Imagine! Local law enforcement dedicated to promoting social progress, equity, and evenhanded rule of law, rather than trampling it; police powers that represent, and are the face of all, rather than being mostly white, and male in the extreme!

After twenty one years working in this field, the unchanging procession of law enforcement abuses bring us to one conclusion. Sonoma County needs some form of effective, broadly empowered, civilian oversight of law enforcement. Here are just three recent indications:

* Last Spring, our compilation of statistics gathered through public record requests showed that despite all the years of bluster, law enforcement responses to violence against women in Sonoma County have only marginally improved, and the enforcement of sex crimes has hardly budged at all in over 20 years. Further, despite strong community need and pleas for more female officers, the percentage of females on our police forces has only increased from 6% 20 years ago, to just under a disgraceful 9% as of last March, 2012. (See p6)

** Last July, Petaluma city officials hired, defended, and heaped praises of valor and integrity on their new Police Chief, Richard Williams. This despite the fact that on June 28, 2012 a $5 million federal intimidation and wrongful termination suit naming Chief Williams was filed by former Detective Andrea Heath.

While working under Chief Williams in Desert Hot Springs, Heath reported three fellow officers to the FBI for severely abusing suspects. In the current lawsuit, Heath claims Chief Williams repeatedly attempted to obstruct her participation in the FBI investigation, and that he retaliated against her. Heath’s credibility in this matter has already been bolstered earlier this year when the officers in question were convicted of the criminal offenses which she had reported.

*** Two months ago, in September, a federal jury found Santa Rosa police liable for the killing of an unarmed Richard DeSantis (no relation to this writer), and ordered the city to pay $500,000 to the family. This follows a court ordered 1.75 million dollar judgement against the Sheriff’s Dept. in January 2009 for a deputy’s shooting and killing 16-year-old Jeremiah Chass in Sebastopol.

And in just two years that followed the Chass killing, 9 people in Sonoma County died in encounters with police.

It’s not our mission or capability to spearhead establishing civilian oversight. But we’re acutely aware that ending violence against women pivots critically on this matter. So in this issue, we share some of our explorations of the subject, shine light on it’s huge gender blind spot, and suggest three small but strategic steps we feel certain can begin to make a difference.
A Brief Overview...

Civilian Oversight of Law Enforcement

In the last two decades, over 200 cities across the country have been experimenting with an array of formal civilian entities attempting to solve the problem of how to police the police. The target problems are hauntingly the same everywhere; police excessive use of force, mistreatment of mentally ill, racial profiling, false reporting, denial of equal protection, biased hiring and firing, and more. But despite some fledgling successes, the most frequent lessons these experiments are generating are a growing list of mistakes to avoid.

As often as not, citizens are ending up as disgruntled with their civilian review boards as they are with their police. Just this October, New York City residents are seeking to add another level - an inspector general - to their already multi-layered oversight of their oversight.

And here on the west coast, the city of Portland is still reeling from a September US Dept. of Justice report finding that the city’s civilian review is a sham of “self-defeating accountability”, and that their police department remains rife with unconstitutional practices.

Lessons Learned

Nonetheless, the lessons learned are worth noting. At the very least, most agree successful civilian review requires:

* **Complete Independence**, not just from law enforcement influence, but from influence by other city officials as well. Review boards appointed by officials are particularly susceptible to co-optation and corruption.

* **Subpoena Power.** Without this power civilian review boards are left powerless in their ability to investigate; most significantly in their ability to demand critical documents and to force officers to appear for questioning.

* **Competence.** Lack of knowledge of investigating techniques and of law enforcement procedures can cripple civilian review boards as much as corruption. Civilian review boards that are elected as opposed to appointed are especially susceptible to this defect.

* **Meaningful Input on Discipline.** As you can well imagine, police chiefs are often rabid about keeping hold of the reigns on discipline. But without at least some part of that power, civilian review again comes up toothless.

Yet, even with all ingredients in place, civilian review boards are failing to contain the rash of policing abuses.

