DAVID ONEK: Welcome to the Criminal Justice Conversations podcast, a coproduction of the Berkeley Center for Criminal Justice and the Berkeley School of Journalism. I'm your host David Onek. The podcast, recorded in the Berkeley School of Journalism studios, features in-depth interviews with a wide range of criminal justice leaders: law enforcement officials, policy makers, advocates, service providers, academics, and others. The podcast gets behind the sound bites that far too often dominate the public dialogue about criminal justice to have detailed nuanced conversations about criminal justice policy.

Today's guest is East Palo Alto Police Chief, Ron Davis. Davis became East Palo Alto's Chief in 2005 after 19 years in the Oakland police department. In five years, under Davis' watch, homicides in East Palo Alto, once called the murder capital of the nation, have declined by almost 50%, and shootings have declined by 30%. At the same time, community trust and
confidence in the department has increased tremendously. Davis has partnered with the California Department of Corrections and Rehabilitation, or CDCR, to implement a model parole reentry program that provides programming and enforcement services, as well as jobs for the California Department of Transportation. Davis is a national expert on combating racially-biased policing, he is co-author of the US Department of Justice publication, How to Correctly Collect and Analyze Racial Profiling Data, and the author of the article, “Bias-Based Policing.” He has testified at the US Senate Judiciary Committee hearings on racial profiling, and currently serves as a police reform expert for the civil rights division of the US Department of Justice. And he joins us in studio this morning, Ron Davis, welcome to the program.

RON DAVIS: Thank you, David, for having me.

ONEK: As I said, you've been Chief in East Palo Alto for over five years now. For some of our national listeners who might not be familiar with East Palo Alto, can you describe the challenges faced by the East Palo Alto community and by the East Palo Alto police department when you took over in 2005?
DAVIS: Yes, in 2005, the city of about, a little bit less the 40,000 had experienced 15 homicides and over 150 shootings. And with 15 homicides, that would have been the second-highest murder rate per capita in California, the fifth highest in the nation, like I say, with over 150 shootings, we probably average one per, one officer per 1,000 residents, so we have one of the lowest staffing levels in the country. It's a very economically challenged community, a very strong community, but very economically challenged at the time. And that we also had some reform issues inside the organization that when I got hired, there were two officers in criminal trial, another five on some type of leave pending discipline, and there was a scathing grand jury report talking about the deficiencies of the organization. So we had very high crime, very low public trust and confidence, and a very weak infrastructure, if you will.

ONEK: So what did you do to try to turn that situation around, right off the bat?

DAVIS: First priority, I actually implemented a series of reforms that focused on those three areas that we talked about. So one is starting to engage the community in actual community policing and identifying what are the core issues.
Using intelligence-led policing. So the fewer resources you have, the more strategic you have to be with those resources. So implementing a CompStat process started by Bill Bratton in New York, and then LA. Bringing a crime analysis function to the department so that we started really, and started understanding why crime occurred, where it occurred, what were the root causes of it? Partnering with other agencies as a force-multiplier so that we had more of a collaborative approach. And then working with the State and Federal Government to rally resources. So we covered, probably obtained $8-10 million in grants to strengthen our infrastructure. And so that we have better equipment, was able to get better benefits for the officers, increase the staffing levels, and working partnership. And then try to do, to attack some of the core issues like reentry, youth programs, things of that nature.

ONEK: Now, you talked about bringing in State and Federal resources, which you've been very successful at. One of the biggest grants you've received is from the State Department of Corrections and Rehabilitation for the model parole reentry program that I mentioned. What was the impetus for that program?

DAVIS: Well, actually a tragedy in January 7, 2006, an East
Palo Alto police officer, Richard May, Rich May was shot and killed in a line of duty by a parolee who had been out, I think less than three months, maybe six months. And that was a catalyst of starting to deal with the issue of reentry. Especially for me as the Chief and for our police department. And so with the assistance of our State Legislator, Ira Ruskin, we were actually able to get Assembly Bill 2436 passed and signed by the governor to mandate CDCR starting a pilot program in East Palo Alto.

ONEK: And what kind of services does that program provide?

DAVIS: Well, with this, what made it unique is a couple of things that made it very unique. One, it was now being operated and oversight was by the police department. And so that's very unique in that you have a police department running and overseeing a reentry program funded by the state. So it provided a day reporting center, it provided services from, basically your cognitive life-skill types of services. Educational services, job training, rehabilitation services, anger management, finance management. But there was also an enforcement component, where we worked with parole, worked with the police department to make sure there was accountability.
And it was a community-based coalition, so we partnered with community-based and faith-based organizations in providing these services. So it wasn't just the police department alone, it was organization like Free At Last, with David Lewis, the Minister Alliance, there were about four or five groups that all came together to work to provide these services to our people coming out of prison.

