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COUNCIL OF THE CITY OF PHILADELPHIA

3

COMMITTEE ON PUBLIC SAFETY

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Room 400, City Hall
Philadelphia, Pennsylvania
Tuesday, June 1, 2010
9:30 a.m.

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PRESENT:

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COUNCILWOMAN DONNA REED MILLER, CHAIR

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COUNCILMAN WILLIAM K. GREENLEE

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COUNCILMAN CURTIS JONES, JR.

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COUNCILMAN JAMES KENNEY

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COUNCILMAN FRANK RIZZO, JR.

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RESOLUTION 100272 - Resolution authorizing
Council's Committee on Public Safety to hold
public hearings for applicants seeking
nomination to serve on the Police Advisory
Commission, and further authorizing the
Committee to provide a report to the Committee
of the Whole...

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COUNCILWOMAN MILLER: Good

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morning, everyone. My name is Donna Reed

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Miller and I'm Chair of the Public Safety

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Committee, and I want to acknowledge that

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this Committee is now in session, very

7

brief session. And let the record

8

reflect that in attendance are Committee

9

members Councilman Frank Rizzo,

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Councilman Bill Greenlee and to my right,

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Councilman Curtis Jones. We're just

12

going to take a brief pause until William

13

finishes the sign-in sheet.

14

Thank you.

15

(Pause.)

16

COUNCILWOMAN MILLER: Good

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morning again, everyone. The Committee

18

on Public Safety is now in session.

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Would the Clerk please read the

20

title of the resolution.

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THE CLERK: Resolution 100272,

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resolution authorizing City Council's

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Committee on Public Safety to hold public

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hearings for applicants seeking

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nomination to serve on the Police

1 6/1/10 - PUBLIC SAFETY - RES. 100272
2 Advisory Commission, and further
3 authorizing the Committee to provide a
4 report to the Committee of the Whole
5 setting forth its recommended list of
6 nominations for submission to the Mayor.

7 COUNCILWOMAN MILLER: Thank
8 you.

9 Welcome again, everyone. I'm
10 delighted to be here today as we launch a
11 new era for the Police Advisory
12 Commission. I firmly believe that the
13 Commission is a vital part of our city's
14 justice system.

15 The Police Advisory Commission
16 was created in 1993 by then-Mayor Ed
17 Rendell under the Executive Order No.
18 8-93 to bridge the gap between the
19 community and the Police Department. I
20 applaud the selection process because it
21 allows for diversity. Diversity fosters
22 understanding and tolerance. This is
23 critical and good police work.

24 With that, I want to thank
25 those citizens who participated in this

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2 process. As you know, Council's role in
3 this case is to nominate 21 individuals
4 for the Mayor's consideration, and we
5 have embarked on an open and transparent
6 selection process, very similar to the
7 process that we used in selecting
8 nominees for the Commission on Parks and
9 Recreation.

10 We've done our best to make it
11 easy for people to apply, including
12 posting the application on the City's
13 website and distributing printed
14 applications to every library in
15 Philadelphia.

16 And at today's public hearing,
17 every single applicant will have a chance
18 to be heard. We are delighted to welcome
19 you and look forward to hearing from each
20 of you. We will be calling you forward
21 in groups of three in the order that you
22 came in, and if we skip over your name
23 without calling you, please step forward
24 and let us know immediately. Please
25 limit your remarks to two to three

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2 minutes to give us time to ask questions
3 and to make sure that all applicants have
4 a fair opportunity to speak.

5 So with that, we're going to
6 start with the first panel of three.
7 Thank you.

8 THE CLERK: Sheryl Haynes, Leon
9 Werb and Rodney Dunn.
10 (Witnesses approached witness
11 table.)

12 COUNCILWOMAN MILLER: Good
13 morning. Actually, please proceed with
14 your testimony and state your name for
15 the record, and actually we'll proceed in
16 the manner in which you were called, so
17 whoever was called first. I think that
18 was Sheryl Haynes. Thank you.

19 Don't forget to pull the
20 microphone up to you. If you have
21 testimony, the Sergeant-At-Arms will
22 gladly distribute it to the Committee
23 members. You just have to let us know.
24 And pull the mike up so we can hear you.

25 Thank you.

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2 MS. HAYNES: Good morning. My
3 name is Sheryl Haynes, and did you want
4 to know the neighborhood I'm from?

5 COUNCILWOMAN MILLER: I'm
6 sorry?

7 MS. HAYNES: What information,
8 my name and --

9 COUNCILWOMAN MILLER: You want
10 to make any comments?

11 MS. HAYNES: Yeah. I'm sorry.
12 I've provided my testimonial. I've been
13 a resident of Fairmount neighborhood
14 going on six years now. I'm an active
15 member in the community, having
16 volunteered my time in the following
17 ways: As a block captain for 2900
18 Cambridge Street; President of the
19 Fairmount Civic Association; volunteer
20 for the Fairmount Development
21 Corporation; and I am an alumni -- a
22 Glass Leadership Alumni of the
23 Anti-Defamation League.

24 In my testimonial I provided a
25 little bit of what I did under each of

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2 these positions, these volunteer

3 positions.

4 COUNCILWOMAN MILLER: You don't

5 have to unless you want to. I mean, we

6 can read it, and we'll certainly submit

7 it for the record.

8 MS. HAYNES: Okay. Great.

9 COUNCILWOMAN MILLER: Did we

10 get an extra one for the stenographer?

11 MS. HAYNES: I provided about

12 20 copies. But the references, I'm

13 sorry, I didn't know whether I should

14 have provided copies or not. I just

15 brought the two that I --

16 COUNCILWOMAN MILLER: We'll

17 make the copies. Don't worry about that.

18 All right. Thank you. We're

19 going to have questions after all three

20 have presented.

21 So whoever is second.

22 MR. WERB: Thank you. My name

23 is Leon Werb, and I want to thank City

24 Council for allowing me to present my

25 credentials today in consideration for a

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2 seating on the Police Advisory

3 Commission.

4 At the risk of being redundant,
5 I defer to both my resumes and my letters
6 of recommendation that I presented in my
7 original packet.

8 A little bit about myself. I
9 was born at 1925 North 7th Street. I was
10 raised at 2000 South 8th Street. I am in
11 the Northeast section of Philadelphia
12 now. I'm retired, and my professional
13 title was the Manager of Labor Relations
14 for the third largest commuter railroad
15 in the country. Today I'm an arbitrator
16 with the National Mediation Board, with
17 the American Bar Association and the
18 Better Business Bureau. I volunteer with
19 the District Attorney's Office in their
20 Youth Aid Panel and various other
21 municipal organs.

22 My mission is to give back to
23 the City, which I have derived and in
24 which I have prospered. And I want to
25 thank you for this time and in your

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2 consideration of me for the youth -- for
3 the Police Advisory Commission.

4 COUNCILWOMAN MILLER: Thank
5 you. Thank you for your testimony.

6 Mr. Dunn.

7 MR. DUNN: Good morning. My
8 name is Rodney Dunn. I am a resident of
9 West Philadelphia area. I am a 29-year
10 veteran in the field of substance abuse,
11 working with adults as well as conduct
12 disordered adolescents. The parallel
13 between substance abuse -- my work in
14 substance abuse and this panel today, the
15 Police Advisory Commission, is that the
16 work, particularly working with
17 adolescents, is a work that every day
18 when the staff comes to work, they know
19 that it's going to bring some challenging
20 features to that day, just not knowing
21 exactly what they're going to be. And
22 the unpredictability of working with
23 adolescents is very similar to what the
24 police encounter on a daily basis,
25 knowing that the day is going to bring

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2 some emotionally charged, unpredictable
3 situations, but just not knowing the
4 exact nature of those circumstances.

5 And I guess what is more
6 important about that is the ability of
7 those individuals, the staff in a
8 treatment program and the police in their
9 work, in remaining rational in their
10 approach to these situations. And years
11 of doing this work I think has sensitized
12 me to the need for training, to help
13 people, to coach people who are in these
14 volatile situations constantly on a daily
15 basis. They are being bombarded with
16 this negative energy, to be able to not
17 personalize what it is that they're
18 experiencing and to be able to be
19 sensitive to those that they serve.

20 So with that, I will yield and
21 just say that I think that that is what
22 interests me.

23 Can I say one more thing? I'm
24 sorry.

25 COUNCILWOMAN MILLER: Sure.

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2 MR. DUNN: Additionally, and my
3 resume speaks to this, I had the
4 experience of running the Curfew Center
5 in Nicetown during its tenure, which it
6 actually closed in August of '08 due to
7 budget cuts. And that was a very
8 enlightening experience in which
9 neighborhood people, myself as well, came
10 in direct contact with police officers on
11 a daily basis in that work, and it was
12 very eye-opening in that it presented an
13 opportunity to break down a lot of the
14 barriers and stereotypes that existed on
15 both sides of the fence. And I think
16 that some of what I know that I
17 experienced there is very relevant to
18 what police and communities, the tensions
19 that exist on a daily basis.

20 Thank you.

21 COUNCILWOMAN MILLER: Thank
22 you.

23 Thank all of you for your
24 comments.

25 For the record, I know you

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2 wrote it in your application, but could
3 each one tell me why you want to be on
4 the Police Advisory Commission.

5 MR. WERB: I guess I'll go
6 first. Very simply put, I want -- as I
7 just said before, I want to give back to
8 the community. I want to add a bit of
9 credibility to the community, to the
10 Police Advisory Commission and act as a
11 liaison, if you will, between the people
12 and the police so that there is a belief,
13 there is a credibility that we are not --
14 that their complaints, that their
15 concerns are not falling on deaf ears,
16 but that the City itself is working to
17 allay any misconceptions or concerns.
18 And, again to reiterate, I owe an awful
19 lot within myself to the City of
20 Philadelphia, and this is one of my ways
21 of repaying the municipality back.

22 COUNCILWOMAN MILLER: Thank
23 you.

24 Mr. Dunn.

25 MR. DUNN: Yes. I am very,

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2 very interested in, I guess, eliminating
3 the divide between community residents
4 and police, you know, of bringing those
5 two elements closer together, and I just
6 see that as very, very crucial to the
7 development of the quality of life within
8 our communities.

9 I realize that police have a
10 very, very hard job, and I also realize
11 that communities have certain perceptions
12 about police and what they do. So the
13 ability for the two to work together, I
14 just think is just a winning combination
15 for the City of Philadelphia.

16 COUNCILWOMAN MILLER:

17 Ms. Haynes.

18 MS. HAYNES: It is about
19 communication and education to the public
20 and to the community regarding not just
21 police activity but understanding what
22 their job is, how they do it, why they do
23 it. I've been successful in bridging
24 some of those misunderstandings or gaps
25 being on the Police District Advisory

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2 Committee and involving my small spot of
3 the neighborhood in eyes and ears, watch
4 programs and things like that. I felt
5 this was just an extension of that
6 involvement on a bigger level, with an
7 even broader understanding to educate the
8 community on.

9 COUNCILWOMAN MILLER:
10 Councilman Jones, and then we'll have
11 Councilman Rizzo.

12 COUNCILMAN JONES: Thank you,
13 Madam Chair, and let me first thank you
14 for pushing this issue forward and
15 reinvigorating the Police Advisory
16 Commission through this application
17 process. I think it will go a long way
18 of doing what Mr. Dunn talked about,
19 improving the quality of life at the
20 neighborhood level. So I thank you for
21 that.

