Police Oversight Committee Minutes
Wednesday December 15, 2010
at Kennedy Middle School

Committee members in attendance: Councilor E. Henry Twiggs, Councilor John Lysak, Councilor Michael Fenton, Nicholas Camerota, David Jarnes, Don Baker, Dr. Arlene Rodriguez, Archbishop Timothy Paul Baymon

City officials in attendance: City Solicitor Edward Pikula. Officer Charles Youmans(Police Department, Community Police Advocate), Mr. Terry Aberdale(current member of Citizens Oversight Committee)

Citizens in attendance : John Wojcik, Attorney Kevin Coyle(Attorney for the Patrolman’s Union), Joseph Gentile(President of the Patrolman’s Union), Brenda Douglas, Miguel Soto, Jesse Lederman, Susan Roche

Commencing at 6:00 P. M.

This meeting has been transcribed by a court stenographer, Ms. Helga Ragle, of PHILBIN & ASSOCIATES, 81 State Street, Certified Shorthand Reporters, Springfield, MA, 01105 (413)733-4078

A copy of the transcript is on record with the office of the City Clerk.

Wayman Lee, City Clerk

COMMONWEALTH OF MASSACHUSETTS
CITY OF SPRINGFIELD

Public hearing held before the Special Committee on Police Oversight, held at John F. Kennedy Middle School, 1385
10 Berkshire Avenue, Springfield, Massachusetts
11 on Wednesday, December 15, 2010, commencing
12 at 6:00 p.m.

15 COMMITTEE MEMBERS:
16 (See page two)

21 Helga Ragle
22 Court Reporter

1 MEMBERS OF THE COMMITTEE ON POLICE OVERSIGHT:

2 Members of the Civil Rights and Race Relations Committee:

4 E. Henry Twiggs, Chair and City Council Vice-President
5 John Lysak, City Council
6 Keith Wright, City Council (Not present)
7 Members of the Public Health & Safety Committee:
Thomas Ashe, Chair (Not present)

Michael Fenton, City Council

Kateri Walsh, City Council (Not present)

Non-elected members representing the public:

Donald H. Baker

Prof. Nicholas C. Camerota

David J. Jarnes

Archbishop Timothy Paul

Dean Arlene Rodriguez

Introduction by Mr. Twiggs 276

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(The meeting was called to order at 6:08 p.m.)

MR. TWIGGS: Good evening.
Again let me just thank you all for coming out here this evening for the fourth of our public hearings in regards to police oversight.

It is rather chilly out there tonight and I am even more especially pleased that some of you have braved this weather to get here.

I know this is the first time many of you have been to Kennedy Junior High School, but this is Kennedy Junior High School.

Our primary reason for this public hearing is to follow up on activities regarding three proposals that are presently before the Springfield City Council regarding police oversight.

And those proposals were referred to the committee on civil rights and public safety.

Members who are here who will be hearing cases or who will be listening to your testimony here this evening, first of all from the City Council we have Councilman John Lysak.

In addition to which I'd like to point out that this is Councilman Lysak's home district where he was elected councillor from this ward.
Also City Councillor -- adjacent to Councilman Lysak we have Professor Nicholas Camerota from Springfield Technical Community College, Mr. Don Baker, and then we have Mr. David Jarnes.

On the end we have Doctor Arlene Rodriguez also from Springfield Technical Community College. She is a dean at Technical Community College and of course we have we have our very able city attorney, city solicitor, Mr. Ed Pikula.

I take this opportunity also to recognize the distinguished councillor from ward two, Councilman Michael Fenton.

Thank you very much for coming also.

Now, the purpose of these public hearings is to seek public input, citizen input into police misconduct and thereby providing a mechanism by which the community can have a voice or can voice its concerns and suggest recommendations, to listen and to receive public testimony relative to the three proposals, the three proposed police oversight ordinances that are presently before the City Council, and to come up with an overall plan that we can present
to the City Council as to what kind of oversight body
is necessary.

We hope to gather from these hearings
specifically what the community would like to see as
to what type of body the community would like to see
in place.

Now, we have had an opportunity to listen to
testimony from three specific areas.

Tonight should be our final public hearing
except that I will go before this body and make
recommendations for some additional information I
think we should review and I would like to discuss
that with you.

And so I will call a meeting of this body
probably the first week in the new year.

So this will probably be our last meeting
for the year. And I think there is some work we
need to do with respect to the existence of this
committee.

We may have to reorganize and so I would
need to bring this before the president of the City
Council and ask him if he would continue us in this
role so that we can continue to do this work.

I am going to ask Councilman Lysak, in view of the fact that this is your district, I would appreciate if you were to say a few words in terms of please welcoming us to your district.

COUNCILMAN LYSAK: I want to thank everybody for coming out here tonight.

I see a lot of familiar faces, so I thank you for coming out.

