

SUBJECT TO DEBATE

A NEWSLETTER OF THE POLICE EXECUTIVE RESEARCH FORUM

PERF Report Offers Police Leaders' Perspectives On Immigration Enforcement

PERF HAS RELEASED A NEW REPORT THAT EXPLORES the issue of illegal immigration from the perspective of local police and sheriffs' departments across the country.

The report, *Voices from Across the Country: Local Law Enforcement Officials Discuss the Challenges of Immigration Enforcement*, is based on regional meetings of police executives and other officials held in Raleigh, NC; Colorado Springs; and Laredo, TX. In addition, PERF convened a meeting at the Prince William County, VA Police Department to hear officials from that department describe their experience in implementing a new immigration policy in 2007–08.

The report, which PERF produced with support from Carnegie Corporation of New York, is available online at PERF's website: www.policeforum.org.

Following is a sampling of comments from participants at the four meetings. More complete discussions are contained in the PERF report.

RALEIGH, NC POLICE CHIEF HARRY DOLAN:

Immigration Policy Can Be a Quagmire for Local Police

In the past, as long as it was serious gangsters and violent offenders being deported, nobody had much objection. The deportees were people who had been assaulting people and damaging the quality of life in our communities. When we lock up members of the MS-13 gang, my community thanks me.

But now that immigration has become more of a high-profile national issue, it has created a real quagmire for local police. The tough issues facing local police involve stories like the person who has worked in this country 15 years, has two children here, speaks better English than Spanish, and is being forced to leave. Or it might be the 16-year-old girl who is being told to go "back" to a

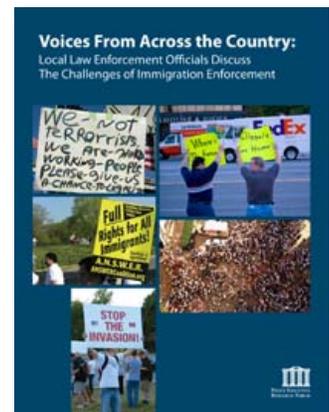


PERF Annual Meeting

Washington, DC, April 26–27, 2012

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country where she doesn't know anyone. Those are the issues that are capturing everyone's attention.

It's both a local issue and a federal issue, but the leadership has to be federal. Something needs to be done to get a coherent policy on this. Recently, community colleges in North Carolina voted to admit illegal aliens and give them in-state tuition. So which is it? If you're going to accept students into your schools, what message are we giving those students when we won't give them a driver's license? The double messages that we send to people who are here illegally must seem overwhelming to them.

FORMER COLORADO SPRINGS POLICE CHIEF RICK MYERS:

Local Police Don't Round Up People Who Cheat on Federal Taxes

We struggle with victims and witnesses who absolutely will not cooperate or talk with us because of the fear of deportation or other sanctions. That issue isn't limited to the Hispanic community. We had a recent homicide of a Korean woman, who was described as a pillar of the community by all accounts. We had a hard time getting the Korean community, who loved this woman, to come forward with information that might be helpful.

Why is illegal immigration a problem for local law enforcement? I use the tax analogy. How many millions of Americans lie and cheat on their taxes? They're violating federal law, and the IRS exists to deal with them. We don't tell our street cops to round up people who inflate their tax deduction for charitable contributions every year.

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Patrick V. Murphy: A Leader in the Policing Profession

PERF IS SADDENED TO NOTE THE DEATH OF PATRICK V. Murphy on December 16 at age 91. Mr. Murphy served as the top police official in New York City, Detroit, Washington, D.C., and Syracuse, N.Y. As President of the Police Foundation, he was instrumental in the founding of PERF. Over a career in policing that spanned six decades, he was known as one of the leading advocates of professionalism and reform in policing, particularly in the areas of improving race relations, reducing use of force, and preventing corruption.

A good summary of Patrick Murphy's life can be found on Wikipedia at http://en.wikipedia.org/wiki/Patrick_V._Murphy. The article is brief but touches on many facets of Commissioner Murphy's wide-ranging career, including the following:

- A Brooklyn native, Murphy served as a Navy pilot during World War II. Upon his return, he joined the New York Police Department in 1945, and earned bachelor's and master's degrees while serving as an officer.
- By 1962, he had risen to the position of deputy inspector and was given an 18-month leave of absence from the NYPD to serve as chief in Syracuse, N.Y. in order to implement reforms following a corruption scandal.
- In 1965, Murphy was named assistant director of the new federal Office of Law Enforcement Assistance in Washington, D.C. Murphy noted that the Police Department in Washington did not have good relations with minority communities, and in 1967 was named Washington's first Director of Public Safety in order to improve the Police Department as well as the Fire Department.
- Murphy's reforms in Washington were credited with minimizing violence during the 1968 riots after the assassination of Dr. Martin Luther King. Murphy also was launching early efforts to reduce police use of force, including ordering police not to shoot at looters, a common practice in some other departments.
- In 1970, Murphy returned to the NYPD as commissioner in order to deal with a major scandal involving graft in the department. He implemented reforms to hold supervisors strictly accountable for the integrity of their subordinates.
- In 1972, Murphy also launched reforms in the NYPD limiting use of deadly force to situations involving the defense of life. He abandoned the traditional "fleeing felon" rule, prohibited the discharge of firearms as warning shots or calls for assistance, and barred shots at or from moving vehicles. Commissioner Murphy's forward thinking is evident in the fact that efforts to implement those reforms on a nationwide basis would be resisted for more than a decade. Finally, in 1985 the U.S. Supreme Court handed down the landmark *Tennessee v. Garner* decision, which barred shootings of nonviolent fleeing property crime suspects.
- During the 1970s, Murphy became President of the Police Foundation, where he published many books and reports on topics



LEFT: A young Navy pilot. RIGHT: Rookie Officer Pat Murphy.

such as police corruption, use of force, and landmark research such as the Kansas City random patrol study. Working with 10 police chiefs from across the country, he also helped to create PERF.

- Early in his career, Murphy helped lay the groundwork for establishment of the John Jay College of Criminal Justice in New York City. In the 1980s, he taught at John Jay, and he served as director of the police policy board of the U.S. Conference of Mayors until 1998.