22 I noticed in your application,
23 Mr. Dunn, that you had some experience
24 with community courts up in New York.

25 MR. DUNN: Yes.

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2 COUNCILMAN JONES: And I'm also
3 encouraged by the fact that you ran a
4 curfew center, and I like the fact that
5 you dealt with drug treatment. And I say
6 those three things because a lot of times
7 it is that demographic, that triangle of
8 community, drug abuse, young people that
9 we really need to have a kind of
10 understanding of in order to deal with a
11 lot of the interactions that happen. And
12 I wanted to specifically ask you about
13 the community courts experience.

14 MR. DUNN: Yes. Well, in New
15 York, going back to really in the '80s,
16 about '89, 1990, a program that I worked
17 for, we forged a collaboration with -- at
18 that time, it was the Bronx District
19 Attorney's Office -- for an alternative
20 to incarceration for adolescents that
21 allowed them to come into a treatment
22 environment and get services that really
23 dealt with the real underlying issues as
24 to why they were doing all the things
25 that they were doing.

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2 In that capacity and then out
3 of that, it expanded to Brooklyn and
4 Queens as well. And what it allowed for
5 really was for young people to get the
6 services that they need as opposed to
7 just being locked up. They were kind of
8 forced to move into a therapeutic
9 situation where they had to examine what
10 it is that's going on with you, why are
11 you behaving the way that you're behaving
12 and what's underlying these
13 manifestations with you.

14 So it was a very, very positive
15 thing. I think it's a long history of
16 it. It goes all the way back to Janet
17 Reno, who started the first one down in
18 Florida way back, in the early '80s, and
19 it's a service that I think is just very
20 important and we could do -- there are
21 more things that we could do on that kind
22 of community level as opposed to just
23 locking somebody up, you know. There are
24 some people that need to be locked up,
25 but there's a lot of people that they're

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2 just a ball of just emotions that they
3 themselves don't understand and they're
4 running around and reacting and doing
5 things that sometimes when you make them
6 stop and examine and look at what's
7 happening, you get positive results.

8 COUNCILMAN JONES: Thank you.

9 Thank you, Madam Chair.

10 COUNCILWOMAN MILLER: Thank
11 you.

12 Councilman Rizzo.

13 COUNCILMAN RIZZO: I'd like to
14 address this to all three of you. The
15 decisions that the Police Advisory
16 Commission make can be very hurtful to
17 the Philadelphia Police Department and
18 also, in the same breath, be very
19 complimentary to the Philadelphia Police
20 Department.

21 Have you ever had a situation
22 where you would have been considered
23 having negative contact or positive
24 contact with a police officer? Have you
25 ever had anything that you considered

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2 negative that would turn you against a
3 police officer?

4 MS. HAYNES: I honestly have
5 only had positive experiences with the
6 police force in my neighborhood and
7 through minor situations that I have
8 witnessed. I mean, every time I've seen
9 them come in my neighborhood to handle a
10 situation, it has always been -- it
11 appeared to be appropriate. It all
12 appeared to be in protocol. And I kind
13 of live in a gray area where it's still
14 kind of -- you still have the gunshot
15 situations, you still have burglaries,
16 you still have these kind of things.

17 So I've only had positive. In
18 working in the PDAC group, I've also had
19 the positive experience of getting to
20 know them and understanding them. So I
21 can't give any negative experience.

22 COUNCILMAN RIZZO: Since you
23 commented, then you feel as though you
24 can be very objective in making a
25 recommendation?

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2 MS. HAYNES: I feel I can. I
3 mean, I read -- you read in the paper
4 about situations that happen and like the
5 example of the police officer that
6 just -- that was in the news recently
7 about shooting somebody and then getting
8 in trouble for it. I mean, mistakes
9 happen, situations happen. You have to
10 address them just like in any other --
11 like in a court situation, you have to be
12 objective about that, and I feel I could
13 be.

14 COUNCILMAN RIZZO: Thank you
15 for your comment.

16 Anybody else?

17 MR. DUNN: Yes. I mean, I have
18 had experience of -- I mean, just growing
19 up here in the City of Philadelphia of
20 experiencing policemen who were good,
21 committed people who -- officer who
22 walked the beat on Lansdowne Avenue in my
23 area, Moser, you know what I mean, who
24 knew my parents and was a good person.
25 And then there were some others who

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2 operated out of some, you know, kind of
3 stereotypic kind of thinking that was
4 kind of in their head about some of the
5 people that they dealt with, you know,
6 that everybody was up to no good and
7 treated people unfairly.

8 So, I mean, I have experienced
9 both. And I think that my recent
10 experiences, years later, of the Curfew
11 Center of working nightly with police
12 officers really brought home to me that
13 these are people, these are human beings
14 that are struggling in most cases, 99
15 percent of the time, to do what's right.
16 And, yeah, like in anything, in any
17 profession, you're going to have some
18 loose canons or somebody who does
19 something that they shouldn't do. But,
20 no, I think that the police serve a good
21 purpose. They do good work, and part of
22 what I have tried -- am committed to
23 doing is to try to, like I said, close
24 that divide between what police do and
25 what the perception that a lot of

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2 citizens have and then, on the other side
3 of the fence, some of the perceptions
4 that police have about the citizenry as
5 well.

6 MR. WERB: For myself, I have
7 not had any negative interaction with the
8 Police Department itself, but in my
9 capacity as the Manager of Labor
10 Relations for my agency and as the Chief
11 Disciplinary Officer for that agency, I
12 was in charge of the New Jersey Transit
13 Police Department in the labor relations
14 sense and the disciplinary officer, and
15 it was my objective analysis when the
16 officers were accused of unnecessary
17 force or of other infractions, it was up
18 to me to use my unique training to either
19 forego any disciplinary actions or to --
20 if in the case that it was warranted, if
21 our burden of proof was met, what degree
22 of disciplinary action should be taken.

23 COUNCILMAN RIZZO: Very good.

24 MR. WERB: Thank you.

25 COUNCILWOMAN MILLER: All

1 6/1/10 - PUBLIC SAFETY - RES. 100272
2 right. Thank you. Thank you for your
3 comments. We're looking for folks that
4 can be objective and fair with an open
5 mind on both sides.

6 Thank you. Thank you for
7 coming in.

8 Our next panel is Stephen
9 Thompson, Mujeeb and Robert Cavanaugh.
10 (Witnesses approached witness
11 table.)

12 COUNCILWOMAN MILLER: Good
13 morning. Thank you for coming in, and we
14 can proceed with your testimony. Don't
15 forget to pull the mike close enough so
16 that we can hear you, and we can start in
17 the order in which I called your name.

18 Stephen Thompson, please go
19 first. Thank you.

20 MR. THOMPSON: Good day. I am
21 going to be reading it. My name is
22 Stephen W. Thompson.

23 A tension exists, and we all
24 know it, so allow me to frame my
25 testimony around it. This sizable

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2 tension concerns whether those on the
3 Police Advisory Commission will be fair
4 to the cops and fair to the complainants
5 both, and you've already mentioned that.
6 The life and death challenges of the
7 officer on patrol, on one hand, versus
8 the rights of the everyday Philadelphian
9 whose voice needs to be heard, on the
10 other hand.

11 I believe that Philadelphia
12 will judge the Commission by how well it
13 balances poles of that tension when it
14 reports, constantly remembering that
15 people's lives will be affected by those
16 reports. When the Police Department is
17 guided by objective considerations of
18 facts enriched by police and citizen
19 perspectives, all are well served.

20 My professional and community
21 involvement give me powerful skills in
22 objective consideration of facts. I want
23 Philadelphia's Police Department to serve
24 and be respected by its populus as much
25 as possible, so, therefore, I applied to

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2 serve on the Commission.

3 In my professional life, I work
4 for a major financial institution doing,
5 quote, "information security." In short,
6 I hunt for hackers. Automated systems
7 forward clues to me and I must select
8 from those clues a smaller number to
9 forward to investigators. Pursue clues
10 too aggressively and you waste people's
11 time and inconvenience the innocent. Be
12 too lax, on the other hand, and hacking
13 doesn't get handled as it must. The
14 approach I use then is to consider the
15 story that the clues provide and act on
16 them objectively.

17 I've also learned about
18 thoughtful objectivity in my community
19 involvement. Since 1994, I've
20 participated in my local town watch
21 association. There we discuss crime,
22 dogs barking, small business issues and
23 neighbor relation problems. Once when
24 complaints arose about questionable
25 practices of a so-called nuisance

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2 restaurant, I attended a gathering
3 sponsored by multiple town watch groups
4 on the topic. Immediately afterwards, I
5 walked to the restaurant and spoke with
6 the employees there. Next I visited
7 several similar area restaurants to learn
8 whether the one restaurant differed from
9 the others. I was much more informed at
10 the later town watch meeting as a result
11 of my consideration of multiple sides.

12 A separate issue was a concern
13 between neighbors, one neighbor making a
14 complaint that made a lot of sense. I
15 stated, though, that we needed to have --
16 to be sure to have a direct conversation
17 with the other neighbor before we could
18 act. I followed up my statement by
19 visiting with that other neighbor
20 personally. We talked, and I learned
21 some important facts which will allow our
22 group to take helpful, supportive action
23 for all concerned.

24 Tensions can be healthy if we
25 approach them with an open mind and an

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2 optimistic heart, and I'd like to be a
3 part of this important work.

4 COUNCILWOMAN MILLER: Thank
5 you.

6 Mr. Mujeeb. Please pronounce
7 your name. I may be pronouncing it
8 wrong.

9 MR. CHAUDHARY: My name is
10 Mujeeb Chaudhary. Good morning to
11 Honorable Chairperson, the Councilmember,
12 especially Frank Rizzo.

13 I am giving this testimony to
14 this Councilmembers. As you know, my
15 name is Mujeeb Chaudhary and I have been
16 a pharmacist living in Philadelphia for
17 the last 37 years. I have applied to be
18 a member of the Police Advisory
19 Commission for various reasons.

20 Since moving to Philadelphia, I
21 have been serving our neighborhood as an
22 independent community pharmacist in the
23 North Philadelphia area, in Hunting Park
24 area specifically. I have a pharmacy
25 there. My profession has allowed me the

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2 opportunity to have an in-depth
3 understanding of crimes in our
4 neighborhood. I know what private
5 citizens experience in their daily lives,
6 and as a private business owner, I
7 understand the needs of the community
8 businesses. Crimes on our streets are
9 increasing daily, and our police force
10 has a great task ahead of them. With my
11 diverse perspective, I believe I can be
12 an important contributor in the Police
13 Advisory Commission.

14 In addition to this, I have
15 been a long life member of the Ahmadiyya
16 Muslim community, a spiritual
17 organization established in Philadelphia
18 in 1920. I have been serving this
19 organization, Philadelphia Chapter, as
20 President for the last ten years, which
21 has local residents from all backgrounds,
22 include whites, African Americans,
23 Pakistanis, Haitians, African, Indian and
24 Bangladesh. Our community has adopted
25 two homeless shelters, feeding them on a

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2 weekly basis for the last four years.

