
7 police brutality. This forum was well
8 attended, and personal testimony was
9 provided by many in attendance,
10 videotaped and forwarded to the U.S.
11 Department of Justice, Civil Rights
12 Division. For these proceedings and the
13 facilitation of such, we are prepared to
14 provide this body with a copy of this
15 recorded venue.

16 As a social justice advocacy
17 group, we receive many complaints
18 regarding police abuse, and as such, we
19 have continued our documentation of the
20 various occurrences, including the abuses
21 being perpetrated by the Philadelphia
22 School Police, many who are former
23 members of the Philadelphia Police
24 Department. As you are aware, Madam
25 Chair Lady, I, along with a former school

1 12/14/10 - PUBLIC SAFETY - BILL 100722, ETC.

2 police officer, met with you in April of
3 this year to raise concerns about the
4 conduct and the deliberate and
5 intentional framing of a young Latino
6 youth who was arrested and falsely
7 accused of assaulting a school principal
8 when in fact the principal was the
9 aggressor in assaulting the youth and the
10 former school police officer admitted he
11 falsified his report.

12 Consequently, the report was
13 used to falsely convict this youth, not
14 to mention -- was used to falsely convict
15 this youth, not to mention the recorded
16 beating by the school police truancy unit
17 of a young Frankford High School student
18 by the name of Jevon Thomas. At that
19 time, we requested that you in your role
20 as Council Public Safety Chair convene a
21 public hearing around these and similar
22 issues.

23 We support the efforts of the
24 Free Askia Sabur coalition to have the
25 four police officers who were recorded

1 12/14/10 - PUBLIC SAFETY - BILL 100722, ETC.

2 savagely beating Mr. Sabur as he was on
3 the ground prosecuted, fired and the
4 charges dismissed against Mr. Sabur.

5 Ironically, a month later, the female
6 cousin of Mr. Sabur, Ms. Tanya Yates, was
7 brutalized by the Philadelphia Police as
8 a result of the police entering the house
9 of her 80-year-old grandfather in a very
10 aggressive manner, and because Mrs. Yates
11 had the audacity to ask why were they
12 coming in her 80-year-old grandfather's
13 house, who was sickly, they found a need
14 to arrest her and charge her with the
15 oldest police scam charged on the books,
16 disorderly conduct.

17 The cases go on and on, and we
18 have reason to believe that in at least
19 three cases -- this is significant --
20 there is a focused effort -- and we will
21 provide you with the information too --
22 there's a focused effort to eventually
23 terminate the life of these individuals,
24 and in one of the cases, the family
25 believes they have succeeded.

1 12/14/10 - PUBLIC SAFETY - BILL 100722, ETC.

2 We obviously have much more to
3 add to these proceedings, including
4 specific suggestions on how to eradicate
5 this directed aggression up to and
6 including addressing this stop and frisk
7 initiative.

8 Coincidentally, now the Mayor,
9 Michael Nutter, is attempting to distance
10 himself away from as being the initiator
11 of this devastating policy. Ninety-nine
12 point five percent of the black and
13 Latino communities are victims of the
14 stop and frisk policy. Question for this
15 body: Does stop and frisk exist in other
16 ethnic communities?

17 We look forward to a continued
18 and sustained effort on the part of this
19 body to eradicate this beast in our
20 community called police brutality.

21 One last question. Many of
22 us -- many of those who are victims of
23 police brutality are taxpayers, which
24 means we pay the salaries of the police,
25 which means theoretically we are their

1 12/14/10 - PUBLIC SAFETY - BILL 100722, ETC.

2 employers. I ask you, if you walked into
3 your place of employment and attacked
4 your employer, what would be the result
5 of your employment? I'm sure termination
6 would be the order of the day. Is there
7 a difference here?

8 (Applause.)

9 MR. BRINKLEY: Madam Chair
10 Lady, I just want to for the record
11 suggest there are things that we can do
12 immediately. I believe that I've said
13 this before, but on the record, I'm glad
14 the Commissioner is here. We need to --
15 and this can be done by an act of
16 Council.

17 We need to separate the
18 Internal Affairs Division. When I posed
19 this to Mayor Nutter on Billy Anderson's
20 show, he alluded to the fact that the
21 Police Advisory Commission was that body.
22 With all due respect to that body -- and
23 I have nothing but great respect for
24 Mr. Johnson in that role -- what we're
25 asking for is something different. What

1 12/14/10 - PUBLIC SAFETY - BILL 100722, ETC.

2 can happen in the Police Department is
3 this: Anybody that has a working
4 knowledge of the Police Department knows
5 that there's an old-boy network going on.
6 They won't say it, but anybody that has a
7 working knowledge knows that. And
8 there's some internal concerns with
9 regard to the African American officers.
10 Even they have concerns that when issues
11 come up, that that Internal Affairs
12 Division is predominantly white, more or
13 less, or connected.

14 So what we think needs to
15 happen is, although they may be police
16 officers, they need to be separate from
17 that entity and not aligned to anyone, so
18 that when complaints are really submitted
19 at any police district, they are taken in
20 the manner in which they should.

21 Secondly, I think that we
22 believe that police need to be personally
23 held accountable civilly. I don't know
24 how much is on the books now or how
25 strong it is, but if we're serious about

1 12/14/10 - PUBLIC SAFETY - BILL 100722, ETC.

2 sending a message to those who would
3 perpetrate because they have -- who
4 perpetrate these actions against our
5 community, if we're serious about it,
6 then we need to get serious all the way
7 around.

8 I happen to be in an agency,
9 which I won't reveal. If those captains,
10 if in that district if one of the
11 officers really is a pain in the butt or
12 being -- they know what to do. They know
13 how to deal with them. So, I mean, this
14 thing about not getting under control, I
15 am literally saying, without any fear of
16 contradiction, it's going on because
17 those captains and those who are in
18 leadership positions are allowing it.
19 They are allowing it. And I'm not going
20 to buy it's only a few of them. Yes,
21 it's several thousand police officers,
22 but I am here to suggest to you, Madam
23 Chair Lady, that it may not be several
24 thousand that's doing it, but it's too
25 many that's abusing our community. It's

1 12/14/10 - PUBLIC SAFETY - BILL 100722, ETC.

2 too many that's out there robbing people
3 and all the things that's coming out.

4 This just didn't happen yesterday. If
5 those commanders are held liable -- and
6 I'm talking about up to and including the
7 Deputy Mayor Gillison, who is over that
8 unit, if we start making people truly
9 accountable -- I applaud Police
10 Commissioner Ramsey. While other people
11 believe he's doing it for, at least I see
12 him trying. I don't know any other
13 reason other than to look at that.

14 We also believe that we need to
15 work on the arbitration process, because
16 that is a process. We will be asking
17 Congressman Brady, Congressman Fattah to
18 have hearings to address that.

19 I'm a union person, so I
20 understand how the arbitration process
21 works. With all due respect to Deputy
22 Gillison, I read a quote where he stated
23 that the FOP uses their -- whenever you
24 have an arbitration process, the way an
25 arbitrator is selected, you have three

1 12/14/10 - PUBLIC SAFETY - BILL 100722, ETC.

2 arbitrators that are assigned. The
3 employer gets one and the union gets one,
4 cancel/strike, and the third person
5 becomes that. Well, Deputy Gillison was
6 quoted as saying that the union uses
7 their charge to select, and if they don't
8 do what -- if officers don't do what the
9 FOP want, then they won't work for them.
10 But I think what he left out -- and I'm a
11 former union person, executive board
12 member of District 11 NIC, familiar with
13 the arbitration process. What he have
14 left out was the City has the same
15 opportunity, which suggests to me what
16 you don't say says the most. So it's a
17 way of saying publicly what they're
18 doing, but you obviously are supporting
19 it, because you're not exercising your
20 charge too. Because if the City did it,
21 then at least you would have some sort of
22 balance and you wouldn't have the
23 ridiculous decision to restore those six
24 officers who was seen across the country,
25 across the world beating those three

1 12/14/10 - PUBLIC SAFETY - BILL 100722, ETC.

2 brothers, who turned out to not have
3 committed any crime, and then had the
4 audacity to stage a party, a public party
5 over it, which further embarrassed this
6 city. They didn't even have enough
7 dignity to celebrate -- there's nothing
8 wrong with celebrating -- in private. So
9 that embarrassed the City.

10 The other thing is this: I
11 would like -- when you have situations
12 such as what happened in the Tanya Yates
13 case, I brought --

14 COUNCILWOMAN MILLER:

15 Mr. Brinkley, I don't know whether you
16 were here earlier when we did state there
17 is a time limit to testimony.

18 MR. BRINKLEY: With all due
19 respect, ma'am, I knew that.

20 COUNCILWOMAN MILLER: Are your
21 suggestions written?

22 MR. BRINKLEY: Well, I will
23 forward it to you, but I will respect
24 that. But with all due respect to what I
25 have also witnessed prior coming -- I

1 12/14/10 - PUBLIC SAFETY - BILL 100722, ETC.

2 knew about the three minute, but it
3 appeared that they was just allowing
4 people to testify.

5 COUNCILWOMAN MILLER: Well, no.
6 We were allowing -- people basically
7 stayed within the three-minute rule.
8 It's the questions that expanded the
9 time. And we've been asked to actually
10 to take a break for about ten minutes,
11 and I want to do this at that time, but
12 I'm asking you, are your suggestions in
13 writing?

14 MR. BRINKLEY: Well --

15 COUNCILWOMAN MILLER: If not, I
16 can write them down and we can give them
17 to the stenographer.

18 MR. BRINKLEY: Yes, ma'am.
19 Okay.

20 COUNCILWOMAN MILLER: To make
21 it a part of the record. Or we can give
22 you a piece of paper and you can write it
23 down and give it to me and we can make it
24 a part of the record.

25 MR. BRINKLEY: I can do that.

1 12/14/10 - PUBLIC SAFETY - BILL 100722, ETC.

2 I can do that, yes.

3 COUNCILWOMAN MILLER:

4 Ms. Shabazz, can you wait a second? We
5 really need to take a break.

6 MS. SHABAZZ: Absolutely.

7 COUNCILWOMAN MILLER: Okay.

8 Thank you.

9 (Short recess for
10 stenographer.)

11 COUNCILWOMAN MILLER: Excuse
12 me. Ms. Shabazz?

13 MS. SHABAZZ: Yes, ma'am.

14 COUNCILWOMAN MILLER: We're
15 getting ready to restart.

16 This Committee is back in
17 session. We're going to -- just pull it
18 up close to you. The young man over
19 there, he controls it for you. And I'm
20 going to restate our rules. Three
21 minutes.

22 Excuse me. This Committee is
23 in session. You can talk, but please go
24 out in the hall.

25 Thank you, Ms. Shabazz. Please

1 12/14/10 - PUBLIC SAFETY - BILL 100722, ETC.

2 give us your testimony. Identify
3 yourself for the record.

4 MS. SHABAZZ: My name is Inas
5 Shabazz. It's I-N-A-S. Shabazz,
6 S-H-A-B-A-Z-Z. And I'm a human being.

7 I come here today to represent
8 my sister, who was recently brutalized by
9 the Philadelphia Police Department, and
10 I'm going to try to give her story
11 briefly.

12 She was traveling from
13 Southwest Philadelphia from her in-laws's
14 house en route to her parents' house, or
15 our parents' house. She stopped at her
16 house to gather groceries so that we
17 could prepare our family dinner. My
18 mother and I were up cooking, waiting for
19 my sister, my four nieces and my nephew
20 to arrive.

21 Prior to her arriving at our
22 house, she stopped at her house. Again,
23 it was late in the -- early in the
24 morning. The kids were asleep. She was
25 transferring the groceries from her house

1 12/14/10 - PUBLIC SAFETY - BILL 100722, ETC.

2 to the car. She realized she had
3 forgotten the luggage, so she ran
4 upstairs, and when she was upstairs, she
5 heard someone trying to pull open her car
6 door. So she looked, like, Get away from
7 my car, what are you doing?

8 And he said, Why do you have
9 kids in the car?

10 She said, Mind your business.

11 He said, Yeah? Come say that
12 shit to my face.

13 My sister runs downstairs. By
14 the time she gets downstairs, this person
15 is in her yard, and she's trying to get
16 to her children and make sure they're
17 asleep and they're okay. In the
18 meantime, my oldest niece woke up, so she
19 heard all the controversy. She's
20 watching. And my sister is arguing with
21 this man in her yard. Like she lives in
22 North Philadelphia, and it is a Caucasian
23 man in the middle of the night. She's
24 thinking pedophile, murderer, rapist.
25 She's thinking all of these things, and

1 12/14/10 - PUBLIC SAFETY - BILL 100722, ETC.

2 not once did she know or assume that this
3 was a Philadelphia police officer. He
4 was not in uniform. And he said to her,
5 Do you know who I am? Do you know who I
6 am?

7 And she said, I don't care who
8 you are. Why are you trying to get into
9 my van? What are you doing?

10 He put both his hands around
11 her neck and he said to her, I'm the
12 mother-fucking police. He put her --
13 pushed her back onto the gate in her
14 yard. The neighbors heard the whole and
15 witnessed the whole thing. He pushed her
16 so that her feet were dangling. He
17 choked her. I say he attempted to murder
18 her. He threw her onto the ground, and
19 then the other police officer -- and I
20 want to put on record, this is Officer
21 Philip Spraggs, Jr., Badge No. 4801 of
22 the 22nd, 23rd Police District that
23 choked my sister. And in her
24 frightened -- she was frightened. She
25 couldn't believe that these were

1 12/14/10 - PUBLIC SAFETY - BILL 100722, ETC.

2 officers. She never saw a badge. That
3 is not how you introduce yourself as a
4 police officer.

5 So she thought, well, maybe
6 this is like -- you know how you see on
7 the news people imitating a police
8 officer, they're going to kill her and
9 rob her home. She didn't know what was
10 going on.

11 These men wrestled her to the
12 ground and handcuffed her. My niece had
13 to sit and watch this. She has five
14 children, but my oldest niece saw this
15 man choking her mother, throwing her on
16 the ground. She did not let these
17 so-called police in the car because they
18 didn't look like police officers to her
19 either, and she called her father, she
20 called her grandfather, she called her
21 uncles and said, These men are attacking
22 my mother. She's calling screaming.

23 I am on the phone with her now,
24 and she says, They're about to tase her.
25 Now, my sister when she tells me this

1 12/14/10 - PUBLIC SAFETY - BILL 100722, ETC.

2 story, she was handcuffed and they told
3 her to shut up, shut up. She's asking,
4 Somebody please call my husband.
5 Somebody please call my husband. And as
6 she's getting the number out, they said,
7 Go get the taser.

8 Now, mind you again, she is
9 handcuffed. She is on the ground. There
10 is a foot on the back of her head
11 stepping and pushing her face into the
12 dirt and grass of her yard. There's a
13 man sitting on her back. She's already
14 handcuffed, and my niece said to me,
15 They're about to tase her.

16 They pulled out a gun. She
17 thinks they're about to shoot her. They
18 come and said, Shut up, shut up. She's
19 trying to get out the number, 267, and
20 they tase her not once, not twice but
21 three times. They tased her while she
22 was handcuffed, and she thought she was
23 going to die. So she said, I got to get
24 these numbers out. I don't know what is
25 going on. This can't be the people who

1 12/14/10 - PUBLIC SAFETY - BILL 100722, ETC.

2 are supposed to protect and serve my
3 community.

4 So she said, I got to get these
5 next numbers out. And she said -- I'm
6 not going to give the real number. She
7 said 372, and they tased her three more
8 times, tase, tase, tase, and she thought
9 she was going to die.

10 COUNCILWOMAN MILLER: When was
11 this, and is it under investigation?

12 MS. SHABAZZ: I don't know when
13 it is.

14 COUNCILWOMAN MILLER: Was it
15 this year?

16 MS. SHABAZZ: It can't be under
17 investigation because nobody --

18 COUNCILWOMAN MILLER: Was it
19 this year?

20 MS. SHABAZZ: Yes. It was on
21 January 27th, in the morning of January
22 27th.

23 So they tased her and tased
24 her, and she finally had to get the last
25 three numbers out. They say, You're

1 12/14/10 - PUBLIC SAFETY - BILL 100722, ETC.

2 never going to see your kids again.

3 They're going to DHS. You'll never see

4 them again. Bitch, shut the fuck up.