Actually some of you are not from my ward here, you have all come out for our other meetings, but I just want to thank everyone for coming out here to the Indian Orchard section of the city.

I was hoping for a little better turn-out tonight, but unfortunately we scheduled this meeting at the same time as our community police meeting, which our community police meetings do very very well over here in ward eight, especially Indian Orchard and they are generally packed.

So I know where most people are right now.

Thank you for coming.

MR. TWIGGS: Thank you.
So without further ado -- oh, I am sorry.

I need to introduce our stenographer. Did I mention that for all of these meetings we do have a stenographer that takes minutes and let me take the opportunity to introduce Ms. Helga Ragle.

She has been putting together a stack of review material. And of course we have the City Council chief aid, Mr. Bob Arieti.

We thank Bob. Bob has set out all of the different materials that we are talking about and that are on line on the city website.

Those materials are available to anybody who would like to receive those at the front table.

Lieutenant Larry Brown.

OFFICER YOUMANS: Charlie Youmans.

MR. TWIGGS: Charlie. I know we all look alike, but I take that back.

I am sorry. I don't know why. And what department are you from?

OFFICER YOUMANS: Charlie Youmans.

I am the community police advocate and aid to Commissioner Fitchet. I am here on his behalf tonight.
MR. TWIGGS: I won't make that mistake again.

And Mr. Aberdale is also here. He is from the present hearing board. And of course Attorney Kevin Coyle and Mr. Gentile, president of the union. And then we have the able reporter from the Springfield Republican --

MR. JOHNSON: Patrick Johnson.

MR. TWIGGS: Mr. Patrick Johnson.

So we will now open the floor unless any of you members of the committee would like to say anything.

Is there anything anybody would like to say, or anything I overlooked?

COUNCILMAN FENTON: I think you have covered the introductions.

MR. TWIGGS: Okay. Anyone who wishes to testify or give testimony, please just address the microphone.

We ask that you please sign in and give us your full name and address as you speak. The floor is now open for anyone who wishes to speak this evening.
(No response.)

Don't all of you do it at once!

MS. DOUGLAS: I go first.

MR. TWIGGS: Good evening. And you are again?

MS. DOUGLAS: Brenda Douglas.

MR. TWIGGS: All right, Ms. Douglas.

MS. DOUGLAS: Okay. I spoke before.

My name is Brenda Douglas and I have come out because on October 10th, 2008 my son Lenny Brown was arrested by the Springfield police and within two hours he was dead.

So my reason for being here and I am here, although I spoke before, I am using every opportunity that I can to actually, you know, speak with everyone I can and actually explain the need that I feel there should be changes in the current policy.

I reviewed the drafts the best that I could because I felt none of them met my needs. I was not quite what I would like to see.

I think it is obvious that with no one here that people do not come out because they don't feel that anything is working for them.
So I stand before you and say I take the initiative and speak for my community because nobody is here.

And basically what I want to explain is that in the issues that I explained before why some of the things are not working.

I am taking this last opportunity as I stated to appeal to whoever can make any type of changes.

I want to stress that something that, as I said before, not only did I feel like I didn't have the support of the department, I did not even get the support of my community.

I went to several community leaders because I felt that there had been an injustice done because I did not know exactly what happened.

I did not feel that I should be accusing anyone of anything, and actually what I was attempting to do was to get the support of the fact finding person.

There was not anyone in the community that was supporting me or really stand by me.
Everyone referred me to someone else. And if

I did not have the support of the community because maybe they felt it was not their problem, then you still need to have the laws and things that support you within the department.

As I stated before, my initial reason for seeking support from the community and the department because what my initial contact was from an officer in the department, that was totally inappropriate, and I don't -- I did not even, I was completely excluded from the process.

I did not even have any type of opportunity to know if that officer was reprimanded or anything. When a person has a complaint, you may not be able to know what has been done, but you should have some type of follow-up.

There was the fact that a complaint was made that was not followed up on.

I was told to go to see different places, which was one was the citizen review board, and as we stated why most people here, well, were here, does not feel comfortable to have even that type of process
because that felt like that was selected appointments,
and that there was not going to be any follow-up in
that case.

I also did not feel comfortable going to
internal affairs because you feel like it is the same
process, and I just want to stress that, you know,
some of the feelings from the people from the last
meeting could and should be understood because,
although it was high emotions, when you sit there and
you have things that are going on and you feel there
is no follow-up and no one is doing anything, then you
think that it is being swept under the rug.

So what I like to have saw was that the
commissioner and anyone else that is able to speak
from his department, no one is coming up and denounce
any inappropriate behavior.

That has not been done.

We want to see this commissioner denounce
those types of behaviors the same way he spoke for
the officers that were killed and he stated he didn't
want that man to get out of jail.

Rightfully so, he should have done that.
He is also our public servant. We would like for him to speak for us when things are not done right.

