

ALLEGHENY COUNTY COUNCIL

PUBLIC MEETING

- - -

BEFORE:

John P. Defazio	-	President
Nicholas Futules	-	Vice President, District 7
Patrick Catena	-	District 4
Sue Means	-	District 5
Dewitt Walton	-	District 10
Paul Klein	-	District 11
Robert Palmosina	-	District 12

Duquesne Elementary School
300 Kennedy Avenue
Duquesne, PA 15110

Thursday, September 20, 2018 - 5:30 p.m.

SARGENT'S COURT REPORTING SERVICE, INC.
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IN ATTENDANCE:

Jared Barker - Director, Legislative Services

CHAIRMAN WALTON: Good evening, ladies and gentleman. We are about to begin the third of four public meetings approved by --- the third of four public meetings approved by County Council in a July meeting. And the objective of tonight's meeting is to gather information and to determine whether or not a citizens' police review board should be established.

My name is DeWitt Walton and to my left is the co-sponsor of that legislation, Paul Klein. To my far right is County Council Member Palmosina. Next to him is Council President Defazio. To Paul's left is Council Member Futules. To his left is Council Member Means.

I am about to read some guidelines for tonight's meeting that we will adhere, too.

And at the outset, we'd like to thank everyone who has opted to spend some of their valuable time providing Allegheny County Council with their insights this evening. Your comments are an extremely important means of informing the Council's decision-making process and we're grateful for you sharing them with us.

With that said, we are of course all aware that recent events and the issue of police accountability have been --- have become profoundly controversial topics, and that emotions sometimes run high when the matter is discussed. While it is certainly not our intention to minimize or gloss over anyone's feelings, please note that we do expect and require that decorum be maintained at all times this evening and that the following guidelines must be observed at all times.

Please be respectful of other speakers and allow them to fully avail themselves of their right to speak. Please do not interrupt or disrupt their remarks with heckling, applause or other noise.

Regardless of the number of individuals waiting to speak, please adhere to all time limits and do everything possible to allow easy access to the podium for speakers when their turn is called.

A timer will be available --- will be visible to speakers as they make their comments. The time limit for this evening is two minutes per speaker. The timer will give a single warning beep with a yellow warning light when one minute remains, then multiple beeps and a red light at the conclusion of the two minute time --- time limit.

Do not, under any circumstances, engage in any inflammatory, threatening or confrontational behavior. Doing so will be cause for immediate objection --- ejection from the meeting. Do not engage in any display or --- or engage in or display profane language of any kind.

Only individuals who are registered to speak and who are called to the podium may do so. If anyone has a handout to Council --- to the Council, please provide it to our staff members who will distribute it to us. Do not, under any circumstances, approach the Council Members directly. Speakers should address the Council only. The Council Members are not to engage in conversation or debate with any speaker during their remarks to Council.

Council does not restrict the use of cameras or recording devices during meetings. With that being said, do not use these devices in a fashion that disrupts the hearing or any speakers. Large cameras, tripods, must be placed around the perimeter of the room but may not be placed behind the Council's table or behind the speaker's podium.

Signs may be displayed, provided --- provided that they do not obstruct the audience's view of the proceedings. Larger signs therefore must be also kept to the perimeter of the room.

We do not wish --- we do wish to be able to contact everyone who is present tonight in order to provide or request additional information. Accordingly, for individuals who are not speaking, please use the general sign-in sheet with our staff members.

Obey --- obey all instructions from the Chair. Failure to do so may constitute grounds for ejection from the meeting. Please be aware of the rules regarding public speakers.

We ask that speakers register at least 24 hours prior to the start of the meeting in order to reserve a time slot. We have six individuals who have done that. However, registrations received after that deadline may --- may be honored if time permits. And what we're going to do for anyone that wants to sign in, sign up to speak who hasn't registered. Please hold your hand up and our --- and our staff will --- will register you, will take care of ---.

MR. KLEIN: They can just check it on the sign-in we're giving them.

CHAIRMAN WALTON: Okay, cool. And once the pre-registered speakers are finished, individuals will be then called from the last --- the last minute last on a first come, first serve business --- basis until 6:58.

Due to a facility rental agreement, tonight's meeting must end no later than 7:00 p.m. If we must end the meeting before you have a chance to speak, please feel free to submit written comments before the close of business on September 28th. Please see our staff or the published advertisements for tonight's meeting for contact information.

For individuals that do make verbal remarks this evening, please begin by identifying yourself and the municipality in which you live for the record. Speakers are specifically prohibited from allocating or deferring your time to other speakers. If you're not present when your turn comes and your name is called, you may not --- you may not get the opportunity to speak. A listing of speakers who have signed up and the order in which they will be called is posted near the door.

And only residents of the County are granted the right to speak pursuant to Section 710.1(a) of the Sunshine Act. If there is not enough time to hear all speakers, some or all of the comments may be deferred to our next meeting. Thank you for hearing me, and with that, I will introduce our co-chair of tonight's meeting, Councilman Klein.

MR. KLEIN: Thank you, Councilman Walton. and I --- I, too, would like to join Councilman Walton in thanking all of you for coming tonight. This is a topic that is --- is very sensitive and emotions are heightened right now, and we feel that as a public body that we ought to gather input from the public. And so as a result, what you have to say tonight and what you feel on many sides of this issue and from many different perspectives is something that we really encourage you to share.

And if you are here tonight and you decide you don't want to speak, but you would like to contact our office if that is by way of sending an e-mail or sending a letter or making a phone call. We would welcome that as well. We would like to hear from as many people as we possibly can so that we can make an informed choice that

takes into account, again, the many different perspectives that people bring to the table.