5 Didn't I tell you to shut up? And she

6 got the last four numbers out, and,

7 again, she thought she was going to die.

8 She didn't know what was going on.

9 The neighbor said when she

10 called me frantic that morning 1, 2

11 o'clock in the morning, she said, I felt

12 like I was in 1930, 1940 in the middle of

13 slavery and there was a master coming

14 with their sticks beating this woman and

15 I had to sit and watch and there was

16 nothing that I could do. There was

17 nothing that I could do, because these

18 are the people who claim to have the

19 power over us.

20 She threw up. This neighbor,

21 she threw up and she vomited and she

22 fainted, because she couldn't believe

23 what she saw with her own eyes and what

24 my niece had to watch with her own eyes.

25 And when my dad carried these children

1 12/14/10 - PUBLIC SAFETY - BILL 100722, ETC.

2 into my house, my niece has been crying
3 and crying and crying since that day.

4 When she sees red and blue down the
5 street, she's nervous. She shouldn't be
6 nervous.

7 We have police officers in our
8 family, and I know that this is not what
9 they do. This is not appropriate in any
10 way. And since that particular incident,
11 we've had police officers stalking us,
12 stalking our homes, because we're
13 speaking up. Well, I am Muslim and then
14 I am human, and I ain't afraid of nobody.
15 I fear a law, and that is it. That is
16 who I submit to. That's what the police
17 officer said, she didn't submit. For
18 what? She did nothing wrong. She was --
19 she has four beautiful girls, one son,
20 and they're all honor roll students.
21 They go to school. They respect adults.
22 They don't dance and pop they butts
23 around. They are respectable children
24 and respectable parents in that community
25 and in every community that we reside in.

1 12/14/10 - PUBLIC SAFETY - BILL 100722, ETC.

2 This time, they definitely got
3 the wrong one, and we will fight this
4 till the death. I'm not afraid to die.
5 I'm not afraid to die. I'm not afraid of
6 these cops because you got on a uniform.
7 I don't care. My uniform is in my heart.
8 I was born with this uniform as a human
9 being.

10 I'm sorry.

11 COUNCILWOMAN MILLER: Okay.

12 Thank you. Thank you, Ms. Shabazz.

13 MS. SHABAZZ: What I want you
14 to know is that they are stalking us.
15 They have been following us. They've
16 been shining those bright lights from
17 their police cars in our homes. They
18 know where we live at. They know where
19 some of us live at. They've been
20 following us. Not only did they come to
21 our house after that and have the
22 audacity to get out of the car, they said
23 that there was a call from our home
24 saying that there was a missing
25 12-year-old. Now, if that is not

1 12/14/10 - PUBLIC SAFETY - BILL 100722, ETC.

2 psychological warfare, I don't know what
3 is. That's what -- they're trying to
4 intimidate us and then bring my niece
5 into it.

6 COUNCILWOMAN MILLER: Have you
7 filed a complaint?

8 MS. SHABAZZ: Yes, we have
9 filed complaints. We have filed
10 complaints and we're doing everything
11 that you said, but, again, I want the
12 people to know so when I go missing, this
13 is why. When my niece goes missing that
14 they already propose, this is why.

15 They have -- and then when we
16 called the police station and said,
17 well -- and we kind of got rational.
18 Well, maybe it is a missing 12-year-old.
19 So we called the police station, and they
20 said they never got such a report. Not
21 only that, they never dispatched anyone
22 to our home.

23 So we know your boys in blue
24 got your back, but a law has my back, and
25 that's all I need. And I want y'all to

1 12/14/10 - PUBLIC SAFETY - BILL 100722, ETC.

2 know, I want you to know that you will
3 pay. You will pay for it. This is
4 terrible. I know what you're trying to
5 do to the African American men in my
6 community.

7 Now, of course, they charge her
8 with assaulting the police officer, this
9 woman in the middle of the night. That's
10 what you charge everybody that you beat
11 the hell out of, assaulting the police
12 officer.

13 Officer Spraggs, Officer Philip
14 Spraggs, Jr., I want you to know, Badge
15 No. 4801, a law has recorded your deeds,
16 the good and the bad, and you will get
17 the benefits from your good and you will
18 reap the benefits from your bad.

19 COUNCILWOMAN MILLER: Thank
20 you.

21 Mr. Shabazz.

22 MR. HANNIBAL SHABAZZ: My name
23 is Hannibal Shabazz, and I'm not as
24 dramatic as my sister. I just want to
25 say that this is happening because of

1 12/14/10 - PUBLIC SAFETY - BILL 100722, ETC.

2 weak leadership. For instance, if I was
3 to say -- and a disconnect also.

4 If I was to say that Mayor
5 Michael Nutter, that the Councilpeople,
6 that the officers, Ramsey and down, that
7 they were all chumps, that they were all
8 punks, that they were all disgraces to
9 their uniform, then that causes an
10 emotion in here, an emotion who does this
11 guy think he is? How can he say that?
12 Because he's not one of privilege. But
13 when this happens to not -- you may say
14 it doesn't happen every day. Cops don't
15 go down the street beating people. If it
16 happens to one and those in leadership
17 don't stand for justice when that one
18 happens, then it becomes okay. Then it
19 becomes okay. And when you hear it and
20 you don't move on it when it happens,
21 then you have allowed that to occur.

22 But if I call y'all names and
23 curse y'all and everything and y'all feel
24 that energy towards me like F him or
25 whatever you're saying in your head, but

1 12/14/10 - PUBLIC SAFETY - BILL 100722, ETC.

2 when this happens to a human being, an
3 individual and you don't step up and
4 handle your business, that shows there's
5 a disconnect.

6 I'm not saying anything is
7 wrong with these individuals. I'm just
8 saying that there's a disconnect that we
9 don't address this issue as soon as it
10 happens. And we know it's a hierarchy.
11 If the Mayor was to put the pressure on
12 the Commissioner, would it happen? I
13 don't know. I don't think it would if he
14 was to put pressure on. If the
15 Commissioner was to put the pressure on
16 those under him, would it happen? I
17 don't know. If the Councilman will say,
18 Our people in our district are not going
19 to follow you, Mayor Nutter, if you don't
20 handle this immediately, would he change?
21 I don't know. He probably would, because
22 I know he wants to get in office. Maybe
23 he feel as though he's doing some good.
24 I don't know where people's minds at, but
25 what I'm saying is, there is a disconnect

1 12/14/10 - PUBLIC SAFETY - BILL 100722, ETC.

2 and there's weak leadership. The people
3 won't stand for justice, not stand when
4 it happens to ten people when cops start
5 shooting people in the middle of the
6 street or the people start shooting at
7 the cops. No. As soon as you hear about
8 it, check it, and then it won't happen
9 again.

10 So that's all I wanted to say.

11 And, Curtis, Councilman Curtis asked
12 about something that we could do, and I
13 think I have an answer that would in my
14 heart I would believe absolutely cancel
15 out 90 percent of the corruption in the
16 Police Department. And we know it's more
17 corruption to be handled, but let's start
18 with the City's finest. Not that y'all
19 aren't fine, by the way.

20 COUNCILWOMAN MILLER: You have
21 to talk into the mike. I couldn't
22 hear -- when you turn, I can't hear.

23 MR. HANNIBAL SHABAZZ: Well,
24 the City's finest. I just wanted to let
25 them know, I do think they're fine.

1 12/14/10 - PUBLIC SAFETY - BILL 100722, ETC.

2 And that would be to have lie
3 detectors test to the police officers,
4 not in the courtroom. We'll give y'all
5 some leeway. We'll do it at the station,
6 you and your boss. You brought this
7 charge on this person, you said this
8 happened, take this test. If it doesn't
9 stick, we won't even go through with the
10 process. We'll throw it out. But why
11 won't they do that? Because they won't
12 stand for justice, because they know
13 every person they lock up brings funds to
14 the system.

15 (Applause.)

16 MR. HANNIBAL SHABAZZ: Y'all
17 know it -- if 90 percent of the cases got
18 thrown out, that mean no court dates, no
19 lawyers getting paid, no bills getting
20 paid. That's hundreds of millions of
21 dollars that the City loses. So people
22 in positions of leadership choose not to
23 stand for something they know can cancel
24 out the injustices, because they fear
25 loss of their position, because you know

1 12/14/10 - PUBLIC SAFETY - BILL 100722, ETC.

2 if you mess with the finances of the
3 City, they will get you out the way
4 quick.

5 So that's what's happening.

6 And, like I said, if that simple thing
7 was to happen, a lie detector test, if
8 those chumps that did that to my sister
9 took that lie detector test right then
10 and there, she wouldn't have these
11 trumped-up charges that now she has to
12 fight. Now she has to get a lawyer. She
13 got kids to feed. They going to school.
14 So all because the people in the
15 positions have not ensured by any means
16 necessary that there is justice. And if
17 it doesn't happen from the top, it will
18 happen from the bottom.

19 Thank you.

20 COUNCILWOMAN MILLER: Thank
21 you. Thank you for testifying.

22 (Applause.)

23 COUNCILWOMAN MILLER: Thank
24 both of you for coming in and testifying.
25 I'm very sorry to hear about your sister.

1 12/14/10 - PUBLIC SAFETY - BILL 100722, ETC.

2 I had no knowledge.

3 MS. SHABAZZ: Can I just say
4 one more thing? And I'm sorry to go
5 over, but I wanted to add to what
6 Hannibal said about something that we can
7 implement, and what I noticed -- I went
8 to a school in a small town, and we knew
9 the police officers because they lived in
10 our area, and I think that it is a bad
11 policy to have the police officers live
12 outside of the area in which they serve,
13 because they come in and they beat us up
14 and then they go home. They would not
15 beat up Ms. Smith down the street. They
16 would know that Naima Jones has five
17 children and she can't carry them all on
18 her back while she's transporting
19 groceries. They would know these things.

20 So I think that the disconnect
21 is because they can come into our
22 communities, have no connect with us and
23 then leave and do these things. So I
24 think that -- and if they did live in our
25 communities, I'm pretty sure Officer

1 12/14/10 - PUBLIC SAFETY - BILL 100722, ETC.

2 Philip Spraggs, Jr. would not have done
3 that to Naima and went across the street
4 into his home, because that would have --
5 he would fear, he would fear the people
6 that live around him. Now, we don't know
7 where he lives at, but I'm sure he
8 wouldn't do that to his neighbor.

9 So I think that that is
10 something that we need to look into those
11 policies that you -- I know they have to
12 live in the City, but I think they should
13 live in the community in which they
14 serve.

15 COUNCILWOMAN MILLER: Okay.

16 Thank you.

17 (Applause.)

18 COUNCILWOMAN MILLER: Harris
19 Daniels, Karen Miller, Frank Hoechne.

20 (No response.)

21 COUNCILWOMAN MILLER: Okay. So
22 we're going to just keep moving.
23 Christine Harrity, Sultan Ashley-Shaw,
24 Ernest Ford, Abdullah Ravalia.

25 (Witness speaking from

1 12/14/10 - PUBLIC SAFETY - BILL 100722, ETC.

2 audience.)

3 COUNCILWOMAN MILLER: Abdullah

4 what?

5 (Witness speaking from

6 audience.)

7 COUNCILWOMAN MILLER: All

8 right. Whatever. Come on up, Abdullah.

9 We can discuss last names later.

10 (Witnesses approached witness

11 table.)

12 COUNCILWOMAN MILLER: So tell

13 me who you are so I can mark you off on

14 the list.

15 MS. HARRITY: I'm Christine

16 Harrity.

17 COUNCILWOMAN MILLER: Okay.

18 What's your name, sir, with the hat?

19 Take your hat off.

20 MR. FORD: I'm Ernest Ford.

21 COUNCILWOMAN MILLER: Ernest

22 Ford.

23 And, Abdullah, how do you spell

24 your last name?

25 MR. RAZAAQ: It's Abdul,

1 12/14/10 - PUBLIC SAFETY - BILL 100722, ETC.

2 A-B-D-U-L, A. R-A-Z-A-A-Q.

3 COUNCILWOMAN MILLER: Oh,

4 R-A-Z.

5 MR. RAZAAQ: Razaaq. It's

6 supposed to say Razaaq.

7 COUNCILWOMAN MILLER: R-A-Z?

8 MR. RAZAAQ: A-A-Q.

9 COUNCILWOMAN MILLER: Someone
10 did a bad job --

11 MR. RAZAAQ: I called three
12 times about it.

13 COUNCILWOMAN MILLER: -- of
14 spelling your last name.

15 Identify yourself for the
16 record, pull the mike up so we can hear
17 you. And I'll restate the rules here.
18 We have a three-minute -- we have three
19 minutes to give your testimony, and we
20 cannot get into like particulars
21 regarding a case that's currently under
22 investigation. And we still have a lot
23 of people on the list, so that's why we
24 got to really try to stick to this, to
25 the rules, to the time.

1 12/14/10 - PUBLIC SAFETY - BILL 100722, ETC.

2 MS. HARRITY: Thank you,
3 Councilwoman Donna Reed Miller and the
4 Public Safety Committee. I also want to
5 thank the people that went before me,
6 particularly Commissioner Ramsey, who I
7 have a great deal of respect for and his
8 team, Deputy Commissioner Fox and the
9 rest of the police officers.

10 I also want to say that when a
11 police officer is slain, not only is it a
12 loss to the Police Department, it's a
13 loss to the entire Philadelphia
14 community, and I hope that that's
15 completely understood.

16 I want to bring attention to
17 September 30th, 2008 when Officer
18 McDonald had his funeral. Well, the
19 funeral was held for Officer McDonald,
20 who was unfortunately slain by a person
21 in North Philadelphia. And traditionally
22 in the black community whenever an
23 officer is slain, most families tell
24 their boys to stay out of harm's way and
25 to stay inside. However, on this date,

1 12/14/10 - PUBLIC SAFETY - BILL 100722, ETC.

2 Jeffrey McCray had a court date and I had
3 lent him a pink motor scooter to come
4 down to the Criminal Justice Center to go
5 to court. And he took care of his
6 business at the Center and came back to
7 the neighborhood, and two officers
8 mistakenly thought -- they mistakenly
9 called in the wrong license plate
10 numbers. The scooter was licensed,
11 insured and all that legal stuff. They
12 mistakenly called in the wrong license
13 plate and mistook this scooter for a
14 stolen Harley Davidson, and they came up
15 to Jeffrey McCray and he was in a
16 position of surrender, hands up, on the
17 ground, the whole procedure that
18 Commissioner Ramsey talked about and the
19 others when the police officer -- you
20 know, a position of surrender.

21 Two police officers beat him so
22 bad that the community called 911 on the
23 police, which is on record. 911 was
24 called on the police, and they beat him
25 until other police officers got there and

1 12/14/10 - PUBLIC SAFETY - BILL 100722, ETC.

2 pulled them off of Jeffrey McCray.

3 We called the station, and they
4 assured us that this was a mistake, that
5 the police were overwhelmed with grief
6 because of the funeral of Officer
7 McDonald and that everything would be
8 squashed. However, everything was not
9 squashed. Everything that the police did
10 to Jeffrey McCray on that date, including
11 beating him with batons, they turned it
12 around and said that he beat them.

13 Although seven witnesses, which we have
14 video of seven witnesses, who testified
15 that the police did actually beat him for
16 no reason at all. This man had no reason
17 to have a grudge. He was coming from
18 court and was completely happy, just
19 trying to make his way home.

20 I think that more needs to be
21 done when officers are slain. That's an
22 unfortunate event, and some type of
23 counseling or something. And also when
24 police make mistakes, they need to admit
25 to it and not turn the charges that they

1 12/14/10 - PUBLIC SAFETY - BILL 100722, ETC.

2 have against themselves against the
3 victim. And that's what happened. This
4 victim, this guy is in jail now on other
5 charges. He had to wind up pleaing to
6 this, when he was actually victimized by
7 the police. And I hope that Commissioner
8 Ramsey will take the time to look up this
9 case and see that the police were
10 actually called on themselves and they
11 did actually beat a man for no reason at
12 all, except that I believe they were
13 mournful and they don't know where to go
14 with the energy when one of their
15 officers are slain. They look at it as
16 us against the community, when we're all
17 in it together. When a police officer is
18 slain, everybody mourns, not just the
19 police. And we should not be brutalized
20 because the police are having a bad day,
21 and we should not be in fear of our lives
22 or the lives of our sons because an
23 officer is slain.