New Insights ~ “The Rotten Barrel Theory”

Fortunately, the lackluster record of civilian review boards has fueled much debate and new thinking. One of the most agreed upon insights is that civilian review should have a two pronged function. Investigating individual complaints of police misconduct will always be important, police experts agree. But probably even more important, is that the much ignored function of overseeing police policies, culture, and structures must be undertaken. The thinking is that the problem isn’t so much a few bad apples, rather it’s the quality of the barrel the apples are in. It’s come to be known as “the rotten barrel theory”.

Having watched this phenomena now for two decades, we couldn’t agree more. Without citizen overview and influence on the overall policies and practices, law enforcement agencies will inevitably continue to regenerate ever more problem officers, no matter how many bad individuals are disciplined or removed.

The Huge Gendered Blind Spot, and the Obvious Remedies it Obscures

But there’s yet another even more overlooked dimension. Conspicuously and inanely absent from virtually all discussion of civilian oversight is any consideration of gender. Whether looking at the causes of law enforcement abuses, the consequences to various segments of the community, or debating needed remedies, the lens of gender opens new and profound revelations. The complete void of even a recognition of gender in the discussions, is by itself, a monumental obstacle to progress that can no longer be ignored.  see page 6
Against All Odds

In the 4 months Taylor Anderson has been working with us on the police review project, her studious approach and inquisitive mind have hinted at deep academic roots. And her easy compassion for people led us to imagine an all round nurturing childhood.

As we interviewed Taylor for this profile, we learned just how wrong one can be. Starting out on the rural margins of Santa Rosa, Taylor’s life was pressed through the invisibly narrow spaces between the county’s cult of gala events, racial lines drawn hard, and other kids’ trips to the mountains.

We first wanted to bring you Taylor’s story because we’re really proud of her work. But now, even more, because Taylor’s long, inflamed childhood reach for identity reveals as much about all of us as about herself. We also include Taylor’s email because we and she hope you’ll connect with her to join in working together toward better policing in Sonoma County. (see p7 for more on that.)

Taylor Anderson
contact: tandersonstevenson@gmail.com

Taylor Anderson grew up on the raw rural edge of Santa Rosa on Grange Rd. It wasn’t poverty’s lack of things that she first remembers cutting away at her childhood. It was the sadness that welled up seeing her mom having to struggle so hard to make ends meet.

In middle and high school the toll began to take on a more hostile tone. It began with kids asking inappropriate questions about her hair. With only four other African American students on the whole Petaluma High campus, Taylor was increasingly confused about being a mixed race child of a white mother and African American father.

Taylor’s inability to buy into the other kids’ shopping sprees and ski trips pushed her even further out of peer friendships. Her teachers cinched the lock on her painful isolation with their always punishing responses to Taylor’s cutting classes and escalating rebellions. Not one reached in to try and understand.

In 10th grade Taylor ran away to Oakland to live with her father. He had always woven in and out of her life affectionately, but couldn’t begin to unravel the new troubles brewing in her Oakland school. Instead of an open armed welcome to the African American culture she was hoping for, the school was violent to the extreme. Taylor lived in constant fear and hated school more than ever.

She had nowhere to go but life on the streets. One day the friend standing next to her got blasted with six gunshots. Taylor’s father packed up her things and drove her back to her mom’s in Petaluma. It didn’t much help. For the next 10 years, Taylor tossed around in the turmoil of odd jobs and aimlessness.

There never was a particular turning point. Just somehow a tender shoot of compassion began to grow inside of her for the struggles of people around her. It soon became a desire to help. Then to advocate. And finally a desire to know more.

At 26 years of age, Taylor enrolled in SRJC. She became active in campus social justice issues. In 2010, her small women’s group organized a highly successful Vagina Monologues event, donating the significant proceeds to area women’s groups, including to Women’s Justice Center. Her academic passions bloomed and she set her sights on a career in law.

This year, while still residing in Sonoma County, Taylor will be graduating from Mills College with a bachelor’s degree in international relations.

Which brings us back to Taylor’s studious approach, her inquisitive mind, her compassion, and the joy it is to work with her. So join up in the work. Drop her an email and Taylor will be in touch.
Dear Friends,

We know it's a rather unsettling, knotty problem we've laid out in this newsletter, and right in the midst of holiday season, no less.... It's not that we can't find the joy.