So having said that, again, I thank you for being here tonight, and I think we all look forward to --- from hearing from you. Thank you, again.

CHAIRMAN WALTON: Tonight's format, we will start with two panelists Mr. Benjamin Thornton, who is President of the Allegheny County Police Association and Khalid Raheem, who is the convener for the committee for civilian --- a civilian police review board. They will each have 15 minutes to do --- up to 15 minutes to do a presentation.

Subsequent to that, Council will pose questions, if they deem appropriate, for the next 15 minutes, and we will use the remainder of the time for comments from the public. With that, I thank you for your support and your participation and we will begin with Mr. Benjamin Thornton.

SERGEANT THORNTON: Thank you, Councilman Walton. I appreciate you inviting me to the --- for the forum today. My name is Benjamin Thornton and I'm a Sergeant with the Allegheny County Police Department and I also serve as the President of the Allegheny County Police Association, which is the sole entity that is empowered to bargain for and protect the rights, benefits and working conditions of patrol officers, detectives, sergeants and lieutenants of the Allegheny County Police Department.

I'm involved in the complaint process both in my on-duty and my representative capacity and I would oppose the formation of an Allegheny County police civilian review board, and that opposition is based on the following aspects.

My first opposition is that the amount of complaints received by the Allegheny County Police Department on officers is low, both compared to neighboring jurisdictions, neighboring departments and for departments of our size. The cost of implementing a civilian review board, I believe, I would far outweigh any benefit that Allegheny County would gain from having such a review board.

I understand in my union capacity when I negotiate with contracts against the management and political entities involved that funds are limited. And as such, I believe any funds that the County Council would want to allocate to better police/community relations

would go towards training and citizen involvement in the positive aspects of law enforcement rather than an oversight board. The Allegheny County Police Department already follows many of the progressive principles that are found in documents such as President Obama's 2015 Task Force on 21st Century Policing, the Police Executive Research Forum, procedural justice initiatives and we have adopted policies on de-escalation, anti-discrimination and harassment and recognizing what's defined in policing.

My final objection would be that the Allegheny County Police Civilian Review Board would be that limited, as limited as that title is long. This would not be a civilian police review board for all of the officers in Allegheny County. It would only be for the 200 some members of the Allegheny County Police Department. And as I have said, with the limited amount of complaints that you would have, the formation of a board being cost prohibitive, I just don't believe that the limited scope when you work in government do you entertain to undertake.

I found it a little bit interesting as we explored this process of having these Board meetings that despite the fact that Allegheny County possesses a significant amount of property that has many suitable meeting places, these proceedings were taken in places where the Allegheny County Police Department does not participate in the primary control function. Facilities in North Park, South Park, Monroeville, Plum, Pittsburgh International Airport, all have meeting spaces that is already owned by the County that is typically available for County use at no cost to the entities.

The community stakeholders that would be affected by the formation of a civilian review board are not in Duquense or McKees Rocks. They're in South Park, North Park, McCandless, Plum, Monroeville, Findlay, Elizabeth Township, White Oak, the locations where we have County parks, County airports and in the Borough of Wilmerding, where we do provide a traditional 9-1-1 police response.

I would like --- since we are under limited time, not to make a big long speech and go the whole 15 minutes. I would rather have discussion from members or Council or from the audience members or Mr. Raheem. So I will end my comments at this point.

CHAIRMAN WALTON: Thank you. With that, we will start Mr. Khalid Raheem.

MR. RAHEEM: Absolutely. Thank you for using your time. All right. The gentleman here is going to pass out a copy of statements that --- you can tell it in the statements that I'll be sharing with the Council members and the attending audience that is represented here of the committee for a civilian police review board in Allegheny County. I'll just give folks an opportunity to --- what I have to say ---.

So this is to Allegheny County Council and all concerned people from the committee for a civilian police review board. My name is Khalid Raheem. I'm the convener. We want to share with Allegheny County Council our concerns and our recommendations regarding the establishment of a countywide civilian police review board.

So once we have a committee for a civilian police review board --- which by the way, our two co-chairs are now in the audience, Mr. Lou Berry and Fawn Walker Montgomery. I would like to thank Allegheny County Council for passing the initial resolution giving these public forums and providing the mechanism for community input and expertise to facilitate the process of developing what we hope to be a comprehensive countywide review board. We know you will see an overview of who we are in our stating the purpose.

Basically, we are a group of individuals, organizations and associations that are interested in incorporating and organizing community discussions concerning the convening of a review board for Allegheny County, Pennsylvania. Our statement of purpose is to educate and engage the community, the citizens and residents concerning police misconduct and the ways we can remedy the situation, to serve as advocates for the creation of a civilian police review board for Allegheny County.

And three, to facilitate the process for this board's creation and make sure that such a board has a policy with all the necessary instruments needed to hold police accountable with investigatory and subpoena powers.

And four, to advocate and demand that such a Board's composition is also representative of those communities which have been disproportionately impacted by police brutality and misconduct.

And five, to work with all necessary community, legislative, executive and judicial powers to be able to empower such a board.

Now, our concerns and our recommendations will focus on five particular areas; jurisdiction, scope of power, three, structure, four, composition and five, process.

So we'll start with jurisdiction. With over 100 police departments throughout Allegheny County representing over 130 different municipalities, there is a clear need for standardized and comprehensive oversight of police, especially in our current environment.