24 Thank you.

25 COUNCILWOMAN MILLER: Thank

1 12/14/10 - PUBLIC SAFETY - BILL 100722, ETC.

2 you. July 2008, correct?

3 MS. HARRITY: No. This was
4 September 30th, 2008, the same day of the
5 funeral of Officer McDonald in North
6 Philadelphia.

7 COUNCILWOMAN MILLER: All
8 right. Thank you, Ms. Harrity.

9 Who is going to go next?
10 Either one.

11 MR. RAZAAQ: I'll go next. I
12 just want to say I know that I'm standing
13 on sacrifices and the foundation of our
14 ancestors. I'm not here because somebody
15 personally beat me. I'm here because me
16 being an African in this country, I'm
17 stuck with the fact that there is -- I
18 can't even tell you how many times this
19 happens that we're brutalized.
20 Everybody -- I wrote something down. I'm
21 not even going to say it.

22 We're tap dancing around the
23 issue. Us Africans that are left in this
24 country to deal with something that we
25 could never connect to are stuck with

1 12/14/10 - PUBLIC SAFETY - BILL 100722, ETC.

2 facing racism and white supremacy.

3 I am in no way encouraging
4 prejudice. I am saying that we are the
5 only ones that are being targeted.
6 Disproportionately we're being targeted.
7 Our women are being targeted, as you just
8 heard that sister say. I wish I was
9 there, because I would have intervened.
10 Now, what does that say? The officer
11 never identified himself to the sister,
12 which means they didn't follow the
13 protocol.

14 Now, does this happen with all
15 officers? Not at all. I have
16 fortunately been given the due respect.
17 Why? Maybe because at an early age I was
18 incarcerated for something that I didn't
19 do and I did 16 months in Glen Mills for
20 something that I didn't do. Then turned
21 right around and did 90 days up Cornwell
22 Heights for something that I didn't do.
23 Why? Because the people that said I did
24 it were white. Why? Because I was black
25 and I had no resources.

1 12/14/10 - PUBLIC SAFETY - BILL 100722, ETC.

2 Now I'm 41 years old. I have
3 my own non-profit organization, my own
4 business, a good father, a good citizen
5 in my community. I have not one felony,
6 but I find countless amounts of black men
7 that look like me with felonies before
8 they 21. Why is that? Because the
9 system that is elusive on racism and
10 white supremacy has bent itself on
11 destroying black boys.

12 The bottom line is, they want
13 to come into our community where the
14 resources are minimal and they want to
15 make the penalties maximum.

16 How can we deal with the
17 problem? First of all, no one should be
18 bought. What I'm finding is, when there
19 are people such as the Councilman like
20 Mr. Jones and yourself or others that are
21 of African background, they pull you in,
22 and before you know it, your voice
23 becomes their voice, because we are
24 respectfully accepting any solution or
25 resolution to the problem.

1 12/14/10 - PUBLIC SAFETY - BILL 100722, ETC.

2 Now, let's be real. If in fact
3 the disproportionate amount of police
4 brutality happened on the Main Line, you
5 would have been come up with a solution.
6 But as the blood continues to spill in a
7 black community, nobody seems to care.

8 Now, I know I only got three
9 minutes, but I'm going to say this: Why
10 is there an extensive amount of foot
11 patrol in Southwest Philadelphia? Why is
12 there not this amount of foot patrol in
13 West Philly where I live in the Cobbs
14 Creek section? Why isn't this in South
15 Philadelphia where I grew up? Why isn't
16 this in North Philadelphia section,
17 otherwise -- other than the area that
18 right now is being gentrified by Temple?
19 Why? I don't know, but the point I'm
20 making is this: I'm not going to wait
21 for something to happen to me. I'm not
22 going to wait for something to happen to
23 one of my children or my loved ones. I'm
24 here to speak for the voice of the
25 voiceless. And the reality is, let's

1 12/14/10 - PUBLIC SAFETY - BILL 100722, ETC.

2 stop tap dancing around the issue.

3 That's why I mentioned it and that's the
4 bottom line. Racism and white supremacy,
5 it's a systemic issue. If you really
6 want to address it, let's address that.

7 (Applause.)

8 MR. FORD: My name is Ernest
9 Ford. I was born in Port-au-Prince,
10 Haiti in 1960, March 6, 1960. I came
11 here in the United States on January the
12 27, 1973. I've been a law-abiding
13 citizen all my life. As a matter of
14 fact, I received an award from the
15 Governor of the state, Governor Ed
16 Rendell, telling me how my work in this
17 community and Commonwealth benefit the
18 whole Commonwealth. And how he knew, I
19 don't know. But on July 2nd of 2005, a
20 year after I received that commendation,
21 I was brutalized by uniform police at the
22 request of Civil Affairs or unCivil
23 Affairs officers who were supposed to
24 guard a demonstration. That
25 demonstration was about a young man who

1 12/14/10 - PUBLIC SAFETY - BILL 100722, ETC.

2 was choked to death by Philadelphia
3 Police in West Philly. I was called upon
4 to help.

5 In this book here that I have
6 written -- and it's not a money-making
7 scheme. It's to expose and it's to put a
8 face on police terrorism in this country.

9 In my country, I used to hear
10 about how Papa Doc and Baby Doc were
11 ruthless, but here in America when I see
12 these boys here, they remind me of Papa
13 Doc and Baby Doc and return to my
14 (unintelligible). They are in a
15 (unintelligible) army. They're not here
16 to serve and protect the poor. They are
17 here to terrorize the poor.

18 I'm going to close with this:
19 I was beaten during a demonstration
20 against police terrorism, because the
21 police, days prior to the demonstration,
22 choked Shawon Coachman (ph) to death. I
23 don't know the man, never seen him
24 before. But when I was called upon to
25 help with the demonstration, I was more

1 12/14/10 - PUBLIC SAFETY - BILL 100722, ETC.

2 than glad. And on that day, I wore some
3 sandals, because I didn't realize I was
4 going to sleep in jail, I was going to be
5 beaten brutally by Philadelphia Police.

6 Basically what shocked me and
7 disappointed me the most was when I got
8 to the prison, I saw five European
9 officers. I won't call them white,
10 because they're not white. Five European
11 officers in -- not in uniforms. They
12 were in T-shirts saying Mumia murdered
13 Faulkner. In other words, they didn't
14 arrest me for helping black traffic.

15 They arrested me because they hate this
16 black man who they want to lynch, despite
17 the fact that William Singletary told
18 everyone, the world, that Mumia Abu-Jamal
19 didn't do it, but still this in power
20 still want to lynch this man, you see.

21 So basically it's wrong. That notion
22 that a suspect is innocent until proven
23 guilty in a court of law is baloney,
24 because, first of all, courts of law
25 convict innocent people, as Judge Sabo

1 12/14/10 - PUBLIC SAFETY - BILL 100722, ETC.

2 did. He said he's going to help fight
3 this nigger.

4 Right now Mumia is in prison.
5 I visited him seven times. This man
6 don't need to be in prison. This man
7 need to be released. But you guys going
8 to have to do something.

9 As a foreigner looking in, I
10 don't like what I'm seeing. You black
11 people are helping the oppression of your
12 own people. Y'all need some backbone.
13 Don't be like Obama with no backbone.
14 Stand up for your people. Don't
15 apologize for oppression. Your people is
16 being hurt.

17 Every day when I drive my
18 school bus around the City, I see all
19 them vacant houses North Philly, 20th and
20 Dauphin. I see people eating out of
21 trash cans. That's wrong. You got some
22 kind of power. Use it to benefit your
23 own people.

24 In closing, like I said, it's
25 disappointing that there is a notion of

1 12/14/10 - PUBLIC SAFETY - BILL 100722, ETC.

2 being innocent until proven guilty when
3 we have so many hundreds of people across
4 this country that are innocent.

5 Mr. Rubin "Hurricane" Carter served 20
6 years in prison. Then they come to find
7 out the man was innocent. How long?

8 We going to have to stand up
9 for what's right. Like I said, this book
10 here will show you how criminal these
11 police officers are. I got over there on
12 that table all the collections of acts
13 committed by Philadelphia Police, crimes
14 committed by Philadelphia Police,
15 especially the one that said he shot
16 himself in the shoulder. Now, how can
17 you expect these people to protect you
18 when he shot himself in his own shoulder
19 and claimed some imaginary person shot
20 him? Do you know what that community
21 went through? Do you know when the SWAT
22 team got into that community, anybody
23 that looks like the person they describe
24 is in trouble? You know what I'm saying?
25 So, like I said, it's wrong. You going

1 12/14/10 - PUBLIC SAFETY - BILL 100722, ETC.

2 to have to take this seriously. This is
3 not a game. We are going to be like the
4 ingenues people if we don't stand up,
5 because when they finish with us, they
6 going to go for you.

7 So, my brothers, I'm glad that
8 you put this together, but think about
9 it. There are -- it's a real crime. Our
10 people are being hurt, and Europeans
11 don't care. As a matter of fact, they
12 love what's going on. Ask any European
13 if police terrorism is wrong. They going
14 to tell you --

15 COUNCILWOMAN MILLER: Thank
16 you, sir.

17 MR. FORD: -- we deserve it.

18 Thank you so much.

19 COUNCILWOMAN MILLER: Thank
20 you.

21 Are there any questions for
22 these witnesses?

23 (No response.)

24 COUNCILWOMAN MILLER: No. We
25 want to thank you for coming in. We

1 12/14/10 - PUBLIC SAFETY - BILL 100722, ETC.

2 really appreciate it.

3 MS. HARRITY: Can I ask a
4 question?

5 COUNCILWOMAN MILLER: Yes,
6 ma'am.

7 MS. HARRITY: What's going to
8 happen with the complaints that we
9 brought to the Committee's attention?

10 COUNCILWOMAN MILLER: Well,
11 earlier we did -- have you been here?

12 MS. HARRITY: I've been here
13 since you started, yes.

14 COUNCILWOMAN MILLER: Okay.
15 Well, earlier we did talk about the
16 follow-through process. Once this is
17 over, we have a stenographer here that's
18 doing notes of testimony. We will read
19 that, pull out, and figure out next
20 steps.

21 Now, if there is a case, as we
22 stated earlier, if the case is under
23 investigation --

24 MS. HARRITY: It's not under
25 investigation. September 30th, 2008 was

1 12/14/10 - PUBLIC SAFETY - BILL 100722, ETC.

2 two years ago, as you know, but the
3 problem is, sometimes when the police
4 beat someone else up, that person,
5 especially if they have a record -- and
6 the person I'm talking about is not a
7 real good guy. However, he never hit a
8 police officer, and they reversed the
9 charges onto him as if he assaulted an
10 officer. I heard someone else say that
11 too, that their sister is being charged
12 with assault and their case is pending.

13 This person is in prison on a
14 high level because they are looked at as
15 a person that assaulted a police officer
16 when they never assaulted this police
17 officer.

18 COUNCILWOMAN MILLER: There's
19 one thing to deal with testimony today
20 that's of a legal nature and others that
21 are just a suggestion for policy, et
22 cetera. So we really have to -- there's
23 some things we can do and there's other
24 things we may need to refer somewhere
25 else.

1 12/14/10 - PUBLIC SAFETY - BILL 100722, ETC.

2 MS. HARRITY: Can the
3 Commissioner do anything?

4 COUNCILWOMAN MILLER: What's
5 his name again? I can't remember.

6 MS. HARRITY: His name is
7 Jeffrey McCray, and I talked to the
8 Commissioner some years ago, but the case
9 was pending. This is the first
10 opportunity that I've had since --
11 Internal Affairs, in my opinion, is a
12 joke, because they did all the
13 intimidation of the witnesses to make the
14 witnesses drop out, including
15 discouraging a complaint.

16 COUNCILWOMAN MILLER: And where
17 was this, what police district?

18 MS. HARRITY: Police district
19 around 25th and Thompson. I don't know
20 the numbers.

21 COUNCILWOMAN MILLER: Well, I'm
22 not sure either. I'll just put down --

23 COUNCILMAN GREENLEE: 22nd.

24 COUNCILWOMAN MILLER: 22nd?

25 MS. HARRITY: I mean, can the

1 12/14/10 - PUBLIC SAFETY - BILL 100722, ETC.

2 Commissioner -- who does something about
3 this? I've never heard back from
4 Internal Affairs.

5 And one other thing that I
6 failed to mention was also that the
7 police are going around stealing things
8 from regular civilians. Not all police,
9 but you do have police that go through
10 these legal searches and while they're
11 doing these searches, they steal things.

12 COUNCILWOMAN MILLER: Well,
13 we've heard some of that. There was an
14 article in this week's Sunday paper
15 regarding something similar, very
16 similar. But we are going to do next
17 steps. Okay?

18 MS. HARRITY: Thank you.

19 COUNCILWOMAN MILLER: And we
20 have your phone number, we have your
21 contact number?

22 MS. HARRITY: Phone number,
23 e-mail, and I have yours, too.

24 COUNCILWOMAN MILLER: But we
25 have yours? Because you're on the

1 12/14/10 - PUBLIC SAFETY - BILL 100722, ETC.

2 witness list, so we must have it.

3 MS. HARRITY: Yes, you do.

4 COUNCILWOMAN MILLER: Okay.

5 All right.

6 MS. HARRITY: Thank you.

7 COUNCILWOMAN MILLER:

8 Councilman Jones.

9 COUNCILMAN JONES: Not to drag

10 a lot of comment, and I tried to show

11 some discipline not to say something

12 every time someone said something so that

13 we -- with respect for those people who

14 have had such patience to wait for their

15 voice to be heard, but I do want to say

16 something.

17 There will be follow-up from

18 this, and I know that there are people

19 both in this Council that are taking this

20 very seriously. I know there are people

21 from this Administration, every time

22 something is said that they are following

23 up on this. And I understand there's a

24 lot of frustration out there because a

25 lot has not been done in the cause of

1 12/14/10 - PUBLIC SAFETY - BILL 100722, ETC.

2 justice. But in the cause of justice,
3 let me say this -- and I understand the
4 emotion that's attached when people are
5 victimized, but it is not a black thing.
6 It is not a white thing. It is a right
7 and wrong thing. And as human beings, we
8 all have the God-given right to be
9 treated humanely, and that's what this is
10 about. That's what this is about.
11 Because there are people that do care in
12 this body about what's going on. They
13 sit there, and they're not sitting here
14 just for window dressing. They're going
15 to do something about this. And I want
16 everyone to understand that right is
17 right, wrong is wrong, and we're going to
18 do something about it. That's the bottom
19 line.

20 I listened to all of these
21 testimonies, and I take it to heart,
22 because I got kids. I got kids and --

23 (Someone yelling from
24 audience.)

25 COUNCILMAN JONES: Wait a

1 12/14/10 - PUBLIC SAFETY - BILL 100722, ETC.

2 minute. I want to finish my point. I
3 want to finish my point.

4 (Someone yelling from
5 audience.)

6 COUNCILMAN JONES: I would like
7 to finish my point, sir, because I
8 listened to you. But I listened to you,
9 my friend, and that's only respect among
10 human beings.

11 (Someone yelling from
12 audience.)

13 COUNCILMAN JONES: All right.
14 But I want to finish my point.

15 Just because we are elected
16 officials, don't think we're immune.
17 That's not true. In my driveway, in my
18 driveway in back of my house, there was a
19 victim of brutality, and God knows it was
20 his plan that I wasn't home at the time,
21 because had I been home, it have been two
22 of us. It have been two of us, because I
23 am my brother's keeper, and that's the
24 way I was raised and that's the way I
25 will be and that's the way I am as an

1 12/14/10 - PUBLIC SAFETY - BILL 100722, ETC.

2 elected official.

3 So I just want to say right is
4 right, wrong is wrong. It's not black
5 and white.

6 Thank you, Madam Chair.

7 (People yelling from audience.)

8 COUNCILWOMAN MILLER: The next
9 panel -- excuse me. Daniela Goode,
10 Sabrina Williams and Timothy Goode.

11 (Ms. Fisher yelling from
12 audience.)

13 COUNCILWOMAN MILLER: Miss, sit
14 down. Your name is on the list. I told
15 you like two hours ago, and we're going
16 to get to you very soon.

17 (Witnesses approached witness
18 table.)