An article about Patrick Murphy by *New York Times* reporter Al Baker can be found at <http://www.nytimes.com/2011/12/17/nyregion/patrick-v-murphy-91-ny-police-commissioner-in-1970s-dies.html?pagewanted=all>.

Six weeks after Patrick Murphy's death, his wife Betty, whom he married in 1945, died. The couple had eight children, including Jerry Murphy, who serves as PERF's Director of Homeland Security and Development, as well as 21 grandchildren and 17 great-grandchildren.

Police chiefs across the nation recognize that Patrick Murphy played a historic role in changing the landscape of policing for the better. Following are comments about Commissioner Murphy by a number of people who knew him:

Philadelphia Police Commissioner and PERF President Chuck Ramsey:

It's an understatement to say anything about Patrick Murphy's "career," because he had multiple careers. He led big police departments, where he earned a reputation as a reformer who fixed problems. He was a pioneer in creating national organizations to help local police. He was a researcher, a teacher, and a thought-leader on critical issues like reducing use of force. He

was a mentor to countless young police officers.

Nobody has advanced the policing profession in as many different ways as Pat Murphy.

New York City Police Commissioner Raymond W. Kelly: The Washington Post once said if you were a big city mayor with a troubled police department, there was one preferred remedy: You hired Patrick Murphy to lead it. Fortunately, a number of mayors followed that prescription, and their cities became much the better for it. In addition to New York, those cities included Syracuse, Washington, D.C., and Detroit. In each place, Pat took over a police force under intense scrutiny and raised it to new levels of integrity and professionalism.

While he'll best be remembered for reforming the New York City Police Department in the wake of the Knapp Commission probe in 1972, I believe Pat's true legacy lies in his relentless challenge of the status quo.

He was the visionary embodiment of police reform. Even in the face of fierce opposition from entrenched police leadership nationally, he revolutionized policy to restrain the use of deadly force. We will always be indebted to Pat Murphy for his courage and his leadership.

Bill Bratton, former LAPD Chief, NYPD Commissioner, Boston Commissioner, and PERF President: An icon of professional policing in the 20th Century, Patrick Murphy's influence and impact will be felt long into the 21st Century. His contributions in a wide variety of policing environments and assignments influenced his peers and the many he mentored to such an extent that together they changed for the better the stature of the profession to which he dedicated his heralded career.

John Timoney, former Miami Police Chief, Philadelphia Police Commissioner, NYPD First Deputy Commissioner, and PERF President: I had been in the NYPD about two years when Patrick Murphy became police commissioner. I had finished my second year at John Jay College and I wasn't quite sure if a college education was going to be helpful to me in my career. However, the new reform police commissioner made it quite clear to the 30,000-strong NYPD that, going forward, officers would not succeed without a college education. He hammered this message home time and again.

It was therefore largely due to Patrick Murphy that I ended up staying in school and in fact ended up earning two Master's degrees. There were hundreds if not thousands of officers just like me. In 1994, as the new Chief of Department, I was lucky enough to get the opportunity to personally thank Patrick for his inspirational messages back in 1972.

Patrick Murphy radically transformed the NYPD with policies, procedures, and promotions. But it was his emphasis on education that transformed the NYPD culturally and allowed it to become the great organization that it is today.

Milwaukee Chief of Police Edward A. Flynn: I considered Patrick Murphy a friend and mentor. He was an inspiration to those of us working in old-time urban centers, demonstrating that change and innovation in policing were possible. He was a thoughtful, forward-thinking iconoclast when one was needed.

Jeremy Travis, President, John Jay College of Criminal Justice: It is well known that Pat Murphy was a giant in the world of policing. Through his leadership of police departments he paved the way toward the modern era of policing, when the police have become more professional, more focused on crime prevention, and more attentive to their relationships with the community. Through his role in creating national police leadership organizations, he fostered an awareness of the importance of research and innovation.

What is less well known is that Pat Murphy, as a young captain in the New York Police Department, wrote the proposal that led to the creation of John Jay College of Criminal Justice in 1964. We count him as one of our Founding Fathers. I also count him as a friend, and was honored that he supported my decision to create the Patrick V. Murphy Lecture in Police Leadership at John Jay. Until his health would no longer permit it, he and Betty attended every lecture. He sat in the front row as he listened to today's police leaders talk about the challenges they faced. All of them paid tribute to his pioneering work. This lecture series will serve as a living testimonial to his legacy.

Bob Olson, former Police Chief in Minneapolis, Corpus Christi, and Yonkers, NY, and former PERF President: During his long and distinguished

career, Patrick Murphy was an incorruptible force. His legacy of leadership in our profession was critically needed during a particularly tumultuous time in America's policing history. Pat was an icon in policing for his generation of police leaders, and he takes his place with the likes of O.W. Wilson, Clarence Kelley, William H. Parker, and August Vollmer as a pioneer in the continuing evolution of modern policing. Pat also was a good friend.

Rutgers Prof. George Kelling, co-author of the landmark "Broken Windows" theory: Patrick Murphy will be remembered as one of the great police chiefs of the 20th century. In a sense, he was a bridge between the reform and community models of policing. His adoption and promotion of team policing helped set the template for what later became known as community policing.

And in perhaps his greatest legacy and against great odds, he decided to create a truly professional police organization: the Police Executive Research Forum.

PERF Executive Director Chuck Wexler:

*POLICE EXECUTIVE RESEARCH FORUM
NEWS RELEASE*

For Release Thursday, July 29, 1976

WASHINGTON—Ten police chiefs from larger communities across the country today announced they have formed a national police leadership organization dedicated to the comprehensive improvement of policing through research, open debate, and the professionalization of police leadership....

The chiefs said the new organization, the Police Executive Research Forum, with initial support from the Police Foundation, will draw its membership from the ranks of police executives who command the nation's larger departments which, in turn, have most of the police officers and must deal with most of the nation's crime problem....

Patrick V. Murphy, president of the Police Foundation, said the foundation is privileged to assist in the formation and development of PERF: "A strong, national po-

lice leadership is needed to enable what is now a police service, fragmented among more than 17,000 different agencies, to become a profession organized and dedicated to improving itself and guiding its own destiny," Murphy said. "Only in this way will the public receive the high level of police services to which it is entitled...."

