

## Systemic changes for transforming the Minneapolis Police Department

by Sheri L. Stewart

On Tuesday, June 30, 2020, Jones Day held a webinar, *Transforming the Minneapolis Police Department: A Collaborative Approach to Driving Systematic and Cultural Change*, moderated by Washington, D.C. partner Shirlethia Franklin and Minneapolis partner Andy Luger. They focused on *transforming*, *collaborating*, and *reimagining* the Minneapolis Police Department in light of George Floyd's May 25, 2020 murder.

The webinar's first half included local community leaders. P.J. Hill, a financial advisor at Wells Fargo and former professional basketball player, said he is hopeful our current generation of millennials have the opportunity to make change. Also, Karl Benson, CEO of the Minnesota Black Chamber of Commerce, shared insights from his program, One2One Connect, which trained recruits before they were brought into the Minneapolis Police Department. Benson found (1) students were quick to justify the police behavior based on what the accused did and not on law enforcement's behavior; (2) students had a "hero mentality," which meant they viewed law enforcement as less empathetic than they should be; and (3) students did not value the education around implicit bias or cultural differences within the neighborhood. Finally, Tony Adams, a Minneapolis police officer for the past 30 years, explained police reform is essential and necessary in our current climate.

The webinar then focused on panelists Ron Davis, a partner at 21CP Solutions and former Obama administration director of the U.S. Department of Justice's Office of Community Oriented Policing Services; and Karol Mason, president of John Jay College of Criminal Justice in New York City

who worked on the *National Initiative to Build Community Trust in Justice*. This effort combined the principles that addressed procedural justice, implicit bias, and racial reconciliation. Minneapolis was a pilot demonstration site. The current Minneapolis Police Chief, Medaria Arradondo was a principal liaison between the community and law enforcement officers to implement this culture-changing work. Mason emphasized this work takes time and needs a long-term commitment, so she is glad Minneapolis is interested in collaborating with community members to accomplish this goal.

Davis stated, to have effective policing, culture is as important, if not more important, than policies and training. Without the right culture the policies do not carry much weight. Davis clarified that "*Policies* tell the officers and the community what the officer is required to do while, *culture* is what officers are doing, are expected to do and what they receive satisfaction, acknowledgement or credit for ... in many cases, culture and policies are not aligned." For example, Davis stressed if a department traditionally ignores misconduct then it shows that the policy encouraging misconduct is not enforced. Hence, if there is no accountability for bad behavior, the culture changes to tolerate misconduct.

Thus, Davis explained "accountability is two-fold: discipline for bad behavior, and reward for good behavior. It takes time to solve the systematic challenges in a culture. A positive culture outlasts the last chief. Therefore, if you are only accountable for solving crime and not accountable for de-escalation, the culture will reflect that." Mason complimented this suggestion by highlighting "procedural justice

requires internal and external connections. For example, in the George Floyd murder in Minneapolis, two of the officers said that they did not feel comfortable to speak up and intervene because they were new to the force." For her, this illustrated a culture that needs to change so that when an officer sees something is wrong, they are not afraid to speak up against it.

In terms of reimagining the Minneapolis Police Department, the moderators shared a video displaying how the Camden, New Jersey, Police Department, which was dismantled, used de-escalation techniques to apprehend a suspect. Davis explained de-escalation techniques are more important than the use-of-force tactics commonly suggested, and the department now recognizes the *sanctity of life* as a value. Mason suggested law enforcement officers need to have a liberal arts education to be better partners with their community. Both panelists agreed there is a consensus that mental health calls should go to mental health professionals. For example, there is a co-responder model in use where social service workers accompany police officers to some of their calls. Davis explained, "the issue is that the current model for policing asks the police to solve social problems and that is not the role of police."

There is a difference between *reasonable* force versus necessary force. Ideally, the panelists said force will not be a default mechanism. Instead it will be something officers would be deterred from using. Mason said the Black Student Union at John Jay College for Criminal Justice suggested officers should take racial awareness courses. For Davis, the real question should be, "was the force necessary?" instead of

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## FBA Leaders Meet with Director for the United States Marshals Service

by Lauren D'Cruz



On August 3, 2020, several leaders of the Minnesota Chapter of the Federal Bar Association had the privilege of meeting with Donald W. Washington, Director for the United States Marshals Service (“USMS”). Director Washington was in the District of Minnesota for the better part of two days and held meetings with many community

leaders in the Twin Cities area. He also spent time with USMS employees in the District of Minnesota, including U.S. Marshal Ramona Dohman and Chief Deputy U.S. Marshal Janelle Hohnke.

Director Washington was nominated by President Donald J. Trump to lead the USMS on October 2, 2018. The United States Senate confirmed his nomination on March 14, 2019. Director Washington was sworn in as the 11th Director of the USMS on March 29, 2019.

The USMS is America’s oldest federal law enforcement agency. As its leader, Director Washington directs a force of more than 5,000 operational and administrative employees spanning 94 districts, 218 sub-offices, and 4 for-

eign field offices. Since the USMS holds a central position in the federal justice system, Director Washington is responsible for all operations involving federal judicial security, fugitive apprehension, witness security, asset forfeiture, and prisoner operations.

Director Washington discussed current issues facing the USMS, including how to continually improve federal judicial security in light of the tragic attack on United States District Judge Salas’s family. He explained how the USMS has been successfully working to prevent the spread of COVID-19 in prison populations. He spoke about the USMS’s efforts to protect the Mark O. Hatfield United States Courthouse in Portland, Oregon amidst unrest.

He reflected on the role of the USMS in the civil rights movement. In 1960, deputy U.S. Marshals escorted six-year-old Ruby Bridges to class when she became the first African American student to integrate an elementary school in the South. In 1962, deputy U.S. Marshals stood guard over James Meredith as he walked onto the University of Mississippi campus as the first African American student. They protected him until his graduation in 1963.

Director Washington, a former litigator, highlighted the special position that attorneys hold to advocate against injustices in society. He encouraged attorneys to take action to address important issues impacting the rule of law and the administration of justice.

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“was the force reasonable?” The fact that the objectively reasonable standard is based on the word “fear” is problematic because the word “fear” is very vague and dangerous in policing since it can be used without accounting for implicit bias or stereotypes someone may have associated with a specific group.

The moderators indicated future webinars will include police officers, community leaders, and people who deal with union contracts. ■

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