In today's world, with massive public and private modes of transportation, many residents of our County traverse monthly to continue, often daily. Every day, literally thousands of Allegheny County residents commute between their permanent residence and the city of Pittsburgh, often because of jobs or education.

The impacts of gentrification and the forced migration of low-income, mostly black residents from traditional neighborhoods throughout Pittsburgh and the adjoining areas is also a community cause for concern, and how police throughout Allegheny County respond to through these demographic changes. We are advocating for a countywide board that would have jurisdiction over all police departments, including Allegheny County Police, Allegheny County Sheriff's Department, Allegheny County Authority Police, Allegheny County Correctional Officers and the Allegheny County Port Authority Police.

We also demand that such a board represent the interests of all residents of Allegheny County, not just the citizens. As our County and region continues to grow, we will attract many more visitors, workers, students, teachers and technicians coming from various parts of the world and areas of the United States. We want to respect their rights and guarantee due process to them as well. Hence, we call for a civilian as opposed to a citizen review board.

Two, the scope of power and authority. As clearly stated in my statement of purpose, we advocate for a countywide board that has both compelling investigatory and subpoena powers. Based on our observations and research, we contend that any board lacking these essential characteristics is really not worth the effort to initiate. We also advocate for a board empowered to

accept and process complaints of police misconduct, to monitor and audit police conduct as well as procedures and to recommend both policy and corrective actions as well.

Structure. We advocate that the board be representative of the municipality in which you reside. In other words, 15 members of the review board representing the 15 electoral districts of Allegheny County. Each district would have a board representative and that district would be represented by law enforcement people in order to benefit from their experience and utilize perspective. However, no relatives of any currently elected official would be permitted on the board.

The composition, for our statement of purpose, we advocate and demand that the county board composition be representatives of those who have been disproportionately impacted by police brutality and misconduct. In this instance, black people, people of color, low-income people, women, youth, immigrants and members of the LGBTQ community come to mind.

And last, in terms of the overview or the process that we would support, we demand a review board that promotes and practices transparency and public accountability. A key characteristic of such a process requires that the board be established as an independent entity, not subject to the politics of incumbent elected or appointed public officials.

This would mean that the review board must be independent of both the office of the County Chief Executive and the County Council in performing these duties and fulfilling these different responsibilities. We also recommend that the process for following and monitoring civilian complaints against police be as seamless and --- and as uncomplicated as possible. We strongly recommend computer and digital-based technology to help facilitate this process.

CHAIRMAN WALTON: Thank you, Mr. Raheem. I thank both of you for your insightful comments and perspective. And with that, we are going to begin a 15 minute series of questions from --- from members of Council. And with that, I'll start with co-chair, Klein.

MR. KLEIN: Thank you. So I --- I guess I would begin with you, Mr. Raheem, and just in terms of the board that you envision. And I --- I guess that one of the things that I've --- that all of us have been hearing

via e-mails that we've been receiving from people throughout the County --- and this is one of the realities we're up against which is that there are jurisdictional limits on, you know, that the Council can do.

And as Mr. Thornton just indicated, our local jurisdictions ---.

MR. RAHEEM: Could you speak up a little, please?

MR. KLEIN: Pardon me?

MR. RAHEEM: Could you speak up a little, please?

MR. KLEIN: Oh, sure. So many have suggested that, is it --- is it really --- would it really have an impact outside of the County communities where --- there are real challenges in the absence of that jurisdiction. So I'm just wondering what your thoughts are because what we're talking about here is in its formation, we would only have jurisdiction over the County police. Apparently, as many as eight initiatives were introduced in Harrisburg by our local legislators in an effort to make sure that Allegheny County does have some authority and some power over the various townships. But of course, sadly, it's --- you know, we're trying to influence Harrisburg. And you know that is a --- that's a bigger challenge. And so do you wait on that or do you think that we ought to proceed with a board that would only have jurisdiction over the County police?

MR. RAHEEM: Well, I would hope that you all would move forward and --- and pass some piece of legislation that would let me create a functional board, even though the jurisdiction might be limited. And then it would be up to us, as the people, to continue to push through and to continue pushing the State to do something much more comprehensive.

The argument that people make about, well, the jurisdiction is what it is and we shouldn't challenge it and we shouldn't change it. I think that's a very weak argument and I think it's a very weak argument especially when you look at the demographic shift in our current --- throughout Southwestern Pennsylvania. And also, it's a very weak argument when you look at the history of race relations here in the United States. Southwestern Pennsylvania is no exception.

And so when I hear that type of argument as a person who likes to study history, I hear an echo of an

argument for state's rights that come from southern States back in the '50s and '60s, who would say, well, this is our jurisdiction. And so you can't tamper with that. Okay. You can't tell us what to do. And so I --- I look at these 130 different municipalities and at least 150 police departments, and that's basically what you're saying. You're saying you want to run our municipalities and run our respective police departments like this is the 18th and 19th century, and not the 21st century.

But once again, in a number of my comments or our comments, you have people who traverse various regions on a regular basis. We have literally hundreds of thousands of people who come from mostly throughout Allegheny County, some come from Washington County, some come from Fayette County. And they come in and out of Pittsburgh and all of the Mon Valley on a regular basis; right? We have to have a comprehensive system of policing. We cannot let police departments run themselves like it's the Wild, Wild West from the 1960s. Okay. So we have to move beyond that point.

I would hope this Council would do the right thing and --- and illustrate some visionary leadership, okay, and serve as a model for other County Councils who are experiencing the same thing. And before you --- before I cut off, let me remind everyone here that --- for example, one of the most disruptive tragic and violent situations which occurred regarding conflicts between community and the police didn't occur within a major city. It occurred in a suburb of --- I'm talking about Ferguson, Missouri. And it involved a police officer who had been part of another department that had been so treacherous and so corrupt, it had been disbanded.