3 Recently we have also become a partner in

4 Adopt a Highway program with the City of

5 Philadelphia and currently are

6 responsible for keeping our streets clean

7 from Route 1 from 9th to Adams Avenue. I

8 personally oversee these projects and

9 manage them with members of our

10 community. We have over 125,000 Muslims

11 currently living in Philadelphia, and I

12 feel that I can be an asset in

13 understanding the mindset of the minority

14 Muslims for the Commission.

15 Through my experience, I

16 understand crime on our streets. I

17 understand the safety of our citizens.

18 We also have obligation to serve our

19 communities. I have served at a local

20 level and now I have a lot of time which

21 I can spare for this purpose, and I'll

22 have the honor to be part of this

23 Commission. If you give me the

24 opportunity, I would like to help the PAC

25 mission to make a bridge between the

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2 Muslim community and the Police

3 Department of Philadelphia.

4 Thank you very much.

5 COUNCILWOMAN MILLER: Thank

6 you.

7 Mr. Cavanaugh.

8 MR. CAVANAUGH: Madam

9 Chairperson, distinguished members of the
10 City Council, thank you for inviting us
11 here this morning. My name is Robert
12 Cavanaugh. I live in the Fairmount
13 section of Philadelphia. I own my home
14 there now 26 years. I was transferred to
15 Philadelphia as a federal agent years
16 back and was named the agent in charge
17 here of the new Office of Inspector
18 General, Office of Investigations, U.S.
19 Department of Health and Human Services.
20 I had held that position in another large
21 city before, and we are going to
22 establish and bring on new agents here in
23 Philadelphia that would cover other
24 states as well. I held that position
25 until the time that I retired.

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2 My reason for coming here this
3 morning is both professional and
4 personal. From a personal standpoint, I
5 am a child of a police family. My
6 grandfather served Chicago police 1900.
7 My father spent 31 years on the job
8 there, rising to the rank of the District
9 Commander. My brother spent 28 years
10 there and was a rather noted detective
11 during his career.

12 At the time that I applied to
13 be a police officer there, my father was
14 against the idea of my brother and I
15 going on. Like all immigrants and sons
16 of immigrants, they wanted something
17 better for their children, yet my brother
18 and I had our model in our father and
19 we've followed through on that.

20 My brother being a veteran, he
21 was picked up for the first class that he
22 was eligible for, and at that same month,
23 I received orders as a Private First
24 Class to report to active duty in the
25 United States Marine Corps.

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2 The lessons I learned from my
3 father over the years was more lessons of
4 integrity, honesty in dealing with people
5 on the street particularly. My dad was a
6 patrol officer all of his career. He was
7 not a detective. He was not a special
8 assignment individual. And he really
9 knew people well, and he was actually
10 asked to serve in certain districts
11 because of his ability to handle people
12 in all types of situations.

13 Those lessons stayed with me
14 for years. I thought often of my father
15 as I grew in my own profession, my own
16 career. What would he do facing certain
17 decision-making things, making decisions,
18 especially important ones that would
19 affect other people and yourself. Each
20 time I did that, I generally came out
21 with the right answer in that
22 decision-making process.

23 From a professional standpoint,
24 I am most pleased to tell you that my
25 career has been one of varied interest,

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2 and I feel myself to be a very fortunate
3 individual having worked on all levels,
4 both municipal to begin with as a police
5 patrolman in the City of San Diego,
6 followed by my federal service in the FBI
7 for several years. I worked on the state
8 level as well and was at one time the
9 Chief Investigator for the District
10 Attorney's Office. We call them State's
11 Attorney in Cook County, Chicago,
12 Illinois.

13 My first instance of -- first
14 experience, I should say, in leadership
15 was in the Marine Corps. I was very
16 fortunate to win a commission and be
17 assigned to the military police, where I
18 was trained in the tactics of combat
19 military police, as well as the town
20 patrol or what we call the law
21 enforcement aspects of base policing.

22 Later in my career, as you can
23 read, I also had the opportunity to be
24 one of the first planning officers to set
25 up a new state Bureau of Investigation in

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2 the State of Illinois. I was invited by
3 the Office of the Public Safety, the
4 Director and the Assistant Director, and
5 in collaboration with several other
6 people following law 469 -- I'll never
7 forget it -- from the State Legislature
8 which established the Bureau. We worked
9 on everything from job descriptions.
10 There were no special agents in the state
11 breakdown of jobs, right through to the
12 organization, organizational chart and
13 its functions, the emphasis on organized
14 crime at that time. I wrote the first
15 ten-week program for the Illinois Bureau
16 of Investigation. Their new agents
17 coming on in the first year, we trained
18 in three different courses approximately
19 100 people.

20 I later had experience in
21 international policing both -- while
22 during my career, three years in
23 Venezuela, for standardization of police
24 services throughout that country. I was
25 part of a four-man team. Later I was

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2 able to bring that -- following my
3 retirement from federal service, I was
4 invited by the Justice Department,
5 International Criminal Investigations and
6 Training Assistance program. I served in
7 seven different countries. I feel that I
8 have a great understanding of the Latin
9 way of thinking and policing. What had
10 been military organizations we, by law,
11 established through the assembly there in
12 those countries, changed those military
13 units into civilian police units.

14 My purpose in coming here is to
15 bring with me that experience and hope
16 that I can do that. I understand -- I
17 feel I deeply understand -- the stresses
18 that are placed on the average police
19 officer and what he has to do to bring
20 peace here to the City. I also
21 understand as a private citizen what the
22 average man or woman wants in their
23 police force, and I think that I could
24 contribute that immensely if selected for
25 a position within the Police Advisory

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2 Commission.

3 Thank you.

4 COUNCILWOMAN MILLER: Thank

5 you. Thank you for your testimony.

6 I'm actually going to ask

7 everyone, why do you want to be on this.

8 Sometimes you've answered part of it in

9 your own comments, but why do you want to

10 be on the Police Advisory Commission?

11 And then next we'll have Councilman

12 Rizzo.

13 Before we go any further,

14 though, I'd like the record to reflect

15 that we also have in attendance another

16 Committee member, Councilman Jim Kenney.

17 Thank you.

18 MR. THOMPSON: So in my

19 testimony, I already mentioned that I was

20 interested in helping kind of bridge the

21 tension between the police perspective

22 and the citizen perspective, and as we've

23 talked here today, I realize that some of

24 that is because of good experiences and

25 bad experiences I've had with police in

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2 Philadelphia since I've been here. The
3 bad experiences haven't been horrible.
4 They've mainly been an occasion where I
5 saw several officers pinning a man's head
6 to the front of their car, and I didn't
7 know what led up to that, so I couldn't
8 really judge it, but it was certainly one
9 of those situations that would make
10 citizens want to know more.

11 The good experiences, I call
12 the police when I hear noises and when
13 there's break-ins down the street, and
14 I've worked with cops and ex-cops and
15 other officers. So good and bad.

16 MR. CHAUDHARY: I was running
17 the pharmacy for a long time, so I went
18 through the both part of the police and
19 the citizens. People think that the
20 police came from out of space. They are
21 part of us. They were raised in the City
22 and they become the police officer.
23 They're here to protect us in all
24 incidences. Just sometime people think
25 that they are from somewhere else.

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2 Working in my community, I
3 taught them that they are a part of us,
4 they're enforcing the law, the law which
5 we made for them to follow as a citizen.

6 So I personally don't have any
7 bad experience with the police which I
8 can mention. They're always very gentle
9 whenever they came to my pharmacy in that
10 area any troubles they have. They
11 handled it very lovely way. I never seen
12 anybody pinned down or anybody pushed
13 away. Just I watch on the TV sometime
14 and the newspaper there's a possibility,
15 but sometime the heart go criminal, the
16 police have to be having a little bit
17 harder hand on them. On average, I give
18 all the police officers that they're
19 doing their job and duty modestly.

20 Thank you.

21 COUNCILWOMAN MILLER: Thank
22 you.

23 Mr. Cavanaugh.

24 MR. CAVANAUGH: Personally I
25 have not had any run-in with the police.

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2 I live in the Ninth District. I know the
3 City by virtue of having participated in
4 the boxing program, so I know every
5 recreation facility and so forth. I
6 traveled quite frequently as a judge
7 there.

8 I have seen arrests being made
9 in my own neighborhood where people were
10 handcuffed and taken away, and rightfully
11 so, based on either a warrant and a car
12 serving a warrant or just actual police
13 work, misdemeanor having been committed
14 in front of the officers.

15 My experience has been one of
16 very positive. If I call them, they
17 come. We had an elderly lady, for
18 instance, that slipped and fell in front
19 of my property there, a dear friend, as a
20 matter of fact. A police car happened to
21 be going by and they stopped just to find
22 out if she was all right.

23 All of the instances -- I was
24 stopped for a traffic ticket, and the --
25 I was behind the bus and ran the light.

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2 When the articulated vehicle pulled away,
3 I couldn't see the light. The officer
4 was right behind me, and when he pulled
5 me over, he asked me if I had seen him,
6 and I said I certainly did, but I didn't
7 see the light. And he was very polite
8 and so forth and said -- told me to be
9 careful and go on.

10 I can go on. I have many
11 instances of that. Maybe it's my age,
12 the way I look, whatever, but I've been
13 treated very kindly, and I watch them --
14 I watched arrests happen in front of
15 Macy's last week while there were 50
16 tourists standing there who were looking
17 in the other direction, and it was made
18 in a very humane way, taken into custody.
19 The person was obviously a shoplifter.

20 I don't -- well, I've seen
21 things in the news. When I was a young
22 policeman, I had people around me who did
23 not use good judgment and a little bit
24 too much force. I've seen all that on
25 the street before, but in Philadelphia

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2 I've not experienced that.

3 Thank you.

4 COUNCILWOMAN MILLER: Thank
5 you.

6 Councilman Rizzo.

7 COUNCILMAN RIZZO: You should
8 have just given him your resume and he
9 would have given you an escort.

10 MR. CAVANAUGH: I'm sorry, sir?

11 COUNCILMAN RIZZO: I say you
12 should have just given that officer your
13 resume and he would have given you an
14 escort.

15 Again, the same question. I
16 think that since I asked it to the first
17 panel, you all kind of got it in there
18 about being objective, whether you're too
19 pro police or you had a negative contact.
20 I think from what I heard from all three
21 of you, that you answered and worked into
22 your statement that even though you have
23 a significant law enforcement background
24 and community and other areas, that you
25 could be objective in making decisions

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2 and recommendations that could affect the
3 reputation of the Philadelphia Police
4 Department and definitely affect the
5 reputation and the careers of men and
6 women that serve. So unless I didn't
7 hear correctly, that all three can be
8 objective in making these
9 recommendations. Is that correct?

10 MR. THOMPSON: That's correct
11 for me.

12 MR. CHAUDHARY: It's correct
13 for me, too. I just want to say why I'm
14 here today. I service the community for
15 that many years. Now I thought I owe it
16 to the community to offer my services for
17 only to help the community from here
18 onward, because I have done my years of
19 my pharmacy service, so this is my -- I
20 have done my job. It is up to you to
21 take me, because then I'd be happy that I
22 have done my job as a citizen.