19 COUNCILWOMAN MILLER: Robert
20 Roberts. Is Robert Roberts here?

21 (No response.)

22 COUNCILWOMAN MILLER: Because
23 we're trying to do three.

24 Rosita Burton?

25 (No response.)

1 12/14/10 - PUBLIC SAFETY - BILL 100722, ETC.

2 COUNCILWOMAN MILLER: Leomia

3 Dyches?

4 (No response.)

5 COUNCILWOMAN MILLER: Catherine

6 Fisher?

7 (No response.)

8 COUNCILWOMAN MILLER: Precious

9 Daughtry?

10 (No response.)

11 MS. FISHER: Did you say

12 Catherine Fisher?

13 COUNCILMAN JONES: Yes.

14 COUNCILWOMAN MILLER: You're

15 Catherine Fisher, ma'am?

16 MS. FISHER: Yes, I am.

17 COUNCILWOMAN MILLER: Okay.

18 Come on up to the table.

19 (Witness approached witness
20 table.)

21 MS. GOODE: Good afternoon. My
22 name is Pamela Goode. My husband is
23 sitting to my left. His name is Timothy
24 Goode.

25 On January 11th, 2008, my son

1 12/14/10 - PUBLIC SAFETY - BILL 100722, ETC.

2 was murdered by an officer by the name of
3 Anthony Avery from the 39th Police
4 District. My son was shot twice in his
5 back while fleeing from this individual.

6 After murdering my son, while
7 my son was laying on the ground,
8 witnesses have said that he shouted out
9 derogatory statements in reference to, I
10 told you I wasn't playing with you.

11 My son's name was Timothy
12 Goode. He was 24 years old, never been
13 in trouble, graduated valedictorian of
14 his class. However, there's a different
15 story with the gentleman that murdered my
16 son. At the time that he murdered my
17 son, he had a lawsuit pending in which he
18 unholstered his police-issued revolver
19 and held it up to an unarmed man's head.
20 Not only those things that we have to be
21 enlightened to, but within the last two
22 and a half years, we have four young
23 African American men that have been
24 murdered at the hands of a 39th Police
25 District officer. Within two years'

1 12/14/10 - PUBLIC SAFETY - BILL 100722, ETC.

2 time, we have four men that have been
3 murdered from an officer from the 39th
4 District.

5 In saying and listening to
6 previous testimonies in reference to
7 Commissioner Ramsey, I was at a town
8 meeting after this happened to my son at
9 South Philadelphia High School, and it
10 disturbed me and seemed to rowel up the
11 officers that were there that by any
12 means necessary, a criminal will be
13 caught. I took it as any means necessary
14 means he may not make it to court, in
15 which the officer that killed my son,
16 that was his objective. He wasn't going
17 to let T make it to court for whatever
18 alleged activity -- and I say
19 "alleged" -- that he said my son was
20 conducting on that evening. Whatever it
21 was, it didn't justify him shooting my
22 son twice in his back while running from
23 him.

24 I watched on the news several
25 accounts of what's supposed to have

1 12/14/10 - PUBLIC SAFETY - BILL 100722, ETC.

2 happened to my son that evening, and the
3 spokesperson for the police person, Frank
4 Vanore, did a poor demonstration as to
5 what my son was supposed to had done.

6 My son was not a violent
7 person, never been in a fight a day in
8 his life. I've never had any problems
9 out of my son at all. But we never
10 talked about -- there was record
11 pertaining to my son's background, but
12 I've never heard anything about Anthony
13 Avery. There was never brought mention
14 that he had a lawsuit pending for
15 terrorizing a family just a year before.
16 There has never been a recollection of
17 complaints at the 39th District
18 pertaining to this individual.

19 Also, we said that we want to
20 treat others as we want to be treated.
21 That's our goal. I believe in that. I
22 believe in that. So in the same token
23 that the Police Department has vowed to
24 convict a person for murdering an
25 officer, we want the same when one of our

1 12/14/10 - PUBLIC SAFETY - BILL 100722, ETC.

2 loved ones -- T was my only son. My only
3 son. At the time that he was murdered,
4 his girlfriend was four months pregnant.
5 The Friday before my son was murdered, he
6 found out he was having a little boy and
7 brought home the ultrasound picture to
8 share with his family.

9 We're helping to raise my
10 grandson now, but yet this gentleman here
11 has had a tainted record of being an
12 officer. Maybe if he had been taken off
13 the streets for a while and had therapy,
14 because whenever you unholster your gun
15 and put the nozzle up to the head of an
16 unarmed person, where that young man's
17 sister had to get in between Avery and
18 that boy to keep that man from shooting
19 her brother, that gentleman had a
20 problem. He had a problem. And I
21 honestly believe that if he was taken off
22 the force for doing such a disservice
23 behind the badge, maybe my son would be
24 alive right now. Maybe he would be
25 alive.

1 12/14/10 - PUBLIC SAFETY - BILL 100722, ETC.

2 I'm also asking that in the
3 same respect that the night that my son
4 was murdered, not just T was killed that
5 night, but Trevar Cephas was killed that
6 night as well. So we had two young men
7 that were killed by the Philadelphia
8 Police Department in one evening. In one
9 evening we had two young men, both at the
10 age of 24, that lost their lives.

11 Also, in 2009, we had a young
12 man by the name of William Panas that was
13 murdered, a Caucasian young man, by a
14 civil service police officer, Frank
15 Tepper. And I'm wondering that to this
16 day, Anthony Avery still has not been
17 reprimanded, charged, anything. I have
18 not heard anything from the Police
19 Department pertaining to my son's case,
20 but yet Frank Tepper is sitting behind
21 bars now. He murdered William Panas in
22 November and was charged in January. My
23 son was killed January 11th of 2008, and
24 here we are in 2010 going into 2011 and
25 this man is still walking around able to

1 12/14/10 - PUBLIC SAFETY - BILL 100722, ETC.

2 do and taunt the African American
3 community, which he has said on several
4 occasions that what he has done to my
5 son, he would do to them. And I urge
6 Commissioner Ramsey to investigate.
7 Investigate this allegation against this
8 man. This is sickening.

9 I raised my son to be a
10 respectable young man. Never once did I
11 ever have to -- now -- and I'll be honest
12 with you. If I thought that my son was
13 deliberately out to execute that man that
14 evening or his life was in threat, I
15 wouldn't be sitting here right now,
16 because then you'd have an eye for an
17 eye. That was not the case. My son was
18 running from that man to avoid trouble,
19 and he pulled out his revolver and he
20 shot my son twice in his back, severed
21 his spine, his liver. Had he lived, he
22 wouldn't have been any more good. Not
23 just to mention just my son. I'm not
24 just here for my boy, but what about the
25 other young people? You have Chauncey

1 12/14/10 - PUBLIC SAFETY - BILL 100722, ETC.

2 Ellison and Robin Fortune. Why aren't
3 they behind bars? Why is it just Frank
4 Tepper, who killed a Caucasian young man?
5 And I send my sympathies to that boy's
6 family, to William Panas' family. I even
7 went into his neighborhood in Port
8 Richmond to find that father to express
9 my condolences to him.

10 So with me, it's not a white
11 and a black issue. When you lose a
12 child, it hurts just like if you was
13 white, black, Chinese, Puerto Rican. It
14 doesn't matter. My heart will never be
15 the same.

16 I'm in this place today on my
17 birthday. This is a day that we spend
18 together. It's a hurt every time a
19 birthday come around that I don't have my
20 child. Every time my grandson comes to
21 my house looking like his father, we have
22 to tell him stories.

23 T would have been an excellent
24 father. What kind of father is Anthony
25 Avery? What kind of son is he? Can his

1 12/14/10 - PUBLIC SAFETY - BILL 100722, ETC.

2 mother honestly sit before anybody and
3 testify that she has a God-fearing son,
4 that she has one that has good merit? I
5 can. T never gave us a day of trouble.
6 Not one. Not one. And it even hurt me
7 to my heart that when you go onto the
8 Internet and you read blogs that people
9 put on when they don't know the whole
10 truth -- and to those that don't know, T
11 was Wilson Goode's great nephew. But
12 that doesn't have anything to do with
13 what that man did to my son that evening.
14 Not a thing. Not a thing. But you'll
15 hear that his family didn't raise him,
16 his family -- you don't know anything
17 about me and my husband. We are
18 hard-working people. I've been a
19 secretary for the School District for 18
20 years. My husband is a labor foreman for
21 Housing Authority. We are hard-working
22 people. We have two daughters that are
23 attending college that will graduate in
24 May, one with her Bachelor's in biology,
25 one that's going to pharmacy school.

1 12/14/10 - PUBLIC SAFETY - BILL 100722, ETC.

2 T had college under his belt.

3 He wasn't an ignorant person. And even
4 if he was, that's beside the point.

5 I want to see Anthony Avery
6 behind bars, fired from the Police
7 Department and fired and put in jail,
8 where he belongs.

9 (Applause.)

10 MS. GOODE: Along with Chauncey
11 Ellison and Robin Fortune. Why aren't
12 they behind bars? Lawrence Allen mother
13 is grieving too. All right, they've been
14 fired, but why they not in jail? If the
15 shoe was on the other foot and Avery was
16 shot twice in the back, we wouldn't be
17 sitting here now. I'd be going to visit
18 my son in jail. Anthony Avery's mother
19 need to be visiting him in prison.

20 None of these things would
21 bring back my child, but I want justice.
22 We want justice and we want it now. It's
23 going on three years. Three years, and
24 we don't have an answer. We know that
25 the person that killed our child because

1 12/14/10 - PUBLIC SAFETY - BILL 100722, ETC.

2 he's an officer, he's not in prison.

3 There's something wrong with that
4 picture. There's something wrong with
5 that picture.

6 COUNCILWOMAN MILLER: Thank
7 you, Ms. Goode.

8 Mr. Goode, are you going to
9 testify?

10 MR. GOODE: I just wanted to
11 say that everybody basically said
12 everything that go on, and the Councilman
13 said it's a right and a wrong, and I'm
14 sure people got conscience and hopefully
15 one day we could come in the right and
16 the wrong way we're going on in the City
17 and I guess a whole lot of other places,
18 because there's a whole lot of people
19 that go through these things and their
20 life never going to be the same because
21 of the things that happened. And I'm
22 sure that a lot of people know what
23 happened that night wasn't right, but
24 because it was a police officer that did
25 it, there's nothing being done about it.

1 12/14/10 - PUBLIC SAFETY - BILL 100722, ETC.

2 Hopefully somebody just get down and find
3 the answers, just hopefully.

4 That's all I have to say.

5 COUNCILWOMAN MILLER: Thank
6 you.

7 Catherine Fisher. Ms. Fisher,
8 you're next.

9 MS. FISHER: Oh, okay.

10 COUNCILWOMAN MILLER: Pull the
11 microphone up to you and identify
12 yourself for the record. Thank you.

13 MS. FISHER: Hello. My name is
14 Catherine Fisher and I've lived in my
15 home in the Far Northeast for 34 years.
16 For the last year, I've had to leave my
17 home because of the crime and corruption
18 that's tied in with the police in that
19 district. And my street is a cul-de-sac,
20 which had been relatively quiet until the
21 immigrant mob moved in. They do not want
22 me living there. They want another
23 family of their nationality so they can
24 carry on with their nefarious activities.

25 Am I talking or are you

1 12/14/10 - PUBLIC SAFETY - BILL 100722, ETC.

2 talking, sir?

3 COUNCILWOMAN MILLER: No,
4 ma'am. You are. He has to tell me
5 things every now and then, so you just go
6 on and proceed.

7 MS. FISHER: Okay. These
8 people have vandalized my house and my
9 car, and they have broken in. They have
10 stolen things. Worst of all, they have
11 threatened me. I've lost my husband and
12 my daughter and I'm alone, so I am easy
13 prey for them. And, I mean, the whole
14 street, except for a couple on the
15 corner, who is afraid to get involved,
16 are these people. And I turned to the
17 police in the 7th District for help, and
18 all I got were false promises. For
19 example, the community relations officer,
20 they would repaint the -- I have to put
21 my reading glasses on. I'm sorry.

22 The section of my handicap box
23 which had been painted for me by the
24 City, these criminals had painted over
25 that section.

1 12/14/10 - PUBLIC SAFETY - BILL 100722, ETC.

2 No matter what happened to me,
3 the 7th will turn their heads the other
4 way and eventually would call me a pain
5 in the neck and labeled me as crazy.
6 That was their favorite thing to do.

7 I'm alone. I'm a single woman
8 now. I don't have my daughter. And
9 these people are on the payroll of -- I
10 mean, the cops -- are on the payroll of
11 the immigrant mob. This sounds
12 outlandish, and it is.

13 Can I ask why two people left
14 from the panel?

15 COUNCILWOMAN MILLER: Can you
16 ask what question?

17 MS. FISHER: Why two people
18 left from the panel while I'm talking.

19 COUNCILWOMAN MILLER: Well --

20 MS. FISHER: I think that's
21 kind of, A, rude and, two, invalidating.
22 This is serious.

23 COUNCILWOMAN MILLER: Are you
24 talking about William?

25 MS. FISHER: And the other guy.

1 12/14/10 - PUBLIC SAFETY - BILL 100722, ETC.

2 COUNCILWOMAN MILLER: Well, I
3 don't think he was feeling too well. He
4 was sitting up here coughing and
5 sneezing, and I think he --

6 MS. FISHER: What about him?

7 COUNCILWOMAN MILLER: Excuse
8 me?

9 MS. FISHER: What about him?

10 COUNCILWOMAN MILLER: Well,
11 he's an employee. He works for me, and
12 there's different things he has to do.
13 He can't stay seated all day long.
14 Please proceed with your testimony.

15 MS. FISHER: Well, the point is
16 that the cops are on the payroll of the
17 immigrant mob. Okay? This sounds --
18 what I said is, this sounds outlandish,
19 and it is, but it's true. They have done
20 things against me for the mob that are
21 incredible, and when I went to make a
22 complaint at the 7th District, I was
23 patronized by one officer. And then
24 coming out of the other room was an
25 officer named Oller, who is a huge guy

1 12/14/10 - PUBLIC SAFETY - BILL 100722, ETC.

2 with a pair of handcuffs coming toward
3 me, yelling at me to leave or else. And
4 he was running after me that he was going
5 to handcuff me for making a complaint. I
6 mean, is this normal?

7 As I said, the police are
8 supposed to protect us.

9 I'll pay attention to that the
10 way everyone else has.

11 So anyway -- I'm not kidding.

12 But anyway, he starts coming
13 toward me with the handcuffs and he kept
14 coming toward me, and I left for my own
15 safety.

16 Most of the district treated me
17 disrespectfully and went so far as to
18 carry out directives given to them by the
19 mob. I even went to a captain's meeting,
20 and when I spoke about the problems, I
21 was hushed up by the captain and told to
22 call him. I tried many times to call him
23 and each time was rebuffed. The
24 community relations officers there are
25 only there to collect a paycheck and

1 12/14/10 - PUBLIC SAFETY - BILL 100722, ETC.

2 that's it. They do nothing for anybody.

3 That is why the Inquirer had a

4 demographic study of 60,000 people

5 leaving the area, and that was one and a

6 half years ago. There was a travel agent

7 who was harassed by these people, telling

8 her that if they didn't hire one of them,

9 that she would be in trouble, and they

10 kept coming in and coming in until she

11 finally moved out of the City.

12 There was a 55-year-old man --

13 I'm sorry. There was a man who lived in

14 his home 55 years on Haldeman Avenue and

15 he had to leave. He said he could not

16 take it anymore. That's 55 years

17 residence.

18 And I could go on with the

19 stories, like my friend who they had a

20 house two doors down, the same immigrant

21 mob, and -- I'm really getting

22 distracted. I truly am.

23 (Someone yelling from

24 audience.)

25 MS. FISHER: Thank you.

1 12/14/10 - PUBLIC SAFETY - BILL 100722, ETC.

2 Anyway, this friend of mine,
3 her husband is a mailman and he saw the
4 cop come up to the door of this immigrant
5 who is distributing drugs and he came out
6 with a bag of it. And, I mean, she said
7 to her husband, maybe we should report
8 this, and they did. Nothing was done.
9 And, I mean, this is serious. You know,
10 it really is.