His former police department was disbanded, but then he went to Ferguson, and he put in his application and he was hired. And then that led to the tragedy and death of Michael Brown, which led to days and --- and months and just straight up rebellion. So I'm saying, we have to be visionary --- like we got to take the lead in Allegheny County. So that's what we're calling upon you guys to do. Take the lead, demonstrate some vision, show some courage. Stand up, it's time that we change policing in Allegheny County.

CHAIRMAN WALTON: Thank you. The next --- the next question, President DeFazio.

PRESIDENT DEFAZIO: You know, you had a lot of good points. Okay. But you know, right now we can only do this for the county police. We don't have the jurisdiction to do it in all the other places. Our problem is the state legislative people. They have to jump on board with this, and that's what they're trying to do. But otherwise, you know --- this is only the truth. That's the law, but --- if that's changed, then we ---. So that's all I wanted to say.

MR. RAHEEM: Well, thank you very much, sir. We intend to do everything we can to change the law, you know. I do have to remind folks that once upon a time slavery was legal. Once upon a time, Jim Crow was legal. Okay. So laws can be changed.

PRESIDENT DEFAZIO: I agree.

MR. RAHEEM: Right. So we will change the law here and make sure that we can get a whole different system for holding police forces accountable in the 21st century.

PRESIDENT DEFAZIO: Okay.

Thank you.

CHAIRMAN WALTON: With that, we are going to move to Mr. Futules.

MR. FUTULES: For the questions, ---.

CHAIRMAN WALTON: Limit them, we only have 15 minutes.

MR. FUTULES: You talked about low amounts of complaints. Do you have any type of statistics on complaints in general for the Allegheny County police and the officers in this County?

SERGEANT THORNTON: I can only share, right now anecdotal information. That information would be held with the administrative level officers. My superintendent is in the audience today, and what I would suggest is that for hard numbers, we could perhaps provide those to Council after this --- after this meeting.

MR. FUTULES: Well, I would like to have a hard copy of --- your speech is being sent to our staff for all members. And along with those statistics, you talked about limited funds and training. Are you referring to the County police, or are you talking about training for all the police officers in Allegheny County?

SERGEANT THORNTON: I mean, both. We're all --- we're all funded basically through a --- through a tax structure, people's tax money that --- they're paying

County taxes is essentially how the County police is funded. And municipal police are funded through largely the same way. I mean, there's a --- there are some differences in the state kick-in and the national kick-in through law enforcement grants and initiatives, but you know, the basic idea of how police are funded is through tax money.

If you want more funding for police, typically that involves either cutting programs or increasing taxes, but that's the rough basis of how I understand the economics of funding the police departments.

CHAIRMAN WALTON: Last question. Last --- last question, Mr. Futules.

MR. FUTULES: All right. Well, we'll stop with you and go to you. This is the question. You're the first person that had mentioned the housing authority.

MR. RAHEEM: Right.

MR. FUTULES: Correctional officers and the port authority.

MR. RAHEEM: Right.

MR. FUTULES: We never thought that involved them.

MR. RAHEEM: Well, they are police, and they do have some --- they have some problems especially with the black community that need to be addressed. I mean, I --- I surely shouldn't have to remind you of the incident involving the Port Authority Police and the father and son who were both intoxicated. And one had serious mental health issues and subsequently wound up being shot by Port Authority Police and the major demonstration of protest all about that.

Let me respond to --- if I can quickly, to Councilman Walton. I'm trying to get help from my friend here real quick.

So here's the bottom line. This is based on the report that was submitted between the Pittsburgh citizens police review board. Right. Some very big numbers. And this is what they came up with. For the County police, Allegheny County Police in terms of the incidents. Over a five-year period of time there was only six reported incidents; right? Only six reported incidents; right?

It means that people reported some problems with the Allegheny County Police. They called the

Pittsburgh citizens review board not knowing that they didn't have the jurisdiction oversight. But let me also say this, and this is really for the County. This is for the County, Allegheny County Council.

The numbers indicate that amongst all the different issues throughout the County Council, the district that have had the highest number of reported incidents involving police brutality, police misconduct have been Council District 4 with 10, Council District 7 with 10, Council District 8 with 12, Council District 9 with 8.

Okay. So you know, it's something to consider. And then, think about all of the things that are not reported because people don't know where to go to report it because there's no public information available. If you've got an issue within the County police, where do you go? So once again, we have to bring in some type of mechanism so the residents and citizens of Allegheny County can at least have some type of process for justice that exists.

Right now, they don't even know what to do so they call the City of Pittsburgh and report it to them. Listen to how crazy that is. That's like you having a problem with your wife and you calling your ex-girlfriend. So --- so you know, we have to come up with something. All right? Okay.

CHAIRMAN WALTON: Member Means?

MS. MEANS: Well, thank you for recognizing me, Councilman Walton. My question is for Sergeant Benjamin Thornton. You said that your department's complaints about the officers were low. Is that true and can you talk about the process of how you investigate those complaints? Do you want to refer to something?

SERGEANT THORNTON: No. I think I can project. So I'm a first-line supervisor. I'm a Sergeant. So oftentimes, if somebody is going to have a complaint about a patrol officer, a sergeant at the level of that complaint would come in anyway. And on the union side of my functionality, as the President of the Union, if an officer is going to be facing discipline for any type of misconduct, whether it's using profanity all the way up through, you know, an unlawful or extrajudicial shooting then I would be involved in the complaint process as that officer goes through because there are procedural requirements.

