

Teneo Insights Webinar: Law Enforcement in America

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Alexandra Lager (AL): Good day and thank you for joining today's Teneo Insights webinar. A recording and podcast of this call will be available on Teneo's website. And now, I would like to hand it over to our host, Kevin Kajiwara.

Kevin Kajiwara (KK): Thank you, Alex. And good day, everyone. And thank you for joining today's edition of Teneo Insights. I'm Kevin Kajiwara, Co-President of Teneo Political Risk Advisory in New York City. I am joined today by two of the best known and well-respected law enforcement professionals in the country. At this time of fraught relations between police and the communities that they serve, and in a period of severe political polarization, following a year that saw the largest social justice movement in our nation's history, and as we prepare to return our lives to something approximating pre-pandemic normal, these two gentlemen bring a combined century plus of policing experience, innovation and reform to the table.

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Between them, they have led America's 1st, 3rd, 4th, 6th, and 20th largest police forces. And they're here today to discuss where we go from here. Chuck Ramsey joins us for the first time. Familiar, I'm sure, to many of you from his frequent appearances on CNN. He was the Commissioner of the Philadelphia Police Department. And before that, he was the Chief of Police of the Metropolitan Police Department of the District of Columbia for almost nine years, including during the 9/11 attacks. And in 2014, President Obama appointed him Co-Chair of the President's Task Force on 21st Century Policing created in the wake of the unrest in Ferguson, Missouri, following the shooting of Michael Brown and the death of Eric Garner in New York. Commissioner Ramsey got his start as a beat cop in Chicago.

Now, the moment he starts speaking, you will know that our other guests got his start in Boston. Bill Bratton is the Executive Chairman of Teneo Risk. He was the Boston Police Commissioner, the Chief of the Los Angeles Police Department, where he was recruited to lead the force as the city recovered from the Rodney King and OJ Simpson cases, and he was twice Commissioner of the New York Police Department during the mayorships of Rudy Giuliani and Bill de Blasio. And during his tenure, New York saw the largest crime decline in its history. Commissioner Bratton serves as the Chairman of the Homeland Security Advisory Council and he has a new book about to be published, *The Profession: A Memoir of Community, Race, and the Arc of Policing in America*.

So, gentlemen, welcome to the call today. Thank you for joining us. So here we are, 2021, more than a year into a pandemic that has caused even more economic inequality. And we're approaching, next Tuesday, the one-year anniversary of the George Floyd

murder. Commissioner Ramsey let me start with you. Give us your perspective on where we are in terms of policing today and what you think needs to happen. Let's set the table for this conversation.

Charles Ramsey (CR): Thanks, Kevin. And first of all, it's really an honor to be here with all of you today. Thank you for the invitation. This is, to say the least, a very challenging time in policing. It's also a time of opportunity in policing as well. You reminded Bill and I both of just how old we are when you opened up saying we had more than a century of policing experience. Thank you very much. But it's true. We've seen a lot over our careers. There's no question about it. But I would have to say this is the most challenging period that I have personally been through in policing. Starting really with Michael Brown in Ferguson, Missouri. That's when I think national attention was really drawn toward police in a way in which it hadn't been before. Obviously during some riots with Rodney King and OJ Simpson and things of that nature, we've had riots and we've had issues, but they weren't sustained as long as we began to see beginning with Ferguson.

And when you really stop and think about it, who would have ever thought that a small police department made up of about 50 sworn members would actually change policing in America. But it did. That was really the beginning. Now, the problems that led to Ferguson existed long before the death of Michael Brown, no question about it. But this brought it all to a head. And then of course, as we move forward, and now with George Floyd, with the anniversary coming up next week, obviously things have not improved. The tension between police and many of our communities, and I think one of the most troubling aspects of this whole thing for me is that there's always been a population in the middle that really support police.

They're beginning to waver a little bit because of video, because of the things that they're seeing, the things that they're witnessing with their own eyes, through body cameras and other forms of technology. And that's very troubling. Now, how is this all an opportunity? Policing is difficult to change, police agencies. Once you make a turn around like Bill did in New York and I had some success in DC, then there's an expectation that change is going to continue and continue to build on that. But as a profession, police tend not to want to change. They only change in a crisis. Well guess what? We have a crisis. And we have to take advantage of the opportunity that presents itself right now to really push the profession forward, in my opinion.

KK: So, Commissioner Bratton, let me ask you the same question. Perhaps you can contextualize your response with the retrospective of your new book as well. And frankly, I was really intrigued, just picking up on what Commissioner Ramsey was talking about. I was intrigued by your observation, that the crisis in relations between the black community and law enforcement has been inflamed really by the unforeseen consequences of what were some well-intentioned policies earlier.

William Bratton (WB): Well, on that line that I began in policing in 1970. Chuck, I think you came in a year or two ahead of me in Chicago. I began in Boston. Both of us in policing. You don't get to be a Chief of Police unless you start at the bottom as a cop walking the beat. And so, we have the perspective of going all through the ranks over that 50-year period of time for both of us. And in the book where I talk about the arc of policing over the last 50 years, the changes in that 50-year period in both our society, our country, the world, and in policing have been phenomenal. And one of the things that Chuck and I and many police leaders are very frustrated about is that arc has been one of reform. We are constantly reforming. We

are constantly improving. We are constantly changing. We are trying to learn from our mistakes so that we don't repeat them.