With the release of that press release in 1976, the vision of PERF was launched by Patrick V. Murphy and 10 police chiefs. From the very beginning, Pat Murphy was questioning the conventional order of things. On issues like increasing the level of education in policing, the need for research on policing issues, controlling the use of force by officers, and bringing a professional orientation to policing, Pat was ahead of his time. We are a better profession today because of his courage and leadership some 35 years ago.

Joseph D. McNamara, Former Police Chief of Kansas City, MO and San Jose, CA and one of the 10 founding members of PERF: Pat Murphy served as a beacon of professionalism for a group of us newly-appointed police chiefs who founded PERF during the 1970s.

Pat's record of leadership on combating racism and corruption, and his support for the fight to improve police standards, along with his public backing for those of us taking up the battle, was a major force in improving the police image and reducing crime.



Leading the St. Patrick's Day parade in 1972.

Gil Kerlikowske, Director of National Drug Control Policy and former President of PERF: I first met Patrick V. Murphy in 1983 when I was a visiting fellow at the National Institute of Justice. I was a young police lieutenant on loan from the St. Petersburg Police Department, and Mr. Murphy was President of the Police Foundation. He invited me to lunch, and I wondered why the former Police Commissioner of the NYPD, the Public Safety Director for Washington, D.C., the man with so many other accomplishments was asking to see me.

I soon realized during that lunch (and over countless interactions and correspondence over the last 25 years) that he was interested in my thoughts and experiences about our chosen profession: policing. He was the supreme student of policing, never concluding, even given all he had accomplished, that he would ever stop learning or being inquisitive about an ever-changing profession.

I learned more from Mr. Murphy about leadership, decision-making, and courage—the kind of courage needed when a police chief has to make difficult and unpopular decisions—than I can ever express here. When I obtained my first job as a chief, I asked him what that transition would be like. I thought, having been a police commander and executive, that the move to the top job would not hold many surprises. He said, in that wonderful New York voice, “Gil, you can be the First Deputy Commissioner of the NYPD and it is not the same as being the chief.” He explained that all of the decisions, accountability, and responsibility for people and their safety reside with you. Until you are in that position, you can never fully appreciate or understand the burden that you carry. And of course he was right.

Mr. Murphy shaped and influenced our profession throughout his life. He was quiet, thoughtful, and gracious. We are a better profession—more educated, more responsive to protecting civil rights and civil liberties, and more joined to our communities—because of Mr. Murphy.

Darrel Stephens, Former Police Chief in Charlotte-Mecklenburg, St. Petersburg, Newport News, and Largo, FL and former Executive Director of PERF: Pat Murphy made an enormous contribution to policing at a time when leaders with a vision for policing were very much needed. He was an advocate for mobile police executives, education, and diversity, and had a keen interest in developing young people. I recall visiting with him on several occasions in 1973-74 when he was President of the Police Foundation and I was on a fellowship at the National Institute of Justice from the Kansas City Missouri Police Department. He routinely met with and encouraged young people in policing. His support helped create the Police Executive Research Forum and the National Organization of Black Law Enforcement Executives. He had a lifelong passion for improving policing in America, and I was very fortunate to have known him.

James Carvino, former police chief in Boise, ID; Racine, WI; and U.S. Capitol Police, and former PERF President: The first time I recall meeting Pat Murphy was when I was in Hubert Street, an old public school building in south Manhattan that served as the Police Academy. He was a lieutenant and I was a rookie officer. He walked through the ranks of the classes assembled, inspecting them and talking with

each recruit. He made an impression on me that very first day that was permanent and lasting. That was in July 1955.

Pat Murphy was an inspiration to many of us over the years as our paths crossed. When he was the Police Commissioner in NYC, he was a true leader and innovator, and he gave strong moral and ethical support to a department that needed his skills. He fought corruption both inside and out of the department, and while doing so rebuilt the force.

Patrick Murphy devoted his entire life to service to the public, and when times were tough he held the course. He personified professionalism, and his leadership and support to law enforcement agencies and to professional organizations in policing never ceased. He was one of the best, and he will truly be missed.

Robert di Grazia, Former Police Commissioner in Boston and one of the 10 founding members of PERF: There's an old expression that “you need to have a rabbi in policing,” and for me, that would be Patrick Vincent Murphy. He was always the person I looked to for guidance and counsel. Pat was a true leader—dedicated and honest—who said it all for those of us in the field. He was the leader of policing in the 20th Century. And he was a super human being.

Robert Wasserman, Chairman, Strategic Policy Partnership: Pat was clearly a visionary leader for policing. As President of the Police Foundation, he saw the potential value of creating PERF, and was always willing to share his perspectives learned from his broad experience. I remember when he came to Boston to advise then-Lieutenant Bill Bratton and his supporting neighborhood organization about the way forward with a novel neighborhood policing initiative. He recognized future leaders and was inspirational for them.

Dr. Steven M. Edwards, Senior Police Advisor, Bureau of Justice Assistance, U.S. Department of Justice: We did not know each other well; nonetheless Commissioner Murphy's influence on my career—as

well as many, many others—was considerable. In 1970, my first job after college was working in the Detroit Police Department's research and planning section under the management of Commissioner Murphy. His vision for renewing the DPD after the riots of the late '60s brought a revelation to policing communities, not only in Detroit but other cities. His leadership challenged you to embrace reform to make policing better, and to craft stronger, vibrant cities and communities for all citizens.

I am grateful for the opportunity to have associated with Commissioner Murphy and to have served as a Fellow at the Police Foundation during his leadership. I am thankful too for his shaping my interest in policing as a scholarly undertaking. He was a contemporary reformer who contributed immeasurably to the improvement of democratic policing for everyone.

Charlie Connolly, former Yonkers Police Commissioner and a 22-year veteran of NYPD: I first met the Commissioner in 1972 and like to believe I was a friend until his passing. He might have been small in size, but given the changes that were made during his time, he was a giant of his era. He definitely demonstrated that change and innovation in



Pat and Betty Murphy.

policing were possible. I suspect that the Gates of Heaven may be in for a reorganization!