That did not happen.

So again, I appeal to anybody that can possibly make any changes because people don't feel like they are being heard.

And people need to be heard and, you know, my own experience, I want to explain, not being heard and not being recognized that a tragedy happened was the most hurtful, more hurtful than my son's death.

I mean for whatever reason it happened, we can't change that. Nothing is going to bring him back, but when you actually are part of a process and you need to know answers what happened and people ignore you, well, I was very angry.

I felt like I really wanted to do something to somebody, and when things happen and people, you know, sit around and say unthinkable things happen, well, why did that happen?

You know, I was very angry and I wanted to really do something to somebody in the department, like there was the officer that was inappropriate to
me or going there and shoot up the place, and of

course I know I couldn't do that, but it is possible,
people have guns.

And the reason I didn't do it because I know

that it is not every person in there and that, you
know, there is things that should happen, but everyone
doesn't have that balance.

I had the support of my family. What about
people that don't have that?

You know, those are things that are realities
and everyone sits around and wonders and says, well,
what made that person do that, what made this person do
that?

Well, those are the things that make people do
that.

And I really feel this body here, because
when my incident happened with my son I did not go to
the public and try to incite everybody or something.
I could easily have got everyone going because most
times people react to a situation instead of proactive
and trying to continue a process.

And that is an example why no one is here, no
one comes out, you know, when we need to.

   It's always when something happens that
   people come out and it could be very easily to incite a
   lot of people and people acting very inappropriate.
   And when I tried not to do that and follow the

rules and what is supposed to happen, even though with
my situation I would have been very within my rights to
do so.

   I tried to follow the law and do what is
   supposed to happen and none of that was responded to.
So I want people to know that.

   And the last thing I wanted to say about the
drafts, I stated this last week, I don't feel that, you
know, everyone brought up different situations about
who should be eliminated and this and that.

   But we still have to take the legal process
and I don't know if everyone is knowledgeable and
experienced enough to eliminate what is there.

   But there is a need to have an additional
process that basically is going to have some teeth and
be heard and also just force.

   When I say force, I mean the ability to make
responsible changes or discipline action within the, you know, communicating with the current body and things.

I just want my information to be stressed as many times as I can and I tell them what my situation has been, what the responses have been which has been totally inappropriate and why people do things and maybe if there is someone to hear somebody like me who really understands that, you know, people, that's why you don't get participation, you know.

People feel nothing is going to be done anyways. So they come out and say a few angry words and then they go away, and that is not enough and it is not enough to just sit back and just allow what is happening to continue because it is not right.

So that is all I am saying,

MR. TWIGGS: Well, Ms. Douglas, I thank you for your testimony. I know that you have taken the opportunity to come out to, I would say, pretty near all of the hearings, and I think your point has been well made.

I just have one question: You said that when
your son was -- when they found your son dead in
October of 2008, you said that nothing was done about
it.

I mean how did he die? Do you know that?

MS. DOUGLAS: My son died in the cell.

MR. TWIGGS: How? The question is how did he die? Was he hung?

MS. DOUGLAS: No. I was told that he had a seizure.

MR. TWIGGS: He had a seizure. Did you have an autopsy done?

MS. DOUGLAS: I did.

MR. TWIGGS: And what were the results of that?

MS. DOUGLAS: They said he had a seizure. I don't have much faith in that autopsy either, and I don't have much faith how he came to that seizure.

So that is what my concern was.

MR. TWIGGS: Had he had one before?

MS. DOUGLAS: Never in life.

MR. TWIGGS: Thank you. Do any committee
members have anything they would like to ask Ms. Douglas?

MR. CAMEROTA: Well, when we first met to -- I guess can everybody hear me now?

I remember the initial meeting that we had when we were essentially trying to explain to the public what these hearings were going to be about. And one of the comments that I made at the time was wondering whether or not people would actually feel that things could change.

And I heard you saying before that, you know, people don't come out, and at first I thought maybe it was a matter of people not really caring about this.

But what I gather from your statement is that, sort of the worst case scenario, you think that people believe things won't change. Is that what you are saying?

MS. DOUGLAS: I think that is the case, but someone like me, even if you just get one person, if you keep going at it and go back and tell one more person, things can change because I believe that they
can change.

But I think people just don't have much faith until they start seeing something, some type of movement.

And again I feel like they react because they see the situation.

If they see something will actually change, they want to be part of it.

MR. CAMEROTA: Thank you for your testimony again.

Somebody else wants to ask you a question.

MR. JARNES: You know, we talked after the meeting and previous meetings, and I gather what we -- what this group is charged to do is look at the process rather than the specifics.

MS. DOUGLAS: Right.

MR. JARNES: And I think what you, if I extrapolate what you just said, that you would like to see a process that, whatever ordinance is formed and put into effect, that somebody like you that has a, you know, a legitimate issue, that you know that you can go with confidence to the board that hears it and
it will be heard and be given due process rather than just not even being given any response?