And I truly believe that as we came into the 21st century, we came out of the '90s where we embraced a new philosophy of policing called community policing. And it was based on the idea of partnership with the community, between police and community. It was based on the idea of understanding a community's problems, prioritizing their problems, and then focusing on how to prevent them, not just respond to them with 911 calls, but how to prevent them. And we had significant success in the '90s. We had 100,000 more cops. The country was fed up with violent crime. And we embraced this new philosophy to bring us closer together. And we succeeded. Overall crime in the United States went down by 40%. Speaking for New York, it went down even more. And it began what was a 25-year decline in crime every year in New York City, for example.

However, some unintended consequences during that period of time. As part of that embrace of this community policing philosophy and funding of criminal justice, we created a lot more prisons. We put a lot more people in jail. A lot of those people needed to be there because a lot of the crime we were dealing with was violent crime. We also put a lot of people in jail with drug-related offenses and other minor crime offenses where we might have been better off trying to treat them. And where we have failed miserably in this country, going back to the '70s, when we were trying to deal with the emotionally disturbed and let hundreds of thousands of people out of mental institutions that were like prisons, we released them onto the streets and created the homeless problem. In the '90s, dealing with the crime problem, and the '80s, we created what has been called the mass incarceration problem, particularly affecting minorities.

And so now in the 21st century, we're dealing with the legacy of homelessness that's still out there and growing. We're dealing with the legacy of mass incarceration, which has declined fairly dramatically into the 21st century. But we're also dealing with, in the 21st century, if you will, the social media revolution, the smartphones, the idea that everybody can see everything anytime, all day long. So, while events of police brutality, significant brutality, are still a relatively small number when you think of the millions of contacts police have every day, each one now has national implications. We saw that on the morning news this morning. Chuck and I, you were talking about this just before this presentation. An event in Louisiana two years ago, that now has just become known to the public through body cam video.

An event involving a woman that was mentally disabled with police officers wrestling her to the ground and treating her in a very inappropriate fashion. And I forget what town that was in. But no matter where it is in America, it's front page news. And what ends up happening is policing, the profession, gets painted with a broad brush of every incident. And what we wrestle with is that how do we continue our reforms, which have been significant, and not have those reforms overwhelmed by the intense and justifiable focus on these incidents? Which are thankfully still a relatively small number, but that doesn't negate how brutal they appear, how wrong they are, how inappropriate they are, and sometimes how criminal they are.

So, what we're up against in the 21st century, and Chuck can speak to this from the perspective of chairing that committee for President Obama, is that we need to really develop trust with our communities. We need to have more accountability to our communities. We need to have more transparency. And we are certainly going to have that with body cameras and smart phones. And we need to have more legitimacy. And we'll get more

legitimacy where the public is willing to work with us and support us if we can accomplish the other three. And Chuck, I think that was probably the goals of the 21st century initiative that you led for President of Obama.

KK: Yeah. I want to get into that in just a moment. But just a quick follow up, Commissioner. Given everything you just said, is it fair to say that there's a level of frustration then in amongst police leadership, as well as in the rank and file, the men and women who are on the streets, that the police are held to account, in many cases, as you suggest, rightfully so, but that they are actually in many ways the last line of defense? That some of what they confront out there on the street every day is a result of a lot of societal failures and breakdowns along the way. That mentally ill people are not being treated. They're out on the street endangering themselves and others. Or the homelessness issue or drug issues and the like. And that once everything else breaks down, the cop is the last one. And then they sort of get held to account for all of those failures in way, which are more invisible.

WB: Let me give you a response to that. And then Chuck, you should chime in also on this one. That police, police leadership is incredibly frustrated at this time. We've been frustrated for a long time because we are effectively held to account, sometimes appropriately, but sometimes inappropriately, for all of society's failures. And so much of what we are being criticized for now, and that we are being expected to improve our performance are really beyond our mandate. The idea of the homeless, the idea of the mentally ill, the idea of the drug addicted, the idea of the emotionally disturbed, that they're beyond our mandate in terms of the way we were originally formed, formed to prevent crime and disorder.

But because of society's failures to deal with the homeless, they're out on the streets. Who has to deal with them? Call 911 and we come.

The emotionally disturbed, they're out on the streets and on the subways because we don't have hospitals for them anymore. We really don't know how to treat them well. Call 911 and here we come. In terms of dealing with the drug addicted, because we, as a society and a country, we are abysmal at dealing with that issue. Call 911 and here we come. So, I have to laugh at the Defund the Police Movement when effectively they should be increasing our funding for better training. Instead, what they're talking about is basically having all types of new structures created to deal with these issues. Great. Would love to see that happen. But what will happen two, three years down the line when the crisis is moved on? Basically, the funds won't be there, programs won't be there. And what are you going to do? Call 911. And who is going to come? Us. And we're coming, not with appropriate training, not with appropriate equipment and not appropriately prepared to deal with it.