Just like everybody else has a right to remain silent, so would a police officer in the case of a criminal matter, but as an employee of --- of the government, we can be compelled under penalty determination to participate and testify in matters of --- of an internal or disciplinary type of function.

So in other words, you can be compelled to tell on yourself and get yourself fired if it's limited to a non-criminal type matter. So those are the ways that I get involved, either as the first-line supervisor in the field or as the President of the association monitoring the process as the --- as the disciplinary engine comes to life.

MS. MEANS: So Councilman Walton, can I just ask a couple questions, get a little ---?

MR. WALTON: One.

MS. MEANS: Which is --- so in your opinion, do citizens have an avenue to go with a complaint if there isn't a civilian police review board? Is there a process to go through and quickly, could you share with us what that is?

SERGEANT THORNTON: Yeah. Without quoting the policy, the general nature of the policy is that all complaints will be investigated. Once a complaint is received, it is investigated. It doesn't matter who it's from. It can be received over the phone, via e-mail. It can be faxed. You could have a stop-in at one of our police stations. Any manner of communication is acceptable to initiate a complaint.

MS. MEANS: Thank you.

CHAIRMAN WALTON: All right. Thank you.
Mr. --- Member Palmosina?

MR. PALMOSINA: Well, thank you. I want to say thank you to Mr. Raheem for sharing opinions and Sergeant Thornton for coming and sharing things and that's why we're here. We're here to seek an opinion. So I'll be brief. My first question is for Mr. Thornton, Sergeant Thornton. How many County police officers are there?

SERGEANT THORNTON: There's approximately 225 sworn officers. That would include some command staff.

MR. PALMOSINA: Okay.

And you also said that there is numbers out there that you can provide for us? That is, you can get those numbers to us?

SERGEANT THORNTON: For the --- for the amounts of complaints?

MR. PALMOSINA: Yes.

SERGEANT THORNTON: As --- as long as the superintendent and administration is okay with that, I --- I will make sure that that gets provided to Council.

MR. PALMOSINA: Okay. Thank you. And Mr. Raheem, for the civilian police review board, what are your thoughts on --- on the board --- what kind of job do you think they'd be able to do to form a police review board?

MR. RAHEEM: Well, I think the Board overall, we need people. And I know that they surprised a lot of people. One of the things we talk about within our committee, when we have our meetings, people say, no, you shouldn't be adversarial towards the police, and you file a complaint. We say just the opposite. You have to be adversarial because when you, as a citizen, for example, have an issue with the law enforcement person and you file a complaint, you are by yourself. You are alone; right?

That police officer has the full weight of the entire criminal justice system behind him or her, including the union representative, which, by the way, may be a conflict of interest and maybe you can consider it. So those are the things that we look at. We have to maintain a respectful but adversarial relationship, much in the same manner that if you go to court, right, and if I'm your lawyer, you know, yeah --- it's --- it's okay for me to know the judge and it's okay for me to know the DA, but you don't want me to just like throw your whole defense case away because I play golf with you. You want me to step into the courtroom and do the very best that I can to represent your interests.

We believe that this particular Board has to be adversarial in the sense, not disrespectful, not rude, but adversarial in a professional and legal sense, in the fact that we have to represent the issues of people who, as I stated earlier, are going to be black, people of color, women, young people, people from the LGBTQ community. The people who are most marginalized in our society. So you can't walk into the courtroom, sob story. You got to be straight up. I think the Pittsburgh Board has done a good job overall, but I think they need to be a little bit more adversarial at times.

MR. PALMOSINA: Thank you, both. Thank you.

CHAIRMAN WALTON: With that, Member Catena?

MR. CATENA: Thank you, Mr. Chairman. I'll be brief. Again, thank you gentlemen for coming out tonight. Obviously, the cost of the police review board is of some concern, obviously. \$500,000 is the number that's been tossed around for what the city pays for their police review board. If I told you that I thought \$500,000, we could invest that in offering better policies and procedures or training on the front end to officers, de-escalation training and what have you, to me, that seems like a little bit of a better investment on return, rather than trying to be reactive or instead being proactive. I'd just like to know both of your thoughts on that opinion?

MR. RAHEEM: If I could, I mean, I agree with you 100 percent. I mean, \$500,000 for the City of Pittsburgh, let's throw in --- for me, I think that I would be inclined to look at it this way. Right now, we have about 1.2, 1.3 million residents of Allegheny County; right? To make sure that all of our residents and all of our citizens are safe and secure, and to make sure that our police departments are comprehensive in terms of how to hold one another accountable and to make sure this community has a real deep sense of justice, why not let every resident pay \$1?

So if everybody pays \$1, we can easily raise \$1.2 million or \$1.3 million, which will be more --- which will be more than enough to cover the cost. I think \$500,000 or half of that 1.2 or half of that 1.3 would be more than enough to cover the costs of --- of both creating and developing and sustaining a countywide civilian police review board. If you look at the number of police officers --- and I was fortunate to be able to talk to my colleague here, right. And he shared with me some of the numbers, the estimates, and so we both agreed about 1,500 overall, right.

So we got about --- so we got about 1,500 police officers including the City of Pittsburgh, right. So come on. We've covered everybody. It's all done. It's a done deal. It's a done deal. I think that's the way we need to look at this, and then when you --- when you juxtapose, say, \$500,000 compared to the numerous losses, right, and all the other stuff, all the --- all

the anger, all the anguish, all the disrespect, all the court costs, all the other stuff that comes from a lot of this foolishness that goes on between law enforcement and the community --- a lot of this stuff is foolishness. Cop has had a bad day, you know, he --- he had an argument with his wife, she had an argument with her boyfriend or her husband. They go to the station and it's not processed.