Montgomery County, MD Chief J. Thomas Manger: Mr. Murphy was kind enough to reach out to me when I started here in 2004. We went out to lunch a few times over the years. He possessed both brilliance and humility—two traits that are not often found in the same person. But in him they were.

Our profession lost a true icon.

Milliken, CO Police Chief and Town Administrator Jim Burack: When folks talk about people making a splash and a ripple and affecting generations to follow, they're talking about people like Pat Murphy. The reality for a lot of us, myself included, is that we would not be in the same place today were it not for him and his life's work. He was a policing pioneer during an era when you had to be pretty courageous to be a pioneer.

Mary Ann Wycoff, former researcher at PERF and the Police Foundation: Pat Murphy was fully committed to the improvement of policing: first, in a single department; then, nationally and finally, internationally. Because of the power of his conviction and his tireless efforts in support of it, police organizations are more representative of the communities they serve. Many thousands of officers work with increased thoughtfulness, better skills, and appropriate pride in organizations that exercise greater accountability. Millions of citizens live in safer communities.

People who never heard his name or saw his face live better lives because Pat Murphy lived his.

Former Sacramento Police Chief Art Venegas: I had the honor and pleasure of knowing and speaking to Pat Murphy a number of times during my career. He was a wise man who shared his knowledge not just with me, but with the world. Our profession and our nation are the better for it. The impact that he made will forever be remembered as pivotal in making our profession better and more just.

Springboro, OH Police Chief Jeff Kruithoff: I had the opportunity to meet Pat Murphy and Betty Murphy on a couple of occasions. The most recent was during a PERF visit to the Old Executive Office Building at the White House during the Clinton Administration. I also had an opportunity to meet Pat in the early 1980s when he came to Battle Creek, Michigan working with Chief Thomas Thear and Robert Wasserman on Police Foundation business. I was a young police officer, walking my beat with my hands in my pockets, when I came across Chief Thear giving President Murphy a tour of the downtown area. Pat chastised me (in a fatherly way) and I never forgot the encounter. I had studied his career in New York and he was larger than life to me at the time.

One of my prized possessions is a personal letter Pat wrote to me several years ago, commenting on a letter I had written to PERF that was published in Subject to Debate.

Pat Murphy was clearly a founding father of modern policing.

Ellen Scrivner, National HIDTA Director, ONDCP: Pat Murphy was a real giant in the field of policing. Some of my best memories include the conversations that I had with Pat when he would come to John Jay College for the lectures that were named in his honor. He usually arrived early and we would have time to chat in the office. I finally asked him if I could take notes, when I realized that I was hearing his eyewitness accounts of history.

Betty sometimes accompanied Pat to these lectures, and it was fun to see them as a couple, telling all about the “grands and great-grands” they had. It was a real tribute to their wonderful marriage and long life together.

Pat's family can take solace in knowing he will rest in peace, having made such incredible contributions to the world we live in.

Thomas Brady, Former Communications Director at the Police Foundation: The obituaries of Pat Murphy didn't begin to have room to note all his accomplishments. One such was the way he opened up police leadership to the prospects of mobility and professional attainment.

Police chiefs until the 1960s almost invariably served in the same department they joined as rookies, with the career-deadening insularity that such closed-looped practice may foster. Starting in 1962, Murphy smashed that pattern. He successively served as the chief police executive in Syracuse, NY; Washington, DC; Detroit; and his home department in New York City -- with time out to be a scholar at the Urban Institute and President Johnson's nominee to lead the new Law Enforcement Assistance Administration. (“I could never keep a job,” he would joke.)

Murphy's trailblazing was a lesson for talented, ambitious, aspiring police leaders. Like city managers and school superintendents, they now could test their skills and achieve professional growth in more than one setting. Their careers were not necessarily confined to one department. Two examples of leaders who followed the new course of mobility which Murphy established: Lee Brown, who served as the chief police executive in Multnomah, OR, Atlanta, Houston, and New York City, and Gil Kerlikowske, who was the police chief in two Florida cities and Buffalo and Seattle. Both men have also served as the nation's Drug Czar.

Alex Hayes, son of the late Gary P. Hayes, PERF Executive Director: When I was a kid and my father was still alive, it always seemed like Pat Murphy and his wonderful wife Betty were around. We'd go to their house for dinner, or we'd see Pat at the PERF and Police Foundation offices, where my brother and I would take in all the police photos and memorabilia and wonder why Mr. Murphy had such a strong influence on my dad.

It wasn't until years later when I interned at PERF and the Police Foundation, eventually becoming a staff member at PERF, that I was able to grasp Pat's accomplishments and the profound impact he had. It's amazing to see today the contributions that those who consider Pat Murphy a mentor have made to improving policing services and strengthening our communities. I am proud that my family and I were lucky enough to consider him and his family dear friends.

Pacific/McGeorge School of Law Professor Gerald Caplan: Pat Murphy was an original and will be recognized, going forward, as an historic figure in the development of professional policing in the United States. His ideas were enlightened, and not just for those times when he was Director of Public Safety in Washington or Police Commissioner of New York. Pat possessed the courage, steadfastness, and humor to influence changes that have elevated police performance and that have stuck. At critical moments, Pat exemplified, in Hemingway's phrase, “grace under pressure.” In April, 1968 in Washington, when rioters set business corridors aflame and looting abounded following the murder of Dr. King, Pat's tempered response set the gold standard. To this day, I model my behavior on how I think Pat would respond. It has served me well. 

With taxes and also with immigration, the law provides for civil violations as well as criminal violations, and it gets complicated very quickly. If you asked every street cop represented by the departments at this meeting, you'd get almost as many different opinions about the definition of "illegal alien" and what the average police officer is supposed to do about them.

I think we need some federal definition and clarity. We need to prioritize the limited law enforcement resources at every level: federal, state, and local. We're being expected to provide local solutions to a national problem, and we're not getting the guidance we need.

One issue we have is that, on occasion, someone flees to Mexico after committing a crime. We've seen a huge improvement in the cooperation between our federal government and the Mexican government in locating and finding suspects in Mexico. Our local FBI office has helped us with that, and we've had increasing success in having suspects turned back over to us.