KK: So, let's turn to that then. On a number of occasions so far in this call, we've mentioned the 21st Century Policing Task Force that you, Commissioner Ramsey, co-Chaired. So, I suspect that there are a lot of people in our audience who are unfamiliar with it. So perhaps you could take a moment and just describe what it is and what it was and what its mandate was, its work. And importantly, what its conclusions and the actions that were recommended. You made a very important point the other day in a conversation you and I were having about that you and Bill led some of the largest police forces in the country. And as Commissioner Bratton just mentioned a moment ago, something that happens in a very small police force is going to paint the entire profession and every beat cop that's on the street. Most law enforcement

agencies in this country have got something like less than 25 sworn officers. So, give us a sense of what the 21st Century Policing Task Force came up with.

CR: Well, I mean, as you mentioned in your opening remarks, this came in the wake of Michael Brown in Ferguson and Eric Garner in New York. And President Obama felt that there was a need to take a look at policing and come up with recommendations for change in key areas. I got the call in late 2014, the task force made up of 11 members. And by the way, they weren't all police. We had two activists that one was just off the picket lines, in protest lines rather in Ferguson, Missouri. The other in New York City. We had civil rights attorneys. We had academics. And then we had people in the policing profession as well. So, it was a mix of people, 11 in total. And we were in a compressed timeframe. We had our first meeting in mid-January, the President wanted the draft March 2nd. So it didn't give us much time. So, we focused in six areas that we thought were important, but the most important—

KK: Can I just interrupt you for one moment?

CR: Yeah.

KK: Talking about that array of people, the spectrum of people who were on that panel and the short timeframe that had been given to you by President Obama, were you optimistic from the outset that you would come to unanimity or were you really concerned?

CR: I was concerned. I wasn't optimistic at all. When I looked at the names and the backgrounds of individuals, I thought to myself, "It's going to be difficult for us to really reach consensus on anything." But of all the recommendations and action steps, there are about 60 recommendations and 92 or

so action steps, we reached consensus on every single one. We were closer together than any of us thought, whether it was police or the activists. I mean, we were all surprised at just how close we were. And whereas we needed to spend a lot of time talking and sometimes all night talking, we were able to reach consensus. There are six areas. I'm not going to go on all of them. The two that I think are the most important, the first and the last. The first is building trust and legitimacy with our community.

When you talk about policing, you have two different views, at least two, perhaps more of policing. There's a view from people who live in challenged communities, largely people of color, but it doesn't really matter if you're in a challenged community, poor white community or whatever, your view of policing is going to be different than it is if you're middle-class. And of course, if you're at the extreme end of fortune and fame, you probably watch an occasional TV show and that's about the only contact you'll have with police. But when you think about building trust in many of our communities, and I was listening to one of Bill's comments about the legacies that were left behind in the '70s and '80s, well, there's a legacy that police have left behind over centuries and that's mistreatment of people in many of these challenged communities, particularly people of color. That's just the reality.

And one of the things we don't do in policing, to the extent that we should, in my opinion in police academies, is teach a history of policing in the United States because we're not hiring 70-80-year-olds. We're hiring 20-21-year-olds. They weren't alive during that. And Bill and I didn't experience much of what took place prior to us being in this as well. So, people need to understand the legacy. If you know why there's people with bad feelings toward police, then you can begin the process of trying to heal, of trying to do things to overcome it, but you have to first understand it. And so, we talk about

building trust and legitimacy. The other part of that is officer's safety and wellness. And there, we're not talking about wearing a seat belt or pulling on your ballistic vest or what have you, we're talking about doing a better job of dealing with the mental health of our police officers.

When you are a police officer for 20-30 years, you are exposed to all kinds of traumatic incidents. It is just not normal to go to homicide scenes, go to rape scenes, deal with kids that have been abused by parents or others. It's not normal. It builds up over time. And as they say, hurt people hurt people. And if we don't deal with the stress that's inherent in policing and have regular mental health checkups where officers have a safety valve, a way other than just going to a bar and drinking, of really being able to deal with these issues, then we're going to continue to have issues and problems come up. So psychological screening on the front end, but also mental health maintenance once people are in the profession. So those are the two areas and we touched on a lot of other stuff, but there's not enough time to get into it. But to me, those are the two most important areas.

KK: And so, when you think about all of those recommendations, findings and then action items, what was and what has been the transmission mechanism like then to actually enacting those? And has there been a real difference between let's say the more richly endowed law enforcement agencies versus the smaller ones that have got much more budgetary constraints and the like? Has there been a good implementation? And I guess my other question then is those findings came out in short order during the Obama administration. What has happened since then with the panel itself, with the task force itself? Was it disbanded? Was it resurrected in any way during the Trump administration? Where do things stand with it now?

CR: Well, I mean, when the report came out, I thought it was embraced by many police leaders. Now there were a lot of leaders that were already doing some of the things that were in the recommendations. When you're writing, there are 18,000 police agencies in the United States. So, you've got from very small to NYPD, extremely large. So, it's hard to come up with anything that really. It's not a one size fits all, but we had many police leaders that took to the report and did what they could to try to implement. Now when the administrations changed and again, I'm not trying to make this a political statement, but the view of the past administration was not one where police reform was high on the priority list. And so, a lot of momentum was lost during that period of time. And unfortunately, and I used to say this to people, taking advantage because the past president dominated the headlines.