23 Thank you.

24 COUNCILMAN RIZZO: Well, the
25 Chair of the Committee will, I'm sure,

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2 explain to you that it isn't our decision
3 today to appoint you to the Commission.
4 I'll let the Chair explain if you're not
5 aware, but I think you are. But, again,
6 thank you for considering serving on the
7 Police Advisory Commission.

8 Thank you, Madam Chair.

9 COUNCILWOMAN MILLER: Any other
10 questions for these witnesses from
11 Committee members?

12 (No response.)

13 COUNCILWOMAN MILLER: Thank
14 you.

15 MR. CAVANAUGH: Mr. Rizzo is --

16 COUNCILWOMAN MILLER: Today --
17 I'm sorry.

18 MR. CAVANAUGH: I beg your
19 pardon.

20 COUNCILWOMAN MILLER: Go on.

21 MR. CAVANAUGH: Yes. I wanted
22 to emphasize the fact that of your
23 objectivity toward both sides of the
24 question, in my experience in foreign
25 countries, I set up two of the internal

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2 affairs units for national police. So I

3 know what goes into that type of

4 investigation and what should go into

5 that type of investigation, and I feel

6 that's most essential for the Police

7 Department to have that type of thing.

8 And I would understand that the

9 Commission has the right to read those

10 things when necessary and bring them in,

11 and I think that's an outstanding thing

12 that the police are cooperating in that

13 direction.

14 Thank you.

15 COUNCILWOMAN MILLER: Thank

16 you.

17 MR. CHAUDHARY: Thank you very

18 much, Council, for giving us this

19 opportunity.

20 COUNCILWOMAN MILLER: Thank you

21 all for coming in.

22 Next we'll have Cassandra

23 Hines, Louis Troup and Elizabeth Mell.

24 As you're coming up, don't

25 forget to state your name for the record

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2 and pull the mike close enough so that we
3 can hear you. Thank you.

4 (Witnesses approached witness
5 table.)

6 COUNCILWOMAN MILLER: Cassandra
7 Hines. Good morning.

8 MS. HINES: Good morning.
9 First of all, I would like to say I'm
10 very excited to be here today. I thank
11 you for the opportunity of being here.
12 My name again is Cassandra Hines, and the
13 reason that I would like to be selected
14 as a member of the Police Advisory
15 Commission is that I've worked in the
16 criminal justice system for 23 years, 16
17 of which were in the field as a street
18 probation officer. I have seen the good,
19 the bad and the ugly sides of lady
20 justice. I have been successful in
21 avoiding the pitfalls of the criminal
22 lifestyles of those I've sought to
23 rehabilitate due to my innate sense of
24 integrity and determined mind for
25 fairness.

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2 If selected, I strongly believe
3 that my knack for discerning the truth
4 will be an asset to the Commission, as
5 well as my ability to decipher and
6 navigate the system well.

7 Everyone has a story to tell.
8 It is the Police Advisory Commission's
9 position to break down the narrative,
10 determine whose story is most truthful
11 and to offer mediation so that all
12 parties are held responsible for his or
13 her own actions. An agenda must be set
14 in place to break down the barriers. The
15 police and the community must learn to
16 work together for the common good of the
17 City to fulfill Philadelphia's destiny of
18 truly being the City of Brotherly Love
19 and Sisterly Affection.

20 I believe that I have the
21 ability, the motivation, the drive and
22 the enthusiasm to assist in achieving the
23 goals of the Philadelphia Police Advisory
24 Commission.

25 Thank you for your time and

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2 consideration. I would also just like to
3 say that I am a mentor in the City. I am
4 currently an intake interviewer. I
5 believe you do have my resume, as well as
6 three recommendation letters, and I'm
7 very excited for this opportunity.

8 Thank you.

9 COUNCILWOMAN MILLER: Louis
10 Troup.

11 MR. TROUP: Yes. Good morning.
12 My name is Louis Troup and I just want to
13 say that it's really an honor to be a
14 part of this process.

15 As a dedicated public servant
16 for over 30 years, I wish to seize this
17 opportunity to further my commitment to
18 my community in an effort to maximize the
19 quality of life in this great city.
20 Becoming a member of the Police Advisory
21 Commission will allow me to utilize my
22 diverse law enforcement experiences in
23 identifying issues that serve to protect
24 and safeguard the community and the
25 Philadelphia Police Department.

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2 The Philadelphia Police
3 Department, like many other large and
4 small law enforcement organizations
5 across the country, is under intense
6 scrutiny regarding the actions of its
7 officers. Far too often officers have
8 exceeded the boundaries of their duties
9 when engaging and confronting the public.
10 Consequently, the citizens are victimized
11 and their lives are ruined because of the
12 insensitive actions of police officers.

13 The responsibilities of being a
14 police officer are tremendous. At the
15 same time, police officers have a
16 tremendous authority over the communities
17 they serve. While we need our officers
18 to be tactically proficient when
19 executing their duties, they also need to
20 remain sensitive to the human element.
21 The dilemma of balancing the two is a
22 true test for today's law enforcement
23 professional.

24 Let's face it, police
25 misconduct, at times it is a universal

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2 problem, and the evidence shows that
3 police departments are unable to
4 thoroughly police themselves. As a
5 retired law enforcement professional, I
6 have to agree with that premise.
7 Therefore, the role of the Police
8 Advisory Commission serves as a viable
9 tool in addressing police abuse.

10 However, the Commission must
11 have the independence and the authority
12 to proactively investigate and follow
13 through on its recommendations for the
14 Police Department's accountability.
15 Otherwise, the Commission becomes
16 ineffective and powerless. My
17 experiences have shown that the nature of
18 police work precludes it from properly
19 policing itself. Outside intervention is
20 paramount for setting standards of police
21 conduct.

22 The degree of the Commission's
23 oversight responsibilities lie with the
24 Mayor and City Council. Our elected City
25 officials' influence is critical for

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2 empowering and supporting the Commission
3 as it discharges its duties.

4 Finally, I believe my extensive
5 background in policing, training and my
6 unwavering passion for community rights
7 solidifies my candidacy for a position on
8 the Commission. I bring a host of
9 experiences and professional insights
10 that could be used to serve impartially
11 in this worthy process. The concept of
12 "protect and serve" must always remain
13 foremost in our police institutions.
14 However, it will require the due
15 diligence of the Philadelphia Police
16 Advisory Commission to ensure that this
17 legacy is carried out through the actions
18 of its police officers.

19 My name is Louis Troup, Jr.
20 again. I am a retired federal agent with
21 the Drug Enforcement Administration, and
22 I am a resident of South Philadelphia for
23 going on eight years now.

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

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2 There's so many papers up here,
3 I'm trying to keep track of the names.
4 But, Ms. Mell, will you please proceed
5 with your testimony.

6 MS. MELL: Thank you. Good
7 morning. My name is Elizabeth Mell. I'm
8 here today to express my interest in
9 serving on the Police Advisory
10 Commission. I am pursuing this
11 opportunity because I am a proud resident
12 of Philadelphia. I have lived in
13 Philadelphia since 1990 and currently
14 reside in Washington Square West where I
15 own a home. I work as a non-lawyer on
16 staff at a large law firm headquartered
17 in Center City.

18 Over my time in Philadelphia, I
19 have volunteered at several community
20 service agencies and I currently
21 volunteer at MANNA, which is the
22 Metropolitan Area Neighborhood Nutrition
23 Alliance. I love the City of
24 Philadelphia and everything it has to
25 offer. I support City government and

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2 public safety and want to do all I can to
3 contribute to the community at large. I
4 believe that Philadelphia is one of
5 America's most livable cities.

6 A culture of safety is one of
7 the most important factors in a thriving
8 city. A responsible police force is the
9 key to sustaining residential growth as
10 well as the development and retention of
11 businesses. Philadelphia's reputation as
12 a safe destination is also crucial to
13 promoting tourism.

14 I understand that police
15 misconduct, real or perceived, will
16 negatively affect an atmosphere of
17 security and erode community trust. I
18 want to do my part to help the City's
19 police force in carrying out its duties,
20 improving its relationship with the
21 community it serves and improving its
22 relationship among its ranks. This means
23 supporting an independent commission that
24 addresses problems and complaints against
25 officers in a transparent way and then

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2 suggesting remedies. This also means
3 promoting the good works of individuals
4 on the police force.

5 Part of the mission of the
6 Commission is to help enhance the
7 communication and rapport between the
8 community and the Police Department. I
9 believe that the Commission, as a
10 non-biased body, can assure the public
11 that their City government has a system
12 in place that provides a forum where
13 complaints can be heard and examined by
14 neutral parties. I also believe that the
15 role of this same body is to support
16 officers who put their lives on the line
17 each day. As a member of the Commission,
18 I would like to help educate the public
19 about the positive contributions that
20 officers make on a daily basis.

21 I appreciate the opportunity to
22 appear this morning. I thank you for
23 listening to my testimony and considering
24 my application.

25 Thank you very much.

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2 COUNCILWOMAN MILLER: Thank
3 you. Thank you very much.

4 My question to everybody, I
5 think all of you addressed why you want
6 to be on the Police Advisory Commission.
7 Councilman Rizzo had to leave for a few
8 minutes and the question that he's been
9 asking, has anyone here had a negative
10 encounter with the police, anyone on the
11 panel.

12 MS. HINES: Being in law
13 enforcement -- as I stated, I am
14 currently an intake interviewer. I work
15 at the Youth Study Center. My position
16 is -- we're similar to judges in that we
17 make decisions. We are the ones who
18 decide whether a child is going to be
19 released or held for custody once they're
20 arrested. And being also previously on
21 the streets, yes, I have seen both sides,
22 and that's why I feel that I can be
23 objective when I go to court. I speak
24 from facts, being objective, and so that
25 the judge can make the appropriate

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2 decision on what I've experienced.

3 We currently are involved with
4 the police just about every day. I hear
5 the testimonies of the juveniles and the
6 parents who are coming in to court. I
7 hear the testimonies. We make decisions
8 based on that. A lot of times the
9 parents come in, the children come in and
10 tell stories, and I believe them of the
11 things that can happen on the street. I
12 believe that the police officers can get
13 very frustrated and sometimes go
14 overboard, but, again, that happens in
15 every situation. Most people always see
16 a lot of the things that are on TV, but I
17 have seen them directly. And I do
18 believe that I can be objective. And I
19 do have friends as police officers as
20 well.

21 COUNCILWOMAN MILLER: Okay. I
22 mean, you can just say yes.

23 MS. HINES: Sorry. Yes.

24 MR. TROUP: The question is
25 yes.

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2 COUNCILWOMAN MILLER: Thank
3 you. The answer.

4 MR. TROUP: I'm sorry. The
5 answer to your question is yes.

6 COUNCILWOMAN MILLER: Okay.
7 Thank you.

8 And Ms. Mell.

9 MS. MELL: I'm sorry. And the
10 question was can we be objective or have
11 we had a negative experience?

12 COUNCILWOMAN MILLER: Negative
13 experience.

14 MS. MELL: I have not had a
15 negative experience with police.

16 COUNCILWOMAN MILLER: And I
17 think your answer, Mr. Troup --

18 MR. TROUP: Troup.

19 COUNCILWOMAN MILLER: It's just
20 spelled so different.

21 MR. TROUP: I know. What can I
22 say? You got to talk to my dad.

23 COUNCILWOMAN MILLER: Yeah, I
24 know. It's all in the family.

25 But anyway, your answer is,

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2 yes, you can be objective?