And it just goes on and on, and the next thing you know somebody is shot, somebody is beat up, somebody is disrespected. And now we got this big issue that all of us are being impacted, right. So we need to like stop it, be proactive not reactive. Pass the legislation, come up with a funding mechanism, come up with a funding scheme and get it done. And then we can start to work on it, including all of those other various types of police departments into this and bringing them under this comprehensive umbrella, but it's up to you guys.

MR. CATENA: Thank you, sir. Mr. Thornton, you were smiling.

SERGEANT THORNTON: Sure. One of the things that I've read and I have read some of Mr. Raheem's information after the last County Council meeting that I saw him speak and tried to get an aspect of where he is coming from. I see repeatedly poverty and crime are related. And you know, I --- I agree with that. I have a criminology degree, and I've studied that. Poverty and crime are definitely related.

What you see in a lot of the communities that have economic difficulties is they can't pay their police officers very well. So when you take the idea that poverty and crime are independent or very closely related, and you start talking about paying a police officer \$10 an hour to do a job in an area that has a high crime rate, it's easy to see that if poverty and crime are related in the community that poverty and crime could be related in police misconduct.

And I've heard repeatedly that we need to train the police in some of these communities that are --- that are essentially, you know, broke. But how are we going to pay a community to train police that can't even pay their police a living wage to begin with? I'm familiar with the Fight for \$15 Organization, but yet,

right in Braddock, the average police pay is under \$15 an hour for police officers.

So you know, the --- the argument kind of like loses its tenacity when you consider that on the --- on the civilian side of things, we talk about poverty and crime being blamed, but we kind of forget about that when we talk about paying municipal police officers a livable wage.

MR. RAHEEM: I think we need to pay them \$15 an hour minimum. That is what I was saying.

CHAIRMAN WALTON: We are about to move into the public comment section --- section of tonight's meeting. But I need --- before --- before we do that, I have a couple comments that I want to make. I want to thank the panelists for their --- for their candid conversations and perceptions about police brutality and opportunity, but I --- but I have a couple things I want to share as well.

There is a correlation between poverty and the types of crimes, because rich folks do some money laundering, all kinds of issues and the --- from a personal perspective, they have greater resources and greater opportunities to create different kinds of offenses. I think poverty creates a certain kind of --- or --- or has a limited impact because of opportunity and access to other kinds of activities.

So I --- I --- there is a mixed bag on that --- on that issue, and it just is very important while County Council is with me, in terms of mandating entities into a citizen police review board. The only entity currently under its auspices that we can mandate, this County, is the County police because the Port Authority is an independent authority. And so we've got to be cognizant of those things. But there --- but there is proposed legislation out that brings about a host of changes and I --- and I agree that we have to place greater resources into municipalities so they can increase wages, improve training and provide better equipment so folks can do their jobs more effectively.

I don't want to get into the politics of --- of challenging different municipalities in some respect, but Senator Wayne Fontana has proposed legislation that mandates all municipalities and second-class counties --- Allegheny County is a

second-class County --- to mandate that municipalities become part --- become covered by a citizens police review board. Senator Jay --- Jay Costa has proposed legislation that provides additional resources for training that are so desperately needed.

State Representatives Wheatley, Gainey, Officer Davis and the Pennsylvania Legislative Black Caucus have provided --- has proposed legislation dealing with certifications beyond Act 120, so that they can address a constructive way, much as the law --- the certifications of lawyers, doctors, hairdressers, barbers and --- and such.

We believe, or at least I believe --- I won't speak for other members of Council because we're all independent. I believe that law enforcement officers have one of the most difficult jobs on the face of this earth. It is an incredible challenge, because you have to be judge, jury and unfortunately, in extreme situations, they become executioners in a split second. And your decision has to be right all the time, not just 99.9 --- you have to be right all the time. You have to be compensated well, you have to be trained well, and you have to be equipped well to do your job.

It's our responsibility to advocate to make sure that all those things happen. I thank you for your --- for your comments and we're going to do the best job that we can to make all of this work. Thank you.

With that, would you ---? We're going to start with our public comment section. Our first speaker or registered speaker is Ms. Fawn Walker Montgomery. Thank you, Ms. Montgomery. Identify yourself, your identifying information?

MS. WALKER MONTGOMERY: Fawn Walker Montgomery, 3509 Mayfair Street, McKeesport, Pa. So I wanted to hit two points this evening. The first one being the argument around this taking from Allegheny County. That is not true at all because this is something that Allegheny County can opt into. I've been working closely in East Pittsburgh, and it's kind of similar to what happened --- because you had an officer coming off of being terminated for assaulting black men. Less than three hours later he shot and killed a black man. Similar situation, in East Pittsburgh it keeps me up at night.

We need something like this. This is just not about Allegheny County, I implore you to get on board

with this. Stop dragging our feet. You heard about Antwon's murder. You were in this room. You were told that people have their lives on the line every day. You heard them say it. You heard what happened. I implore you to do something about this.

CHAIRMAN WALTON: Thank you. With privilege of the chair --- convener and co-chair, we're going to Mr. Daryl Rapp, who has to get out. And so we're --- we're going to --- going and accommodating Mr. Rapp.

MR. RAPP: Thank you very much. My daughter has an event. And given ---.

