

Statement presented
by
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to the
Mayor’s Task Force on Policing Reform
Houston, Texas
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To the task force chair and other members,

Citizens and Police Interaction - The Next Necessary Step! As chaos and destruction have captured Minneapolis, and other American cities; how do we start amending the disconnect between police and neighborhood residents? Many residents do not trust the process used to receive, review and dispose of police misconduct complaints. This is especially true in the minority communities. Though the outcry for reform isn’t limited specifically to police operations, police do generate the most interaction with residents and are foremost out front in the criminal justice process.

I served 24 years as a Houston police officer, including seven years as Houston’s police chief. I was appointed Houston’s chief of police by Mayor Bob Lanier and reappointed by Mayor Lee P. Brown. As a police cadet, I entered a department with a brutal history and almost no positive citizen interaction within the minority communities. As a police officer I witnessed, and was a victim of, some of the racial discrimination practices. Also, I witnessed many professional police officers working hard to bridge the deep and wide gap between the police and community. During the early 1980s, I was a part of the police and community team that developed and started the implementation of community policing right here in Houston. The Houston Police Department, like many other departments, made significant changes in the area of citizens and police interaction right up until the terrorist attacks of September 11, 2001. A few years after the 9-11 event, due to the uncertainty that followed the 9-11 attacks, police departments starting moving more toward aggressive enforcement, interdiction and tactical operations, and much less community education, awareness and engagement. Even many of the youth and community participation programs like DARE, Police Activities League, Community Services Division, and others were discontinued here in Houston. Citizens accepted the shift in our policing model and protocols because of major elements included in the newly codified Patriot Act legislation. We even lost our calming, de-escalating, Columbia blue-colored, Houston police uniform shirts.

There hasn’t just been a change in the color of police uniform shirts. Over the last few years, police agencies have implemented hundreds of millions of dollars in technology, while the much needed face-to-face time between citizens and police has dwindled. That technology has

included new ticket writing devices, records management, crime analysis and report writing systems, along with other evidence and information gathering tools. This is important to note because the discussion regarding funding and proper police staffing must factor in technology as a staffing or force multiplier. Technology, or at least it should, reduce the overall police staffing needs by some factor. Just like Houston's policing model, due to neighborhood expectations, geography, demographics, and available resources, is very different than Chicago or Los Angeles, the staffing factors vary also. Therefore, our police staffing formula, accountability benchmarks, and community engagement must be completely transparent and acceptable to Houston.

So, what must be the next step? One major component of the community's outcry, and it has been for last 10-15 years, is about greater oversight of how police misconduct complaints are handled. The justified, and much needed, change that is being pushed today, isn't just about the release of body-worn camera videos or an officer who killed someone. Though additional training can always be helpful, what we are witnessing is not just a training issue. I would submit that most police officers are well-trained and when we do see misuse of force incidents, it is an accountability issue. HPD officers get some of the best training – period. The community's outcry is much broader than body cameras and training adjustments. It is intended to render a systemic, institutionalized, cultural change within police agencies.

The realization, and to my disappointment, of clear evidence of systemic, use of force problems even within the Houston Police Department revealed itself via the Chad Holley video March 24, 2010. In the video about a half dozen Houston police officers are seen beating 15-year old Chad Holley, a burglary suspect. Three aspects of this incident I found especially alarming. One, so many Houston police officers were involved in the beating. Two, none of the half dozen or so officers on the scene attempted to stop the beating. And three, none of the officers reported the incident after it had occurred. The incident and supporting video were revealed about 30 days later by a citizen who worked at the facility where the video was captured. With this many officers involved, and not one tried to stop it or reported it afterwards, is reflective of a systemic problem within the organization.

Public safety is a community responsibility. This means that citizens, businesses, faith leaders, police, district attorneys, and the courts are all intertwined and play a role in keeping our neighborhoods safe. As public safety officials, we need citizens to participate in the process willingly as witnesses, jurors, and mindful caretakers in their respective neighborhoods. But, to accomplish this, law enforcement must establish contact and meaningful communication with the residents to build trust and an environment where the voluntary exchange of information is fostered, and respected.

Community stakeholder groups and police representatives must engage in an open, meaningful, discussion regarding critical aspects of today's policing. Real action is needed rather than delay and diversion ploys that are being proposed by some officials already. These community stakeholder group representatives must have equal input, authority and respect at the discussion table.

In Houston, what community stakeholder groups must be involved?

League of Women Voters
Houston Bar Association
Houston Justice Coalition
Harris County Deputies' Organization
Houston Police Officers Union
NAACP
LULAC
Anti-Defamation League – Houston
Black Lives Matter - Houston
The Harris Center for Mental Health and IDD
Coalition for the Homeless
Houston Area Urban League
Super Neighborhood Alliance
National Black United Front
Harris County of Council Organizations
Houston Lawyers Association
Mexican American Bar Association of Houston
Asian American Bar Association of Houston
Houston Area Ministers Against Crime
Greater Houston Partnership
Houston Police Department
Harris County Sheriff's Department
Harris County Constables Office Precincts 1-8
Harris County District Attorney's Office
Harris County Criminal Lawyers Association
Professional Bondsman of Harris County
City Attorney's Office
Harris County Attorney's Office
Texas Southern University
University of Houston (Central and Downtown)
St. Thomas University
Rice University
African American Police Officers League
Organization of Spanish Speaking Officers
Afro-American Sheriff Deputies League
South Texas College of Law
Houston City Council Public Safety Committee Chair
Houston Independent School District
Houston GLBT Caucus
National Organization of Black Law Enforcement Executives (Houston)
Women Professionals in Government
And perhaps others?