ONEK: So you pulled down this big grant, but my understanding is then you sub-contracted a significant portion of that money out to the community to provide some of these services, is that right?

DAVIS: Right, we subcontracted with Free At Last to run the day reporting center at their facility. We also subcontracted with the group called Job Train. It used to be OICW, who's in Menlo Park, and they are specialists at job training, job placement, you know, those types of services. We also contracted with the Minister Alliance. And they oversaw the community service component, where the program participants had to do so many hours of community service, and it was really at the direction of the Minister Alliance, and working very close with the community so that those services actually impacted people's
lives in the community.

ONEK: And what was the partnership with State Parole on this? How tight was that partnership?

DAVIS: Well, very tight in the sense that they had oversight of the entire program, so they assigned a parole service associate to call a PSA full-time for the program, designated a parole officer based out of Redwood City to be a part of the program. And we had already had a pretty strong relationship with parole itself. So I actually assigned a full-time parole reentry police officer. It was funded by the grant of the contract. So now, with the officer, working with the parole agent, working with the parole service associate, they were able to really keep a track of and participate in the rehabilitation of the parolees themselves.

ONEK: So a very unique program, the only one in the state. And you and I were recently at a reentry meeting in Sacramento, hosted by PERF, the Police Executive Research Forum, and the US Justice Department's COPS Office, with law enforcement and corrections officials at the table. And many participants remarked that law enforcement and corrections rarely get the
chance to proactively work together on public safety issues. Usually they're just coming together to problem solve when some crisis arrives. Why do you think that is?

DAVIS: I think a lot of it, the one question that has to be out there now, what is the role of local police in reentry? And I think historically, local police saw parole as merely, or really primarily a tool of accountability, a tool to use when you're suspecting certain people of crimes and violence. A system of checks and balances for those coming out of prison. And so you would only come together when you're really looking at an enforcement component, special operations, when you're looking at parolees at large that are absconding. When you're doing something toward that end. As we redefine the role of local police in reentry, then the relationship's going to have to be a little bit more strategic, and it's going to be definitely much stronger.

ONEK: You talk about the role of police in reentry, and another theme, I think, from that meeting in Sacramento is that, early on, some of the Chiefs were saying, “look, I'm all for this reentry stuff, but my department is already overburdened, we have huge budget cuts, and I'm really worried about being asked
to do too much with too little by expanding to handle reentry work.” You chimed in quickly and kind of refuted that. Why do you think it's so important that police departments take a leadership role in reentry?

DAVIS: Well, I think police departments are in reentry whether they acknowledge it or not --

ONEK: Right.

DAVIS: They are dealing with this large constituency. If you are looking at recidivism rates that are well over 60% in many cases, at least on a state average, then as the Police Chief, if you're accepting responsibility and partnership with your community to reduce crime and violence, then the idea that you could ignore, or abdicate the responsibility for the group that is impacting you so significantly would make your strategy almost less effective. Almost ineffective. So right now, officers are engaging with parolees, but they're engaging with them at ten o'clock at night, two o'clock in the morning, they're trying to get their violations, and I think the leadership role says that if you have a more strategic partnership, and you reduce the recidivism rates, then you'll
have more strategic time to engage in other problem solving. So the question I posed to the Chief is, how can you afford not to? How could you abdicate that responsibility, which impacts your overall mission so greatly? And that, whether the CDC is giving you [a contract?] or not, you have to engage with those that are coming out of prison, out of jails, because the recidivism rates say that they impact you. And to be able to affect those lives positively, reduce return to custody rates, and reduce crime and victimization, and do so in a manner that is really consistent with the core values of the community, and community policing is why we're here. So to me, it seems a natural evolution that the next level of community policing has to be beyond simply taking people to jail, and it has to engage in changing peoples' behaviors.

ONEK: Now, because your leadership on reentry issues, my organization, the Berkeley Center for Criminal Justice, asked you to serve on the advisory board for our project on increasing employment opportunities for people with prior convictions. And that particular issue, increasing employment opportunities, to your earlier point. I mean, of course Police Chiefs should be interested in that, because as a Chief, would you rather have someone coming back to your community who has no job, is not
sure how they're going to support themselves, is not sure even how they're going to spend the next eight hours? Or would you rather have someone who's going to work and earning a paycheck and keeping themselves occupied. That's kind of a no-brainer, isn't it?

DAVIS: Absolutely.