CHAIRMAN WALTON: Hold on, your address?

MR. RAPP: My name is Daryl Rapp. I am a resident of Swissvale, and my address is 1125 Milton Street, ZIP 15218. I am also an elected member of Swissvale Borough Council. And given the --- with the time, I'm going to talk very quickly and --- with high impact. And thank you, Council.

First, not only the Allegheny County Police but the Port Authority, Housing Authority --- any others that seem to be appropriate, but also investigating the potential to cover security forces, especially those who carry lethal weapons. Why? This is a leadership and this would be --- Allegheny County can lead at the State and National level by creating this. And it will demonstrate that the treatment of everyone, residents, visitor alike, no matter where they are in Allegheny County, that all municipalities will have best practices, proper procedures and not just adequate but admirable training.

I know elected municipal officials, such as myself and police will be held accountable through a transparent and fair professional investigative process when --- hopefully never, but likely sometime an incident occurs. And think of this as raising the bar, and insurance towards fair treatment.

It's an excellent resource and there's another issue, another current topic that I will mention in written testimony but most important, I want each of you on County Council, to talk with your constituents and not just any constituent. I want to talk with constituents who look like Antwon Rose, who look like Michael Brown, who look like Eric Garner and talk to them as to whether this is going to be needed or not. I am not specifically in need of this. You are probably not. It's those who look like Antwon who do. Thank you.

CHAIRMAN WALTON: Thank you, sir. With that, Cassandra or Sandra Rioux. Did I say it right?

MS. RIOUX: Yes, Sandra Rioux.

CHAIRMAN WALTON: Say it again, ma'am?

MS. RIOUX: My name is Sandra Rioux and I live at 2505 Collins Street in McKeesport.

CHAIRMAN WALTON: Yes, ma'am.

MS. RIOUX: And I'd like to know how come a student can go to school one day and you could go past and she doesn't know who she looks like or who she is or anything like that. We can pass her going up and down the stairwell, and she can confront the police department, that she didn't like the expression on his face, and he gets threatened with jail. He has to go to jail for --- meanwhile, he doesn't know who she is or what's wrong with her and he had to quit school because of it. That's all I wanted to say.

CHAIRMAN WALTON: Thank you, ma'am. Mr. Joshua ---.

MR. REEDUM: Yes, sir, Reedum.

CHAIRMAN WALTON: Say that again for me?

MS. RIOUX: Reedum.

CHAIRMAN WALTON: Reedum?

MS. RIOUX: Reedum.

CHAIRMAN WALTON: Okay.

MR. REEDUM: Thank you. Name is Joshua Reedum. What I have to say is --- it also correlates with what she said. I understood what she was talking about, I used to go to McKeesport High School. What happened was someone reported, I was told by a police officer, a security guard at school, that if I was 50 feet away --- the main concern was for my girlfriend which is where --- where that same girl. I'm very passionate about --- I really feel that something needs to be done with police at schools being --- it's something to do with them being one-sided and going along with what one person says and not being ---.

Well, how do I put this? I want to say that I feel that security guards in these schools, police in schools being --- something do with them being one-sided and only --- what one person says and not being --- well --- I would like to say that I feel that security guards in schools, police in schools should be not one-sided, but should want to hear out both sides without being --- something that the School District, whenever I

would report bullying, they didn't take a report and --- and I think that's also something that needs to be dealt with.

CHAIRMAN WALTON: Yes, sir. Thank you.
Ms. Pamela Harbin.

MS. HARBIN: Good evening to all our Council Members. My name's Pamela Harbin. I live in Point Breeze in Pittsburgh. And if you're wondering why a middle aged white woman has come to testify today. It's a fact that there is very little chance that I will ever be brutalized or murdered by a police officer. I have two sons --- who attend Pittsburgh public schools. One son wants to be a neurosurgeon. The other one wants to be a graphic designer.

There's no reason to expect my children to be brutalized or murdered by a police officer either, so why am I here? My son who wants to be a neurosurgeon happens to be black and disabled. He's an autistic black teenager. So for my son, it's not a given that he won't be brutalized or murdered by a police officer. The statistics clearly show the exact demographic of those who are over-represented in dealing with police brutality. And I have a great concern with the current state of policing in our country. I walk Ayden to school every day for sixth to eighth grade --- a school three blocks from our home. One day two police officers were standing on the corner at the school. I struck up a conversation and told them that I want my son to walk to school on his own. But I don't let him because I fear what would happen if an officer saw him, for instance, looking into a car window because something shiny caught his eye and an officer stopped to question him. My son is slow to process and answer questions, especially questions that are quick and loud, and I don't know if police are trained and prepared for situations like this.

After hearing my concerns, one of the police officers looked me in the eye and suggested that I never let my son out of the house alone. Until there are fewer --- fewer instances of police brutality and murder, we must have citizen oversight of police. We must.

CHAIRMAN WALTON: Thank you. Thank you.
Ms. Stacy --- no, Stacy West. That wasn't getting --- I hate to make a mistake.

MS. WEST: I thank you. I thank you for providing this forum for the citizens to sit in on this

matter and would I say my position's a little bit different, but I have the utmost respect for everyone in this everyone in this room and all your experiences. But my position is a little bit different.

CHAIRMAN WALTON: Identify yourself.

MS. WEST: Pardon me?

CHAIRMAN WALTON: Identify yourself, please.

MS. WEST: I am Stacy West and I'm a resident of Allegheny County from Sewickley. I am a resident of Allegheny County, as I said, and I have faith in our police force. They are the people who choose to risk their lives to defend and protect, and they often represent the best among us.