Looking over the last 20 years, the galvanizing of women’s voices around peace and justice across cultures and continents is, itself, cause for joy. And we haven't lost sight of the fact that only weeks ago, the elections delivered gems of hope worth reveling in.

We do cherish the victories. In fact, it's the victories that convince us that even the most daunting obstacles can be overcome. And it's your donations that give us the fire and fortitude to keep moving forward. We, and the women and children we serve, are forever grateful for your support.

Please donate today! Use the envelope and response form provided, or, donate electronically from any page on our website at www.justicewomen.com

WJC’s Next Movie and Pizza Nite ~ March 3

Invoking Justice, A film by Deepa Dhanraj

In Southern India, family disputes are settled by Jamaats—all male bodies which apply Islamic Sharia law to cases without allowing women to be present, even to defend themselves. Recognizing this fundamental inequity, a group of women in 2004 established a women’s Jamaat, which soon became a network of 12,000 members spread over 12 districts. Despite enormous resistance, they have been able to settle more than 8,000 cases to date, ranging from divorce to wife beating to brutal murders and more. Award-winning filmmaker Deepa Dhanraj (SOMETHING LIKE A WAR) follows several cases, shining a light on how the women’s Jamaat has acquired power through both communal education and the leaders’ persistent, tenacious and compassionate investigation of the crimes.

Mark Your Calendar!

Wed, March 3
5:30 pm - no cost
Marlow Plaza Round Table Pizza
(at the intersection of Marlow and Guerneville Rd, Santa Rosa)

~ RSVP ~
575-3150
~ Resources ~

Citizen Oversight of Law Enforcement

The following is an assortment of organizations, reports, studies, and articles, we’ve found helpful in looking for solutions to civilian oversight of law enforcement. If you’d like to see this page with live links, go to our website at www.justicewomen.com, click on the ‘what’s new’ menu, then click on our December 2012 newsletter.

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NACOLE - National Association for Civilian Oversight of Law Enforcement
http://www.nacole.org/

NACOLE Listserv - Police Oversight
http://groups.yahoo.com/group/policeoversight/?yguid=50137826

Police Accountability Project, Nat. Lawyers Guild
http://www.nlg-npap.org/

International Law Enforcement Auditor’s Association http://ileaa.org/
⭐⭐⭐

Police Investigation of Rapes - Roadblocks and Solutions

June 2012, Lawsuit Against Petaluma Police Chief Patrick Williams

October 12, 2012, Letter from Wisconsin Legislators to Police Chief re police accountability following domestic violence mass shooting

http://www.justice.gov/crt/about/spl/documents/ppb_findings_9-12-12.pdf

Mental Health Association of Portland/Police response to mentally ill.
http://www.mentalhealthportland.org/?tag=sam-adams

⭐⭐⭐

Amidst scandals, Bay Area cities rethink police oversight models

Investigation of the New Orleans Police US Dept of Justice Civil Rights Division, March 16, 2011

*373 NEW GOVERNANCE AND THE “NEW PARADIGM” OF POLICE ACCOUNTABILITY: A DEMOCRATIC APPROACH TO POLICE REFORM
Kami Chavis Simmons, Catholic Univ. Law Review, 2010

Making Police Reforms Endure;

Organizational Culture and Police Misconduct,

The Interaction and Relationship between Prosecutors and Police Officers in the U.S., and How this Affects Police Reform Efforts
http://ssrn.com/abstract=1864118 full text free download
⭐⭐⭐

Making Civilian Oversight of Police Work for Victims of Violence Against Women

Increasing Women’s Numbers and Influence in Policing
http://justicewomen.com/pw_increasingwomennumbers.html
The Huge Gendered Blind Spot...
In the Search for Causes, Consequences, and Solutions to Law Enforcement Misconduct

Few things seem more obvious than the role of gender inequalities in driving so much of the police misconduct problem; from the hyper-aggressive male police culture, the disproportionate number of male officers perpetrating the abuses, the mishandling of gender based crimes, and, perhaps most significant of all, to the failure to find some of the most simple, obvious solutions.

Yet, astonishingly, from academia, to progressive organizations, to the streets, discussion of gender is virtually 100% absent from the law enforcement oversight debate.