There wasn't a day that went by when he wasn't the main topic of conversation. That was a good point in time for police to really make the changes they needed to make because the spotlight was not shining directly on police like it had been during Ferguson and Eric Garner and those kinds of things. We didn't take advantage of that as a profession, I don't believe. And now things have gone back to that intense spotlight, but I think the report is still relevant. It still provides a framework, a roadmap for people in a lot of different areas. And then one last thing, the very first recommendation was that the entire criminal justice system be evaluated and be reviewed.

That hasn't happened since Lyndon Johnson was president of the United States, where from beginning to end, police, prosecution, courts, corrections, re-entry, those issues that lead people into the criminal justice system, to begin with poverty, education, housing, homelessness, all those kinds of things need to be looked at as well because we have to have an attitude I think as this country is we ought to be trying to starve the criminal justice system,

not constantly feed it. And if we have that attitude and take the appropriate steps along the way, I think then you can see dramatic change across the board, not just in police, but in the entire system.

KK: So, Commissioner Bratton, you did not sit on that task force, but presumably you and many others in law enforcement leadership around the country were watching it very closely and eagerly anticipating its findings. How did you interpret it? Were you surprised at what Commissioner Ramsey just talked about, that there was agreement amongst a pretty disparate group of stakeholders who walked in the door there?

WB: First off compliments to Chuck and his colleagues producing in a very short timeframe an extraordinary document. And if anybody had the opportunity to read that document and its 59, 60 recommendations. We'll see that a great deal of time and effort went into it. However, you've referenced 18,000 police departments and of those 18,000, I'd be willing to bet other than some of the larger departments, some of the more progressive, many never saw it. Or did not implement a lot of those recommendations. And that is the frustration. And what Chuck is talking about is that we need something more than an initiative like that. That can serve as a foundation, but we need something along the lines of what Congress is wrestling with now in terms of trying to deal with January 6th. Trying to put together national commission to find out what happened so it doesn't happen again.

We need something along the line of a national commission, similar to the report back in the '70s, similar to the Harvard executive sessions in the '80s that created community policing. And the profound changes that that session at Harvard created for policing now for the next 30 created community policing, which we still embrace. But going forward, one of the

great strengths that we have in policing is that we have a noble mission and we don't take advantage of that often enough, that this idea that we talk about the criminal justice system. And I love the comment he made about feeding that system. We have a fetus. We start the process with our breasts, give it over to the district attorneys, give it over to the judges and juries, give it over to corrections, probation, parole, and then they're back out in the street again.

One of the things we had great success with in the '90s, in the 21st century, is starting to reduce that feeding mechanism. Case in point, New York, 1995, when I was commissioner. At that time, we had on average 22,000 people in Rikers Island, the city jail. 22,000. And we worked very hard every day to keep that at capacity. Right now, Rikers has too few. It has about 3,000 or 4,000 in a city that for 25 years experienced overall about a 90% drop in crime. Less crime because we're doing a better job controlling it. Fewer people arrested, fewer people going to jail. But the frustration, going back to an earlier question about where chiefs and cops are at the moment, in 2019, beginning of 2019 in New York and around other areas of the country, and then exploding in 2020, we had this criminal justice reform movement as part of the societal reform movement that exploded.

Beginning back in 2015 with Ferguson, but then with the death of George Floyd, it just, it blew the lid off. And effectively, communities around the country lost sight of just how much reform had been accomplished by their police agencies. And I'll speak for what I know happened in LA under a consent decree that we were applauded for all the reforms. In New York, in 2019, safest crime year in the history of New York City. 2018, crime down 90% in New York. People were happy. But then, George Floyd happened and the lid blew off of this centuries' old frustration. And what we lost sight of was how much police had reformed.

I describe it as the Etch A Sketch moment. The idea that everything they're calling for now, all we're talking about this morning, greater trust, accountability, transparency. I believe in New York City.

I think Chuck certainly believes the cities he's led, that we had a lot of that reform already in place, but nobody was paying attention to it because they'd grown so used to safer cities. But then when the lid blew off, now everybody's out there demanding reform. Almost everything they're looking for in New York City was already in place. Washed away. And it's as if we're having to start all over. The governor of New York required after George Floyd that every police department in the state, you have to go through a reform initiative, an extraordinary amount of work bringing in community groups, etc., to meet a number of standards, similar to what Chuck had put together with this 21st Century Initiative. I will guarantee you within a year to two years in the vast majority of the communities around the state, those reports will be sitting on a shelf gathering dust because we rush to the crises of the moment and then it dissipates.

What we need to do is take advantage of this crises and make sure that it doesn't dissipate, that the reforms hold. How is that to be accomplished? We're going to have to think that through very thoroughly. But I'll tell you right now, absent that national crime commission to expand on the work of the 21st Century Commission, we're going to have this scattershot arrangement to deal with it. We effectively need what we just did with the coronavirus. Get together to come up with an antidote. And at the moment we have a lot of potential antidotes, but absent some type of national initiative to take a look at all of them we're going to be a year from now, two years from now, five years from now where we are right now.

