



POLICE PERFORMANCE CONSULTING

June 25, 2016

Ferguson Collaborative Monitor Survey
Via Email: fergusoncollaborative@gmail.com

Re: Survey Response

Police Performance Consulting, LLC, its principals Attorney Eric P. Daigle and Chief (ret) Charles Reynolds are dedicated to working with the Ferguson Collaborative and other community members throughout the implementation of the consent decree process if selected. Below please find your questions and our responses to those questions.

- 1. Will your team be soliciting community input during the selection process or shortly after you are chosen, and will you make your team available for community Q&A sessions during the selection process?**

The answer to both questions is yes. We are prepared to be responsive to any requests made by the parties in the selection process, including Q & A sessions. If selected, the PPC monitor team intends to both initially and continually have interaction with different community groups to identify the people or organizations that will provide beneficial integration in the reform process of the Ferguson Police Department and the City of Ferguson.

- 2. Describe the methods your team will use to share information and solicit community input, especially from those most impacted by unconstitutional policing, during the process of implementing the consent decree?**

If selected, the PPC monitor team will utilize multiple methods to share information and solicit community input. The first method would be the progression reports to the Court that are mandated by the agreement. Once provided to the parties, the Federal judge, and made public, they will be made available on the PPC website or a website made to report on Ferguson implementation. The PPC monitor plan includes meetings with community groups and individuals and periodically hosting community forum meetings during regular onsite visits.

3. Who on your team will be specifically defined as a liaison to the community? How would that person define his/her point of view on community policing, and the importance of the community's ability to guide local policing?

PPC will operate under the guidance of Co-Monitors Eric Daigle and Charles Reynolds. Team member, J. Rick Brown will have responsibility for assessing and being the liaison with the community. Defining a point of view on community policing is a subjective analysis we attempt to avoid. The community's point of view on community policing is the more important issue. We operate under the firm belief that a police department must work hand in hand with their community for the success of all parties. We encourage a path of understanding that is identified as "the police are the public and the public are the police." This is a principle identified by Sir Robert Peel in 1829 as he developed the first Metropolitan Police Force in the UK. We believe that the community serves as a check and balance to assure the police department is adhering to the requirements of constitutional policing. In addition, any police department should ensure the integration of Police Legitimacy and Procedural Justice into their interaction with the community.

4. Describe your team expert's approach to problem-oriented policing, involving the partnership of police with other governmental agencies or social service organizations to solve specific community issues.

The members of the PPC team have extensive experience in the implementation of reform based on settlement agreements from all three sides, including acting as agency consultants, members of the monitoring team and DOJ investigators. We acknowledge that community oriented policing is a significant part of this reform and restoring police legitimacy with the community. All parties need to understand that the reform is a process and as such it will realistically take time and a strong foundation of understanding. The most important part is meeting the expectations of the community, ensuring that the community believes that they are a voice in the process and being clear that this will not be an overnight process. Experience has shown us that we must first manage expectations of the community; interaction with and understanding the views of the community will be an essential part of that process. We will need the understanding and support of the community to successfully complete the reform process. Frustration often comes after the first six months to a year when community groups and individuals become concerned that they are not being heard in the reform process; accordingly an understanding of the process is imperative. This process has multiple phases and the first two phases will take considerable time. The first stage of reform is to fix the identified operational failures of the police department. The team must understand and evaluate where those failures stem from and work with the Chief to develop a plan to address them. This stage often involves extensive policy and procedure development to ensure the constitutional safeguards are in place. The second

stage is the implementation or training phase. Once police practices are strengthened with sound policies and procedures, it is imperative that department members are adequately trained on those policies and standards. The third stage is supervision and implementation of new operational standards. Unfortunately, experience shows this is the stage where most departments have significant difficulty. That is the department must hold officers accountable to policies and training they have received. Utilizing community involvement and partnerships during the implementation stage will allow the community to earn a level or trust of police legitimacy that the operation is effective.

5. Describe your expert's approach to civilian oversight, and what types of models he/she has found to be most effective.

PPC members have a significant knowledge base on Civilian Oversight. Charles Reynolds and Eric Daigle are active members of the National Association for Civilian Oversight of Law Enforcement and have an understanding of the various models. Regardless of the model, there are two important fundamentals that must be met to assure that community expectations are not thwarted, 1) the mission, role and responsibilities of the body must be clear and 2) the body must possess clear, legal authority to carry out its mission, role and responsibilities. Clearly, properly constituted civilian oversight bodies can enhance community trust of the police and police respect for the community. Civilian oversight bodies are effective in many places across the country and can run effectively in Ferguson.

6. Will you advocate to the Court that Monitor status updates be held in open court, and will you develop a process to channel community feedback to the Court as part of your status reports?

The selected Monitor(s) will serve as agents of the Court with responsibility to independently assess the City and Police Department's compliance with the Consent Agreement. Accordingly, the monitors serve only as advocates for constitutional policing and adherence to standards outlined in the Agreement. Public status updates will be provided in the required periodic reports to the Court and as otherwise directed by the Court. We do not object to providing status updates in open court.

We view community feedback critically important to the success of this endeavor; therefore status reports will include information regarding the monitor's engagement with the community and relevant feedback to the Court.

PPC will find a way to provide the community with a voice. The team member that is responsible for the Community Interaction reform will be the point of contact and the use of technology and surveys will allow additional ways to collect opinions and data.

We thank you for the opportunity to address the Ferguson community and look forward to an opportunity to work with the Ferguson Collaborative and other community members.



Eric P. Daigle, Esq



Charles Reynolds