MS. DOUGLAS: Right.

MR. JARNES: Am I correct in saying that?

MS. DOUGLAS: Yes.

ARCHBISHOP PAUL: Last week over the course of a couple hearings we heard from, I believe it was IIU, that the investigations that are conducted can only commence with the commissioner beginning that process.

And in your case you had no investigation, and you had to request to meet with the commissioner. And in these ordinances that we are trying to get some feedback on, when you say that the process should begin with some kind of board versus it be handed down from the commissioner to, or the chief or however it would go, to IIU, but it would be getting from the actual initial problem following a complaint. Is that what you are saying?

MS. DOUGLAS: I believe, yes, that is what I am getting at, that the board that will consist of partly -- I mean there was a suggestion that there
may be like three councilmen, the mayor, maybe the commissioner and some public people there.

And I am not opposed to any public official being there, but I think it needs to be represented by some public people.

ARCHBISHOP PAUL: The current review board does not have the power to initiate an investigation without it being handed to them by way of the commissioner.

Are you saying that anything that we propose would be reversed?

In other words that the power would rest within that board to initiate an investigation?

MS. DOUGLAS: I don't know about --

ARCHBISHOP PAUL: And not wait for it to come down from the commissioner because it took him months to even see you?

MS. DOUGLAS: I am not really sure at this point what I think. But I think it should be there to allow some checks and balances.

Because at least if the process was
initiated by the board, in addition -- I mean by the commissioner for example, the board would also have knowledge of what is going on, even if they had to wait.

And if they didn't act as they should, as they in my case did, then there is someone there to do to the checks and balances and somehow apply some accountability to the people that should be acted on and that didn't happen.

ARCHBISHOP PAUL: Thank you.

MR. TWIGGS: Thank you very much for coming forward and I thank you for your testimony.

Let me also just take a moment to introduce

Archbishop Timothy Paul.

Thank you for coming. The next speaker please.

MR. WOJCIK: Good evening. My name is John Wojcik. I live on Green Lawn Street in the City of Springfield.

I am here with my wife.

I have just a few notes as a closing note I'd like to give you tonight.
Tonight is the third public meeting my wife and I have attended on this subject and my comments were such noted at previous meetings. So I won't go into those.

Tonight my wife and I would like to extend our thanks and appreciation to the committee for their energy, commitment and effort in reaching out to our community and presenting draft proposals and soliciting input from the public on this subject.

You have heard from many of us as to perception and both negative and positive thoughts on this subject.

It must be noted that our input is only one of many factors that you as a committee must consider in your final recommendation and proposal on charter and duties empowered to review board.

Collectively your recommendation will be based on analysis of all pertinent data and community input, and I trust that your proposal will best serve both our police department and citizens of Springfield in making positive change for all.

MR. TWIGGS: Thank you, John.
It is not often that folks thank you for doing this kind of work. So I appreciate your comments.

I know you have attended at least three of these public hearings, and we appreciate you coming here, you and your wife.

Thank you very much. Next speaker please.

Councilman FENTON: Just, you know, before we do have another speaker I just would like to briefly address something.

Jack, thank you for your kind words and your recent civic activism and participation on that, the subcommittee on taxation.

And to Ms. Douglas, thank you as well for your remarks.

I think that your testimony, regardless of the details and specifics as to the incident with your son, are really the reason that we are here today, you know.

We are hearing from a woman who has experienced a process that she believes is broken. And regardless of what action this committee decides
on, really, you know, our charge, as has been said,
ought to be to make no one feel the way that you feel
and have felt for the past two years.

So you said you reviewed the ordinances and
that none of them are entirely agreeable to you in and
of themselves.

I would suggest again to this committee that
we take her perspective, you know, quite seriously and
that, you know, we need to have a process that is
inclusive and that people feel they can get the answer
that they need.

And the vehicle that we choose to get there
is really, you know, it is a discussion that we are
having in the future, but thank you again for your
testimony and you have been heard tonight.

MR. TWIGGS: Thank you very much,
councillor.

Next speaker please.

(No response)

MR. PIKULA: Maybe Officer Youmans can
make some remarks on behalf of the commissioner.

Just talk to us from a community relations
standpoint.

Maybe you can talk about your experiences, I mean outreach efforts you have made on his behalf.

OFFICER YOUMANS: Basically my job is as a community outreach advocate for the department.

My contacts with the street from where I came from as a gang officer to going to a community outreach officer, by keeping my hands within what the public really want, listening to the kids.

I hear what the adults say and how the adults raise their kids, but what I basically bring back to the commissioner is what the kids are saying on the street.

So when I talk to kids about injustice problems, situations that they have, I get to hear from a whole other level, to try to get the police department to understand a little bit more of what we are dealing with as far as our kids are concerned.