KK: Okay. So picking up on this concept of what has happened in the cities over recent years in terms of crime levels and the like, I want to pivot here a little bit because the other big development that we're going through right now is the return to normal life in the U.S. and with that for millions is going to come to return to work and return to commute, frankly. But this is happening at a time when there is a sense that crime, particularly violent crime, in the cities, is rising. And as you know, Commissioner Bratton, that issue dominated a recent mayoral debate here in New York just the other night. But here's the thing, murders were up 43% in New York last year, shootings were up 97%, and not just in outer boroughs or anything like that.

It was in the middle of commercial and tourist areas that are vital to the city's recovery, as we saw recently with the Times Square shooting. So, what can be done here in the near term and how do we get commuters and workers comfortable going down into the subway again and returning to say midtown and the downtown commercial districts? And I know I'm talking about New York specifically because both you and I live here, but I know that this is an issue in all the major metropolitan areas around the country.

WB: Well, Chuck can certainly speak to Philadelphia, where he still lives and is familiar, and they're going through very significant crime increases. They have a similar issue we have where they have, in their case, a single district attorney. Here we have five district attorneys who are effectively trying to reduce the feeding mechanism of people going into the system but have taken away many of the tools that police use to control behavior in terms of dealing with fair evasion, dealing with squeegee pests, dealing with disorderly behavior. A lot of the tools that police had used in the past have been taken away. The New York recovery is going to

be difficult because of the issue of crime and disorder. People who have been away from the city for a year are going to be surprised when they come back because it's a very different looking city.

Many store fronts closed-up, the homeless, the vagrants, the emotionally disturbed, the drug addicts are much more visible, particularly in Midtown Manhattan where our offices are. Midtown Manhattan, for the audience, is not a residential area, it's a business area. Very busy daytime, very busy nighttime with all the restaurants, etc., people coming into the theater district. And absent people, and the process of people coming back is going to be a slow process. People coming back are going to be fearful for what they're seeing, but what they're also reading about and hearing about on the nightly news. Every newscast in New York City, every night, it happened this morning. There were, I think, 11 shootings last night in New York City. There were several additional stabbing incidents on the subway. People are fearful of taking the subway.

They can't get Ubers, as you talked about, because everybody wants to take Uber rather than the subway. So, coming forward, the challenge for police, the challenge for politicians, is how to once again make cities that people took for granted were getting safer. Chuck, I just saw that survey from major city chiefs. I think of the 65, I think 58 of them had phenomenal increases in shootings and murders. A lot of other crimes haven't increased, but shootings and murders are up almost everywhere. Unfortunately, largely in the poor neighborhoods, minority neighborhoods, but that affects the image of the whole city. So, coming back, we'll have a test over the next two, three months as New York comes to life again. I've been in the city a couple of times in the last two weeks, and I was in Central Park three days last week. Wonderful.

It was somewhat like old times, but once you get out of the park, the streets are very eerie, and the police are going to be an essential part of that. That's why the defund the police movement is really, it's laughable. People actually want more police. They want more visibility. They want more activity. And political leadership's going to have to figure out who are they going to listen to, the defund movement or public safety movement? And at the moment, most of them seem to still be leaning in the defund movement. Most of the mayoral candidates in New York City, until Times Square, were backing defund the police in a city that had those horrific crime numbers you just related. So, politicians are going to have to wake up to the fact that, as they did back in the '90s, they've got to get back in the game.

KK: And just continuing on this theme for a moment, because you obviously are now with Teneo, and so you're bringing all of this experience to the table to advise corporate leaders in their security concerns but also in their relations with law enforcement.

And I wondered if you could just talk a little bit about that in the context of everything you were just talking about, the reopening, the return to work, and so on and so forth. But obviously many of our clients are not in the big major cities as well. They are in the middle of America. Oftentimes, they are the dominant employer in the cities and towns that they are in. But their interests, obviously, as multinational corporations extend across states, across the country and internationally, and so on. Talk a little bit about corporate relations with law enforcement and how they get caught in the bureaucratic crossfire, if I may, between federal and state and local agencies and the like, as we're going through this period of change in our economy.

WB: Well, this is a very important time for the business world to get involved, to understand what's going on in their communities. Tensions, why are there tensions? What might they do with their power, influence, with their employee base to be aware, to get involved, to ensure their employees, that they are aware, that they're doing everything they can to ensure the safety of their employees, not only in the workplace, but going to and from work? Working with the political leadership in the various cities to have their voices heard. We are engaged in a major project, Chuck Ramsey and I, actually in a very large city in a country that has one of the largest fine rates, unfortunately, but it's a community where the major business interests are very actively engaged with the political leadership on trying to help, trying to work together to take their expertise and the concerns of their employees to try and make that city a safer place for those who already live there, but to make it more attractive for the future workers to come and work in those companies.

So, public safety is a shared responsibility. It's not the police. It's not political leadership. It's not the community. It's not the business community. It has to be like this. It has to be this, if you will. This trust, this accountability, this transparency and the legitimacy. Police cannot operate without political leadership, without public and business support. And if you don't understand the issues in your city, in your community, how can you support? How can you, in a sense, make your presence felt? So, we encourage strongly that business leaders understand what is going on in their cities, to not be so myopically focused on their business. Their business also is the health and wellbeing of the communities where they are located. Chuck, I think you've espoused pretty much the same thing. Every place you've worked. Certainly Philadelphia, a city that's a phenomenal city, but has more than its share of issues at the moment.