LAREDO, TX POLICE CHIEF CARLOS MALDONADO:

The Deteriorating Situation in Mexico Concerns Us

I believe that from a community-oriented perspective, the last thing we can afford as a country is to ostracize immigrants or give the perception that people cannot feel confident to report suspicious activity because they fear deportation.

But if you commit a crime, that's another matter entirely. In that case, I don't care where you're from. The police will do what we need to do, regardless of immigration status, and if you are not in the country legally, that comes with consequences as well.

Nuevo Laredo, Mexico, is closely associated with Laredo, Texas. The two cities are very integrated in terms of deep-rooted familial ties, the economy, and tourism. There was a time when there was a very close working relationship between our police departments. But the situation in Mexico has become unstable and we don't know exactly who we are dealing with, due to the level of corruption and infiltration of criminal organizations in the Mexican police departments. So we rely on ICE, which has established very close relationships in Mexico through the U.S. Consulate.

Some of the Mexican drug cartels are recruiting our youth on the U.S. side of the border to participate in illegal activities. They have recruited 13-year-olds and taken them into Mexico and provided them with mercenary-style training. So the challenge for

us is the threat of the violence in Mexico spilling over into our city, and the possibility of rival cartels retaliating against each other in ways that involve our residents who have family members who got involved in a cartel.

American police chiefs near the Mexican border have to walk a very fine line, as we articulate our need for resources to maintain security and prepare for the potential of any sort of escalation of violence coming onto the U.S. side of the border. At the same time, we have to assure the citizenry that the sky is not falling and that we live in very safe communities. Statistically, when you see our crime reporting data, the southern communities along the Texas border are some of the safest communities in the country.

Unfortunately, stories about violence capture media viewers, so the picture that is painted for the rest of the country has hurt our tourism, and the revenue stream from tourism is almost completely dissipated. We used to get busloads of people coming from San Antonio, Austin, and Dallas; they would spend time here and travel into Mexico to enjoy the culture. That aspect of our tourism and revenue stream is long gone.

GREER, SC POLICE CHIEF DAN REYNOLDS:

It Takes Some Time to Develop Trust

When I first got to Greer in 2005, I joined a committee that was meeting with the Latino community, and one of the problems was where to hold the meetings, because the Latino community didn't trust us. People were afraid they would come to a meeting and find ICE there. It caused some problems for us at first, even meeting at the churches, where there tended to be a feeling of freedom to discuss things and not worry about being arrested. Getting past that trust issue was key.

Immigrants are an important part of our economy. If we were to suddenly implement a stringent enforcement of the federal immigration laws, it would have a detrimental impact on our economy. I know it would have a significant impact in my city.

I made a conscious decision that immigration enforcement is not my job. We are concerned about serious criminals, gangs, and local crime. But we do investigate when we suspect that someone is involved in illegal immigration activity like human smuggling or identity theft.

Most of the Latinos in Greer just go about their business every day; they work and don't bother anybody. For the officers on the street, the big issues are not understanding the language of people they stop, and having problems identifying who they're dealing with.



ABOVE LEFT: Greer, SC Police Chief Daniel Reynolds. ABOVE RIGHT: San Antonio Police Chief William McManus. RIGHT: Colorado Bureau of Investigation Director Ronald Sloan, Colorado Springs Police Chief Rick Myers, and Milliken, CO Police Chief Jim Burack.



LEFT: Durham Assistant Chief Loretta Clyburn, Durham Chief Jose Lopez, Raleigh Chief Harry Dolan, and Durham Captain Michael Ripberger. ABOVE LEFT: Jacksonville, NC Police Chief Michael Yaniero. ABOVE MIDDLE: Former Sacramento Police Chief Art Venegas. ABOVE RIGHT: Laredo, TX Chief Carlos Maldonado.

Some of our local banks and loan offices have hired Hispanics and Latinos to help immigrants set up accounts and gain access to their services. I think the state may need to make some concessions and give immigrants a way of obtaining a license or ID card.

GREELEY, CO POLICE CHIEF JERRY GARNER:

2006 Raids at Meat-Packing Plants Remain Divisive Today

Greeley has an estimated population of about 90,000, but we don't really know how big we are because we have an illegal population that stays below the radar. Swift and Co. is our biggest employer, and we received national attention in December 2006 when ICE raided Swift meat-packing plants in Greeley and other cities. To this day, that remains a divisive issue in Greeley.

When you tell me that there are 12 million people in the country breaking the law, that bothers me. We need to do something about the immigration issue. Congress could pass a law and say "you're all legal now," or could do something else. The issue is the sheer number of people who are currently technically breaking the law. But the local police chief is not the one who can solve that problem.

SAN ANTONIO POLICE CHIEF BILL MCMANUS:

Relationships with the Community Can Be Fragile

The San Antonio Police Department's position is that we do not want to isolate the community from the police department, so we don't ask people about their immigration status. The relationship we've built with the community over the years is a fragile one. If the community got the idea that police were going to ask them for their papers, it would frighten them away from calling the police or communicating with the police in any way. We don't want to see that happen.

MILLIKEN, CO POLICE CHIEF JIM BURACK:

Many of Our Legal Immigrants Identify with Illegal Immigrants

We have a good-size Hispanic population in Milliken, almost half of the community. Immigration is one of those issues in a small community like mine that we hope doesn't erupt with some kind of major incident. We haven't had a high-profile case.

It's not a matter of dividing people into those who are here legally versus those who are not, because many of the folks who are legal identify with those who are not here legally. Most of the immigrants are law-abiding and are trying to put their kids through

school and make a better life for themselves. But some are here illegally and are committing crimes.

I want to know from Congress what our goal is. Are we trying to seal the borders and have a clear black-and-white approach? That's probably unreasonable, because it doesn't acknowledge the history of immigration or the economics of migration.

But if we had technology that made it possible to stop someone and immediately learn whether they were in the United States legally or illegally, I think there would be intense pressure on local police to work with our federal partners. And we would probably do it, because what would be our excuse for refusing? That we don't enforce the law?

On a more tactical level, we want to have certainty on the street. From a police officer's standpoint, they want more clarity about what they are supposed to do.