3 MR. TROUP: Yes.

4 COUNCILWOMAN MILLER: And not,

5 yes, you've had a negative encounter?

6 MR. TROUP: No. Yes, I had a
7 negative encounter with the police in my
8 lifetime, and, yes, I can be impartial
9 and objective.

10 COUNCILWOMAN MILLER: Okay.

11 Great.

12 All right. Thank you. And the
13 next panel -- are there any questions
14 from anybody on the Committee?

15 (No response.)

16 COUNCILWOMAN MILLER: I'm sorry
17 I actually overlooked the other panel,
18 but I need to call -- I called you guys
19 out of turn. It's because I don't have
20 the actual list in front of me. So the
21 next panel is Jim Crumlish, Aaron Kase
22 and Toni McIlwaine.

23 (Witnesses approached witness
24 table.)

25 COUNCILWOMAN MILLER: And if

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2 you had not signed in, William here, you
3 can sign in, if you figure out in order
4 which you came. William is going around
5 with the sign-in sheet.

6 You can proceed with your
7 testimony just in the order in which I
8 called your name. Jim Crumlish and then
9 Mr. Kase and then Toni McIlwaine. Thank
10 you.

11 MR. CRUMLISH: Good morning,
12 Madam Chair, Mr. Councilman Kenney. I've
13 made an application to be considered for
14 the position of the Police Advisory
15 Commission. I will not repeat my resume,
16 but in summary, as many of the
17 Councilpeople know, I served in public
18 office for a number of years, but
19 probably one of the more informative
20 periods of my public service was as
21 assigned to the Philadelphia Police
22 Department in the City Solicitor's Office
23 and, more particularly, I was assigned to
24 Chief Inspector George Fencil, and as you
25 can tell by my gray hair and the guess we

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2 can make on my resume, my career in
3 public service for the City of
4 Philadelphia spanned many different
5 mayors, starting with Mayor Frank Rizzo,
6 the late Frank Rizzo. I also served Bill
7 Green and Wilson Goode, and they were all
8 remarkably different in their belief of
9 the use of the police force and just
10 their philosophy of government as well.
11 Throughout that time, however, I served
12 with George Fencil. And as a young
13 lawyer, I started out with a lot of ideas
14 and impressions and beliefs, and some of
15 them were founded in my experience
16 growing up in Philadelphia. I am a City
17 guy, but I would also like to make a
18 small confession. I am, by no means, an
19 angel, nor have I ever been. So to sort
20 of jump to Councilman Rizzo's question,
21 yes, I have had some interesting
22 encounters with the Police Department,
23 and they were well deserved, to tell you
24 the truth.

25 But having said that, Inspector

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2 Fencil did teach me many things, but he
3 taught me the process of critical
4 thinking and being useful. And so when
5 there were situations that required
6 police response, ranging from Whitman
7 Park, as some of us remember, to MOVE, to
8 not 15 feet from here I was standing as
9 two City Councilpeople, who were both
10 friends of mine, got into a fistfight.
11 So having grown through those experiences
12 and watched how those people who may have
13 been perceived as enemies one day became
14 good friends over time.

15 It is important that the
16 separation process happens as you think
17 and react, and, most importantly, you
18 have to, as I said, use critical thinking
19 to understand that there are some
20 circumstances which are just the result
21 of foolishness or misjudgment, and some
22 of them are truly evil that require some
23 kind of response.

24 Now, that quality of evil can
25 be a characteristic of a bureaucracy. It

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2 can be a bunch of people sitting around
3 with ties and suits, or it can be
4 somebody with a weapon and the power to
5 use it. And I think you need a critical
6 thinking process and experience, having
7 stood next to people with the power of
8 life and death, with the power to ruin
9 careers and understand the consequences
10 of action.

11 Inspector Fencil insisted for
12 me to be of use to him and to the public
13 that I was serving, along with him and
14 the men and women, was I learn to
15 effectively communicate to the members of
16 the rank and file in the Police
17 Department to transmit his directions and
18 to evaluate necessary information. He
19 insisted I learn the safety and
20 proficiency in weapons. He insisted that
21 I understand the use of physical force,
22 along with deadly force. And having gone
23 through all that, at the end of the day,
24 he still insisted that I was an attorney,
25 that I needed to render advice and

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2 counsel and understand what were the
3 limits of power and authority.

4 So all of those things I hope
5 to bring to the Commission. I do think
6 it is important that there is someone who
7 has stood shift work and watched the use
8 of force, both deadly and non-lethal
9 force, and understand that there are
10 those people that are empowered to use it
11 that often are misunderstood or unfairly
12 attacked, and I would say that I would
13 lend a strong force to balance. And I
14 wouldn't call myself being judicial in
15 nature, but rather judicious. So,
16 therefore, I think I would lend some
17 balance and insight that may be of aid to
18 the Commission.

19 I do appreciate the time of the
20 Council in evaluating my application, and
21 I would turn the microphone over to one
22 of the next members of the application
23 pool.

24 COUNCILWOMAN MILLER: Thank
25 you.

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2 I guess the next is Jim
3 Crumlish, which -- I'm sorry; Kase.

4 MR. KASE: Good morning. My
5 name is Aaron Kase. In my day job, I'm a
6 reporter for Philadelphia Weekly.

7 I see the role as the Police
8 Advisory Commission as one of
9 communication between the Police
10 Department and the public, and that goes
11 two ways. I think it works as a conduit
12 for the police to know what the public is
13 thinking, public sentiment and public
14 opinion, but also it's a way for the
15 public to be reassured that the police do
16 have citizen oversight.

17 In my job as a reporter, I
18 think I'm in a position to help the
19 Commission in both aspects. I speak to
20 people every day about what they're
21 thinking about the police. I hear both
22 very positive things and very negative
23 things, and these are things that the
24 Commission needs to consider and the
25 police need to know about. I also have

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2 the opportunity to illuminate the public
3 on what the role of the Police Advisory
4 Commission is.

5 One of the reasons I signed up
6 to join it, to apply for this position,
7 is because I don't think most of the
8 public even knows there is a Police
9 Advisory Commission. It's not something
10 that's very well advertised, and I
11 appreciate the Chair's movement to
12 increase the transparency and open up the
13 application process this cycle.

14 But I think a stronger police
15 force is one with more transparency and
16 where the public is more aware of what's
17 going on. That's where I see my role as
18 one that can be uniquely valuable to the
19 Commission.

20 Thank you.

21 COUNCILWOMAN MILLER: Thank
22 you.

23 Toni McIlwaine.

24 MS. MCILWAINE: Good morning.
25 My name is Toni McIlwaine. And just to

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2 tell you a little bit about myself, I
3 came from North Philadelphia, raised
4 there. I came from poverty, drugs,
5 prostitution, all sorts of things growing
6 up, and in my family life, I always seen
7 violence and police and things of that
8 nature. And coming from a lot of
9 homelessness and destruction, I was
10 blessed to have a ministry now, a street
11 ministry, so I'm always in the street and
12 in Center City and other neighborhoods
13 speaking to young people. One of my
14 places is to the Gallery at Market East.
15 I always go there because my son, he goes
16 to CHAD at, I think it's, 7th and Spruce.
17 He goes to a charter school there. And a
18 lot of kids meet there at the Gallery,
19 and they always getting a little feisty
20 there and they always want to fuss there.
21 So I find myself engaging there with the
22 police officers to try to break up things
23 or try to interact there so I can stand
24 in the gap, because most of our young
25 people are really, really angry. Because

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2 I came from a place of so much abuse, and
3 we get so angry at times and we don't
4 know how to put that anger in certain
5 perspective.

6 So when I heard when I came to
7 City Council about the Police Advisory
8 Commission, I'm also a woman of God, and
9 it just leaped in my spirit to apply for
10 that position.

11 But just to say I'm always out
12 there on the streets. I see a lot of
13 things going on, and I'm not afraid to
14 interact. When I see violence, I always
15 take them to the side and maybe pray with
16 them. If I see a police officer, I
17 always give them a good hug and "I love
18 you," because what's going on with our
19 police officers, I don't think -- in some
20 cases they don't get fair treatment,
21 because we see so much -- so many things
22 about our police officers on TV. Most of
23 it is negative and things of that nature,
24 but I have seen some pros and cons from
25 being brought up in poverty, and my heart

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2 is in truth.

3 So if you stand and I think if
4 I was to be a part of that Commission, I
5 could easily stand, you know, as a bridge
6 in the gap between good and bad, because
7 all police officers are not bad and all
8 police officers are not good, but with
9 the right person standing in the gap to
10 try to bring unity, I think that will be
11 a blessing. And I also have a
12 26-year-old son who got in a thing with
13 police officers because he had a backpack
14 or a hoodie or something. I don't think
15 that's fair, but I'm also partial. I
16 wouldn't judge, you know, without hearing
17 the full story.

18 So I think it would be good for
19 me, because I'm already engaged. And I
20 was blessed to meet Chief Ramsey, and I
21 gave him a big hug when he came in. And
22 he was blessed to take that office. And
23 I went to a meeting he had when they were
24 so rowdy there because they didn't
25 understand, when he came on the scene,

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2 they was just bitter. They was bitter.
3 And so because I was blessed to be able
4 to calm the crowd, he was able to speak.
5 And so I'm really blessed to have Chief
6 Ramsey. I mean, and the police officers,
7 they just doing their job.

8 And so that's why I want to be
9 a part of the Police Advisory Commission.

10 COUNCILWOMAN MILLER: Thank
11 you. Thank you for your testimony.

12 Are there any questions of
13 these witnesses?

14 (No response.)

15 COUNCILWOMAN MILLER: Thank
16 you.

17 Rachel Branson, Lorraine Troy
18 and Angelina Zamichieli.

19 (Witnesses approached witness
20 table.)

21 COUNCILWOMAN MILLER: Good
22 morning. Thank you for coming in today.
23 You can state your name for the record,
24 pull the mike close so that we can hear
25 you and you can proceed with your

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2 testimony in the order in which I called
3 your name. It's easier that way. Rachel
4 Branson is first, Lorraine Troy and
5 Angelina.

6 MS. BRANSON: Good morning. My
7 name is Rachel Branson. I'm not a native
8 Philadelphian, but I purchased a home in
9 Center City three years ago. Since that
10 time, I purchased a second property that
11 I rent in South Philadelphia.

12 I am an attorney. I practice
13 in Center City at Schnader Harrison Segal
14 and Lewis where I'm an associate in the
15 Corporate and Intellectual Property
16 Departments.

17 As I mentioned in my
18 application, when I first heard about the
19 Police Advisory Commission on the radio,
20 I was glad to learn that there was a body
21 in Philadelphia that works to investigate
22 citizen complaints of police misconduct.
23 I wanted to learn more about the
24 Commission, so I did some research and
25 learned that the Commission not only

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2 serves an oversight function, but that it
3 also seeks to educate the public on its
4 activities through community outreach
5 programs and reports, improve Police
6 Department procedures and assist in
7 making the Police Department more
8 effective and foster better relations by
9 collaborating with City officials, Police
10 Department personnel and the community.