CR: Yeah. I agree with everything you said. And I think there's something else, Kevin. You mentioned when things go back to normal, I think there'll be a new normal. I really don't think it will be pre-COVID because people have gotten comfortable working from home. People have gotten comfortable using technology to get stuff done that before they really weren't. And I think that where the crime issue is going to have an impact, if people become concerned and don't want to take the subway, don't want to go back downtown, don't want to go back in because they don't feel safe, that's going to have other types of consequences too. Because will the businesses be able to maintain the buildings and the office space that they have now and so forth? Because nobody's occupying it.

And so, crime has to be under control. People have to have a sense of safety and security if we're going to move forward. And elected leaders have to stop these knee jerk responses and reactions to whoever is screaming the loudest and sit down and really come up with thoughtful solutions to our problems. There is a need for reform. There's the need to lower the number of people in jail but understand that some folks do need to be exactly right there in jail. And if you're going to have alternatives to incarceration, they have to be in place to handle the volume of people that'll be in it. And so, where's the money? Where's the thought? Where's the leadership to get all this stuff done? It's not going to magically happen. And quite frankly, I don't see it being put in place. So, I have some pretty serious concerns about the near-term future if we don't get this under control.

KK: So, picking up what you're saying, Commissioner Bratton referenced a city that you guys are working on together in the middle of the country where these groups are coming together, law enforcement, commercial interests, all the various stakeholders. The suggestion then is that

that's a relatively rare thing that's going on in the country right now. Do you see it as a template that's going to get replicated? Is there great success? Are the stakeholders happy? How do you see that? Because it sounds like it could be integral to success in a lot of these urban areas.

WB: Fortunately, Kevin, it is not rare in the city of New York, the city of Los Angeles. These business communities are very engaged with political leadership, with police. In both cities, we had very active police foundations that existed to support the police with business leadership supporting the police through fundraising opportunities, supporting efforts like the Police Athletic League. But the conflict at the moment, this criminal justice reform, societal justice reform movement has created a dilemma for politicians and business leaders in that the demands for change have to be responded to, but at the same time, what Chuck is talking about, it also has to be a recognition that you still need public safety.

So, this idea of attack, attack, attack the police, in some respects for justifiable reasons, but really got out of hand and we're seeing that reflected in these rising crime rates where police are not as effective as they once were, because as part of the pendulum swing is a reluctance to put people into jail, into the prison system, when Chuck and I know, unfortunately there was some very bad people there that need to go to jail, that need to not be put out on bail, that need to be put away. That's the sad aspect of life in America. But the city we're talking about, New York City, New York City, with the exception of one of the mayoral candidates, none were talking about crime. None. Until the shootings in Times Square two weeks ago. The next day they were all talking about crime.

It was a wake-up call that if Times Square could have a shooting at five o'clock on a Saturday afternoon, that no place in the city was safe

and people were not going to want to come back to those offices, to the theater, to all the things that New York offers. So that was a wake-up call. Now they're all talking about trying to recognize, hey, we need the police. So, you don't hear too many of them talking about defund the police anymore. A couple of them still are, and I can guarantee they're not going to be elected mayor in New York. This is a recognition, the pendulum swing back to this idea, as imperfect as the police are, we need them. Let's work with them to try and correct these imperfections. And God knows we have enough to work on, but we need to work on it together. We can't work on it in isolation.

KK: I want to use the remaining time we've got here to consider two of the most significant events of the last year, starting with the protests and social justice movement and then looking at the events of January 6th. So Commissioner Ramsey, maybe I can start with you, because clearly the protest movements last year, coming out of the George Floyd and Breonna Taylor deaths and the rise of the Black Lives Matter movement, law enforcement was a direct focus of many of those protests, and yet law enforcement was out there protecting the safety and the right to protest, but also got involved in some of the clashes. And then you had, of course, the rise of the defund movement that Commissioner Bratton is talking about. And I do think it's very interesting.

Very popular with activists, the defund concept, but certainly not with Americans overall, according to polls, from what I can tell, and even including in the African American community. And Commissioner Bratton's quite right, the two leading candidates for mayor in New York right now, Andrew Yang and Eric Adams, both against defund the police. But what did we learn from these protests and how police handle the rights, but also the rights of property

owners and others who were potentially getting caught up in these protests? And I would note one other element of this phenomenon was that these weren't just one-way protests. The opposing side was oftentimes right there getting involved in clashes and the police were caught right between those two. So, what are your observations on the protest movement last year and how police handled it and what we can do going forward?

CR: Well, I think for the most part, police did a good job of handling the protests. It's very difficult because you have people that are there to legitimately protest. I mean, that is part of the constitutional rights. That's how societal change happens in our country, is through protest. It just doesn't automatically happen. And so, police are there, even though police were the targets, are there to see to it that people can exercise that very important constitutional right. Now, there are some people that attach themselves to the larger group whose intention is not to protest in a peaceful way, but to cause property damage, and various other violent acts. That's totally different. You know, you see a lot of things at night that you don't see during the day. Police have to have balance. They have to have the right balance.

