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Jim McDonnell

Sheriff (Ret.), Los Angeles County, CA, Sheriff's Department



Jim McDonnell has served for almost forty years in the public safety profession. He is the first person to serve in senior executive leadership positions in the three largest policing agencies in Los Angeles County: the Los Angeles County Sheriff's Department (LASD), the Los Angeles Police Department (LAPD), and the Long Beach Police Department (LBPD). During his tenure, all three agencies saw a reduction in crime and improved police-community relations.

Beginning his career with the LAPD, McDonnell served there for twenty-nine years and held every rank up to First Assistant Chief of Police. He worked a wide variety of assignments, including homicide, gangs, organized crime, vice, and patrol operations. Early in his tenure at the LAPD, McDonnell played an integral role in developing the framework for community policing that would transform the LAPD into a thought leader in community policing strategies. McDonnell continued to build upon this framework throughout his career. He retired from the LAPD in 2010 to become the Chief of the Long Beach Police Department, where he served for almost five years.

In 2014, McDonnell was elected as the thirty-second Sheriff of Los Angeles County to lead the largest sheriff's department in the United States with over 18,000 employees and manage an annual budget of over \$3.3 billion dollars. McDonnell took over an agency that had been shaken by scandal and, in his four-year term, was able to restore public trust, institutionalize systems of accountability, and work collaboratively and effectively with federal, state and, local agencies to combat human trafficking and counterterrorism, among other regional challenges. McDonnell inherited the nation's largest jail system, which had come under a federal consent decree due to a pattern or practice of inadequate mental health care and excessive force in violation of inmates' civil rights. McDonnell's administration was able to restore a culture of professionalism and respect, thereby substantially changing it to one considered a model for large jail systems.

McDonnell is a respected voice on local, state, and national criminal justice issues. He has served as Vice President of the Major County Sheriffs of America; President of the California Peace Officers' Association; President of the Los Angeles County Police Chiefs' Association; a board member of the International Association of Chiefs of Police; a board member of the Peace Officers' Association of Los Angeles County; a member of the Major Cities Chiefs Association; and as a member of the California Commission on Peace Officers' Standards & Training (POST).

After earning a Bachelor of Science degree in criminal justice from St. Anselm College in Manchester, New Hampshire, McDonnell obtained a master's degree in public administration from the University of Southern California. He is also a graduate of the Federal Bureau of Investigation's National Executive Institute and has completed executive education programs at Harvard's Kennedy School of Government.

McDonnell formed McDonnell Strategies Group in early 2019 to advise clients across the nation on a diverse range of issues involving public safety and leadership development.

**Testimony of James P. McDonnell,
Los Angeles County Sheriff (Ret.)
For the Hearing on “Police Culture and Use of Force”
Before the Presidential Commission on Law Enforcement and the Administration of
Justice**

June 24, 2020

Introduction

Chairman Keith, Vice Chair Sullivan and distinguished members of the Commission, thank you for the honor and opportunity to testify. I am very pleased that the President established the Presidential Commission on Law Enforcement and the Administration of Justice. Police Chiefs and Sheriffs have been asking for such a commission for a generation. The world has changed dramatically since President Johnson first created a commission to study law enforcement and the administration of justice. The role of the police officer in our society has likewise transformed. Police officers from the 1960s might not even recognize the work of public safety professionals today. While much has changed, especially regarding the public’s expectations, our core responsibility remains the same: to protect and serve our diverse communities. To that end, we must continuously examine what we have learned, often from difficult experiences. We must also keep progressing by sharing best practices, assessing new challenges, and evaluating innovative strategies, technologies, and programs.

Police Culture and Use of Force

I was asked to speak about my experiences concerning police culture and use of force. In light of recent events, this topic is under an international spotlight and deserves immediate action. But it has long been an important issue throughout my entire career.

I recently retired from the public sector after having had the privilege of serving for almost four decades. I started out as an intern with the Boston Police Department in 1980, working on the “Neighborhood Responsive Policing Program.” This was the precursor for what would become internationally known as “Community Policing.” The next year I joined the Los Angeles Police Department (LAPD). I held various roles there over twenty-nine years, including First Assistant Chief of Police for seven-and-a-half years. Upon retiring from the LAPD in 2010, I served as Chief of the Long Beach Police Department (LBPD). Then in 2014, I was elected Sheriff for the County of Los Angeles (LASD).

Earlier in my career community policing seemed like a novel idea. On reflection I think it echoes an old principle that Sir Robert Peele artfully stated almost 200 years ago, that “The police are the public and the public are the police; the police being only members of the public who are paid to give full time attention to duties which are incumbent on every citizen in the interests of community welfare and existence.”