It is kind of tough because our kids live in a whole technology and whole generation different than what we see, what we understand and what we may try to understand through them.
We think we know our children, we think we understand our children, but as parents I find out from being out there, parents do not talk to their children.

And in order to get your children to understand you are not being perfect, you need to talk to your children of being perfect.

For instance my philosophy of going to parents, when I speak to them, I tell parents you need to talk to your children about things you did wrong. You drank, you smoked, you chased women, you chased men, and you need to tell your children this.

If you do this, your children don't look at you being perfect. They now look at you in another light because they understand, you know, that you ran into the same problems they have.

Have you ever gotten into any fights? Have you ever had altercations? Have you ever been bullied?

Have you ever been in any situation out here and at one time or another we have, but we don't speak
on it, and because we do not speak on it, our children
look at us at a whole new level.

So a lot of times when I come back to the
commissioner based on what I got from the street level,
the street officers know exactly what is going on, but
even they sometimes get lost.

Because we get lost in the music, we get lost
in trying to adapt, we get lost in trying to be part of
something.

Kids will not survive without being a part of
something.

There is no way in any shape or form, even
the kid who makes believe out here that I am a part of
this group, will stay there and constantly tell
everybody I am down with this group, I do this, I
went then and if it's too much of a problem
situation, they will not run back to the parents
because parents can't be trusted.

Yes, sir.

MR. PIKULA: Charlie, in your role as

an outreach person and there is a need to, as you can
tell from the testimony we have heard, for any board
that is developed to have an outreach role or function, what suggestions would you have in terms of the best way to get that outreach?

Is it rather than having everyone on the board come to a meeting, is there a role for some one-on-one outreach by board members?

What suggestions would you have to improve an outreach program as a component of this board?

OFFICER YOUMANS: I recommend that each one of the schools have one.

I would recommend that the board make occasional visits to middle schools and high schools because right now your high schools have already situated themselves.

What you are trying to deal with now are elementary and middle schools who are sponges to what is going on.

So if we had council members who made periodic visits, if you actually talk to these children, listen to what they have to say, you get a better understanding what is out here.

Because a lot of times we can listen to
another child better than we can listen to our own children.

MR. PIKULA: You think that -- we've got wards and school committees.

OFFICER YOUMANS: Right.

MR. PIKULA: Should the council be composed maybe from those sort of wards and the schools and those districts be assigned to those?

OFFICER YOUMANS: I would. Truly I would. Because you and the ward wouldn't understand what is going on. Because your neighborhoods are vast, they are so huge.

You might be hearing a positive thing from this side of your neighborhood, but you have no idea what is going on on this side.

But you have no idea that the people who run in the neighborhood that has problems are the same kids that run in the neighborhood that have no problems.

They all run together. They just don't tell their parents that they run together.

And since you have no idea how it is, you have
no way to know how to combat this a lot stronger and a lot harder, unless you get out there and you actually intermix with these kids and you actually understand what is out there.

MR. TWIGGS: I would like to just piggy-back on that.

Let's assume we had a five or seven man committee on oversight.

The chances of a councillor being on that committee I would think would be rarely, but you are suggesting outside of a board that would give oversight to the policemen, that councillors themselves should engage in going into the schools and meeting with young people to ascertain their feelings about different issues rather than for a councillor as a part of a community relations board being the person to go out?

OFFICER YOUMANS: Well, the only reason I say that is because to some parents out here who understand that the police are the disciplinarians and they, we too are governed, sometimes they want to hear that outside point of view.

So by hearing it from people who have actually
been out there listening to the kids and understanding
the problems. You already know where the position
stands, where the police are, and try to be proactive
to do the right thing.

But also if you could actually be out to hear
where the kids are, with their standpoint, a lot of
whom particularly don't want to go through change, but
they understand the consequences.

MR. TWIGGS: Right.

OFFICER YOUMANS: So if you were to
understand why the kids think this way, now you could
understand it a little bit better where they go or they
can see you coming in and taking a little bit of an
interest to understand what they are trying to portray
out here.

Because sometimes a child can reach a person
who feels that they are in some type of position.

The biggest problem that I think that we have
out here is that we have a ton of elected officials,
and I think that is wonderful and great, but there is
a lot of people who don't know who you are, except in
name and face.

MR. TWIGGS: You don't know me in my
OFFICER YOUMANS: Because the majority of these kids can go, well, there is a Henry Twiggs, there is a John Lysak, but I have never talked to him, I have never been anywhere near you.

MR. TWIGGS: Right.

OFFICER YOUMANS: So if I don't know you, I can't, but if they were to interact with you a little bit more, they get to understand that if I did truly have a problem, and even from a parent's point of view, now there is somebody strong to reach out to.

MR. TWIGGS: So Charlie, you think we should go out to junior high and high schools.