11 I was excited to learn that the
12 Commission consists of a diverse group of
13 citizens who represent various
14 organizations and interests from around
15 the City and that there is an opportunity
16 for me to contribute to the Commission's
17 efforts.

18 I applied to the Commission
19 because I want to work to restore the
20 trust between the Police Department and
21 the community in which I live and work.
22 I want to help implement policies and
23 procedures that will help police
24 personnel carry out their duties in a
25 culture and environment where the police

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2 and community feel respected.

3 In addition to investigating
4 police misconduct and approving the
5 efficiency of the Police Department,
6 educating the public is equally important
7 to me. It is important that the public
8 is aware that the Commission exists. It
9 is also important that the public knows
10 that the Commission and the Police
11 Department are making positive strides to
12 restore respect and trust between these
13 groups.

14 Although I am a transplant, I
15 am a young professional that is actively
16 involved in the community where I work
17 and live. I am a member of the
18 Philadelphia Bar Association. I'm a
19 landlord, church member and volunteer for
20 various non-profits and service
21 organizations. My connections and
22 service to the City are extensive and
23 allow me to interact with a cross section
24 of citizens. My academic credentials
25 demonstrate that I'm a thinker. My

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2 community involvement establishes that

3 I'm a doer. The diversity of my

4 involvements will allow me to contribute

5 to the current diversity of the

6 Commission and the great work that it

7 endeavors to do.

8 Thank you.

9 COUNCILWOMAN MILLER: Thank

10 you, ma'am.

11 Lorraine Troy.

12 MS. TROY: Good morning. My

13 name is Lorraine Troy and I'm honored to

14 be here. I'm a retired special agent

15 from the Federal Investigative Service,

16 formerly the Defense Investigative

17 Service. I was assigned to the

18 Philadelphia field office from April '82

19 until my retirement in December of 2007.

20 As a special agent, I conducted

21 investigations on federal employees,

22 applicants for federal employment, as

23 well as government contractors to

24 determine their suitability for access to

25 national security information. After a

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2 total of 31 years of civil service, I now
3 spend my time helping children and young
4 adults in the community.

5 I've been a member of the Youth
6 Aid Panel at the 18th District for ten
7 years. Two years ago I became a Chairman
8 of their second panel. I found that
9 working with children is where we ought
10 to start, because they're our future.

11 Most of our children that I
12 encounter through the Youth Aid Panel are
13 angry or they have problems at home, and
14 I found that in talking with them and
15 trying to get them to see that the police
16 are their friends and that the police are
17 there for their safety, it helps to
18 change their attitude towards the police
19 and authorities in general.

20 In addition to working with the
21 Youth Aid Panel, I've also started my own
22 mentoring program, and right now I'm
23 working on my 501(c)(3), because I feel
24 very passionate about helping the
25 children and young adults in the

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2 community make better decisions.

3 Additionally, I volunteer to help women
4 with breast cancer.

5 I'm unemployed, so I have
6 plenty of time to volunteer. I'm loving
7 this retirement thing.

8 I feel as though I would bring
9 a lot to the Police Advisory Commission,
10 because I can think on my feet, I'm a
11 fact finder and I'm really, really good
12 at it. I can be objective, because I've
13 been on both sides. I was a tough kid.
14 I was a bad kid. I was an angry kid, but
15 I didn't get arrested, because I was a
16 smart kid. However, I relay this to the
17 children that I interact with to let them
18 know if I can become a special agent, you
19 can too.

20 Thank you very much.

21 COUNCILWOMAN MILLER: Thank
22 you. Does special agent mean police
23 officer?

24 MS. TROY: Special agent in the
25 Federal Service, yes. It's a criminal

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2 justice position.

3 COUNCILWOMAN MILLER: Were you
4 a police officer?

5 MS. TROY: No; special agent
6 for Federal Investigative Service.

7 COUNCILWOMAN MILLER: All
8 right. Thank you.

9 MS. TROY: You're welcome.

10 COUNCILWOMAN MILLER: Angelina.

11 MS. ZAMICHIELI: Hello, ladies
12 and gentlemen. It is an honor to stand
13 before everybody today. I am highly
14 appreciative to be invited to this
15 important event. I am very honored and
16 proud and dedicated as a civilian to be
17 standing here.

18 If I were nominated and
19 selected to participate and serve on the
20 Philadelphia Police Commission, I would
21 be a good asset. I would be a good asset
22 because I am very hard working, creative
23 and determined and have very good
24 communication skills. I can set goals
25 and actually achieve them and meet

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2 deadlines and finish projects on time. I
3 feel I can bring diversity to the
4 Commission and with my tolerance to
5 accept things I can and cannot change,
6 but improve ideas and theories and
7 introduce better procedures to improve
8 the relationship between the Philadelphia
9 Police Department and the public.

10 My dedication to honor,
11 integrity and justice is what I stand for
12 to protect the City of Philadelphia, to
13 impose penalties on criminals, conduct
14 investigations of civilian complaints of
15 police conduct and improve practices.
16 Also, to correct procedures to make them
17 better for our City of Philadelphia.
18 Good policies is everyone's
19 responsibility, but it is my
20 responsibility to cut back on crimes and
21 make a better relationship between the
22 police and public. God has put me forth
23 to protect and serve on the Police
24 Commission. I stand here before
25 everyone. Hopefully I gain the trust of

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2 the Commission.

3 Thank you for your time.

4 I would like to add one more
5 thing. I am the granddaughter of a bonds
6 bailman at a criminal justice center in
7 Center City, and hopefully I gain the
8 trust and would keep it in the family.

9 Thank you.

10 COUNCILWOMAN MILLER: Thank you
11 for coming. I think all of you women
12 have -- actually, all of the applicants
13 have included in your comments some of
14 the questions that we've had, which is
15 really great, and I want to thank you.
16 We appreciate your applying. And since
17 I'm the only Committee member sitting
18 here at the moment -- the rest will be
19 back shortly -- I don't have any
20 questions, and thank you.

21 I'll call up the next panel.

22 Rod Herrera, Jamira Burley and Keith
23 Kunz.

24 (Witnesses approached witness
25 table.)

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2 COUNCILWOMAN MILLER: Please
3 state your name for the record. Don't
4 forget to pull the mike up close to you
5 so we can hear you.

6 MR. HERRERA: Rod Herrera.

7 COUNCILWOMAN MILLER: And, Rod,
8 you're going to go first, and then we'll
9 have Jamira and then we'll have Keith.
10 Thank you. Good morning.

11 MR. HERRERA: Good morning,
12 members of the City Council. I'm here
13 simply because I have broad experience.
14 I'm not a cop. I'm not an FBI agent.
15 I'm not in law enforcement, but I do live
16 here in Philadelphia.

17 I feel that my job on the
18 Commission would be to mitigate whatever
19 is on the table and come up with a
20 solution that would be of benefit to the
21 City as a whole. I'm interested in
22 improving police tactics, but also in
23 extracting from the community a little
24 more responsibilities in observing our
25 laws and making sure that communication

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2 between the Police Department and the
3 community are such that they could be a
4 harmonious relationship.

5 I have two 20-year-old boys
6 right now and I was horrified the other
7 day when one of them asked me what really
8 is the purpose of a cop. My kids are not
9 in trouble, but they see the policemen as
10 enforcers of little things, mostly as
11 enemies of society. They see shows on TV
12 where the police take people and they
13 bang them around or they have hot chases
14 where the car crashes and people end up
15 dead. No fault of the Police Department,
16 but I do think that we have given the
17 Police Department a mission that is
18 really beyond their scope to complete.

19 The cop on the beat is not
20 enforcing the law. He's really reacting
21 to a physical event somewhere. The law
22 is really being applied by lawyers.
23 They're arresting little kids and feeding
24 the system, a prison system, that I'm
25 sure that by design has removed an

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2 enormous amount of citizens that could be
3 used in our society if they have given
4 them a second chance or put them into
5 school.

6 People go to jail. It costs
7 \$40,000 a year to keep someone in jail.
8 You give me the same person and in four
9 years I will give you an engineer from
10 Drexel University. But to incarcerate
11 kids that are 16, 17 years old and to put
12 them away forever is unfair.

13 It's also unfair to think that
14 the police is not there to uphold
15 society, which is something I have to
16 explain to my kids. How does the police
17 and society -- it's really one group.
18 We're not two different diverse groups.

19 I work in the Latino community
20 quite a bit, and I know that there's a
21 big rift and it's getting bigger between
22 the police and the application of
23 whatever they have to apply and the
24 community, basically because the only
25 time they see a policeman is when he's

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2 giving you a ticket for going through a
3 traffic light. Nobody is happy about
4 getting a \$100 ticket, especially if
5 you're unemployed. And the cop has no
6 choice but to give you a ticket, because
7 that's the assignment he's been given.
8 Well, if these things come onto the
9 table, I think we can all discuss them
10 and come up with something that will be
11 of benefit to the City, to the Police
12 Department and to the local communities,
13 and I see my role basically as an
14 advocate for both sides in the meeting
15 and coming up with solutions to improve
16 our city.

17 This is a beautiful city. I
18 moved here from New York City because I
19 love it. I really think that
20 Philadelphia is not only a beautiful
21 city, but it gets a black eye every time
22 somebody publish something that is
23 anti-police or anti-community or
24 confrontation, and it shouldn't be so.
25 We have probably the best city in the

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2 United States, and I've been to many of
3 them. As an architect, I have developed
4 and rehabbed over 700 houses in this
5 city, mostly dilapidated houses, in West
6 Philly and North Philly that turn into
7 Section 8, where the attitudes change,
8 where communities are being helped, where
9 the police are amicable with the
10 communities, and that's what I would like
11 to see. I would like to see a better
12 relationship between the Police
13 Department, whatever their assignments
14 are internally, and the community, and I
15 think that there's a broad gap that we
16 have to bridge there.

17 Now, if that's what you're
18 looking for, then I'm your man. If not,
19 then I appreciate allowing me to come
20 here and give you something out of my
21 heart.

22 COUNCILWOMAN MILLER: Thank
23 you. Thank you for your testimony.
24 Please don't leave yet.

25 Jamira is next, I believe, and

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2 then Keith Kunz.

3 MS. BURLEY: Good morning, City
4 Councilmembers. My name is Jamira Burley
5 and I'm a senior at Temple University
6 where I major in International Business,
7 Legal Studies, with minors in Chinese and
8 Business Sustainability. I'm also the
9 Chairwoman of the Philadelphia Youth
10 Commission. For those who are unaware,
11 the Philadelphia Youth Commission was
12 voted into charter in 2008 by
13 three-fourths of the voters in
14 Philadelphia. It was conceived from an
15 idea from Councilwoman Blondell Reynolds
16 Brown, PCCY and members of the youth who
17 saw that there was a need in Philadelphia
18 to have youth have a voice in City
19 government. The Youth Commission
20 represents ages 13 to 23. There are 21
21 members, 17 who are appointed by City
22 Councilmembers and four are appointed by
23 the Mayor.