DENVER DEPUTY POLICE CHIEF MIKE BATTISTA:

Most of Our Illegal Immigration Problem Involves Gangs

Denver's community is not necessarily hands-off on the immigration issue, but if there's not any criminal activity involved, it's not a top priority for the community. Most of our illegal immigration problem is with our gangs, and the gangs have most of the drugs and guns that contribute to the crime rate in Denver.

A few years back we had situations where guys would hire day laborers off a corner to do a job, and then wouldn't pay them because they knew the laborers had no recourse. If people are here illegally, they're afraid to come forward as a victim; they're afraid that they will be deported.

I don't want the federal agencies to think it is okay for them to put the responsibility for immigration enforcement on the local police departments. I want ICE to be the point agency for that.

DENTON, TX POLICE CHIEF ROY MINTER:

Some Want Us to Check Credentials at Day Laborer Sites

We see a lot of letters to the editor in our local newspaper in which residents say, "Why aren't we as tough on immigration enforcement as some of the other cities?"

The pressure on the local politicians has also extended to the day laborer sites. The Police Department has been asked several times by citizens to go out to our day laborer site and check credentials. Well, that isn't an issue for local law enforcement; we're not in charge of enforcing federal immigration laws. So then they call the local ICE office and ask them to do something about the

day laborer site. And ICE says, “No, this is not something that we are going to be looking at aggressively right now.”

So there’s frustration. Some residents want somebody down there every day checking people’s credentials. They’re trying to put pressure on the local politicians, saying that “the federal government won’t do anything, the Police Department won’t do anything, and we want something done!” And our local officials realize that people are being elected, or booted out of office, based on their stance on immigration issues.

DURHAM, NC POLICE CHIEF JOSE LOPEZ, SR.:

It Can Be Difficult to Identify Someone Who Has No Driver’s License

We have a policy that, in a nutshell, forbids officers from inquiring into nationality or conducting naturalization investigations when it involves relatively minor misdemeanors and motor vehicle stops. We do make sure that the individual that we stop for, let’s say, driving without a driver’s license, is identified. We don’t just issue a ticket to someone we don’t know. There are various types of identifiers that we use, one of which is the Matricula (an identification card issued by the Mexican government to its citizens living outside of Mexico). We have been to the Mexican Consulate, have looked at their system, and we have distributed information to officers so they can distinguish a fake Matricula document from a real one.

ART VENEGAS, FOUNDER, LAW ENFORCEMENT ENGAGEMENT INITIATIVE:

It Would Be Very Helpful If Immigrants Had Identification

(Mr. Venegas is former Chief of Police in Sacramento.)

Immigrants should be allowed to have some form of identification, either from here or from their home countries, a birth certificate or something else. A few communities have ventured into creating an ID that’s available to undocumented immigrants, like New Haven and San Francisco. And a number of jurisdictions, like Utah and New Mexico, allow undocumented immigrants to get a driver’s license.

The question is an economic one for police, because every time we stop somebody who has no identification, it takes a lot of manpower to try to identify that person. An officer will spend up to two to three hours to determine who an arrestee is. And if you take the person over to ICE, in most cases where you have a simple traffic stop, ICE’s workload is so high that they aren’t going to do a lot. They will give the person a civil release.

Police departments are seeing their budgets cut across the board. In Camden, New Jersey, they were slashed in half, and possibly one-third of that city’s population may be undocumented immigrants. They don’t have the resources to start dealing with the problem. And this is an issue not just in Camden; it’s everywhere.

JACKSONVILLE, NC POLICE CHIEF MICHAEL YANIERO:

We Work to Open Lines of Communication with Immigrants

Our population is largely Marines and their family members from Camp Lejeune. When a military police officer asks someone for an ID and takes them away with ICE, people think that our department and all law enforcement agencies are painted with the same brush.

As a military community, we are one of the most diverse cities of our size in the country. We have worked very diligently to keep open lines of communication in our community, and we go out to the community and talk about these things. We do a weekly radio show where we’re asked questions like, “If I get stopped, am I going to be deported?” These questions need to be addressed because they’re important to the callers.

We do other things to help improve communication. The North Carolina Justice Academy has a “Spanish for Law Enforcement Officers” course. We have language lines and universal translators. My ultimate goal as local law enforcement is to be sure that my community is safe; it’s not to ask people about their immigration status. Our policy basically says that we don’t ask unless a major felony is involved.

Prince William County, VA Police Department: One Agency’s Experience at the Center of the Storm

The PERF report also includes a chapter that summarizes a meeting of more than 20 officials from the Prince William County, VA Police Department, in which they discussed the development of a new immigration policy in 2007 and 2008. The task was difficult because an intense debate was raging in the county about illegal immigrants. Some groups argued that an influx of immigrants had hurt the quality of life in the county and had burdened county resources.

Initially, the Board of County Supervisors required police to inquire about the immigration status of any person they detained, including in traffic stops, if there was probable cause to believe the person was in violation of federal immigration law, and if the inquiry would not expand the duration of the detention. However, Chief Charlie Deane and the County Attorney recommended a significant

Press conference at Laredo, Texas PERF Executive Session on immigration



change, providing for immigration status inquiries only when a person was arrested and taken into custody. The elected officials agreed to the change, and the resulting policy remains in effect today.

Following are several of the comments made at the meeting:

Chief Charlie Deane: I wanted to issue a simple message about the policy that could be remembered. And I wanted to send the same message to employees inside the agency and to the public. My goal was to make it clear that we would focus our efforts only on illegal aliens who committed violations of state and local law, that we would protect crime victims regardless of their immigration status, and that we would prohibit racial profiling.

Sergeant David Moore: We regularly used the phrase “fair, lawful and reasonable” to describe the department’s approach to implementing the new policy.

Major Stephan Hudson: We had many meetings with community groups, including civic associations, sports teams, churches, and school groups. We told them what we weren’t going to do and what we were going to do. We sought out various opinions in the community—those on the right, those on the left, and those in the middle. The moderate voices were the most helpful as we developed the policy.

Officer Ramona Bates: I responded to a call for service about a parking problem and heard a Caucasian male threaten a Latina woman by saying that I was there to initiate deportation against her, which of course was not true. We were caught in the middle and had to maintain a balance in order to keep the public’s trust.