What issues must be discussed in Houston and across America? The local executive order restricting certain police practices recently signed by Mayor Sylvester Turner, mostly codifies existing policies. Though it is a step in the right direction, it misses the community's outcry by a giant leap. To ensure citizens more substantive input in police operations and real accountability mechanisms are embedded in a process developed jointly by community stakeholders and the police, the below issues should be openly discussed as agenda items:

How police are recruited.

How police are trained.

How police performance is evaluated.

How police complaints are received.

How police complaints are investigated.

How police complaints are disposed or finalized.

To bring about systemic, institutionalized, cultural change, those systems which drive the police organization must be examined and modified accordingly. These include the recruiting, training, performance evaluation and complaint processing systems. Citizens must understand certain aspects of police operations. An open and transparent meeting would assist in bringing about that understanding and permit citizens to help "design and build" an improved process. If we are ever going to build, or re-build, that much needed contact, communication, trust and information exchange between police and residents, residents must have confidence, greater input and accountability from the police in Houston, and across America. One way to do this is to jointly discuss and develop some of the guidelines, policies, and law surrounding today's police practices.

Where Houston could become the leader and model for America? Just consider these points:

1. The question is hiring 500, 600 or 1,000 more police officers in order to do what? Certainly, a minimum number of HPD officers is needed to help ensure the safety of officers and residents. Nonetheless, where is the work demands analysis of the entire department explaining, justifying, and connecting a particular staffing level to community sanctioned performance measures? A partial work study was conducted several years ago which did not examine the hundreds of millions of dollars spent on technology as a force multiplier or officers assigned to administrative or none traditional law enforcement functions. Since police do not control many of the elements which are the impetus of crime, a fair question is – more police officers in order to do what?
2. According to HPD records, more than 85% of Houston police officers do not live within the city of Houston. Current law prohibits city of Houston residency requirements for its officers. And, in my opinion no officer should be required to live any particular place. It is understood that the mere costs, including housing, school choices, master planned communities, and other amenities weigh into where officers choose to live. However, the city could and should provide incentive pay for officers who choose to live within the city limits. It is not expected that many incumbent officers would move today, but an incentive going forward for new officers when they are deciding where to live and whether an additional \$10,000 annually makes financial sense. Additionally, understanding cultural competence, values, human relation issues and neighborhood expectations are major

tenets of community policing. Not understanding the culture and values within neighborhoods could cause conflict, lead police officers to perceive threats or an elevated level of risk resulting in a use of force that maybe justified, but not necessary.

3. Houston's 640 plus square miles, is simply too much geography to police via foot and bike patrols. But imagine police officers being assigned foot and bike patrol where they are dropped off (with proper support vehicle and equipment) in business districts, large apartment complexes, parks, and some regular neighborhoods to work. Certain areas of Houston are well-suited for this type of police deployment. This would create real contact, leading to communication, thus building trust, and information exchange. After all, it is information that police officers need to solve crimes. And, you don't get it by zooming by in patrol cars with the windows up.
4. Each class of 75 police cadets cost about \$1.5 million to complete cadet training. Just imagine funding four of the five currently scheduled cadet classes, and utilizing one of those \$1.5 million pots to support staffing and training for 75 or more, mental health professionals and crisis counselors to be dispatched or accompany police officers in the field. The current Crisis Intervention Response Team model being used is evidence that this works and additional funding would be justified. How many calls for service might have been handled, and ended differently, if mental health specialists were always available to engage suspects suffering a mental health crisis? A good model would be to make a commitment to a combination of police cadets and mental health professional clinicians going forward in each training budget.
5. Competitive compensation for police officers must be achieved and maintained. However, funding for incentives pay can play a critical role in the police funding model. An across the board pay raise may treat everyone the same, but it is not a motivator or incentive. Just imagine instead of a 3% across the board pay raise for all officers, a 2% across the board and the 1% (approximately \$5 million) used as incentive pay, whether to live within the city, pay more for bilingual skills, credits toward promotion, educational enhancements, or other personal physical and psychological development and maintenance.
6. Police officers' annual performance evaluation should include a community input component. What percentage of an officer's annual evaluation would encompass community input needs to be determined. With today's technology, getting community input into police officers' performance evaluations is doable. Not all police officers work in assignments where community input is practical, or even possible. However, most officers providing basic uniformed patrol services should already be engaged in the neighborhoods. Measures must be taken to deal with, and factor out, habitual offenders, criminals and other identifiable individuals with ill-intentions. Additionally, the community input component could be used as an incentive or reward when officers pursue highly sought after assignments within the department, transfers within the organization, or even when take-home vehicles are assigned. It is important to know how officers are performing in the community, from the community's standpoint.

What is "Independent Review and Oversight?" After a detailed, and perhaps hard fought, discussion to determine the criteria or qualifications to serve on such a review board, each

respective community stakeholder group must be permitted to designate its own representative to serve on the board. And, as long as the representative meets the established criteria, only that group can remove or replace their representative, not any one at city hall or the police department. These stakeholder groups must be able to make their own appointments, not recommendations. Additionally, the review board must have the authority, access to documents, records, and ability to initiate action and investigations on its own authority. **If it cannot initiate action and investigate, when needed or desired, how can it be deemed “independent?”**

America and Houston need a collaborative discussion regarding today’s policing model, and neighborhood residents are demanding it!

Note: My comments are not intended as a condemnation of the Houston Police Department or its leadership. I fully understand that there are challenges inextricably intertwined inside and outside of the organization.

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