11 So I was going to say that I
12 realize it is nothing in comparison to
13 what this woman has gone through, but I
14 am alone and I am easy prey for
15 criminals, these criminals, these
16 immigrant monsters who have moved into my
17 neighborhood. They have brought their
18 kids up to hate the Americans. They are
19 nothing but criminals and, I mean, I
20 can't even live there anymore. So I'm
21 almost homeless. I'm living with someone
22 right now, and I have been for a year.
23 But my home, I've been there for almost
24 35 years, and this is unfair. I've lived
25 in Philly all my life, you know.

1 12/14/10 - PUBLIC SAFETY - BILL 100722, ETC.

2 And, I mean -- so when I went
3 to the captain's meeting and he hushed me
4 up, I told him -- I tried to call him.
5 He told me to call him. I tried many
6 times to call him, and each time was
7 rebuffed. He referred me to a community
8 relations officer, who did nothing. And
9 our neighborhood has been taken over by
10 these miscreants and there are drugs and
11 body trafficking everywhere.

12 The Mayor's Office has ignored
13 the entire situation. Because we are in
14 the Northeast, we don't seem to get
15 recognized. And, I mean, I cannot move
16 back to my home, because I am in danger.
17 I was threatened during the summer when I
18 did come back.

19 COUNCILWOMAN MILLER:

20 Ms. Fisher?

21 MS. FISHER: Yes.

22 COUNCILWOMAN MILLER: We have
23 your information. You called my office.

24 MS. FISHER: There's something
25 that's most important.

1 12/14/10 - PUBLIC SAFETY - BILL 100722, ETC.

2 COUNCILWOMAN MILLER: Didn't
3 you call my office?

4 MS. FISHER: No. I called your
5 office, yes, to be on the list.

6 COUNCILWOMAN MILLER: So that
7 means we have your information.

8 MS. FISHER: No. You don't
9 have this, and this is the most important
10 thing.

11 COUNCILWOMAN MILLER: Well, you
12 keep repeating. I mean, some of the
13 testimony you keep repeating. So if this
14 is important, please say it.

15 MS. FISHER: I am not the only
16 one who has repeated things. But I
17 wanted to tell you this. This really is
18 a matter of security as these people, the
19 immigrants, are dangerous. They are
20 draining the treasury as they get checks
21 for everyone in the family and then they
22 change their names, even by one letter,
23 to keep getting money from our
24 government. Do these people come here
25 because our President wants to play

1 12/14/10 - PUBLIC SAFETY - BILL 100722, ETC.

2 footsies with the country?

3 I believe these immigrants are
4 from institutions, either mental or
5 penal.

6 I feel like I have not even
7 been listened to. I really do. Like
8 it's been made a big joke, because this
9 is not about anyone getting beaten up.
10 Not yet anyway. This is horrible. It
11 has meant nothing, has it, that I've come
12 here? Have I wasted my day? Have I
13 wasted my time?

14 COUNCILWOMAN MILLER: Well, you
15 have to determine whether you've wasted
16 your time or not. I can't determine
17 that.

18 MS. FISHER: No. No.

19 COUNCILWOMAN MILLER: We have
20 listened to your testimony --

21 MS. FISHER: I mean, people
22 walk out.

23 COUNCILWOMAN MILLER: -- like
24 anyone else's.

25 Does any member of the

1 12/14/10 - PUBLIC SAFETY - BILL 100722, ETC.

2 Committee have any questions for

3 Ms. Fisher?

4 (No response.)

5 COUNCILWOMAN MILLER: Okay.

6 All right. Thank you. Thank you,

7 Ms. Fisher. I believe we do have your

8 information.

9 (Applause.)

10 COUNCILMAN JONES: Sincerely,

11 I'm sorry for your loss. Your testimony

12 touched me deeply.

13 MS. FISHER: What's going to be

14 done about this?

15 COUNCILWOMAN MILLER: This is

16 down near Wayne Avenue, correct?

17 MS. GOODE: Yes.

18 COUNCILWOMAN MILLER: We heard

19 about that. I'm sorry for your loss.

20 MS. GOODE: I just wanted to

21 just --

22 (Witness speaking without

23 microphone.)

24 MS. GOODE: I'm sorry. It's

25 just so ironic that within a two year's

1 12/14/10 - PUBLIC SAFETY - BILL 100722, ETC.

2 time, four people have lost their lives
3 from one police district, and it's in a
4 minority neighborhood. Where else does
5 something of this caliber happen? And it
6 should draw grave concern. This should
7 really draw grave concern.

8 You know, I thank you for
9 holding a public hearing today, and I do
10 pray that testimony has not fallen on
11 deaf ears and that something is done.
12 And we have filed complaints with the
13 Police Advisory Commission, and they were
14 real courteous in helping us and things,
15 but, like I said, this is now going on
16 three years and we still have not -- this
17 issue -- when you talk to the Police
18 Department, it's still under
19 investigation. Well, how much more
20 investigating can we do here? It's now
21 time to take a stand and arrest this man.
22 Investigation is over. Anthony Avery
23 murdered my son, cold-blooded murder, two
24 gunshots to the back. He needs to be in
25 jail. He needs to be in jail.

1 12/14/10 - PUBLIC SAFETY - BILL 100722, ETC.

2 Thank you.

3 (Applause.)

4 COUNCILWOMAN MILLER: Thank
5 you. Thank you for your testimony. And,
6 no, it hasn't fell on deaf ears.

7 MS. FISHER: We think --

8 (Witness speaking without
9 microphone.)

10 COUNCILWOMAN MILLER: Ms.
11 Fisher, you have to speak into the mike.
12 I can't hear you.

13 MS. FISHER: This Officer Oller
14 who ran after me with the handcuff
15 because I went in to make a complaint, is
16 anything going to be done about him?

17 COUNCILWOMAN MILLER: Well, I
18 can't answer that, you know, right this
19 moment.

20 MS. FISHER: Why? Why can't
21 you?

22 COUNCILWOMAN MILLER: Because I
23 am -- his supervisors are sitting behind
24 you, not up here. But I can't answer
25 that.

1 12/14/10 - PUBLIC SAFETY - BILL 100722, ETC.

2 MS. FISHER: Is there anyone
3 from the 7th?

4 COUNCILWOMAN MILLER: Well, we
5 do know that it was Police District 7 and
6 we know that you've been going there off
7 and on numerous times.

8 MS. FISHER: I have been away
9 for more than a year.

10 COUNCILWOMAN MILLER: You can
11 actually talk to Deputy Commissioner Fox
12 or Deputy Commissioner Johnson,
13 Ms. Fisher.

14 MS. FISHER: Who are they?

15 COUNCILWOMAN MILLER: That's
16 Deputy Commissioner right behind you.

17 MS. FISHER: Okay.

18 COUNCILWOMAN MILLER: Thank
19 you. Thank you for coming in.

20 We have Akil Parker, Lloyd
21 Logan, Michael Jones.

22 Sir, what's your name?

23 MR. PARKER: Akil Parker.

24 COUNCILWOMAN MILLER: Do we
25 have Lloyd Logan and Michael Jones?

1 12/14/10 - PUBLIC SAFETY - BILL 100722, ETC.

2 (Witnesses approached witness
3 table.)

4 COUNCILWOMAN MILLER: Helen
5 Carter, Susan Gess, Blessing Sabir.

6 (Witnesses approached witness
7 table.)

8 COUNCILWOMAN MILLER: Can you
9 tell me your name so I can mark you off?
10 Ma'am, what's your name?

11 I know yours.

12 MS. SABIR: Blessing Sabir.

13 COUNCILWOMAN MILLER: Blessing
14 Sabir, okay. Susan Gess is in the red
15 sweater.

16 MR. LOGAN: I'm Lloyd Logan,
17 Jr.

18 COUNCILWOMAN MILLER: Lloyd
19 Logan. Michael Jones.

20 I'm going to repeat, we are at
21 a three-minute limit. I have been
22 letting people go over. However, we do
23 have more people on the list and I'm
24 going to have to be tighter on time.
25 Okay?

1 12/14/10 - PUBLIC SAFETY - BILL 100722, ETC.

2 So make sure the mike is up so
3 we can hear you and identify yourself for
4 the record and proceed with your
5 testimony. Thank you.

6 MR. PARKER: Good afternoon.
7 My name is Akil Parker, and one of the
8 things I'd like to do this afternoon is
9 read a complaint letter addressed to the
10 Philadelphia Police Department that I
11 have yet to submit, but I would like to
12 read it.

13 I'm writing this letter as a
14 complaint against one of your police
15 officers, Officer Anderson, Badge No.
16 5401, for egregious abuse of power and
17 disregard of the constitutional rights of
18 myself and a child in the Philadelphia
19 community. I am a mathematics teacher at
20 Delaware Valley Charter High School,
21 DVCHS, and attended a football game in
22 support of my students on the evening of
23 September 24th, 2010. Following the game
24 played at Benjamin L. Johnson Memorial
25 Stadium near Stenton and Sedgwick

1 12/14/10 - PUBLIC SAFETY - BILL 100722, ETC.

2 Avenues, several officers began the
3 process of trying to herd the African
4 American teenagers away from the area
5 while they were peacefully assembled and
6 socializing, taking advantage of their
7 First Amendment rights.

8 Officer Anderson first
9 approached a small crowd near me in a
10 very disrespectful and intimidating
11 manner, reminiscent of a Nazi Germany
12 Gestapo, and told these innocent,
13 non-threatening teenagers to move and get
14 out of here. He then proceeded to take
15 out his nightstick and, unprovoked,
16 placed it on the thigh of a small-built
17 female in order to guide her along. The
18 only reason she hadn't moved is because
19 she was in the middle of a telephone
20 conversation and hadn't processed his
21 request as of yet. This young lady
22 happened to be a student at DVCHS.

23 Is Officer Anderson employed as
24 a cowboy? Do the taxpayers of the City
25 of Philadelphia pay him to herd cattle?

1 12/14/10 - PUBLIC SAFETY - BILL 100722, ETC.

2 If not, why is he utilizing this violent
3 weapon like a cattle prod?

4 When I witnessed this abuse of
5 her human rights, an abhorrent example of
6 child abuse, I exercised my duty to
7 question the officer. I calmly asked,
8 Why did you need to put that stick on
9 her?

10 The officer immediately became
11 aggressive and hostile with me. I also
12 questioned how he was protecting and
13 serving anyone's interest by doing so,
14 and what type of integrity was associated
15 with that action.

16 Initially, there was a fence
17 separating us and he proceeded to say
18 that he will continue this conversation
19 with me face to face. When he approached
20 my personal space in a very barbaric
21 attempt to intimidate me, it became
22 apparent that he had no desire to further
23 engage me in any type of civilized
24 conversation. He asked why I was there,
25 to which I replied that I was a

1 12/14/10 - PUBLIC SAFETY - BILL 100722, ETC.

2 spectator. He then told me I had to
3 leave the premises and hit my leg with
4 the same nightstick in question.

5 He was clearly communicating to
6 me that he felt justified in this abusive
7 power and I would have no means of
8 recourse. Who was he protecting and
9 serving by telling me to leave anyway?

10 At this point, several
11 colleagues intervened and urged me to
12 simply exit while Officer Andrews (sic)
13 continued to try and intimate me with a
14 barrage of insults and disrespectful
15 phrases. I wonder, is that protocol? It
16 must be some type violation for an
17 officer to do something aggressive and
18 harmful to a citizen only for the purpose
19 of showing that he has the ability and to
20 retaliate against a taxpaying and
21 contributory member of the citizenry for
22 merely questioning the necessity of
23 something he does.

24 Is the model of police
25 protocol -- is this the model of police

1 12/14/10 - PUBLIC SAFETY - BILL 100722, ETC.

2 protocol that is taught at the Police
3 Academy?

4 The Philadelphia Police
5 Department mission statement references
6 enforcing laws while safeguarding the
7 constitutional rights of all people.
8 Officer Anderson violated the Eighth
9 Amendment rights of myself and this young
10 lady. Is it not unusual punishment to
11 even touch a human being with a
12 nightstick, especially when he or she is
13 conducting one's self in a peaceful
14 manner? Doesn't the Fourth Amendment
15 guarantee a person's right to be safe in
16 his or her person? And I have previously
17 mentioned the First Amendment violation
18 by making the students leave in the first
19 place.

20 Additionally, if you want them
21 to disperse, why not respectfully ask
22 them or inform them as to how this can
23 contribute to their own safety and
24 well-being, or is that something that
25 should not be offered to African American

1 12/14/10 - PUBLIC SAFETY - BILL 100722, ETC.

2 children that are perceived as subhuman
3 criminals, thugs, sociopaths and guilty
4 unless proven innocent?

5 We also must consider the
6 psychological torment involved with
7 putting a nightstick in someone's
8 personal space or their person. Was this
9 officer upholding the mission of the
10 Police Department? Is this honorable?
11 What service was provided here to my
12 student and myself? Or was he able to
13 just satisfy a shallow and fragile ego by
14 exerting authority over two people?

15 COUNCILWOMAN MILLER: Excuse
16 me, Mr. Parker. Have you -- in the
17 beginning you said you have not filed.

18 MR. PARKER: I have yet to.

19 COUNCILWOMAN MILLER: All
20 right. Well, I need to call on the next
21 person.

22 MR. PARKER: I just need 30
23 more seconds.

24 COUNCILWOMAN MILLER: All
25 right. Go on. Thirty seconds, okay.

1 12/14/10 - PUBLIC SAFETY - BILL 100722, ETC.

2 MR. PARKER: What service was
3 provided here to my student and myself?
4 Or was he able to just satisfy a shallow
5 and fragile ego by exerting authority
6 over two people?

7 Integrity is defined as
8 adherence to moral and ethical principles
9 and soundness of moral character. Is it
10 moral and ethical to put a stick on the
11 leg of a young girl as if she was a farm
12 animal? Is it moral and ethical to hit
13 me with the same stick as if I too were a
14 farm animal?

15 Emotional child abuse,
16 including belittling and humiliation
17 tactics, has long-term deleterious
18 effects. As a teacher, I am required by
19 law to report this type of abuse. This
20 is the major impetus for this letter.

21 This abuse of African American
22 youth is the norm within our
23 neighborhoods and communities and has
24 debilitating long-term effects that
25 contribute to the same anti-social

1 12/14/10 - PUBLIC SAFETY - BILL 100722, ETC.

2 behaviors that the Police Department is
3 charged with regulating.

4 Why is your department
5 perpetuating and increasing the problems
6 of the community by abusing the children
7 so regularly and with callous disregard
8 for their humanity? When is the
9 Philadelphia Police Department going to
10 cease to act as soldiers and occupy
11 territory and commence to be egalitarian
12 in their practices by protecting and
13 serving everyone with humanitarian
14 respect? And if your department wants to
15 protect the wealthy, the educated and the
16 propertied residents of Philadelphia,
17 along with the business interest they
18 support, while waging war against the
19 African American community, just be
20 honest and candid about it.

21 COUNCILWOMAN MILLER: Thank
22 you.

23 (Applause.)

24 MS. SABIR: I am Blessing
25 Sabir, but as I sit here, I represent

1 12/14/10 - PUBLIC SAFETY - BILL 100722, ETC.

2 Askia Sabur, I represent Tanya Yates, I
3 represent Sister Naima Shabazz. And I
4 say that because I am a law-abiding
5 citizen. I've been raised in
6 Philadelphia my entire life, and just in
7 the past three months, these names that I
8 name here today, I know of many cases,
9 but today I can speak directly to the
10 character, as these gentlemen in uniform
11 got up here and spoke about the character
12 of their departments and things like
13 that. Well, I can speak directly to the
14 character of the names that I mentioned.
15 And I want to start with Askia Sabur, a
16 friend of mine's from Head Start, pre-K
17 and kindergarten on up. You know, we
18 were the only Muslims in our classroom.

19 Askia -- I just want to speak
20 to their characters, and I don't want to
21 sit here and talk about -- we already
22 know what's going on in the police
23 district, but I want you to know about
24 the characters of the people who families
25 came to represent them today from an

1 12/14/10 - PUBLIC SAFETY - BILL 100722, ETC.

2 outside person looking in.