You can't allow for property destruction and other kinds of violent behavior, but at the same time, you have to allow people that are legitimately trying to protest the ability to do that. It is a balancing act. Sometimes, you get it right. Sometimes, yeah, I was looking at some of it and I don't know if they got it quite right, to be honest with you, but it's a tough, tough situation. But I do think that the protest, because they were sustained, and when you look at the diversity of the people that were protesting, that's a message in itself. I mean, this wasn't just, Black Lives Matter for an example or any particular ethnic group, it was diverse. It was very diverse. That's the message, that things have to change, and

anyone, you know, Bill mentioned earlier about how some of the agencies didn't gravitate toward the report and so forth. With 18,000 police departments in the United States, one thing I can guarantee you is you don't have 18,000 quality police chiefs or sheriffs. You just don't. Because one of the things that we had in our report dealt with education, training, but leadership development. The Bill Brattons of the world come more by accident than by design, because there is nothing in place in most police departments that really do prepare people for these top leadership positions. Not only that, first-line supervisor, mid-manager, senior leadership. We've got to start really focusing, if we really want change to take hold, it starts at the top. It starts with leadership, and really understanding the climate and what's going on right now. These protests are sending a serious message. I think police are doing a good job in handling them for the most part, but I hope they're reading the messages behind the protest, because that's got to happen. Change has to happen. Status quo is not acceptable. It's not acceptable.

WB: Kevin, what I think took policing by surprise, certainly myself and as I've talked to many of my colleagues, chiefs around the country, during the protests after the death of George Floyd, was the diversity of the demonstrators. That they always understood black anger, Latino anger when I worked in Los Angeles, but this white-based anger, we were very surprised by that. Where did that come from? That particularly when I look at the young whites in the demonstrations, that we didn't think that we had bad relationships with that population, but whatever their motivation was they came out and we were surprised by that. And the demonstrations also have taken on a different tone in the 21st century.

Assisted by social media, you can get a flash mob together in literally 15 minutes through your smart phones, and trying to police these demonstrations, where they used to have permits and they'd go to a location or they'd have a line of march.

Now, basically they start and they just wander, and they roam around and trying to police them and trying to deal with them has become extraordinarily difficult. I spend a lot of time in my new book, *The Profession*, talking about the New York disturbances, ones I'd been most intimate with certainly living here, but dealing with Chief Commissioner Shay and Chief Miller, talking about those demonstrations. They'd start off in the afternoon, and you'd have a combination of Black Lives Matter, other groups, a lot of whites in New York City, student populations and others, but you'd had a very large number of anarchists, characters who were just there to create problems, to basically create disturbances. And then as the night went on, and a lot of the early on, demonstrators would go home. Agitators were still there, and there was a third group that came out, looters.

For five nights in New York, during weeks of demonstration, you had wholesale looting that was going on. And so, you had this mix, this volatile mix, and the general public didn't fully understand all these intricacies of those demonstrations, which the police did. But what is surprising to us is that this pent-up frustration in the population as a whole with what police are doing, I think a lot of that is fueled by social media, fueled by the ubiquitousness now of any incident that happens anywhere in the country. We're going to have to deal with that, as ironically, I think there was still broad-based support across the country, in the majority of communities, for their police, their 15-person police department. Out here where I have a weekend house, I've got a 15-person department, a hundred-person department, a 35-person department.

I have about 10 police departments in a relatively small geographic area, each doing their own thing, and each by and large very actively supported by the communities they police. The polling for police, Chuck, I think you've seen the same polls as I do. Polling, police still end up in the 70s and 80s in favorability ratings, Congress is down on 5 or 10%. So, we have this conflict underway at the moment that is going to make it even more interesting as we go forward, trying to resolve the crises that we've been talking about for the last hour.

KK: When you think about the imperatives from the protest movement, as well as the pressures for reform that you, as leaders, have been pushing, as well as institutions like the panel itself, can you talk a little bit about, or describe for our audience the concept of qualified immunity, and where we're going with that? I know that it doesn't look like it's likely to pass through Congress, but there's a bill in Congress to address this, but talk about qualified immunity, and is that changing?

WB: I write extensively about that in the new book because it is an issue of significance in terms of the demands. Qualified immunity is quite simply a concept that very few people really understand, but it is the idea that officers, because of the nature of the job, historically have been free from being personally sued for actions they take that at the time seemed reasonable and justifiable, and that oftentimes many larger communities, if in fact the officer's actions are found to be, after examination at trial, civil suit, hearing, the penalty monetary is assumed by the city, certainly the case in Los Angeles, New York. And the effort now has been to make the officer more personally liable. That is an extraordinarily problematic issue for cops, for the unions that represent them, for the chiefs who basically lead these departments, is you're asking cops to take extraordinary risks, make split second decisions.

Ironically, cops are the ones with the issue of qualified immunity. Judges and district attorneys have total immunity. You can't sue them for their decisions. They get hours to make their decisions. We have a split second to make ours. So, for cops, this is sort of a red line issue, "You're going to take away this protection that might cause me to lose my house, lose my savings?" And the reason it's stalled in Congress, and I've been dealing with the AICP and major city chiefs who were involved in the negotiations, what Congress did not fully realize was qualified immunity in most communities around the country is basically if there's a penalty level levied against the community, it's paid for with an insurance policy. New York is self-insured, Los Angeles is self-insured, Chuck, Philadelphia, Washington, DC, major cities, but most of those 18,000 cities and towns have insurance policies.