So, just for the record, here are three aspects of the law enforcement misconduct problem through the revealing lens of gender.

From our own Sonoma County March 2012:

<table>
<thead>
<tr>
<th>Sworn Officers</th>
<th>All Officers</th>
<th>Rank Sgt. &amp; Above</th>
</tr>
</thead>
<tbody>
<tr>
<td>91% male</td>
<td>95% male</td>
<td></td>
</tr>
</tbody>
</table>

Sonoma County Sex Crimes Year 2011:
Note: over 75% of sex crimes buried by police

<table>
<thead>
<tr>
<th>Sex Crime Cases</th>
<th>Reports</th>
<th>Sent to DA</th>
<th>Convictions</th>
</tr>
</thead>
<tbody>
<tr>
<td>Adult Rape</td>
<td>175</td>
<td>41</td>
<td>16 rape</td>
</tr>
<tr>
<td>Child Sex</td>
<td>239</td>
<td>69</td>
<td>13 to prison</td>
</tr>
</tbody>
</table>

Civilian Experience of Abuses by Gender
Reformers have failed to even acknowledge one half the law enforcement problem, i.e., that systematic denial of enforcement is every bit as oppressive and dangerous to women as is over aggressive policing to men.

<table>
<thead>
<tr>
<th>Abuses Experienced Primarily by Males</th>
<th>Abuses Experienced Primarily by Females</th>
</tr>
</thead>
<tbody>
<tr>
<td>Police Brutality,</td>
<td>Police Refusals to Enforce</td>
</tr>
<tr>
<td>Over-aggressive and Authoritarian Attitudes</td>
<td>Dismissive attitudes, mocking indifference, and Disregard</td>
</tr>
<tr>
<td>Illegal Searches and Seizures,</td>
<td>Incomplete Investigations,</td>
</tr>
<tr>
<td>Planting and Falsifying Evidence</td>
<td>Refusals to Collect Evidence and Witness Statements</td>
</tr>
<tr>
<td>Malicious Selective Prosecution</td>
<td>Malicious Selective Non-Prosecution</td>
</tr>
<tr>
<td>(e.g., racial profiling, crack vs. cocaine prosecutions, gang classifications, etc.)</td>
<td>(e.g., systematic failures to prosecute gender based violence)</td>
</tr>
<tr>
<td>Overcharging Cases</td>
<td>Undercharging Cases</td>
</tr>
<tr>
<td>Withholding Exculpatory Evidence</td>
<td>Withholding Probative Evidence, Dissuading Witnesses</td>
</tr>
<tr>
<td>Soborning Perjury</td>
<td>Give-away Dismissals and Plea Bargaining, impunity</td>
</tr>
<tr>
<td>Cruel and Unusual Punishment</td>
<td></td>
</tr>
</tbody>
</table>

National Police Misconduct by Gender ~ Male Domination is not Cost Effective
The following data was compiled by Women’s Justice Center using data from the National Police Misconduct Reporting Project news feed for the months of September and October 2012. (www.policemisconduct.com) These are incidents reported in news media in which the officer is suspended, fired, arrested, charged, or convicted. The project controls that incidents are not reported more than once. For our compilation, all incidents in which the sex of the officer could not be determined from source materials were dropped from the study, as were the few incidents which constituted a mere violation of agency rules.

It’s not surprising that male police officers are hugely disproportionately responsible for crimes and abuses compared to female officers. After all, in the general population males commit close to 90% of all felony crimes. What is so staggering is that hiring and promoting more women hasn’t been prioritized as a key solution to police abuses and the costly lawsuits that result.