3 Askia is a brother that is an
4 asset to our community that you will find
5 at rallies when we had stop and go's too
6 close to our elementary schools. It was
7 our parents that had us out there from
8 yay high to fight back against crime in
9 our own communities. And to see a tape
10 of people who we were raised to respect
11 beating, beating a man that I didn't know
12 at the time was a friend of mine's, Askia
13 Sabur, just knowing that that was
14 horrible, pasting it to my Facebook page
15 to later find out from his family that
16 this is a brother who belongs to a
17 brother who upholds this community for 29
18 years and counting. I can only speak
19 about the ones that I have witnessed.

20 To go on to Tanya Yates, which
21 is a neighbor, this young lady, she's
22 younger than us, so I don't really know
23 her on a personal level as I may know
24 Askia, but they come from a great family
25 of culture, embracing the culture, giving

1 12/14/10 - PUBLIC SAFETY - BILL 100722, ETC.

2 back, teaching us about our roots, about
3 black Indians and just how we should be
4 able to uphold our communities and become
5 assets.

6 When I speak about Sister Naima
7 Sabur, -- I'm sorry; Naima Shabazz, Jones
8 now, this is a good sister. I go to --
9 the vocal coach that I frequent, she
10 brings her children there. She comes
11 with those four beautiful girls that love
12 to sing. And I came to her only because
13 I heard about it. I didn't know it was
14 her until I got there.

15 And I do, I see a lack of
16 coverage of media partaking in these
17 events and showing how the community is
18 getting involved.

19 But, again, to Sister Naima,
20 she has raised five beautiful children.
21 She's very active in their lives. She's
22 a woman that if you need a job, you can
23 holler at her, because she might know
24 some information to give you.

25 So I just want to make you

1 12/14/10 - PUBLIC SAFETY - BILL 100722, ETC.

2 mindful of the backgrounds of some of
3 these stories that we are hearing today.
4 And I'm going to -- I'm going to file out
5 and let somebody borrow my rollover
6 minutes of one.

7 (Applause.)

8 MR. LOGAN: Good afternoon.

9 Thank you for the opportunity to be here,
10 identify the Police Department and all of
11 us as being children of a creator beyond
12 description that has love and goodness,
13 is the soul of black creator's value
14 system, integrity and word given.

15 I was born August 10th, 1941 at
16 20th and Dauphin Street that my father
17 and myself and brothers from Gratersford
18 put there as a community center. Frank
19 Rizzo, who ironically kicked my ass when
20 I was coming up when they called him The
21 Cisco Kid, walking around with two .38's,
22 gave it to my father.

23 I was branded to be a very,
24 very intelligent black man, too smart to
25 be a black man. I told people that I was

1 12/14/10 - PUBLIC SAFETY - BILL 100722, ETC.

2 Cherokee Moore, that our creator is not a
3 respect to the people. He's not a
4 respect of gender, that we're all one
5 human and all life is precious to this
6 creator of ours.

7 This manifestation of truth,
8 you know, have me beaten, have my mind
9 disrupted and put in mental institutions,
10 you know, then RA.

11 I go to school, you know,
12 intelligent. People in my community know
13 that I'm really a smart guy and so they
14 help me, and I make it. Some kind of way
15 I survive, and people have told me that
16 angels have come and ministered to me,
17 but I won't even go there. I go with the
18 facts that do exist.

19 In 1958, I joined United States
20 Marine Corps, 17 years old out of Simon
21 Gratz High School. I never been called a
22 nigger until I got down Parris Island,
23 South Carolina under the influence of an
24 infamous Sergeant Franks. Nine men in my
25 battalion died. I survived to get a

1 12/14/10 - PUBLIC SAFETY - BILL 100722, ETC.

2 medical -- honorable medical discharge,
3 you know.

4 My mother -- my father died in
5 '96. Very conveniently, Philadelphia
6 Police Department locked me up the day
7 before my father's funeral. Now, I came
8 along with Bill Gray. My first lawyer
9 when I first got in any kind of trouble
10 was Garfield Levy. Robert C. Nick, Jr.
11 was one of my lawyers at one time. Cecil
12 B. Moore was one of my lawyers.

13 My mother died Valentine's Day
14 of 2004. May 30th of 2004, I'm standing
15 at 16th and Dauphin Street where I grew
16 up at around the corner from Nick's
17 Funeral Parlor talking to, unbeknowing to
18 me, a guard that I had studied with, been
19 in and out of prison, named Sullivan,
20 Michael Williams, Jewell Williams'
21 brother. The police rolls up and like --
22 the VA gives me a drug called Abilify.
23 Bottom line is, they asked me was I
24 intoxicated. And I'm standing on the
25 sidewalk talking to them and they asked

1 12/14/10 - PUBLIC SAFETY - BILL 100722, ETC.

2 me was I intoxicated.

3 So I said, Would you please get
4 out of my face, went in my pocket and
5 showed them my ID. They gave me a DUI.
6 I end up doing four years of
7 incarceration on an erroneous arrest.

8 You know, now I came along
9 being monitored for being a smart black
10 baby by police officers, like Ernest
11 Nichols, Melvin Floyd, Frank Tucker.
12 These are the cops that sort of -- am I
13 still -- have I woke up yet? Am I ever
14 going to gain my rightful mentality?

15 But I stand here today or sit
16 here today only by the grace of God to be
17 alive on this planet. Everybody, Bill
18 Gray, Jerry Moncella, they don't know me
19 per se, but they know of me, you know.
20 And, again, Philadelphia Police, you
21 know, in my opinion, they're
22 unconstitutional. I mean, they're
23 children of God. All of us live in the
24 same era of lies but, at the same time,
25 this abuse of authority from what you

1 12/14/10 - PUBLIC SAFETY - BILL 100722, ETC.

2 call vigilante or whatever, you know. I
3 mean, back in the day we call them the
4 man, but why can't us men just stand up
5 and be the men that we were created to
6 be? And let's face it, we don't need no
7 Police Department. We don't need no
8 criminal justice system, and come out of
9 this false economy that we are forced to
10 live under and go on the one of the
11 integrity of being as our creator created
12 us, you know.

13 I came forward and said that a
14 power came to this earth to rob it of its
15 material, its gold, its silver, its
16 wealth, and that this monetary system is
17 not one, in that the word of God is the
18 monetary system. And I'll be repeating
19 myself to say that integrity, honesty and
20 truth that even the police manifest in
21 their way -- not all of them are that
22 way, but what I said here today is the
23 honest to God truth. I was too smart to
24 be a black man in 1941. And I don't know
25 how they did it, but they robbed me of my

1 12/14/10 - PUBLIC SAFETY - BILL 100722, ETC.

2 mentality and I suffered again more at
3 the hands of Philadelphia -- at that
4 time, there was no real black police,
5 except for a few. I survived their
6 brutality, only to call myself running to
7 go into the Marine Corps, and only by
8 God's grace did I survive that
9 experience.

10 COUNCILWOMAN MILLER: Thank
11 you, Mr. Logan. Thank you.

12 (Applause.)

13 MS. SABIR: I just want to make
14 one comment. Askia's wife was here and
15 she asked me to mention to you guys --
16 she had to leave. She wanted me to
17 mention to you guys that she thought that
18 that was a great idea, as do I, for us to
19 have another meeting. Can we get a date
20 today? When can we get a date for --

21 COUNCILWOMAN MILLER: You can't
22 get a date today, no.

23 MS. SABIR: When will we be
24 able to get a date?

25 COUNCILWOMAN MILLER: Call my

1 12/14/10 - PUBLIC SAFETY - BILL 100722, ETC.

2 office in about a week or so.

3 MS. SABIR: Can I have a card,
4 please.

5 COUNCILWOMAN MILLER: I'll give
6 you a card. Come around that side.

7 MS. SABIR: Thank you.

8 COUNCILWOMAN MILLER: Thank
9 you.

10 MS. SABIR: Great job,
11 Councilman.

12 COUNCILWOMAN MILLER: Why don't
13 you file your report, okay? Mr. Parker,
14 file your report.

15 MR. PARKER: I will. Do you
16 have any questions for us?

17 COUNCILWOMAN MILLER: No.
18 Thank you.

19 Susan Gess.

20 (Someone yelling from
21 audience.)

22 COUNCILWOMAN MILLER: Susan
23 Gess, that's your name, correct?

24 MS. GESS: Yes.

25 COUNCILWOMAN MILLER: And

1 12/14/10 - PUBLIC SAFETY - BILL 100722, ETC.

2 Michael Jones.

3 Don't forget to pull the mike
4 up close so we can hear you, and identify
5 yourself for the record.

6 MS. GESS: Susan Gess.

7 COUNCILWOMAN MILLER: Ms. Gess,
8 you want to proceed? Ms. Gess, we asked
9 you to sign to be a witness because you
10 were saying things to us from behind.

11 MS. GESS: Right. Okay.
12 You're ready to hear me speak now?

13 COUNCILWOMAN MILLER: This is
14 the time that you can speak.

15 MS. GESS: Okay. The gentleman
16 that just left, I wish it could be like
17 that, that we didn't need a police force,
18 a fire department to work, but that's the
19 next life, right? Heaven.

20 Unfortunately, we do. I commend him for
21 his service in the Marines and I'm sorry
22 for his horrific experiences.

23 I worked as a war clerk or unit
24 secretary for 23 years at a neighborhood
25 hospital in Northeast Philadelphia off of

1 12/14/10 - PUBLIC SAFETY - BILL 100722, ETC.

2 the Boulevard, Nazareth, that took care
3 of many people of all colors, all faiths
4 and from other countries. What that lady
5 Catherine said is so true, that people
6 have come from other countries because of
7 Senator Arlen Specter and Jim Kenney and
8 our national government, our senators,
9 who did nothing to stop it, and even our
10 local government. They've taken our SSI,
11 our Social Security. They have free
12 health insurance while millions of
13 Americans don't. It's gone on too long,
14 and there is a criminal element. You
15 cannot do a background check on people
16 from a foreign country.

17 That area she's talking about,
18 the 7th Police District, Bustleton,
19 Somerton, mainly predominantly Russian.
20 I think planes are coming in every day
21 from Northeast Airport. I live in the
22 8th Police District. And it can't be
23 checked who is coming in. They could be
24 terrorists.

25 In New York City, there was a

1 12/14/10 - PUBLIC SAFETY - BILL 100722, ETC.

2 recent event where there was a gang of
3 people, about 10 or 20, from Russia that
4 were caught. They've been here since
5 prior to 9/11, and they may have been
6 involved with that. And they were
7 espionage agents for the KGB. They were
8 caught. It didn't make the Philadelphia
9 papers much, but it did make the New York
10 papers. And they were just sent back,
11 just like after September 11th, people
12 were sent back to Saudi Arabia or
13 wherever they come from with terrorists
14 that supposedly plotted to bring down the
15 United States. And we have people in
16 this country that want to bring down the
17 United States that feel disaffected,
18 disenchanted with our government.

19 I'm unhappy with a lot of
20 things our government has done, but I
21 certainly think that people like Mary
22 Mason should have been thrown off the
23 radio when she made a remark that only
24 white people were killed in the World
25 Trade Centers. There were people of all

1 12/14/10 - PUBLIC SAFETY - BILL 100722, ETC.

2 colors, of every nation, just like the

3 United Nations, all of us made by God.

4 And for her to make that remark, she

5 should have been charged with treason.

6 It was a disgraceful, despicable remark.

7 There were probably 3,000 people that

8 died there, if not more.

9 I also want to say this: That

10 everything that's said by people isn't

11 true. We need to have internal

12 investigations. I don't know about the

13 internal investigation in the police

14 force. There is a group that's been --

15 anyone that has gone to college or even

16 has a good high school teacher that tells

17 you there are urban people that are put

18 in place by our local government, and

19 what they do is urban revitalize, and

20 people come from other places with money

21 and affluence, and everyone that's white

22 is not rich and everyone that's black is

23 not rich. But some people that are black

24 or African American are very wealthy,

25 like our President and the head of the

1 12/14/10 - PUBLIC SAFETY - BILL 100722, ETC.

2 Republican National Party, Mike Steele,
3 and the head of Coca-Cola. And everyone
4 that's white -- there's plenty of whites
5 that are wealthy.

6 So it's not a matter of race.
7 It's not a matter of color. And, you
8 know, there is things that go wrong in
9 the Police Department. I never made a
10 major issue of it, but when I saw a young
11 black man with dreadlocks on with a
12 T-shirt that read I F-U-C-K nuns, I was
13 offended, and I told him off in person.
14 And I didn't care if I got stabbed or
15 shot over it. It was an anti-Catholic
16 remark in a mainly Catholic city,
17 predominantly. I don't know how many
18 Catholics work in City Hall, even though
19 we have a Mayor that claims to be
20 Catholic or lapsed.

21 But, you know, it's obviously
22 an anti-Catholic matter that nobody -- I
23 was told by predominantly all black
24 police officers when I picketed Planned
25 Parenthood -- I am an activist -- that,

1 12/14/10 - PUBLIC SAFETY - BILL 100722, ETC.

2 no, that wasn't against the law. It is
3 illegal to wear a T-shirt like that or it
4 should be, because it could actually
5 incite a riot.

6 COUNCILWOMAN MILLER: Thank
7 you, Ms. Gess. Thank you for your
8 testimony.

9 MS. GESS: I do want to say --

10 COUNCILWOMAN MILLER: Your
11 three minutes are up.

12 MS. GESS: -- that Al
13 Sharpton --

14 COUNCILWOMAN MILLER: Excuse
15 me.

16 MS. GESS: -- lied and I don't
17 know who --

18 (Microphone turned off.)

19 COUNCILWOMAN MILLER: Michael
20 Jones. Thank you.

21 MR. JONES: My name is Michael
22 Jones. First of all, thank you very much
23 for the opportunity.

24 COUNCILWOMAN MILLER: You're
25 welcome.

1 12/14/10 - PUBLIC SAFETY - BILL 100722, ETC.

2 MR. JONES: But, see, this is
3 my beat, these hearings and whatnot. I
4 even have you '78 where you had a hearing
5 where the police ran out as a result of
6 me giving information in this case.

7 Okay. In '76 I was falsely
8 arrested and accused of strong-armed
9 robbery and whatnot. I was convicted.
10 The police did this on their own. So I
11 got three years probation, and shortly
12 thereafter, I was beaten by the police
13 and whatnot. I was beaten. Me and the
14 police got into a fight and I was beaten,
15 and when we went to the hospital, the
16 police had refused to remove my
17 handcuffs. In fact, the doctor put a
18 thing in my transcript saying that they
19 refused to remove the handcuffs, gave the
20 names and the numbers of them and
21 whatnot, you know. And when they took
22 the handcuffs off, my wrist as well had
23 required being x-rayed.

24 On August 8th, 1978 when the
25 MOVE thing went on, I was arrested at

1 12/14/10 - PUBLIC SAFETY - BILL 100722, ETC.

2 30th and Market and I was charged with
3 being at 33rd and Spring Garden and
4 whatnot. They brought these charges
5 against me in spite of the fact that I
6 definitely wasn't there and whatnot. But
7 they finally dropped them later.

8 I have as a result of being
9 under the influence of the MOVE
10 organization came to represent myself in
11 cases. I have a case where in City
12 Hall -- well, I can't go over the cases.
13 In City Hall in 1981, which was like a
14 month prior to when Mumia was taken
15 down -- understand that a part of the
16 thing with Mumia being taken down was to
17 eliminate the support and the outcry from
18 the public that Mumia was bringing,
19 because Mumia wouldn't shut up. And I
20 was -- he and I was one of the only few
21 supporters that MOVE organization had. I
22 was taken down and I was charged with
23 aggravated assault, recklessly
24 endangering another person, obstruction
25 administration of law, obstruction

1 12/14/10 - PUBLIC SAFETY - BILL 100722, ETC.

2 administration of justice. And I sat in
3 jail for four months before they ever
4 brought me down to my case.

5 After they brought me down in
6 four cases, I wrote a motion for
7 dismissal, which Judge Ricardo Jackson
8 granted. I was released, and then
9 shortly thereafter, they reopened my case
10 without bringing me forward. I
11 represented myself, and within the whole
12 case, you have a thing called rule to
13 show cause, where I was supposed to show
14 cause why they weren't supposed to reopen
15 my case. I never got to -- I never went
16 to a courtroom and spoke on anything, but
17 they did -- they opened my case in spite
18 of that fact. And they had, you know --
19 now, this whole thing with police abuse
20 is only a conspiracy that's connected
21 with the association with the District
22 Attorney. It's a conspiracy that's
23 associated with the judge and judicial
24 system. I'm saying that these judges
25 opened my case in spite of the fact that

1 12/14/10 - PUBLIC SAFETY - BILL 100722, ETC.