And the insurance industry has said to them, "If qualified immunity is taken away as being proposed in Congress right now, that it's not going to be on the cop, but it's going to be on the community, the insurance rates will go through the roof." And so needless to say, a lot of those communities recognizing that are now telling their elected officials, "You better take qualified immunity out of this George Floyd bill and think it through a little more, because this is something that we can't support if it's going to cause our insurance rates to go through the roof to pay that penalty." Not to say that we need to do a much better job controlling the behavior of our officers but taking away qualified immunity I'm not in favor of that the way they're trying to do it right now, which is just a blanket taking it away.

KK: I'm conscious of the time, but I do want to ask about one element in the aftermath of the January 6th events. One of the things that was alarming as arrests started to be made of those who infiltrated the Capitol was the number of people who had connections to either the military or to law

enforcement, and we have seen reports out of the Department of Defense that they are taking measures to both to purge but also to address this in terms of their recruitment, better analysis on recruits. What's happening on the law enforcement side on this front, and do you think it's a pervasive problem?

CR: If I could just jump in real quick, one of the areas that we didn't get a chance to address in our report was recruitment, hiring, and retention. Now, what we wrote then would have probably been different than what we would write today, because we weren't talking about extremists to the degree that we are today. But yes, I've talked to several chiefs and they're taking a look at that through social media and so forth to try to identify people, but it is very difficult to get rid of a police officer for that kind of behavior. And when I say get rid of, I mean, fire, I mean First Amendment and things of that nature, but certainly, you want to try to really rid the ranks of individuals that are like that.

Is it a problem? Yes, it is a problem. Is it widespread? I don't think anybody really knows. I would hope it's not. I don't think it is. But one is too many. And I think that, especially on the recruiting end, when people are coming in, it's very important that you really do take a deep dive into social media and their background and so forth, so that you don't hire people with that kind of attitude. Once they're on the job, of course, you've got to do the best that you can to weed them out.

WB: A couple of quick points, mindful of the time, building on Chuck's comments. What he just talked about, the idea that the 21st century report was only done a short while ago, but already with a ball, with a new challenge, a new issue. And that's part of the issue in policing; it's constantly evolving. It's like medicine. It's like dealing with the coronavirus, and as fast as we're solving one problem, new ones are emerging. 9/11, police had to start dealing

with terrorism for the first time in history. 2008, smartphones. We had to start dealing with social media and we had to start dealing with drones. We have to deal with cyber currency theft. All these new issues while we're still trying to deal with the traditional crime and disorder. And as far as this issue raised about the quality of people in the business, as well as coming in, we have significantly improved around the country, most departments, the hiring process.

Psychological testing, examining social media. Coming into the NYPD, you've basically got to give us all the sites that you're on, and we go in and see what you've been posting. And a lot of kids don't get hired because of the foolishness of engaging with social media, and going forward once they're on though, what Chuck points out, we're not a monolithic entity. Different union rules, different state laws, national laws, so trying to get rid of somebody that, the chief in George Floyd's situation was applauded for firing those four officers immediately. I could not do that in New York. Couldn't do it in Los Angeles. Couldn't do it in Boston. Chuck, I'd be willing to bet you couldn't do it in Philadelphia or Washington, because you had all types of civil service commissions, arbitration panels, Mike Moore in Los Angeles, just right now, Chief of L.A., is trying to get rid of a cop and wants to fire him, but he doesn't have the power.

He's got to send that officer to a board of rights. So once again, the frustration was there. We understand that we are not a monolithic entity, the police profession, and we're not a profession that is cemented in place. We're like the rest of the country, we're constantly evolving and trying to change. In closing on the point that Chuck raised also, leadership of policing. We all start at the bottom, work our way to the top, but on our way to the top, it's really our own self-initiative that gets us there. Schools like PERF or the FBI Academy, you don't have to go to those schools to get to the top, and so there is no formal structure to

make sure, other than most places now require college education to be a chief of police, but that only changed in Los Angeles about 15 years ago. Up to about 15 years ago, you did not have to have a college education to be chief of the third largest police force in America. So, there's an example of that shortcoming or that issue.

KK: So, Commissioner Bill Bratton's new book is The Profession, it's out soon from Penguin Press. And if you want an extra dose of authenticity, I'm sure the audiobook will be available shortly thereafter.

WB: It's why I don't have a voice. I've been speaking it.

KK: I want to congratulate you, my colleague, Bill Bratton, on the publication of his latest book. And thank you for joining me. And thank you, Commissioner Chuck Ramsey for joining us for the first time as well. We appreciate your insights and thank all of you for joining us today.

CR: Thank you.

KK: We'll be back in two weeks on June 3rd. My guest will be Ginni Rometty, the former CEO of IBM. Until then I'm Kevin Kajiwara in New York. Have a great weekend.

WB: Thank you, Kevin. Thank you, Chuck.

CR: Thank you.



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