Senior Administrative Manager Thomas Pulaski: There was no model for what we wanted to do. We didn’t have any other agency to turn to for guidance or to learn from their experiences. We had to build everything from scratch—the policy, training, and the Criminal Alien Unit [a special unit whose seven members would be the only group in the Police Department to receive federal 287(g) training].

First Sergeant Eileen Welsh: Messaging is the key. It must be consistent across the board. The department, from the top down, should be speaking with one voice. Control your message and get it out there before it is spun for you. Department leaders must be

accessible. Chief Deane made himself available to the media and rarely, if ever, turned down a request for an interview or a meeting.

Chief Charlie Deane: Based on my experiences, I would recommend that the police chief has to be engaged and out in front. The chief and other agency leaders have to be prepared to push the message to the community, and not wait for the community to come to the police department. Make sure you have a Spanish-speaking translator with you at events. Document everything and publish it on the website so everyone can see what you are doing. Our agency’s reputation was on the line. We have worked hard for that good reputation and wanted to keep it. Finally, ask other agencies how they have dealt with similar challenges. We received very helpful information from a variety of sources, including PERF, IACP, the Justice Department’s Civil Rights Division, the New Jersey State Police, and others. And coordination with the local prosecutor and county attorney was essential.

Conclusion

PERF’s report includes a set of principles cited by police leaders who participated in the project, including the following:

- **Use the precepts of community policing:** Principles of community policing, “legitimacy” in policing, and procedural justice are helpful in understanding immigration issues. It is important to maintain transparency and fairness by encouraging open lines of communication with all community groups. Document your policies and programs, and post them online. Consider steps such as inviting community leaders or the news media to witness officer training sessions on immigration issues.
- **Congress is gridlocked and a comprehensive national policy is not expected soon. But local police should develop good working relationships with federal partners and other organizations:** Positive working relationships among law enforcement at the federal, state and local levels enhance the ability of agencies to communicate with each other and discuss their problems and potential solutions.

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TOP: PERF Executive Session in Prince William County, Virginia on June 7, 2011.

BOTTOM ROW (LEFT TO RIGHT, ALL WITHIN PRINCE WILIAM COUNTY): Chief Charlie Deane, Senior Administrative Manager Thomas Pulaski, Major Stephan Hudson, and Sergeant David Moore.



10 Traits of Leadership in Law Enforcement

By Sergeant William R. Fraass
Emergency Services Manager
Sausalito, CA Police Department

AS AN ASPIRING POLICE LEADER, I HAVE A LONG-standing interest in the qualities of leadership in policing. I've done quite a bit of reading about this topic, and I always try to assess whether the articles that I read ring true, whether they jibe with what I see on my job. In this essay, I describe the traits of police leaders that I consider most important.

While no one is born a leader, people who become leaders possess a work ethic and a drive to push themselves towards self-improvement. When confronted with a challenge, these individuals tend to rise to the occasion and embrace the challenge. Leaders also pursue education, training, life experiences, opportunities, and mentors to build upon their skills and abilities.¹

Not all police officers with supervisory or command rank are leaders.² And sometimes, strong leaders have responsibilities beyond their rank, and people are inspired to follow them due to their genuine concern about problems and willingness to take on responsibility.³

Following are 10 traits of leadership that I have read about and seen in action. I believe that ambitious officers should aim for these leadership traits in their everyday work.

Selflessness: When I was promoted to Sergeant, my Chief pulled me aside and told me, "It's no longer about you. It's about what you can do for others." This was how I was introduced to the importance of selflessness. Leaders place their needs second to those of their subordinates, the department, and the community.

Willingness to Be a Mentor: Leaders have a responsibility to develop their subordinates as they progress in their careers. This includes correcting subordinates' weaknesses while encouraging their strengths. Leaders provide subordinates with challenges from which they can learn.

Education: Leaders' education is crucial to their success. Formal education can come from a college or university, while informal education results from a leader's self-motivation and continuing search for knowledge and personal improvement. Education does not teach a leader what to think, but rather *how* to think, how to apply logic and reason to the solution of problems.⁴

Decision-Making: Decision-making has been called the essence of leadership.^{5, 6} Nothing distinguishes a leader more than a willingness to make decisions in a timely manner based upon sound information. A person who fails to make decisions will be seen as noncommittal and thus will never be seen as a leader, but rather as a placeholder whose focus is on avoiding risks and criticism.⁷ Even if a leader occasionally makes the wrong decision, taking action when action is needed is usually better than making no decision at all.⁸

Strength to Challenge: Leaders are not afraid to challenge the status quo and confront what they believe is unjust or wrong.



Sergeant William R. Fraass

Leaders speak honestly and candidly about the issues that need to be discussed. Leaders will follow orders from their superiors, but will also voice any significant concerns they may have about a course of action. In order to be effective, the leader must know when and where to challenge,⁹ must be respectful and professional, and must be knowledgeable about the issues. And once the superior's decision is final, subordinates must support it, not attempt to undermine it.¹⁰

Embracing Change: Change is inevitable, so a leader must embrace it, not fear it. Change allows for growth in the policing profession, in a police department, in the personnel, and in the leaders themselves. Leaders must be a catalyst for change.¹¹ This means constantly looking for what is wrong and what can be done better. Leaders must also educate others and work to obtain their support for changes.

Presence: Presence is a quality that indicates that leaders have command of their mental and physical faculties and emotions. Presence encompasses the qualities of dignity, self-assurance, poise, and the ability and qualifications to take command of any situation.¹² Great leaders have an air of confidence about them. Leaders are also aware of and involved in what their officers are doing. They must be seen as supporting their officers during routine times as well as during times of hardship, triumphs, or danger.

Fairness: Leaders have a sense of social responsibility and fairness, so they treat everyone whom they are entrusted to lead equally.¹³ Leaders do not allow emotions or personal feelings about subordinates to color their judgment.¹⁴ Leaders treat each person with the same respect and concern. They must maintain a fair,

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reasonable, and open-minded attitude, reflecting a willingness to listen to different perspectives.¹⁵

Interpersonal Skills: A leader must have the interpersonal skills required to work in harmony with subordinates, peers, superiors, and the community.¹⁶ These skills include verbal and non-verbal communication and active listening. A leader must be friendly and sincere. Leaders have a true affection for others and are pleased to spend time with and talk to people. They should never have a negative attitude around their subordinates.¹⁷ Leaders work at strengthening their rapport with subordinates and community members.¹⁸ At the same time, leaders must know how to deal with improper or illegal actions by officers in a clear, firm manner.