US Police Criminal/Law Violations by Gender- Incident News Reports for September and October 2012

<table>
<thead>
<tr>
<th>US Police % by Sex</th>
<th>Crime/LawViol</th>
<th>Total Crimes 278</th>
<th>Sex Crimes</th>
<th>Domestic Violence</th>
<th>Corruption/Extortion</th>
<th>Drugs, Alcohol</th>
<th>Excessive Force</th>
<th>Miscellaneous</th>
</tr>
</thead>
<tbody>
<tr>
<td>87% male</td>
<td>Male Officers</td>
<td>267 (96%)</td>
<td>49</td>
<td>26</td>
<td>56</td>
<td>37</td>
<td>80</td>
<td>19</td>
</tr>
<tr>
<td>13% female</td>
<td>Female Officers</td>
<td>11 (3.9%)</td>
<td>1</td>
<td>1</td>
<td>2</td>
<td>2</td>
<td>4</td>
<td>1</td>
</tr>
</tbody>
</table>
Three Home Town Remedies for Law Enforcement Accountability

We don’t have the mission or resources to undertake a campaign to install civilian review in Sonoma County. But we do have three remedies we believe will begin to make a difference.

We’ve suggested these and other changes many times before. What we see now is that they must be mandated. One way that can be accomplished is by pressing our city councils and board of supervisors to sign on to these measures. If you agree and would like to participate in any way, give us a call, or email Taylor at tandersonstevonson@gmail.com.

That the Sonoma County Law Enforcement Chiefs’ Association meetings be conducted on the public record, open to public attendance and input, under Brown Act type rules!

Every month the Sonoma County law enforcement chiefs - the police chiefs, Sheriff, DA, Probation chief, and more - get together to hammer out law enforcement issues and policies for the county. Astoundingly, they do so completely off the public record, behind closed doors. For a tangle of legal arguments, law enforcement is exempt from Brown Act open meeting requirements.

However, the key point here is that there is no law anywhere that prohibits the chiefs’ meetings from obeying any or all of the Brown Act rules. All it would take would be a mandate from our local city councils and board of supervisors to put this in force.

It is unconscionable in a democracy that the debate and forging of our law enforcement polices is carried out in secret. With all the enormous behind-the-scenes powers already built into law enforcement activities, no community can afford to be so completely shut out of the process. As things stand now, citizens can, or course, individually or in groups meet with authorities, but that so atomizes citizen power, and so shields law enforcement response, as to make the input virtually powerless.

That All Sex Crimes Cases Reported to Police and Sheriff Must Be Sent to the DA for Review!

Many crimes get shelved by police without getting the proper attention they merit. But no category of crime is treated more poorly, more systematically, and with such deliberate indifference and animus, as sex crimes.

The full barbarity of our local law enforcement response to sex crimes can be seen in the compilation of public record statistics we did last Spring. In brief, over 75% of all sex crimes reported to police in Sonoma County are never sent to the DA for review. They are buried in the police departments. Furthermore, rape prosecution rate in our county hasn’t improved in over 20 years, despite protests, trainings, and more protests.

The full solution to this problem will require a radical dismantling of the patriarchal structure, culture, and composition of our law enforcement. But insisting that all cases be sent to the DA for review should begin to remedy some of the most flagrant refusals to investigate.

That civilian committees be established with sufficient authority to steer the recruitment, hiring, and promotion of law enforcement officers in their communities, at the police academy, and at the DA’s office, as well as to establish criteria and training for the same within the confines of the law.

This third point begins to get at the origin and root causes of our law enforcement problems. Internal police culture is notoriously resistant to change. White male police powers will continue to clone themselves and their defects until communities reach in and break up the mold.

It starts with recruitment! And with some fairly obvious steps, such as changing recruitment messages, eliminating advantage points for military service, or abolishing the infamous wall which serves mainly to wash women out. The critical point is that the community’s consciousness is already far out ahead of police thinking, and the community will drive the change.
The Antidote

The last couple weeks of November can get pretty hectic as this newsletter gets put together. Other pressing activities don’t stop to make way. And at times it can feel like things are spinning out of orbit.

It was one such evening when we checked the message machine one last time for the day. The woman’s voice, as so often happens, was fighting back tears. She began,

“I was really upset tonight, so I started googling ‘women’ and ‘domestic violence’ and your site came up. And I just had to say thank you; thank you so much for being out there.

“I read that whole deal you have about the courts and domestic violence. You guys are a godsend. You just blessed my heart. Thank you so much for being online. I just had to call and tell you.”

That was it. She didn’t ask for help with her case, or even for a return phone call. She really only called to say thank you. It was the most relaxing and gratifying end of a day for the work you’ve helped us do. Thank you for making it all possible.

Happy Peaceful Holidays!