ONEK: So we've brought together an advisory board that included an incredibly diverse group of stakeholders from law enforcement, from the community, and from employers, that included the head of the prison guard's union, Mike Jimenez, law enforcement leaders like San Diego District Attorney, Bonnie Dumanis, and Santa Barbara Sheriff Bill Brown, and yourself. Formerly incarcerated advocates, from All Of Us Or None, and elsewhere. Advocacy groups, like the National Employment Law Project. Employers, like Goodwill industries. This group was able to reach consensus on a broad range of recommendations, which will be highlighted in an upcoming report that will be released very shortly. I want to ask you what it was like to participate in such a widely diverse group, and what you learned from being a part of that?
DAVIS: You know, one, I definitely appreciate the opportunity to serve, it was just an outstanding group. And it opened my eyes, actually even more about the issue of reentry. And the same thing with the PERF meeting, as we went on with the meeting, it really showed me that even with the diverse group that was there, law enforcement to prosecutors to advocates for formerly incarcerated, how closely aligned we were. So some of our primary goals were pretty much the same. Where there may be some debate, discussions on how to achieve those goals. But once you can identify that everyone wanted to make an impact on people's lives, that they wanted to reduce the recidivism rate, that they wanted to give people an opportunity that wanted the opportunity, that you could have an educational and you can have a very respectful debate about how to get there. And so it was very impressive to me that this diverse group was so aligned. And we didn't agree on everything. I think there was a few items we didn't. But I think overwhelmingly, it was an overwhelming success in that there was a lot of consensus on some very key issues, and I think it may send a message to the industry and to the community, just how aligned we are, and that this is not, you know, something that's really controversial, that it's something that's very needed.
ONEK: What do you think the main points of consensus are in a group like that? And outside that group, just in the work you're doing, that pretty much everyone is on the same page about, regarding reentry and employment opportunities?

DAVIS: I think the main thing is that jobs are the key to, are a key component of reentry, and that getting people an opportunity at the American dream by having a job, providing for their families, will reduce recidivism. That having a job will reduce the generational issues of their kids becoming involved in crimes and violence. We agreed, I think, that the barriers to the formerly incarcerated are very significant. And some of them are based on perceptions in the community, some of them are systemic to the bureaucracies of very different hiring processes, definitely for government. So finding ways to either adjust, revise the bureaucracies, remove the barriers, I think there was a lot of consensus. But I think those were the general, probably key areas that we really did agree on.

ONEK: Another area where you are considered a national expert is combating racially-biased policing. You recently spoke to my class on race, ethnicity, and the criminal justice system here at Berkeley Law School and made a big impression on my students.
What specifically have you done as East Palo Alto Chief to promote fair and impartial policing in that city?

DAVIS: A couple things. I think that fair and partial policing is a critical part of community policing. If people think that you're engaging in racial profiling or some type of disparaging enforcement activity, they will not have trust and confidence and won't work with you. So one of the first things I did was make discrimination one of my Five Deadly Sins, along with issues of brutality, untruthfulness, harassment, and discrimination, accepting gratuities, lying, things of that nature. The other things is we --

ONEK: Well, what do you mean by Five Deadly Sins, for our listeners? What happens to an officer who commits one of those sins?

DAVIS: If you commit one of the Five Deadly Sins, then the immediate recommendation from me is termination: that you lose your job as a police officer. And once again, that's for brutality, untruthfulness, that's lying in internal investigations, it's for discrimination, it's for retaliation against whistle-blowers, and for accepting gratuities. And so
those would result in automatic, for my point of view, automatic termination.

ONEK: And then, what else in terms of fair and impartial policing did you do, besides making it one of the Five Deadly Sins?

DAVIS: We are voluntarily collecting traffic stop data, I should say, so that we can see what the impact of our stops are. And we also engage with a thing I call cultural competency training. And so as part of our quarterly training system, we incorporate cultural competencies. So for example, to learn more about the Hispanic community, we had a panel of Latino leaders, we brought representatives from the Mexican consulate, from our community legal aid department to learn more about the issues that impact our Hispanic community. We had a cultural competency training with our African-American community, and it started with a class on the civil rights struggle, the role of police and oppressing, historically, people of color. And then having a panel of community leaders and experts to talk about the issue, even leading into a cultural lunch, understanding the history of soul food, how it ties into slavery. The whole idea is that the more you understand a culture, the more you can appreciate
its historical perspective with regards to the police, the more empathy you may have, the more professional your responses can be. And they can be tailored with compromising the integrity of policing. So we're big in East Palo Alto, the issue of legality versus legitimacy. Understanding that just because your actions are legal don't make them necessarily right in the eyes of the community, that you should seek for legitimacy without compromising, obviously safety or the law. But seek to do those things that bring value to the community and not just to be seen as being oppressive.

ONEK: Now, speaking of working with the community, a local paper has called you the “Peoples' Chief,” and you've developed a reputation for really earning the respect of the community in East Palo Alto. I want you to talk about one example, a few years ago there was a spate of violence between the Tongan and Samoan communities, there was one homicide, and then a lot of retaliation, retaliatory shootings. Can you describe how you worked with the community to quell the violence in that incidence?