24 Today I testify before you in
25 regards to my desire to receive an

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2 appointment to the Philadelphia Police
3 Advisory Commission. Statistics prove
4 that youth account for more than 40
5 percent of the Philadelphia population,
6 yet their input are rarely solicited.
7 Although a decrease has been seen in
8 criminal activity in Philadelphia, there
9 is still an increase in criminal activity
10 among young people. This increase in
11 criminal activity has been seen through
12 the most recent flash mobs and school
13 violent acts that has not only taken
14 place within our city but also across the
15 country. Youth members have used these
16 form of expression as a way to lash out,
17 and will continue to do so if lawmakers
18 and City officials do not start to have a
19 better understanding of the issues and
20 concerns facing today's youth.

21 I recommend -- in addition to
22 having youth representation on the
23 Commission, I recommend and advise that
24 youth be brought to the table of
25 discussion when decisions about our

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2 future are being made. Who better to
3 speak on issues facing youth than the
4 youth themselves?

5 As not only a native of
6 Philadelphia but also a youth member
7 myself, I believe that I will be able to
8 bring a perspective to the Commission
9 that is normally not represented. For
10 the 21 years that I have been a resident
11 in Philadelphia, I have lived in some of
12 the worst neighborhoods that Philadelphia
13 has to offer and I have seen things that
14 the news has not and won't cover. But I
15 have also seen the positive and the
16 negative effects that the police have had
17 on our community. And, sadly, I have
18 watched as those effects helped shape the
19 perceptions that residents now have of
20 those officers. More importantly, to
21 this appointment, as a youth I have
22 watched the City deteriorate with the
23 increase in youth violence and the
24 continuous disregard for the respect that
25 is due our police force.

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2 To be granted this opportunity
3 to serve on the Police Advisory
4 Commission would be an honor, and in
5 turn, I will ensure that the ideas and
6 concerns of the residents of
7 Philadelphia, particularly the youth, do
8 not go unheard.

9 Lastly, I will work to restore
10 the relationship between the police force
11 and the young people across the City. If
12 appointed, I look to make sure that the
13 very people who are being paid to serve
14 and to protect the residents of
15 Philadelphia are doing their job to a
16 standard in which we as a society has set
17 forth.

18 I would like to thank you for
19 allowing me to testify before you today
20 on this great opportunity.

21 COUNCILWOMAN MILLER: Thank you
22 for your testimony and your commitment to
23 serve.

24 Keith Kunz.

25 MR. KUNZ: Good morning.

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2 COUNCILWOMAN MILLER: Good
3 morning.

4 MR. KUNZ: First I'd like to
5 thank you for letting me come in here
6 today and speak. I would like to
7 apologize for not being fully prepared
8 for this, as I just got back from my
9 honeymoon this morning.

10 COUNCILWOMAN MILLER: Oh,
11 congratulations.

12 MR. KUNZ: Thank you. Thank
13 you.

14 COUNCILMAN JONES: That's
15 commitment.

16 COUNCILWOMAN MILLER: That's
17 commitment.

18 MR. KUNZ: I do agree with many
19 of my fellow applicants that I do believe
20 the role of the Commission is as
21 communications and to work with the
22 Police Department. I have lived as a
23 lifelong resident and still live in
24 Philadelphia. I've seen many things,
25 including the MOVE. I do have friends

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2 that are police officers, friends that
3 are retired police officers.

4 I feel that, like another
5 applicant has stated, that the Commission
6 doesn't really have a voice. It needs
7 more of a public voice, is what I'm
8 trying to say. And I feel as one of the
9 applicants that I can bring it, as my
10 background working in journalism, in news
11 and seeing how the different television
12 organizations in general, they like to
13 put their own spin on the activities that
14 happen. I think I could give great
15 insight into that and work with the
16 Police Commission in trying to better
17 deal with these.

18 That's all I have to say today.

19 Thank you.

20 COUNCILWOMAN MILLER: Thank
21 you.

22 One thing I want to just
23 mention. Mr. Herrera, you said you're
24 not a police officer, you're not this,
25 you're not in law enforcement. This is

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2 for all citizens. You don't have to be
3 in law enforcement or working in the
4 criminal justice system to be a member of
5 this Commission. This Commission is open
6 to everybody.

7 MR. HERRERA: Yes. I didn't
8 mean to imply that, but what I meant --
9 actually, what I saw is an overload of
10 applicants who are ex-FBI,
11 ex-investigators, ex-special agents,
12 unemployed agents. It's like they're
13 trying to overload this Commission with a
14 police active or military attitude about
15 law and order. Well, that doesn't work
16 to the citizens.

17 We're citizens. I'm a citizen,
18 and I want to emphasize that I'm here to
19 represent the person who pays the bill to
20 have these people serve us. I don't need
21 more military ex-officers here. I don't
22 need Vietnam veterans to come here and go
23 into the Police Department and apply the
24 tactics that we applied in Vietnam
25 because it worked.

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2 COUNCILWOMAN MILLER: Well, we
3 understand that.

4 MR. HERRERA: And that's the
5 problem with the Police Department.

6 COUNCILWOMAN MILLER: We
7 understand that. That's why we've had --

8 MR. HERRERA: So I just wanted
9 you to consider when you make your
10 selection, please don't have a majority
11 of ex-law enforcement people in here.

12 COUNCILWOMAN MILLER: Our
13 process is open, diverse, and we heard
14 your point. But I just wanted to make
15 comment that you do not have to be any of
16 those things.

17 MR. HERRERA: I thank you, and
18 I do uphold the law, you know.

19 COUNCILWOMAN MILLER: Well, you
20 can't really say it's overload. They
21 have a right to apply. Everybody has a
22 right to apply, and that's what we have.
23 But we're also glad to see young people
24 here also.

25 COUNCILMAN JONES: Madam Chair?

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2 COUNCILWOMAN MILLER:

3 Councilman Jones.

4 COUNCILMAN JONES: First of
5 all, when I first came to City Council,
6 which was three years ago, I looked
7 around at my colleagues and I looked at
8 the diverse mix of people, with different
9 backgrounds, economic, religious, gender,
10 all of those differences, and then I
11 started calculating the demographic and
12 how it worked. The beauty of this body
13 is it is representative of the
14 demographic of the City of Philadelphia.
15 We have people of means, people that are
16 just regular earners, and it's an
17 interesting mix, and what happens in this
18 process is, you get a rich amount of
19 input that creates a fairly good
20 decision. You know it's a good decision
21 because everybody is mad at you at the
22 end of it, and so it's kind of -- it goes
23 through its paces, but at the end, all
24 voices are heard.

25 What I understand to be the

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2 purpose of this is getting a mix of
3 people from different points of view. As
4 I look at the list of applicants, what is
5 striking is the age difference, and some
6 of the people that are interested, based
7 on my quick calculations, are older.
8 They're mature. They have time now to
9 give back to the community and things
10 like that. But what is of interest to me
11 is the demographic that comes in contact
12 with law enforcement and making sure that
13 that demographic is represented, because
14 as I look at those ages and dates that go
15 back and back and back, if I asked you
16 what a flash mob was and why it happens,
17 can you relate to that?

18 I went into two places in my
19 district in the last two weeks. I used
20 to go to a place -- I won't name the
21 restaurant, but it's on City Avenue, and
22 it used to be, 15 years ago, you could go
23 in there on a Friday and sit down and
24 have a meal. Well, when I went in there
25 a couple weeks ago, the demographic had

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2 changed. I felt like my grandpa in that
3 place, but to understand that, you have
4 to be from that.

5 So what I hope -- and I hope
6 the Chairman doesn't mind me --
7 Chairwoman -- I stand corrected --
8 doesn't mind me saying, is to go through
9 these paces to hear from the more
10 conservative side to the more liberal
11 side, and then the hard task will be
12 selecting out of those applicants a mix
13 of people that will guard us from us and
14 advise us about us, and that's what I
15 think the spirit of the Chairwoman's
16 point is. You could be the CEO of Pepsi
17 or you could be the dishwasher at IHOP.
18 It doesn't matter to us. What matters to
19 us is your ability to present those
20 points of view in a diverse fashion.

21 Specifically about young
22 people, I'm interested in statistics that
23 show that from 18 to 24 -- those are the
24 dangerous years -- interaction with the
25 law, both as a victim and as a

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2 perpetrator, and understanding there are
3 certain cultural things that weren't
4 there in my time that are there now,
5 like, we don't care if we get caught and
6 we don't care what happens in the arrest,
7 and that's a dangerous kind of "us
8 against them" mindset that we need to
9 deal with, and I wanted to hear your
10 perspective on that.

11 MS. BURLEY: I would have to
12 agree. A lot of the people I come into
13 contact with have this idea of a
14 dog-eat-dog world or they don't have
15 anything to live with, and I think that's
16 one of the most dangerous things that a
17 police officer has to deal with, is that
18 you're now fighting against or you're
19 trying to impose the law in someone who
20 doesn't care about the law or neither has
21 anything to live for. And I think that's
22 a perception that we as a society have to
23 change in order for these people to start
24 respecting the law in which officers are
25 trying to set forth.

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2 COUNCILMAN JONES: I agree, and
3 I wanted to hear that from -- because,
4 again, I'm older than you, but I wanted
5 to hear that, because that's what I hear
6 in my barber shop, and that scares me
7 most of all. I grew up with the notion
8 that at the end of my career, there would
9 be a gold watch. I'd work somewhere, I'd
10 raise a family. They don't see that far.
11 They don't care that far sometimes, and
12 that's scary to me.

13 MS. BURLEY: I actually have a
14 little brother. He's 16 now, and his
15 goal is just to make it to 25. And I
16 know a lot of people like that who don't
17 think that they're even going to see the
18 age of 25. So I think that's just
19 heartbreaking in itself.

20 COUNCILMAN JONES: So it's my
21 hope that we get a rich amount of
22 experience from everyone, Ms. Chairwoman,
23 but we'd better get some people that can
24 relate to all generations, all -- you got
25 to know the difference between Washington

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2 Avenue and Washington Lane, and if you
3 don't, then you're not going to be value
4 added to this Commission.

5 Thank you, Madam Chair.

6 MR. HERRERA: That's exactly
7 right, Mr. Councilman. Laws when we were
8 young were laws. They're no longer
9 applicable. I mean, I see my kids are
10 hanging out with kids that are smoking.
11 I look the other way, frankly, because
12 I'm confused. Is the law applicable or
13 isn't applicable? Is marijuana legal?
14 It isn't legal, how much they carry. You
15 know, and I understand also the confusion
16 not only of the kids' part but on the
17 policemen part, and this is where we have
18 to help, not only here but I think the
19 whole judicial system has to also help
20 the Police Department. You can't ask
21 someone to go out there, implement
22 something when he's not really sure if
23 it's a crime or not, you know.

24 Well, I think basically we're
25 all here for the good of the City, and I

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2 do appreciate that you do recognize that
3 and that you were up on it, and I'm
4 comfortable going home knowing that you
5 are all very much aware of what I'm
6 considering to be a very important issue.

7 COUNCILMAN JONES: Thank you.

8 COUNCILWOMAN MILLER: Thank
9 you. And we think it's an important
10 issue too, and that's why we have this
11 hearing and have applicants come in.

12 I want to thank all three of
13 you for coming in and showing an interest
14 in becoming a member of this Advisory
15 Commission. Thank you.