OFFICER YOUMANS: I would say definitely middle schools.

That is now our new up and coming completely problem that you need to see and you need to look, take a good close look at.

MR. TWIGGS: Thank you. Next speaker please.

Mr. city solicitor, is there some elected person --

MR. PIKULA: If I may, I brought with me
tonight, and I have extra copies of what I am calling a preliminary status report.

The current board has been functioning since February.

MR. TWIGGS: Under the community police.

MR. PIKULA: Hearing board, yes.

It started in February of 2010 and during that time they have been carrying out their function by reviewing complaints and submitting recommendations to the commissioner on each complaint.

The commissioner has reviewed those complaints, has issued disciplinary charge letters.

Where there has been a hearing board, that has a hearing officer under civil service law, has issued decisions, whether to sustain the charges or exonerate the officer, and has submitted to the commissioner recommendations and then the commissioner has relied on those hearing reports and recommendations to carry out discipline.

That is the process that has been going on from a police disciplinary process, and I wanted to tell you that we are currently producing an annual report, and towards that end we are gathering the data
and we'll put it all into a data base using Access, Microsoft Access and Excel spread sheets.

And so we are going to be able to put that data on line so people can see it and analyze it.

The annual report is going to organize it, make a presentation with charts and graph as to what is happening.

And I wanted to just report to you what preliminarily statistics we have gathered, and that includes a total of a hundred and thirty-seven complaints that have been reviewed since February.

Now, the overwhelming majority of the reviews found the officer involved should be exonerated or that the complaints were unfounded.

But of those complaints that have gone to a hearing, I actually printed that out. I didn't print out the review data yet because there is still some blanks in the field.

If you look at it, if you try to figure out, okay, who reviewed this and it says Jane Morales and you can't read the other name, we've got to do some more work to figure out who was that other person, what does that say?
If there is nothing in that we can read to say okay, what did the commissioner do with this one, that is data that we are following up on. So that we are working to get that data so it will be accurate and we will present it. But we do have accurate data as to the hearings and I have attached that here. It shows that there have been a total of twelve hearings on disciplinary charges involving eleven different officers. The reason that there is eleven is that there is one incident against an officer where there were two different complaints for the same incident. Now, of those twelve hearings, four of the officers were exonerated after a hearing and the remaining eight hearings, which were sustained, the police commissioner followed the hearing board's recommendation as to seven. On the eighth one the commissioner exceeded the board's recommendation. So you have that data here which lists the
date of the hearing, the dates, who was reviewing it at
the hearing level, when the incident date was, the sort

of identifying information as far as the order cut by
the commissioner, the race of the complainant, the
gender of the complainant, the location of the
incident, a very brief summary of sort of what the
complaint was about, the board discipline, what their
findings were and what their recommendation was, and
then what the actual disposition was by the
commissioner.

So this is to give some transparency into the
process which has been going on to date, which is
essentially the mayor's executive order, plus some
modifications that were recommended I think by the
City Council, which have not officially been adopted,
but what has been the process the commissioner has put
in place.

And so this is presented to you to provide
some factual information of what has been going on,
and I think it shows that the existing board has
played an important role in the disciplinary process.

And the board has worked with the commissioner
and the commissioner has respected and relied on the
board, which is composed of a cross section of people
from all over the city for those decisions.

That being said, I want to address another
component of this board which I think has not really
been fully implemented and I think may need some
revision.

And this has been touched on by some of the
speakers we have heard throughout, including Ms.
Douglas, and I think it has been touched on by the
department, particularly Mr. Youmans.

That is the outreach component.

The sense that people have of belonging, they
need to be brought into this process.

That is a role separate and distinct from the
disciplinary process.

The disciplinary process by its nature must
be quasi judicial. It is a fact-finding determination
and recommendation that involves people's jobs.

But the other component that I think needs
to be implemented and probably revised is this
outreach.
From that component members of this board who are making this decision, will have a chance to better understand the community.

The community will better understand them, so there is an educational aspect to this. But there is also the missing connection or link that doesn't seem to be there that I think needs to be worked on.

So the disciplinary process is one component, a brief summary how that is working.

Outreach component needs to be I think improved, and I think that should be the focus maybe of some ideas.

MR. TWIGGS: Thank you very much.

MR. PIKULA: I would like to make this an exhibit in the record.

(Exhibit No. 12 introduced into the record.)

MR. TWIGGS: Let me take a moment to address you with respect to my feelings about where we should go.

We have the documents that have been compiled
over the first three hearings. I suspect we will have
the fourth by the time we meet again, and I am going to
call for a meeting on January 12th of just the
committee at six p.m. for us to review the data that
we have and how we are going to use the data that we

MR. JARNES: Is that where we met
before?

MR. TWIGGS: We will make that
determination.