In many ways, I believe “Peele’s Principles” are as relevant today as ever. Policing is, and will always be, a people business. We will continually evolve to make the job safer and more efficient. But one constant is that we must earn public trust through complex human interactions—often under challenging circumstances—over many years. Credibility and trust are the currency of the world in which we operate. Without that foundation, we are often seen as intruders in a community, showing up for a job then leaving, without becoming part of the community. At best, that is a transactional relationship. To succeed, we must instead restore ourselves as integral members of each community we serve.

National conversations about policing culture often frame it as a universal experience. But policing in the U.S. is primarily a local function, with almost 18,000 police agencies serving our country. Nationally we share profession-wide cultural norms. Each agency, however, has a unique operating environment and culture. For example, about half of police agencies have fewer than ten officers. And there are cultures within cultures. They exist at the department level, as well as within each division, each shift, and so on down to the smallest unit.

Many forces influence policing cultures, including law, policy, special orders, best practices, and supervisors. We can legislate, codify, train, and preach. But the most important influence is the officers who socialize our newest members. How many of us remember hearing, “forget what they told you in the academy, this is the way we do it on the street”? To transform policing culture, we must ensure these officers are passing down the values we want to see in the next generation.

Shifting from Outputs to Outcomes

The next question is, what values do we want officers and police culture to embody? By default, we tend to value what we can measure. So we champion productivity, citations, field interviews, and arrests. If you are busy, you must be doing the right thing, according to conventional wisdom. As a result, we measure—and value—outputs instead of outcomes. Did all of the activity that we encourage improve the community, reduce crime, or increase the community’s quality of life and satisfaction? Or did we alienate the community by our actions? Shifting focus to outcomes rather than outputs would better capture what our communities want. If we were a corporation making a product nobody wanted, we would not survive. Likewise, in the public safety arena we must work with our communities to identify important issues, set priorities, and create a meaningful feedback loop. This will ensure we are adjusting as needed to meet, and hopefully exceed, the public’s expectations.

Incentivizing Accountability

We must also re-engineer our systems of accountability to incentivize a culture that refuses to accept any mediocrity, brutality, or disrespect for the law or the public. What we celebrate communicates our values. What we condemn does, too. And what we tolerate, though frequently unstated, speaks volumes about our expectations for behavior and performance. In policing, as in other fields, officers have been averse to interfering with their colleagues’ handling of incidents. But sometimes officers must step in and take control, not only to hold each other accountable, but for everyone’s safety. Training can begin to address this issue. Ultimately, however, holding

officers accountable for overlooking misconduct will send a clear message that affects cultural change.

Improving Recruiting

Another challenge is recruiting enough officers who will uphold our values and carry the profession forward. Unfortunately, the things we ought to value most in officers are the hardest to measure, such as attitude, mindset, spirit, dedication, commitment to the profession, constitutional policing, selflessness, compassion, and respect for life and for the people we serve. We know it when we see it, but it is difficult to measure.

In my departments, we needed roughly one hundred applicants to get four people who were qualified to start the academy. And only three out of four would graduate. That translates to roughly a 97 percent washout rate. Even then, problem recruits slip through the cracks.

The retention of chronically problematic employees has been a concern for generations. Too often, collective bargaining agreements, unreasonable union intervention, civil service boards, and even sympathetic judges enable problem employees to keep working. This system frustrates peers, supervisors and managers, all of who are prevented from effectively dealing with misconduct. This creates the perception that departments condone misconduct, when the reality is that their hands are often tied.

In addition to weeding out problem employees, we need to attract and retain exemplary employees who will promote our values. That means incentivizing officers who maintain the highest moral and ethical character, both on and off duty. We can do this by supporting advanced education and offering compensation commensurate with the public's high expectations for public safety professionals.

Supporting Mental Health

We also need to improve support for mental health. We conduct extensive testing to screen candidates during the hiring process, including psychological screening. But the focus on officers' mental health often ends there. Throughout their careers, officers repeatedly encounter traumatic situations and witness unspeakable acts of violence. They deal with erratic schedules, sleep deprivation, and chronic stress. Unless officers request psychological assistance, or their behavior indicates such a need, they may never be re-evaluated. It may take an officer's behavior crossing the line before leadership realizes a need to intervene. By then it may be too late. Mid-career evaluations and ongoing mental health support could address issues before they become a crisis. Making these evaluations mandatory would overcome the stigma officers may associate with getting professional help.