We have a tendency to want to solve problems by creating agencies, boards, councils and other bureaucracies. Sometimes that's the right answer, but sometimes it's not. I believe an oversight board for the police is not only unnecessary, but will result in unintended consequences. The creation of such a board, one, serves as an overt expression of lack of confidence in the police force. Two, the backlash and defamation, loss of job and pension, would likely deter officers from taking action in those dangerous neighborhoods and cities where the protection is most needed. If the deterrents cause hesitancy and hesitancy to act, fewer criminals are stopped and apprehended. Furthermore, the police force is already subject to oversight by the police chief, the mayor, the local council, the district attorney, the attorney general, the FBI, the Justice Department and ---.

There are additional questions I have about the citizens review board. What is the source of their authority? To whom are they accountable? Who constitutes the board? What are their qualifications?

CHAIRMAN WALTON: Thank you, ma'am. With that we have --- our pre-sign up list. We have additional individuals who have indicated ---.

MR. BARKER: We do have a few.

CHAIRMAN WALTON: Would you call them, please?

MR. BARKER: First up is Diane Schmidt.

MS. SCHMIDT: Good evening. My name is Diane Schmidt. I live in McKees Rocks, 15136. And I attended tonight in order to speak in opposition to this so I'm aware of the creation of the committee. I'm aware

of Mr. Raheem's background. I've also taken the opportunity to attend multiple municipal meetings.

And what I want to know is, who is here representing --- I'm not saying these are illegitimate complaints. I also have had bad experiences when I've been with the police, but what I'm saying is, there are a million people in Allegheny County. The vast majority of those people are law-abiding citizens. They work, if they get stopped by police, they cooperate. Nothing occurs.

CHAIRMAN WALTON: Thank you, ma'am.

MS. SCHMIDT: Well, the cost ---

CHAIRMAN WALTON: Thank you, ma'am.

MS. SCHMIDT: --- to the county taxpayers is ---.

CHAIRMAN WALTON: Your time is up, ma'am.

Next?

MR. BARKER: Next is Mike Pastorkovich.

MR. PASTORKOVICH: Thank you. Mike Pastorkovich. I live at 348 North Craig Street, Pittsburgh, 15213. I'm a member of the committee for a police citizen review board and in chair of the Sierra Club of Allegheny County. We, the people, various police departments have not only taken our freedom by arresting when they deem it necessary. We, the people, delegate for various police departments the power to use of physical force on too many people that they deem necessary. In a free society, we, the people are the ultimate source of law, authority and legitimacy. Whatever powers ultimately comes from we, the people. And who is to decide if our police departments are using their powers. Can we trust the police to police themselves? Can we depend on the district attorneys who depend upon the police to provide them evidence and obtain convictions?

The current Police Department from top to bottom and the current matter is that what happens when institutions deem themselves accountable to nobody. All the police departments are, we, the people. Therefore, we need a civilian police review board in Allegheny County to determine all the police departments in all of our communities as well as Port Authority police, Sheriff's Department, campus police, which have the power to arrest or use physical force. The county police review board for the county police is an acceptable place to start, but not an acceptable place to end. Thank you.

CHAIRMAN WALTON: Thank you. Next, Mr. Barker?

MR. BARKER: Erica Yesko.

CHAIRMAN WALTON: Erica Yesko?

MS. YESKO: Good evening and thank you for allowing me to speak. Erica Yesko, 58 Prospect Terrace, East Pittsburgh, 15112. First, I want to say I fully support this. And second, to me and to the public concerns about and community members and for this community. We need this --- this civilian police review board to be created and all of its legislation.

Too often I leave my home in fear of what would happen to me if I see police that day.

CHAIRMAN WALTON: I just want to let you know ---.

MS. YESKO: I have so much more to say

CHAIRMAN WALTON: I know, but you'll have ample opportunity again, ma'am.

MS. YESKO: Yeah.

CHAIRMAN WALTON: Thank you. Next?

MS. YESKO: Can I tell you --- to hear what happened to me this week?

MR. BARKER: Last up is Louis Berry.

MS. YESKO: I have a police complaint, where do I put it? I've got a police complaint. Where can I put this police complaint? When I was tased 12 times in front of my children ---.

CHAIRMAN WALTON: Ms. Yesko, I'm going to ask you to restrain yourself, please.

MS. YESKO: Okay, yes.

MR. BERRY: Hello, Council. My name is Louis Berry.

Now I'm not standing here to say that all police are bad, because the overwhelming majority of them are not. But it only takes a few to say that white supremacy. It only takes a few to get us to a point where we need oversight for all. That's pretty much all I had.

MR. KLEIN: Thank you, sir.

CHAIRMAN WALTON: Is that it?

MR. BARKER: That's it.

CHAIRMAN WALTON: Well, with that --- with that being said, we thank you for your participation. We urge you to continue to advocate whether you support the proposed legislation or whether you're opposed to the legislation. Our next meeting will be one week from today

at the Father Ryan Center in McKees Rocks. Thank you for your support again and have a good evening.

HEARING CONCLUDED AT 7:00 P.M.

CERTIFICATE

I hereby certify, as the stenographic reporter, that the foregoing proceedings were taken stenographically by me, and thereafter reduced to typewriting by me or under my direction; and that this transcript is a true and accurate record to the best of my ability.

Dated the 14th day of November, 2018

A handwritten signature in cursive script that reads "Danielle Ohm". The signature is written in black ink and is positioned above a horizontal line.

Court Reporter

Danielle Ohm