16 (Thank you.)

17 COUNCILWOMAN MILLER: Is there
18 anyone who has not signed in?

19 (No response.)

20 COUNCILWOMAN MILLER: Because
21 our next two candidates, next two
22 applicants, Curtis Pontz and Reverend
23 Robert Shine.

24 (Witnesses approached witness
25 table.)

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2 COUNCILWOMAN MILLER: Good

3 morning.

4 REVEREND SHINE: Good morning.

5 COUNCILWOMAN MILLER: Don't

6 forget to pull the mike up close so we

7 can hear you. Please state your name for

8 the record and proceed with your

9 testimony or comments.

10 Mr. Pontz.

11 MR. PONTZ: My name is Curtis

12 Pontz and I thank you for providing me

13 with the opportunity to speak before City

14 Council in support of my application to

15 serve as a member of the Police Advisory

16 Commission.

17 My ties to Philadelphia run

18 deep. I was born in this city, am a

19 lifelong Philadelphia resident and a

20 graduate of a Philadelphia university and

21 a Philadelphia law school. I refer you

22 to my resume for a full list of my many

23 contributions to the civic life of this

24 city. I view service on the Commission

25 as another opportunity to contribute on a

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2 volunteer basis to an essential civic
3 need; namely, that of improving and
4 ultimately solidifying the relationship
5 between the Police Department and the
6 City's residents.

7 My background includes five
8 years in the position of Deputy Attorney
9 General with the Pennsylvania Department
10 of Justice, as Chief of the Criminal Law
11 Assistance Division of the Department's
12 Office of Criminal Law for two of those
13 years, with duties including serving as
14 Senior Counsel to the Pennsylvania State
15 Police, in which role I gained a keen
16 insight into issues related to police
17 conduct, operations and protocol.
18 Subsequently, two additional years were
19 spent as attorney in charge of the
20 Scranton and Harrisburg offices of the
21 Pennsylvania Crime Commission, as well as
22 of all Crime Commission investigations in
23 five suburban Philadelphia counties. In
24 my role as Deputy Attorney General, as
25 well as during service for a year as

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2 Deputy Special Counsel and Senior
3 Investigator of a Philadelphia Bar
4 Association investigation into unethical
5 solicitation by Philadelphia lawyers, I
6 helped organize, plan and direct the
7 completion of sensitive investigative
8 assignments.

9 From 1994 to 2001, I served as
10 Director of Compliance programs for a
11 Forbes 300 company. In that capacity, I
12 was responsible for the continued
13 development of the company's compliance
14 program aimed at providing employees with
15 an understanding of the company's
16 expectations related to legal and ethics
17 matters and preventing violations of the
18 company's policies and procedures. I
19 directed all compliance training
20 activities, as well as enforcement of the
21 company's Code of Ethics and Business
22 Conduct Guidelines among 10,000
23 employees.

24 I am retired from my former
25 full-time corporate position and

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2 presently serve as an Adjunct Professor
3 at Drexel University, where for the past
4 eight years I have taught a course about
5 occupational ethics. I will be able to
6 devote considerable time to the tasks and
7 responsibilities of a Commission member
8 without having to face the competing
9 constraints and tugs of full-time
10 employment.

11 I strongly believe that my
12 background, including my work teaching
13 about occupational ethics, eminently
14 qualifies me to help the Commission
15 accomplish the goal of gaining the high
16 regard it would hopefully want for itself
17 as a respected and effective component of
18 City governance.

19 Thank you.

20 COUNCILWOMAN MILLER: Thank
21 you.

22 Reverend Shine.

23 REVEREND SHINE: Good morning.

24 COUNCILWOMAN MILLER: Good
25 morning.

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2 REVEREND SHINE: My name is
3 Reverend Robert Shine, a Pastor of the
4 Berachah Baptist Church. I have pastored
5 in Philadelphia for 40 years and have
6 taught in the seminary in Philadelphia
7 for more than 25 years and have organized
8 two charter schools in Philadelphia, the
9 World Communications Charter School at
10 Broad and South and the FACT Charter
11 School, FACT meaning Folk Art and
12 Technical Charter School. And that's
13 being led by a dear friend, Debbie Wei.

14 In addition to that, we have
15 been very active in social and civic
16 matters as far as police and citizens
17 relationships have been concerned. Since
18 1996, '97, I was recommended to the
19 Police Advisory Commission and was
20 appointed by the Mayor and have been
21 serving on the Commission since then.
22 We've been actively involved and called
23 upon from the Governor's Office, the
24 Mayor's Office, even our national
25 offices, our senators have called upon

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2 us, to be engaged in what seemingly have
3 been allegations of police brutality,
4 excessive police force. We have done
5 that successfully from the time when the
6 Tom Jones beating occurred and we took on
7 the then-District Attorney Lynne Abraham
8 inasmuch as then we insisted on her
9 creation of a task force within her
10 department, of which I served as a
11 member, to explore and to examine ways by
12 which we could reduce crime and the
13 criminal element in our city.

14 We also were effective as far
15 as conducting at the Temple University a
16 forum on reentry, resocialization,
17 rehumanization of ex-offenders. We
18 engaged the services of members of City
19 Council and of State Representatives to
20 sit together and to interview and to
21 solicit from returnees, which is now what
22 we call ex-offenders, because we
23 discovered that the term "ex-offenders"
24 was, in and of itself, offensive to them.
25 It continued to lower their self-esteem.

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2 It was an idea by which to reduce
3 recidivism.

4 In addition to that, in working
5 cooperatively with the District Attorney,
6 Lynne Abraham, it was because of the
7 excessive sentencing guidelines that were
8 imposed where those with lesser felonous
9 convictions were given extreme
10 sentencing, and we were very concerned
11 about that issue. We were concerned
12 about the overcrowding in the prison. We
13 were concerned about these matters, and
14 thus this created for us the background
15 of experience not only with the
16 shootings. The most recent shootings
17 that we were involved in and asked by
18 Channel 6, Dan Cuellar, to get involved
19 in was the shooting of the police officer
20 at 70th and Broad, when we were asked to
21 come on the television to ask the victim,
22 John Lewis, if he would turn himself in
23 to us and we would find representation
24 for him, which in fact we did. Michael
25 Coard was the attorney representing him.

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2 We were involved in many of
3 these incidents throughout the City for a
4 good while now. So ours has been
5 hands-on experiences. We've worked with
6 City Councilmembers when we went to
7 various homes, as the Commission would
8 do.

9 The Commission itself has an
10 oversight role. The oversight role of
11 the Commission is to talk to, investigate
12 and to gain knowledge, the intelligences
13 from citizens who have been adversely
14 affected by perhaps what -- until we had
15 further knowledge of the issue, the
16 incident, we would have interviewed,
17 sworn statements by victims, sworn
18 statements by witnesses, and then we
19 would evaluate those per committee.

20 On the Commission, there are
21 committees set up so that each committee
22 would have an opportunity to discuss,
23 review, to investigate and then to make
24 recommendations to the Police
25 Commissioner and to the Mayor and to

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2 Internal Affairs. We've worked with both
3 entities of City government, the Police
4 Commissioner, the Mayor and the Internal
5 Affairs -- we worked with all three -- to
6 find better ways to improve the quality
7 of life for every citizen.

8 Many of the incidents that were
9 brought to our attention -- and there
10 have been a number of them, but by virtue
11 of the Commission, many of those
12 incidents have begun to reduce, and we've
13 seen some very positive effects about
14 police and community relationships.

15 Ofttimes, the Commission would
16 go out into the community. We just do
17 not sit behind the desk as volunteers,
18 but we go out into the community and we
19 hold community meetings to ascertain from
20 the citizens what their problems are with
21 policing in various communities. Our
22 discovery has been very detailed. We
23 found that there are some incidents where
24 there is abuse, police abuse. We found
25 some incidents where upon review of all

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2 of the data collected and then visiting
3 the site of a particular incident, we
4 would find many facts that warrant our
5 strong recommendation.

6 One of the things that we did,
7 we interviewed the Police Commissioner a
8 few months ago and we asked the Police
9 Commissioner what was his thoughts about
10 the Commission, to which he agreed that
11 the Commission had a vital role to play
12 in the City, for which we also agreed.

13 So ours is a broad range of
14 approaches to not only dealing with the
15 intelligence that we collect,
16 interviewing the witnesses as well as the
17 police officers involved, but also in
18 trying not just to bring about harmony
19 and a quality of life, but making sure
20 that the citizens are being protected.
21 The role of the police is to protect the
22 citizens, and in doing that, we want to
23 be sure that they do not use excessive
24 force in doing that.

25 Ofttimes, we have found some

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2 incidents and we've concurred that those
3 incidents were worthy of merit that they
4 be submitted to the Mayor for further
5 decision-making. As an example, there
6 was an incident that occurred, and the
7 police -- a number of police officers
8 abused the citizen, and then it went to
9 arbitration after he was discharged, put
10 on office duty, and the arbitrator then
11 had a ruling that the officers could be
12 freed, but evidence by the video revealed
13 contrary to that. So the issue then
14 raised is whether or not an arbitrator
15 independent, the Commissioner, the Mayor,
16 the Commission, whether or not there was
17 any strength in the four entities of City
18 government prevailing in an incident that
19 was obvious to the citizens when you
20 looked at the video.

21 So there are some issues with
22 which it takes a great deal of
23 sensitivity and takes a great deal of
24 experience and not just novice experience
25 in a role of this magnitude. I recognize

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2 that there is a need for the youth and
3 younger, but when it comes to very legal,
4 hard decision-making, standing by
5 decisions that you have made that may be
6 unpopular in many venues, but I believe
7 that what we must do if we're going to
8 produce quality of life further and the
9 citizens of Philadelphia be more
10 comfortable with the policing in their
11 communities, then there needs to be
12 something broader, which the Commission
13 does offer, and we expect that this is
14 what can happen, and we're glad to have
15 served these many years and will continue
16 to do so as long as we give satisfactory
17 service.

18 COUNCILWOMAN MILLER: Thank
19 you, Reverend Shine, for your comments.

20 You know, we know it's
21 important to have folks on this
22 Commission that are going to be fair and
23 objective. So most people coming in here
24 today -- actually, everybody has actually
25 talked about how they want to serve and

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2 the fact that they are going to be fair
3 and objective, both for the police side
4 and for the public side.

5 So I want to personally again
6 thank you for coming in. I don't have
7 any questions. I've listened to both of
8 you and read your comments. So at this
9 point, I just need to know if there's
10 anyone else in the Chambers that wants to
11 testify that's an applicant for the
12 Police Advisory Commission.

13 (No response.)

14 COUNCILWOMAN MILLER: Seeing
15 none, this concludes the public hearing
16 on the Committee on Public Safety, and
17 this hearing is being adjourned to
18 Tuesday, June 8th, 2010 at 1:30 p.m.

19 Thank you.

20 (Committee on Public Safety
21 adjourned at 11:30 a.m.)

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CERTIFICATE

I HEREBY CERTIFY that the
proceedings, evidence and objections are
contained fully and accurately in the
stenographic notes taken by me upon the
foregoing matter on June 1, 2010, and that
this is a true and correct transcript of same.

MICHELE L. MURPHY
RPR-Notary Public

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