2 I wasn't present in these hearings. And
3 there were a few that wouldn't
4 participate in it, but nonetheless, they
5 opened the case. And I'm saying that I
6 was released on these charges after four
7 months, and I felt relieved at being
8 released, but the fact was that these
9 police had beat me, had broken my ribs,
10 took me up to the seventh floor,
11 handcuffed me behind me back, with one
12 cop on each side, took me up to the
13 seventh floor, and every doorway that we
14 came to, one went on one side, one went
15 on the other and they rammed me. They
16 got me up to the seventh floor. They
17 beat me with a baseball bat.

18 Now, they dismissed the
19 charges. I was glad to have that happen,
20 but these people have beaten me, held me
21 and got away without saying a word.
22 Although I argued and fought to keep the
23 case from being reopened, I was glad when
24 it was finally reopened and I got an
25 opportunity to hear the testimony of the

1 12/14/10 - PUBLIC SAFETY - BILL 100722, ETC.

2 police.

3 I'm saying that the 35th
4 District and whatnot was nothing more
5 than a scapegoat. It's not in any single
6 district that the problem lies. I'm
7 saying it's this entire system throughout
8 the United States, throughout surely
9 Philadelphia, and I'm saying the problems
10 we have in our community, part of that
11 problem is that we don't have any
12 community.

13 We're here -- ain't nothing
14 changed from being slaves and all the
15 things that are going on and -- look, I
16 don't know. I'm done. I thank you very
17 much.

18 COUNCILWOMAN MILLER: All
19 right. Thank you, Michael.

20 (Applause.)

21 MR. JONES: Oh, look, I can
22 give you these papers, though, right?

23 COUNCILWOMAN MILLER: Yeah.

24 MR. JONES: Okay.

25 COUNCILWOMAN MILLER: Abdul

1 12/14/10 - PUBLIC SAFETY - BILL 100722, ETC.

2 Jabar. Abdul Jabar, Aisha Holland or
3 Alishia Holland. Please say if you're
4 here, let me know.

5 (No response.)

6 COUNCILWOMAN MILLER: Just say
7 hey, or whatever.

8 Vivienne Crawford. I know
9 Vivienne is still here. Christine Ford.
10 Hi. Come on up.

11 (Witnesses approached witness
12 table.)

13 COUNCILWOMAN MILLER: Brinkley,
14 you are not testifying again.

15 MR. BRINKLEY: I'm done.

16 COUNCILWOMAN MILLER: We know.
17 We know that.

18 And Joe Thompson. Joe
19 Thompson.

20 Now, is there anybody else in
21 the room that wants to testify? We need
22 to know that like now.

23 (No response.)

24 COUNCILWOMAN MILLER: All
25 right. Good. So these are the last --

1 12/14/10 - PUBLIC SAFETY - BILL 100722, ETC.

2 that's it.

3 (Someone yelling from
4 audience.)

5 COUNCILWOMAN MILLER: Well,
6 Sweit Adeen, I've called his name twice.
7 Is he back yet?

8 (Someone yelling from
9 audience.)

10 COUNCILWOMAN MILLER: Well,
11 hopefully he'll get back here before we
12 end this.

13 Abdul wasn't here, correct? So
14 we're going to go to Aisha Holland, is
15 she here?

16 (No response.)

17 COUNCILWOMAN MILLER: Vivienne,
18 then you're next.

19 MS. CRAWFORD: I'm next?

20 COUNCILWOMAN MILLER: Yes.
21 Just to repeat, particularly for those
22 that may not have heard, it's three
23 minutes max, and we're not going to
24 discuss any case that's presently under
25 investigation. You can talk about it,

1 12/14/10 - PUBLIC SAFETY - BILL 100722, ETC.

2 but we're not going to like -- okay.

3 Thank you. Pull the mike up, identify
4 yourself and proceed with your testimony.

5 MS. CRAWFORD: Yes. My name is
6 Vivienne Crawford and I am counsel for
7 National Action Network, which is NAN.

8 Mr. Brinkley is displaying some
9 photographs of a client of mine. I'm an
10 attorney in the City of Philadelphia.
11 This is a client that I represented. He
12 was arrested in November 2008. The
13 interesting thing about this is that --
14 his case is now over and he is on house
15 arrest, but the problem is, he never --
16 there was never a suggestion that
17 indeed -- he was arrested for carrying a
18 firearm. The firearm was left in his
19 car. His wife came to get his car and he
20 had the firearm on him. However, be that
21 as it may, we never tried to back away
22 from the testimony in terms of the fact
23 that he did have the gun, which was
24 licensed to someone else and the person
25 was on his way to get it. However,

1 12/14/10 - PUBLIC SAFETY - BILL 100722, ETC.

2 Mr. Thompson was beaten by five police
3 officers. They said that a dog attacked
4 him. There was no dog in the area. And
5 so I then asked some questions in terms
6 of the police officers that arrested him.

7 Mr. Thompson required plastic
8 surgery on his face, and during the time
9 that he was being beaten by the police,
10 highway patrol officers, who I will
11 identify, he was -- they were beating him
12 and they were saying, Fuck Barack, he
13 can't help you now. This was immediately
14 after the election of President Obama.

15 I submit to you that we are
16 suffering in the African American
17 community a backlash because there are
18 many people who are upset about the fact
19 that they can't imagine waking up in a
20 country with an African American
21 President. So I want to say that.

22 Now, this case was resolved and
23 was resolved in a manner that made sense,
24 because my client never denied that
25 indeed he was standing in front of a

1 12/14/10 - PUBLIC SAFETY - BILL 100722, ETC.

2 place of business with a gun in his
3 pocket. However, the police had no
4 reason to be in the neighborhood. There
5 was no call. I asked on
6 cross-examination at the preliminary
7 hearing. There was nothing going on in
8 that neighborhood, save the fact that
9 five highway patrol officers lighted on
10 this corner. No call, no problem. They
11 just came there because you see a group
12 of black men standing on a corner,
13 somebody has got something.

14 If you stop -- I submit, if you
15 stop anyone walking down the street
16 minding his own business, if you stop
17 these people, out of ten people you're
18 going to find people with problems. So I
19 don't think that the police have a right
20 to just attack somebody because he's
21 standing out with a group of men.

22 Now, the other thing, we had
23 hearings -- NAN had hearings in June of
24 2009. We had 27 different instances of
25 people coming up, women telling us how

1 12/14/10 - PUBLIC SAFETY - BILL 100722, ETC.

2 they have been attacked by the police,
3 just the police -- they just ride through
4 the neighborhoods and attack people
5 randomly. We have 27 cases. We took
6 those cases to Washington, DC and left
7 them at the Office of the Attorney
8 General, because I submit that we hear
9 all of these things about police
10 officers, no one seems to be able to do
11 anything, and my question is, since
12 there's precedent, perhaps we need to
13 have a master appointed for the Police
14 Department. Perhaps there needs to be a
15 master over the Police Department,
16 because for some reason, they seem to not
17 be able to police themselves.

18 I also have records here
19 because, of course, I was approached by
20 the District Attorney. They didn't want
21 to give up any information about the
22 prior arrest of the police officers that
23 beat this man. However, there was a back
24 door to get those records, and I'm here
25 to let everybody know. You can get the

1 12/14/10 - PUBLIC SAFETY - BILL 100722, ETC.

2 records on police officers by going to
3 Internal Affairs. That's available, if
4 you will pay for them.

5 So I found out that the police
6 officers who beat this man up, several of
7 them had long histories of abuse against
8 the community. One police officer had
9 slammed a woman's hand in a door and took
10 her finger off. This woman was a Latino
11 woman, who was afraid to come to object
12 to this. I have the internal files on
13 five police officers, that there is no
14 question these men do not have a right to
15 have a badge and a gun. They are
16 terrorizing our community, and as a
17 result of highway patrol, when they used
18 to go up and down the expressways, I
19 guess it was an easy job. Now they're in
20 our communities because the state
21 troopers are on the expressways, and
22 these men are angry about being in the
23 community, have no people skills, and
24 someone has to do something.

25 If you ask anybody, they will

1 12/14/10 - PUBLIC SAFETY - BILL 100722, ETC.

2 tell you the boot cops are the problem.
3 They talk about boot cops. These are
4 cowboy cops. And if we don't do
5 something to stop it, I am afraid there's
6 going to be an explosion in this city.

7 So we are asking that the
8 federal government come in here and take
9 over the Police Department. And,
10 Commissioner Ramsey, I don't know you.
11 I've never had the pleasure of having a
12 meeting with you, but I submit to you
13 that if the job can't be done, we need
14 Eric Holder to give us a master and get
15 some control over the police.

16 Thank you.

17 COUNCILWOMAN MILLER: Thank
18 you.

19 Ms. Ford, correct?

20 MS. FORD: Hi. My name is
21 Christine Ford and I'm here on behalf of
22 Ernest Ford. I'm his wife. And on July
23 of 2005, July the 2nd of 2005, I was at
24 the radio station with my daughter, and I
25 got a phone call at the radio station

1 12/14/10 - PUBLIC SAFETY - BILL 100722, ETC.

2 that my husband was being beat up by the
3 police at 51st and Market. I then
4 grabbed my -- I didn't have time to grab
5 my daughter, so I told my daughter -- I
6 had my girlfriend to keep her there at
7 the radio station while I ran down there
8 to see what was going on.

9 At that time, I got down to
10 51st and Market -- well, at that time, I
11 got to 51st and Pine -- 55th and Pine at
12 the police station, and they explained to
13 me that my husband was arrested. He
14 didn't have any clothes on. They had
15 done beat him out of his clothes.

16 At that time, I spoke to a
17 Civil Affairs officer. He met me as I
18 was coming into the police district. He
19 said to me, Hold on, Ms. Ford. Let me
20 speak to you for a minute.

21 I said, What's going on? Why
22 did they beat my husband up?

23 He said, Look, we have your
24 husband. They have your husband down in
25 the cell. What I'm going to do is give

1 12/14/10 - PUBLIC SAFETY - BILL 100722, ETC.

2 you a cell phone and I'm going to give
3 him a cell phone, and I'm going to let
4 him speak to you through the cell phone.
5 He said if I was out there, this would
6 not have never had happened.

7 So I said, Well, what happened?

8 He said he was -- he said that
9 he was blocking traffic. We had to stop
10 him from -- they had to stop him from
11 blocking traffic, which was a normal
12 protest. Any other protest, they block
13 traffic. Nothing, you know, seemed to
14 happen. The Civil Affairs officers
15 usually come out and stop any police
16 officers from interrupting what's going
17 on with the protest.

18 I said, Well, what happened?

19 He said, I do not know. I
20 don't have all the details as of yet,
21 Ms. Ford, but once I do, I will get back
22 in contact with you.

23 At that time, I went to his
24 hearing. He had a preliminary hearing at
25 55th and Pine. The three officers was

1 12/14/10 - PUBLIC SAFETY - BILL 100722, ETC.

2 sitting in the seats in the back of me.

3 They didn't know who I was. I didn't

4 know who they were. I never met them

5 before.

6 So I came and I sat down. They

7 were sitting in back of me. I hear them

8 talking. One black police officer -- his

9 name was Officer Sanders -- said to the

10 other officer, Where's the young man we

11 supposed to have beat up? So at that

12 time, my husband was coming in the door.

13 He had the collar around his neck and he

14 also had crutches.

15 He said -- one of the white

16 police officers said, Yeah, there he goes

17 right there.

18 So I'm listening to them, and,

19 you know, I don't know what they said.

20 So the black officer said, Well, look at

21 him. Look at him. He act like we really

22 did something. All we did was whip his

23 ass. We didn't kill him. We only

24 whipped his ass.

25 I went down and filed a

1 12/14/10 - PUBLIC SAFETY - BILL 100722, ETC.

2 complaint against what happened.

3 When we get to court, federal
4 court, with the whole nine yards, they
5 lied. They said they never said this.
6 They never did this.

7 I mean, my only concern with
8 this is that there is so much corruption
9 when it comes to the judicial system when
10 it comes to black people. I sat there
11 and I cried. I gave my testimony just
12 like I'm giving my testimony to you guys.
13 Nothing was done. Nothing was said.
14 They looked at me, they looked at him,
15 and they said, Case dismissed. They
16 threw everything out, because these
17 officers was never held accountable for
18 what they did to my husband.

19 My husband went and had
20 probation for a year. He had to go back
21 and forth down there for probation.
22 Never been in trouble in his life. Ran
23 for State Representative here in this
24 country, ran for Mayor. Also had a
25 commendation from Officer Rendell -- I

1 12/14/10 - PUBLIC SAFETY - BILL 100722, ETC.

2 mean from Mayor Rendell, Governor

3 Rendell. He gave him a recommendation.

4 He had all these things. You

5 know what I'm saying? Never been in

6 trouble. My concern with that was, what

7 was the point of these officers coming on

8 with the protest and beating him up for

9 no reason? You know what I'm saying? He

10 didn't have no weapon. He didn't have no

11 gun. He didn't have no knives. All he

12 had was a poster that states "Police

13 Brutality," state that we need to stop

14 police brutality. They didn't like it,

15 so they came out and they did what they

16 had to do by beating him up. They kept

17 throwing him back and forth into the van

18 until they knocked him out. He wanted to

19 go to the hospital. They lied in the

20 testimony saying that they took him to

21 the hospital, and they also lied and said

22 that the hospital that they took him to

23 and the doctor's name -- which there was

24 never a doctor with that name, never did

25 they ever took him to the hospital, you

1 12/14/10 - PUBLIC SAFETY - BILL 100722, ETC.

2 know. So all these things come to play
3 when the police seems to -- they find it
4 in their heart because they have a gun,
5 they have a badge, they could do exactly
6 what they want, we can do nothing about
7 it, because we're citizens. We can't say
8 anything to them or do anything. They
9 feel like they could do exactly what they
10 want, and if you get out of pocket
11 several times -- I am the committee
12 person in Kensington, you know, the whole
13 area of Kensington. I go back and forth
14 talking to different families about the
15 incidents that happened with police
16 officers with their children. I have
17 been woken up many times at nighttime.
18 Ms. Ford, could you come out and talk to
19 us, help us?

20 You know what I'm saying? This
21 has become an epidemic in our community
22 where these police officers can come into
23 our community, terrorize us, victimize
24 us, make us feel like we do not belong,
25 and I think it's unfair.

1 12/14/10 - PUBLIC SAFETY - BILL 100722, ETC.

2 My husband right now -- I
3 suffer. My husband suffers from dreams
4 at night. I hear him screaming. I hear
5 him jumping out of bed. I hear him
6 fighting, kicking and just screaming,
7 like, Stop, stop, stop, don't hurt me,
8 don't hurt me. I hear these things every
9 night. You know what I'm saying?

10 Police officers don't know what
11 they do to our family when they take our
12 children lives or they beat our family
13 up, beat one of our family members up.
14 They don't know what they do to us. But
15 let that be one of their family members,
16 then it's another story. Then my husband
17 would have been in jail if he had
18 attacked them, or he probably would have
19 been dead.

20 COUNCILWOMAN MILLER: Thank
21 you, Ms. Ford.

22 Joe Thompson.

23 MR. THOMPSON: Yes. My name is
24 Joe Thompson. I'm a resident of West
25 Philadelphia, the 19th District. August

1 12/14/10 - PUBLIC SAFETY - BILL 100722, ETC.

2 3rd, 2010, I was assaulted by the
3 Philadelphia Police Department. Minding
4 my business walking down the driveway,
5 the police was in pursuit of another
6 individual, which they happened to have
7 his ID in their hand, so they met me at
8 the individual's home. As I was walking
9 down the driveway behind his house --
10 actually, I share the driveway with the
11 Councilman Curtis Jones. And I spoke to
12 two of the officers, Darnell Jesse from
13 the 19th and another young man. They
14 spoke to me. Hey, Joe, how you doing?

15 As I proceeded to walk by,
16 another officer said, Stop him. They
17 stopped me. They said, Put your hands on
18 the car. Do you have ID?

19 I said, Yes, I do. They never
20 went in my pocket to check my ID, which
21 they had the suspect's ID in their hand,
22 who is 5'5". I am 6'5".