Team Building: Leaders are able to pull people together into a team and coordinate their actions in order to complete a project or meet an objective. The leader selects the best people for the job, gives them a clear vision of their purpose, encourages participation,

empowers them to act, seeks suggestions, and provides necessary resources. When selecting team members, the leader balances the weaknesses of some members with the strengths of others. Leaders surround themselves with people who have a variety of ideas and beliefs.¹⁹ A true leader is not intimidated by other people's talents or successes. In fact, leaders hope to be surpassed one day by their team members.

Conclusion

Finally, leaders themselves have strengths and weaknesses. In order to be effective, leaders must know which of the 10 traits are their own strengths, and which ones may need work. They can play on the traits where they are strong, while working on the traits that may not come naturally to them. Leadership, like life, is never static. 

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>> from **PERF Report on Immigration Enforcement** on page 9

- **Prioritize attention on illegal immigrants who commit serious crimes:** The capacity of federal immigration enforcement is limited. Even if federal agencies wished to deport all illegal immigrants, they could not do so without massive increases in their funding. Congress is not calling for such an approach or providing such funding. Thus, many local police chiefs and sheriffs believe it makes sense to focus enforcement efforts on immigrants who have committed serious crimes. ICE also is promoting this approach.
- **If the community is debating immigration policy, police leaders must step up to the challenge:** Because the immigration issue is very polarizing, even police agencies that are well run and highly regarded in the community can suffer significant damage to their reputations if a battle over immigration policy occurs in their jurisdiction. The damage can extend to the entire community if a jurisdiction develops a reputation as extreme or unreasonable on the immigration issue. Law enforcement officials can avoid such damage and improve their department's standing in the community by taking a leadership role and emphasizing clear, sensible messages.
- **Speak with one voice:** The messages a chief gives to the public and the news media should be consistent with the messages the chief gives to officers. And the statements made by line officers to local residents should reinforce the messages put forth by top leaders.
- **A pragmatic position wins respect:** Generally, police chiefs and sheriffs have sought middle-ground positions between the extremes, in which they aim to understand the views of their local residents and develop policies that reflect the local culture and are consistent with all of the considerations that go into providing effective local law enforcement.

- **Many police leaders are concerned about erosion of the public's trust in law enforcement:** One reason that local law enforcement agencies do not want to become more involved in enforcing federal immigration laws is that they believe aggressive enforcement will erode the trust that police have worked to develop with communities, and especially immigrant communities.
- **Members of the public often do not distinguish between law enforcement agencies:** Many members of the public may not be familiar with the differences between federal, state, and local laws, and with the divisions of responsibilities among various law enforcement agencies. Thus, they may have a misperception that because immigration is governed by laws, all law enforcement agencies have responsibility for enforcing those laws.
- **Illegal immigrants are often victims of crime:** While law enforcement officials have differing views on the extent of criminal activity by illegal immigrants, there is consensus that illegal immigrants are often victims of or witnesses to crime. Immigrants who witness a crime often are unwilling to report it because they are afraid that any contact with the police may lead to problems with ICE, either for themselves or their family members. Police agencies must continually work with immigrant communities to build trust, combat fear, and provide information about police services.
- **Take a comprehensive approach to training officers:** Educating police officers about the cultures of the immigrant communities they serve is important to developing an effective working relationship that serves both the community and the police.
- **Engage the entire community:** Educating communities about the police role in immigration enforcement, especially the legal authorities and responsibilities of local police and federal law enforcement, can help all community members understand what the local police can do in regard to illegal immigration. 



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PERF Annual Meeting: Join Us in Washington, D.C. April 26–27

PERF members are invited to participate in our 2012 Annual Meeting, to be held Thursday and Friday, April 26–27, in Washington, D.C. at the Renaissance Washington Dupont Circle hotel. Information about meeting registration and hotel reservations is available on PERF's website at <http://www.policeforum.org/calendar/index.dot?id=1295718>.

PERF is developing an agenda of topics that matter to police executives, including the following:

■ **Gun Crime:** Gun crime continues to be ranked by many police chiefs as the most pressing issue facing their cities. At this session, we will present the results of our recent national survey of gun crime challenges and responses, and then will use in-depth case studies of our work in 10 cities to launch a practical discussion of promising practices that can be adapted by departments across the country. PERF

is looking to break new ground on this important issue, and we'll be encouraging PERF members to share their own experiences during the session.

■ **Reducing Use of Force:** There is growing interest in strategies for minimizing use of force against persons who display erratic behaviors, persons with mental health issues or developmental disorders, individuals under the influence of drugs or alcohol, and persons suffering from post traumatic stress disorder. A panel of experts will describe the results of a PERF conference on these issues.

■ **The Economy:** Many police agencies have seen their budgets shrink in the last few years. From Manchester, UK to Camden, NJ, some departments have been slashed deeply. Many departments are scaling back response to non-emergency calls. Some are using technology as force-multipliers. Some see predictive policing as a way to boost productivity. We'll have findings from PERF's new survey about how tight budgets are impacting police agencies, and presentations about what chiefs are doing to manage cuts and keep crime down.

■ **Town Hall Meeting:** This session, always a popular event, offers everyone a chance to raise any issue they like. If you'd like to know if anyone else is facing a new problem you have seen, or perhaps you have information about a successful strategy you'd like to share with your colleagues, we encourage you to join in this free-wheeling open forum.

Town Hall topics may include: What do people think of the new NIJ study of 8-, 10-, and 12-hour shifts? Is the tide turning on medical marijuana laws? Should police push to equip all officers with inexpensive body cameras? What should police do about GPS tracking of vehicles in light of the recent Supreme Court decision? Will Occupy protests have a resurgence in the spring and summer? How will the new UCR definition of rape change crime statistics? What is the latest on Justice Department investigations of local police agencies? How are new ICE policies impacting immigration enforcement?

We hope to see you in Washington!



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