We have got the time to determine where,
what room we'll meet in at city hall, but the meeting
will be at city hall.

And I will discuss with Bob where we should
meet.

I will also ask, do you see the need -- of
course I do -- that we sit down and have a meeting and
or a discussion with the training officer who came to
our meeting last week and we didn't have a chance to
discuss?

I think there are some things that we need to
know how policemen are trained. I mean what are they
As you would recall several persons said, have testified that, about what policemen should do and what they shouldn't do.

Well, we should talk to the training officers for the department and find out specifically what they can and cannot do.

And I think we had said that we wanted to talk to public relations, what role they play within the police department.

And so I would ask that we give that some consideration. And maybe we need to talk with IIU again based on some of the testimony that we have heard, particularly as we give some consideration to what Ms. Douglas has said.

What happened there? How did we drop the ball on this woman? What did IIU do? Maybe it didn't even go there.

But we need to come up with something to insure that that kind of thing doesn't happen again.

If a person is in custody, I mean what happens when a person is in custody? I am in charge of that person I
would think.

But we need to have some conversations on that, and so I would think that we still need to have additional meetings, and as I stated earlier with respect to the existence of the committee on civil rights and public relations, we are appointed chairs and members are appointed to those individual committees by the chair, the president of the council.

And so come December 31st, come January 1st we'll have a new president.

We think we know who it is going to be, but that person has to reappoint us to serve in this capacity, and I'll be making those contacts to insure that he does.

So again I call for a meeting on January 12th for the purpose to further discuss it.

I would suggest also, members, that those of you that have received hard copies of the report that you go through the report and make outlines, specific requests, specific testimony that has been given so that we can review those testimony to see how they can
fill out a complete report.

We should very definitely take into consideration everything that has been recommended to us.

ARCHBISHOP PAUL: Mr. Chair, while you are stating that.

MR. TWIGGS: Yes.

ARCHBISHOP PAUL: It is quite interesting that we've got to hear some more additional, but have we received anything in writing from the patrolmen side, because within the department itself there are two different ideas of what kind of committee oversight there should be.

The patrolmen want to revert back to the civil, to the police commission.

MR. TWIGGS: That is the union.

ARCHBISHOP PAUL: Yes, the union, but the patrolmen -- the union represents the patrolmen I think, is that right?

MR. TWIGGS: Several unions. That is a separate union from the supervisors.
(Several people speaking at the same time. Unintelligible.)

ARCHBISHOP PAUL: The supervisors' side and the commissioner's side, obviously we know that he is in favor of the current --

MR. TWIGGS: The commissioner?

ARCHBISHOP PAUL: Yes. He spoke to that at Forest Park.

So when we hear the public talking about oversight, we are also hearing the union crying for the same thing.

It looks like the public and the union are on the same side. It appears as though the commissioner and others have their, and the mayor, their proposal is different.

So in other words what I am asking you is that some kind of, maybe recommendation as to which proposal in writing from the union who represents the patrolmen themselves and then the commissioner as to -- we know where he stands already -- as to why they are on two different sides?

It is one department, one police department,
but they are on two different sides of the issue.

I'd like to see why the patrolmen -- the patrolmen are actually, the union is actually on the side of the public and the commissioner is on the side of the --

MR. TWIGGS: I appreciate that, but I think we can request that. I mean they are here tonight, representatives from the union.

I would ask if they would like to comment on that tonight, maybe they can give some --

MR. COYLE: Maybe we can submit something in writing for your January meeting.

MR. TWIGGS: Or even prior to.

Any -- I think from the present hearing board I would like to get a recommendation for how they think it can be, this whole process can be improved.

Terry, you might want to just consider that. We can make that request through the chair person, but I think having had the opportunity to have hearings, I mean there is always room for improvement, and I am sure that you have considered that.

So I would ask that even the present hearing
board, if they would give us something in writing with respect to how we can improve on the process. Does any member have anything they would like to add to our meeting of the 12th? (No response.)

MR. TWIGGS: So with respect to where we go from here, we should be able to make those kinds of decisions on the 12th in addition to what I already suggested that I think I know we need to do regarding meeting with the training officers.

Mr. City solicitor.

MR. PIKULA: Yes, sir.

MR. TWIGGS: Anything you would like to add to that meeting coming up on the 12th? I know you are stretched.

MR. PIKULA: I will be there. I will address any questions I can. I will try to liaison with the chair person of the hearing board to get some input. She did come and testify.

MR. TWIGGS: Yes, she did.

MR. PIKULA: But perhaps we can get
something from her in writing.

And I will bring maybe some further input from the police department, from the commissioner in terms of any changes he would like to see.

MR. TWIGGS: That will be helpful too.

Thank you.

MR. PIKULA: Particularly like I said, I think there are two different components that go hand in hand, and I know, I mean for me from what I have heard from these hearings there is a need for them to work together.