23 At that present time, an
24 officer took me and turned my head around
25 and looked at me and said, Is this him?

1 12/14/10 - PUBLIC SAFETY - BILL 100722, ETC.

2 They said, Yeah.

3 Their words was, You like
4 fucking hitting cops.

5 They proceeded to beat me for
6 about five minutes. It was nine
7 officers, nine of them. They stomped me,
8 they kicked me, they kicked me in my face
9 and my neck, twisted my arm around,
10 kicked me in my ribs, continued to punch
11 me in my face, talking about, You like
12 hitting officers.

13 I'm telling you, you have the
14 wrong one. It's not me.

15 After it was all said and done,
16 they turned around and said, Oh, no,
17 that's not him. That's the guy from the
18 radio.

19 So at that present time, they
20 let me go and they walked away. They
21 didn't press no charges. They didn't
22 arrest me. They didn't say, I apologize,
23 do you need medical assistance? I'm
24 bleeding all over my entire face and my
25 body.

1 12/14/10 - PUBLIC SAFETY - BILL 100722, ETC.

2 My neighbors are outside. My
3 children are outside. I'm embarrassed.
4 I'm a pillar in my community. I'm a
5 mentor in my community. For that to
6 happen to me was a total disrespect for
7 them guys, those officers from the
8 Philadelphia Police Department, which are
9 the 19th.

10 I'm not here to bash the Police
11 Department. All police officers are not
12 bad people. I'm not going to sit here
13 and say, Oh, they cops, this -- no. It's
14 a few of them that are bad seeds that
15 make it look bad for everybody else,
16 because the majority of people in the
17 19th know me. You understand? So for
18 that to happen -- I feel as though those
19 men and the young lady that was involved,
20 they need to be addressed. They need to
21 be suspended or even have their jobs
22 taken from them, because you're supposed
23 to protect and serve, not seek and
24 destroy.

25 They were upset because the

1 12/14/10 - PUBLIC SAFETY - BILL 100722, ETC.

2 suspect got away. So you take your
3 frustrations out on me? On me? And I
4 did nothing but comply to all their, Put
5 your hands on the car.

6 They know -- three of them knew
7 me personally, and the three that knew me
8 even consisted -- they even helped stomp
9 me, knowing I wasn't the individual. But
10 because that's their core, their core,
11 they couldn't stand back and say, I'm not
12 going to jump in this one because, you
13 know, I know him. No. They had to whoop
14 my ass too. Excuse my French.

15 I mean, we are in this
16 building, but this is how they treated
17 me. And I'm not afraid of the police,
18 but sometimes I don't know how they going
19 to react. I thought they were going to
20 kill me if I made an attempt to defend
21 myself. They would have shot me or they
22 would have smacked me in my head with
23 that stick and I don't know how I would
24 have ended up. So I just protected
25 myself.

1 12/14/10 - PUBLIC SAFETY - BILL 100722, ETC.

2 To this day, I would like to
3 turn around and say to the Police
4 Department, all police officers are not
5 bad people and you guys do your job and
6 it's a very dangerous job and I respect
7 what you do. I just think that some of
8 the people that work for you guys, you
9 need to check their background a little
10 bit more thoroughly before you hire them,
11 because they're all not fit to be
12 officers. To be an officer, that's a
13 special privilege.

14 COUNCILWOMAN MILLER: Have you
15 filed a complaint, Mr. Thompson?

16 MR. THOMPSON: Yes, I did,
17 ma'am.

18 COUNCILWOMAN MILLER: Okay.
19 Great. Okay.

20 MR. THOMPSON: Thank you.

21 COUNCILWOMAN MILLER: Any other
22 questions?

23 MS. CRAWFORD: I'd just like to
24 add something that the gentleman just
25 said. All police officers are not bad.

1 12/14/10 - PUBLIC SAFETY - BILL 100722, ETC.

2 I have relatives that are police
3 officers, but here's the problem: The
4 good police officers know who these bad
5 seeds are. That's the problem. They
6 refuse to speak out. They know who they
7 are.

8 COUNCILWOMAN MILLER: People
9 have been identifying that as an issue
10 throughout the day, the code of silence.

11 MS. CRAWFORD: Okay. Thank
12 you.

13 COUNCILWOMAN MILLER: Thank
14 you.

15 I really want to thank everyone
16 that has come in and pretty much spent
17 their day in the Chambers.

18 This is the last witness. You
19 were not in the room when I said is there
20 anybody else to testify. Come up to the
21 table, identify yourself, and this is it.
22 Pull your mike up so we can hear you.
23 Okay? Three minutes.

24 MR. MIKEL SHABAZZ: Thank you
25 very much, Councilwoman Miller, for

1 12/14/10 - PUBLIC SAFETY - BILL 100722, ETC.

2 allowing me to speak. My name is Mikel
3 Shabazz. I'm a former officer with the
4 United States military, Operation Iraqi
5 Freedom war veteran, as my father was a
6 Korean War veteran and my grandfather,
7 World War II veteran.

8 I'm here today to talk about
9 some of the things that I've observed in
10 the community. I'm also a federal
11 environmental law enforcement officer,
12 and I'm an Imam and a Masjid in Northwest
13 Philadelphia and a father of a daughter
14 who was beaten a couple of weeks ago by
15 the police officers with no
16 justification, and also a foster father
17 of 14 children, four of which were from
18 Civil War torn strife countries in
19 Africa, one from Sudan -- or two from
20 Sudan, one of whom was beaten by the
21 police officers severely, after which
22 they realized they had the wrong person
23 and they only said sorry afterwards.

24 What I'm concerned about is
25 what appears to be in the black community

1 12/14/10 - PUBLIC SAFETY - BILL 100722, ETC.

2 this mass human warehousing campaign
3 where there's basically a war being waged
4 against the black community that
5 basically disenfranchises them as a
6 result of them being charged as a felon
7 so that they don't have the right to
8 vote. They're ineligible for public
9 assistance, public housing, employment,
10 educational assistance, and the list goes
11 on, such that after about three years
12 after getting out of prison, they go
13 right back, most -- in some cases within
14 three months after coming out.

15 At the same time, they're
16 depopulating the black community. The
17 corresponding federal dollars that come
18 to our community as a result of the
19 census no longer come to those
20 communities, but instead go to inflated
21 populations out in the rural areas where
22 the populations are increased due to the
23 increase in prisoners, who have no right
24 to vote, along with those federal dollars
25 that go out.

1 12/14/10 - PUBLIC SAFETY - BILL 100722, ETC.

2 We've seen a corresponding
3 increase in assaults by police officers
4 against the Muslims in particular, as
5 well as the black community in general.

6 Now, I mentioned the fact that
7 I served in Iraq. I was with the 304
8 Civil Affairs Brigade. I was in the
9 heart of Iraq - Ramadi, Diwaniyah,
10 Baghdad - and I can tell you working as a
11 Civil Affairs officer, we had Iraqi
12 people come to us to get their concerns
13 addressed because of some of the soldiers
14 who basically treated those people
15 cruelly, and what I would contend that as
16 a result of the actions of some soldiers,
17 these were the breeding grounds for the
18 insurgencies which caused us a lot of
19 problems.

20 Now, fortunately at this time,
21 we don't have that situation here among
22 the Muslim community, although I would
23 say that there is a breeding ground
24 growing, and by these actions by the
25 police officers, especially when you harm

1 12/14/10 - PUBLIC SAFETY - BILL 100722, ETC.

2 innocent people, you're growing these
3 seeds of terrorism, because you get what
4 you give. What goes around comes around.

5 People are tired of this
6 treatment as if we don't care. We can
7 see many examples of this all around the
8 world. As I said, fortunately to the
9 extent that we can, the Imams are trying
10 to tell everyone to go through this legal
11 process, voice your concerns, file a
12 complaint, but people don't want to hear
13 that. They want action.

14 The abuse must stop. People
15 need to listen to their leaders. If the
16 Mayor -- I mean, we had commanding
17 generals who didn't tolerate those kinds
18 of actions, and those soldiers who were
19 responsible for these mistreatments of
20 the Iraqi people were punished and some
21 of them were incarcerated. Many of them
22 were demoted in rank. Our unit, the
23 Civil Affairs group, we had lawyers did
24 the investigations, found these people to
25 be guilty of stealing money and gold and

1 12/14/10 - PUBLIC SAFETY - BILL 100722, ETC.

2 jewelry and cars and all kinds of things
3 from these people. And the same thing is
4 happening. I just heard the young man
5 testify about what happened to him.

6 When the people begin to see
7 that the people who don't really deserve
8 this type of treatment from the police,
9 who are supposed to serve and protect,
10 are treated in that manner, then this is
11 going to breed complete animosity among
12 the people against the police.

13 So what I'm asking is, some
14 people think that these hearings are a
15 waste of time, that this is just a show,
16 that you really don't intend to do
17 anything, that this is just an
18 opportunity for people to voice their
19 concerns and nothing is going to happen
20 afterwards. Well, we in the faith
21 community, we know that this universe is
22 operated by divine law. There is a law
23 of cause and effect. What goes around
24 comes around. If you don't take your
25 responsibility seriously to do justice,

1 12/14/10 - PUBLIC SAFETY - BILL 100722, ETC.

2 then we know that there is a God and he
3 will definitely demand justice.

4 We believe that whether or not
5 you do what you're supposed to do or not,
6 justice indeed will be served, and we
7 hope that it's done in a way that is
8 responsible so that the harm that doesn't
9 have to occur to anyone won't occur
10 anymore.

11 There's much more I can say. I
12 thank you for allowing me to speak these
13 few words. I hope that they were clear
14 even though I was pressed for time and I
15 didn't have a chance to really --

16 COUNCILWOMAN MILLER: I want to
17 thank you for coming in. What is your
18 daughter's name again?

19 MR. MIKEL SHABAZZ: My
20 daughter's name is Naima Jones.

21 COUNCILWOMAN MILLER: Naima?

22 MR. MIKEL SHABAZZ: Yes. She's
23 a mother of five, just coming over for
24 the weekend for Thanksgiving, coming from
25 her mother-in-law's house over to our

1 12/14/10 - PUBLIC SAFETY - BILL 100722, ETC.

2 house. Her mother-in-law lives in
3 Southwest Philadelphia. She's coming up
4 to East Oak Lane and stopped off to pick
5 up her bag, suitcase, for some extra
6 clothes for the children to wear over the
7 weekend and saw this person banging on
8 her car, and she basically said, Get away
9 from my car. Who are you? You know, my
10 children in there. This is late at
11 night.

12 COUNCILWOMAN MILLER: I know.

13 MR. MIKEL SHABAZZ: She lives
14 in North Philly and so forth.

15 But anyway, it was a really
16 unnecessary situation, and she was tased,
17 I don't know, six or seven or eight
18 times, thrown down to the ground, face
19 down with a foot placed on her head,
20 mouth pushed in the dirt. She was
21 bleeding. All of this happened in front
22 of her oldest daughter. Fortunately, the
23 other children were asleep.

24 COUNCILWOMAN MILLER:

25 Mr. Shabazz, I have another question.

1 12/14/10 - PUBLIC SAFETY - BILL 100722, ETC.

2 Your other daughter told us about all
3 that took place.

4 MR. MIKEL SHABAZZ: Yes. I
5 didn't want to come in here to talk about
6 that.

7 COUNCILWOMAN MILLER: I just
8 want to ask one other. Did it happen two
9 weeks ago or did it happen January?

10 MR. MIKEL SHABAZZ: No. This
11 was in -- a couple of weeks ago.

12 COUNCILWOMAN MILLER: Okay.
13 Because someone said that, but then
14 someone else said January.

15 MR. MIKEL SHABAZZ: No. This
16 happened on November the 27th. But what
17 I'm -- I mean, I'm not only concerned
18 about my daughter, and obviously I'm
19 concerned about her, but I'm concerned
20 more about the climate that's --

21 COUNCILWOMAN MILLER: We
22 understand. That's what we're concerned
23 about.

24 MR. MIKEL SHABAZZ: That this
25 is a powder keg that's going to explode,

1 12/14/10 - PUBLIC SAFETY - BILL 100722, ETC.

2 and it doesn't have to happen.

3 COUNCILWOMAN MILLER: Right.

4 Well, that's --

5 MR. MIKEL SHABAZZ: The
6 ramifications of the situation I know
7 could be very significant in a wide
8 variety of ways. We have a number of
9 issues.

10 You talk about people filing a
11 complaint. Most of the people don't even
12 graduate from high school. They can't
13 even read or write. And this frustration
14 is building, not to mention the fact that
15 you're compounding the situation with the
16 lack of jobs, the lack of a number of
17 things, educational opportunities. These
18 are natural breeding grounds for people
19 to take out their frustrations in ways
20 that are not productive nor constructive.

21 COUNCILWOMAN MILLER: Right.

22 We understand that.

23 MR. MIKEL SHABAZZ: And already
24 there is a concern on many people's part
25 about what some people say the jailhouse

1 12/14/10 - PUBLIC SAFETY - BILL 100722, ETC.

2 Islam and the influence of the terrorists
3 in terms of the Muslims that are here.

4 So what I'm saying is that we
5 need to take this thing very seriously,
6 because we don't know the ramifications
7 associated with it. Now, some people
8 think that they can put a handle on these
9 things, but some people are of the
10 mindset -- and you see this evidenced in
11 other parts of the world -- that when
12 they feel as though they don't have
13 anything else to live for, then they're
14 ready to die for it, and they don't care.
15 Okay? And so I hope it doesn't get to
16 that point. We're trying to contain it
17 as much as we can, but we don't control
18 anything. God is in control of
19 everything.

20 But, like I said before, you
21 get what you give. What goes around
22 comes around. To every action there is
23 an equal and opposite reaction. These
24 are divine law. You can't get around it.
25 You can't ignore it, and if you do, it

1 12/14/10 - PUBLIC SAFETY - BILL 100722, ETC.

2 doesn't matter anyway. It's going to
3 take effect.

4 COUNCILWOMAN MILLER: Right.

5 Thank you for coming in and sharing.

6 MR. MIKEL SHABAZZ: Thank you.

7 COUNCILWOMAN MILLER: Thank you
8 very much.

9 Councilman Jones, and then
10 we're going to recess to the call of the
11 Chair.

12 COUNCILMAN JONES: I just want
13 to thank everyone who participated today.
14 Everybody has different motivations in
15 life. I'm not qualified to judge another
16 human being's motivations or intentions,
17 or intentions, but I can tell you ours.
18 Ours was to listen and to glean from it a
19 very emotional situation, but things that
20 we can use to make it better.

21 And I'm going to end with this
22 quote: When will justice come? When
23 those who are not injured are just as
24 indignant as those who are. That was a
25 Greek philosopher somewhere a long time

1 12/14/10 - PUBLIC SAFETY - BILL 100722, ETC.

2 ago. It was a true then and it's true
3 now.

4 Thank you.

5 COUNCILWOMAN MILLER: I want to
6 thank you. And, listen, I mean, people
7 can think whatever they want to think
8 about these hearings, but we have been
9 sitting here since 10:00 this morning and
10 it's now 20 minutes to 5:00, and we don't
11 take this as a joke, I am sure.

12 And I want to thank the Police
13 Department and the other City agencies
14 that have come out today, and you guys
15 have also been here -- I think you got
16 here a little bit before 10:00. You were
17 here when I got here.

18 So thank you all for coming,
19 and we look forward to working together
20 to figure out what are the next steps,
21 what do we need to do.

22 Thank you. This Committee is
23 recessed to the call of the Chair. Thank
24 you.

25 (Committee on Public Safety

1 12/14/10 - PUBLIC SAFETY - BILL 100722, ETC.

2 concluded at 4:45 p.m.)

3 - - -

1
2 CERTIFICATE

3 I HEREBY CERTIFY that the
4 proceedings, evidence and objections are
5 contained fully and accurately in the
6 stenographic notes taken by me upon the
7 foregoing matter on December 14, 2010, and
8 that this is a true and correct transcript of
9 same.

10
11
12
13
14 -----
15 MICHELE L. MURPHY
16 RPR-Notary Public
17
18
19

20 (The foregoing certification of this
21 transcript does not apply to any reproduction
22 of the same by any means, unless under the
23 direct control and/or supervision of the
24 certifying reporter.)
25