Expanding Training and Technology

Training officers so that they are equipped to uphold our values is also a challenge. Recruits enter the academy with a variety of life experiences, but they are often in their early 20s. After only six months in the academy and a brief period with a training officer, these young adults are

responding to 911 calls. Officers dutifully respond with hardly any knowledge of what to expect. They often face volatile situations involving high emotion, alcohol, drugs, or mental illness. They must employ their training and experience to de-escalate situations peacefully and without force. Despite the odds, they succeed in roughly 98 percent of cases. In any other profession, that would be an incredible achievement. But in our profession the stakes are high, so we aim for perfection.

In the relatively few instances when force is used, better training and technology will improve how those events unfold. The policies discussed above—from focusing on outcomes rather than outputs to fostering accountability and attracting and retaining good officers—will help, too.

Specializing Incident Response

Reconsidering who should respond to particular incidents represents another cultural shift that would reduce use of force. Our profession carries a special obligation to exceed the public's expectations. We hire people with can-do attitudes who do not want to refuse any call for help from the community. While admirable, this characteristic means we often overextend ourselves. Police agencies have taken on complex issues that they are not always equipped to treat, such as homelessness or mental health. That said, simply reassigning these roles outside of police departments is an incomplete solution. Requiring non-police specialists such as mental health workers or social workers to respond to situations that frequently turn violent could jeopardize everyone's safety.

In the three departments in which I had the honor of serving (LAPD, LBPD and LASD), we addressed this concern with hybrid teams. For example, we formed Mental Evaluation Teams (METs) consisting of a professional mental health clinician and a specially trained officer. This balance proved successful in serving people experiencing mental health crises. If a regular patrol unit were dispatched, the responding officer had few options. Often this meant using force and arresting a person acting out because of their illness. By contrast, in over 90 percent of cases where a MET unit responded, the individual was transported to a treatment facility instead of being incarcerated. Such a high success rate is rare for people experiencing a crisis.

I recommend that this model be studied, evaluated and replicated. We have an opportunity to alter the policing paradigm in America. I hope the Commission will recognize all that officers are tasked with and consider the most effective way to deploy police resources.

Conclusion

In recent weeks, communities across our nation have voiced their distrust for our profession. This can be unsettling for officers committed to public service. That is especially true for families of officers who made the ultimate sacrifice. Even so, we cannot turn back from our mission, from our sworn purpose. We must acknowledge the public's concerns and address them as best we can. Improving police culture in ways that reduce use of force and strengthen community relations is a key part of the solution. Fortunately, most officers are good officers. And good officers support accountability and reform because they want their departments to

achieve the highest standards. Together, I am confident that we can make this shared vision a reality.

Summary of Recommendations

- Standardize universal values, such as respect for life, constitutional policing and developing true partnerships with the communities with whom we serve.
- Critically evaluate what we value and what we reject outright as a profession. Incorporate our core values into all that we do. The following list is but a starting point, but our values system must transcend all of these factors:
 - Standards & policies
 - Recruitment efforts
 - Selection process
 - Hiring
 - Academy Training
 - Socialization
 - FTO Program
 - In-service training
 - Rewards & Discipline
- Ensure the highest standards of professionalism are maintained and that compensation to attract the best candidates possible is strongly considered in the equation.
- Conduct psychological testing and offer mental health support throughout an officer's career, not just at hiring, as is frequently the case. Post-hiring evaluations should inform agencies' evaluation of officer assignments and the need for intervention where appropriate.
- Empower agencies with greater authority to dismiss problem employees for egregious or repeated misconduct.
- Increase police legitimacy through communication and collaboration with community partners
- Emphasize de-escalation techniques and strategies in all interactions with the public.

Michael Chitwood

Sheriff, Volusia County, FL



Volusia Sheriff Mike Chitwood is a second-generation law enforcement officer with more than three decades of experience in policing. He started his career in 1988 with the Philadelphia Police Department. After a decorated 17-year career at Philadelphia PD, during which he received 58 official commendations for valor, bravery, heroism and merit, Chitwood began his career as a police chief. After serving as chief in Shawnee, Oklahoma, Chief Chitwood took on an opening in the city of Daytona Beach, Fla., where he spent a decade bringing new crime-fighting technology and community-based policing strategies to the department. The Daytona Beach Police Department was one of the first agencies in Florida to adopt body cameras. In 2016, the surrounding county of Volusia elected Mike Chitwood as sheriff, and he was re-elected without opposition in June 2020. Sheriff Chitwood is a graduate of the 204th session of the FBI National Academy and today serves as secretary of the Police Executive Research Forum, a Washington, D.C.-based research organization dedicated to improving police services and developing innovative law enforcement policy in America.