I think what the union and the people have in common is this need for a connection to the process and an outreach for better understanding.

And I think that if we can figure out how to do that, then that is not only going to put more confidence in the police department, but that increased confidence in the department is likely to translate into more cooperation with the police and a decrease in crime.

And that is sort of what I got from the connection between the union, the people and Officer
Youmans' comments.

MR. TWIGGS: Well, Terry, you wanted to say something.

MR. ABERDALE: Yes, Mr. Chair and committee.

There is also two important documents, if you will, that are publicly available.

One is a booklet that is put together and the training commences every fall and every spring, and it is called the citizens police academy.

And most recently they just graduated a class last week after ten weeks. They meet one evening a week on a Wednesday for four hours.

MR. TWIGGS: Who puts it together?

MR. ABERDALE: That is put together by the training department and by Kathy Brown, who also is --

MR. TWIGGS: Works for the police department.

MR. ABERDALE: She works for the department. And Kathy is part of the department, but she handles the educational components.
MR. TWIGGS: Okay.

MR. ABERDALE: That booklet should, all of you gentleman and ladies should have a copy of that to review that.

MR. TWIGGS: So maybe we should get Kathy Brown to come to speak to us also.

MR. ABERDALE: There is a pamphlet that would also go along very well with what Officer Youmans has indicated that would be excellent, not only for adults, but particularly for the youth, and that is a pamphlet that the department disseminates, what to do when you are stopped by a police officer, and it gives the reasons why an officer may stop somebody relative to any number of reasons, legitimate reasons and so forth.

And also it explains how, when an officer does that, taking their life on the line, not knowing what they will be coming into, it explains the precautions and that the officer is in charge of that motor vehicle stop, stopping someone on the street for questioning or whatever it may be.

I'd like to revert back, if I may just one
moment, revert back as to this point relative to the
community police academy.

In last spring's academy I believe an
invitation was extended to members of the City Council
to take advantage of it.

And I do want to say that officer, excuse me,
Councilman Michael Fenton took that academy and he had
a learning experience through that academy that perhaps
he could elaborate on.

But if anything would be an eye opening
experience, just going through that manual itself and
developing further questions, believe me, you are
going to find a lot of your answers there, but you
are also going to find a lot better understanding of
how and why the department does what it does.

MR. TWIGGS: So where are those

manuels?

I mean how can we get copies?

MR. ABERDALE: Kathy Brown at the police
department.

MR. PIKULA: I will track them down and I
will bring them so we can mark them as part of the
record.

(Police department manual to be marked and introduced into the record as exhibit number 14.)

MR. TWIGGS: Okay.

MR. ABERDALE: Thank you.

MR. TWIGGS: Any other -- Councilman Fenton, you went through the academy. You should have brought some of us along.

Would you like to elaborate on this?

COUNCILMAN FENTON: I think -- thank you, Mr. Chairman.

I think Terry's point is well taken. It was a wonderful experience to be part of that.

It was last year that we matriculated through there and it is really an experience that helps the community understand, as Terry said, more from the perspective of the police officer, and, you know, it was based in academics in terms of training and understanding the protocol, and also there was a more interactive aspect to it where
we had an opportunity to come into a situation
as if we were a police officer and how would you
handle that.

It certainly was an eye-opening experience
and I'll be happy to bring that knowledge to the
board.

MR. TWIGGS: That is interesting
because that is essentially what I have been
seeking, you know, to have a better understanding,
you know, put myself in the position of a police
officer and better understand what he faces, he or
she faces.

And I thought I would get that from the
training officer, but in addition to which you are
telling me that Kathy Brown is part of the
educational process from the department and she is
the one maybe we should talk to and I look forward
to that.

And I would ask the city solicitor if he would
follow up on that for us.

I think it is an excellent idea.

MR. PIKULA: I will.
MR. TWIGGS: Thank you, Terry, for bringing that before us.

Any other question that should come before us?

(No response)

MR. ABERDALE: Excuse me.

MR. TWIGGS: Yes, Terry.

MR. ABERDALE: I hand this over to you. It is Mr. Wojcik's comments that he made.

Perhaps you can enter that into the record.

MR. TWIGGS: Yes.

(Exhibit number 15 introduced into the record.)

MR. TWIGGS: Thank you all for coming here tonight.

I hope to see you on the 12th. I trust that all of you will have a very happy New Year.

(The speaker list was introduced into the record.}
as exhibit number 15.)

(The hearing concluded at 7:30 p.m.)

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Hampshire, ss.
I, HELGA RAGLE, Court Reporter-Notary Public,

hereby certify that the foregoing is a true and
accurate transcript of my stenographic notes of the
public hearing held at the John F. Kennedy Middle
School, 1385 Berkshire Avenue, Springfield,
Massachusetts on December 15, 2010 to the best of
my ability.

December 26th, 2010