DAVIS: Yes, I think this is probably the best example of community policing one can think of. There was a simple fight
between two ladies turned into a double shooting, one being a homicide, and three weeks later, and about 20 shootings later, this all sparked from a simple fight. So I mean, instead of you know, we did the enforcement component, but we were able to go into the Pacific Island Community, identify leaders in the community from the community and from faith who brought the warring families together, got them to negotiate a cease-fire, and they worked to stop the violence, and now it's eight or nine months, not a single shot fired from those two groups. And we've done that with African-American gangs, Hispanic gangs, and the idea is that the community plays a stronger role than many people think. And so, yes, you have to have the enforcement component, you have to solve cases, you have to hold people accountable, but there are a lot of resources that you can bring people together to get them to resolve their conflict and stop their, especially if you're talking about gangs, stop their warring factions when it starts leading to violence. And this was a good case where the community called the families together, held a meeting with them, and asked them to stop. That we then rallied up a unity march and rally with over 1,000 people in the community to march in the streets to really send a very unified message about peace and non-violence, and I think all of that had an effect, and it really paid off for the next
nine months.

ONEK: I'd like to ask you about another community program there that's gotten some press coverage, which is the Graffiti Arts Project. Can you tell me a little bit about that?

DAVIS: Yes, like many urban environments, we have problems with graffiti. So through a grant we got with the department of justice, we partnered with a group called the Mural, Music, and Arts Project, MMAP. And we now have a curriculum, it's 13 weeks where we can take kids that are “doing graffiti,” who are at risk of doing graffiti, and teach them how to turn graffiti into art. So there's a 13 week curriculum, they learn certain laws of graffiti, which means respecting property, respecting people, and it's really transformed a lot of kids, because they have very good artistic talent, but using it for a very destructive manner. So now they can use it to beautify our community versus destroy it. And the same group, for example, we have at the police department a 200-foot mural where they work with the police department over the summer to talk about the vision of community policing. So we have a mural that this group has put together at the police department that represents the youth's vision of community policing, the police department working with
the community. It's a beautiful piece --

ONEK: And the officers are seeing that every day as they come into work?

DAVIS: They see it every day, they were part of the design, they were interviewed. There's one panel where our core values are listed, and so as they drive out every day from their cars, they pass the core values of service, teamwork, respect, integrity, vision, and excellence. And as we tell it, that's the first, the last thing they see before they hit the community, our core values. But they, not only do they see it every day, they were part of developing it.

ONEK: A real tragedy in East Palo Alto recently was the murder of David Lewis, who was instrumental in your reentry work, and a lot of the work in the community. He was murdered in a parking lot outside of East Palo Alto, and I know the investigation is ongoing, so obviously I don't want to talk about any of the details of that, but I'm just wondering what effect that has had on the community and on the department, to have somebody who was so involved in helping people turn their lives around, have a tragedy like this happen to them.
DAVIS: Well, David's a very special guy, and he's the one that made me understand the value of reentry. And I remember he came to see me in my first couple of months at Chief and he started talking to me about actually thinking about reentry. Because before I met David, reentry to me meant my job was to violate parolees and put them back in prison. I'm reentering you back into San Quentin. And I'll tell a joke to somebody, that this former parolee is so powerful that one minute I'm talking to him, the next minute I'm driving in a car with him heading up to San Quentin prison to visit inmates from East Palo Alto to talk about reentry programs. So he had the ability to influence everybody from Police Chiefs to elected officials to gang members on the street, to formerly incarcerated, because he was so sincere. And he came from the heart. So it was definitely a tragic loss for our community, he's done great things in East Palo Alto, throughout California, he was doing work in Pasadena. He was doing work in Africa, Russia. So he was definitely doing, a great impact, a good service. So it was definitely, it reinforced for us in East Palo Alto why we still need programs. That even a guy like David could still be a victim of violence.

ONEK: And how have you continued on with the programs he was so
involved with since his death?

DAVIS: Well, the first program we started, the one we talked about most of the show, ended July, June 30th of this year. The good news is we're now negotiating with the Department of Corrections, and we're looking at a start-up date again for another three years. About two and half years in March. The program was also going to expand to be, not just on the East Palo Alto, this program will now serve parolees throughout the entire San Mateo County. So I think the way we honor David's memory is to continue pushing, is to continue programs that deal with reentry. We have a grant coming in for youth reentry. So I think we just do the commitment of making sure that people have opportunities, if they want to change their lives, to change their lives.

ONEK: Now, it's been publically reported that you were recently one of two finalists for the Seattle Police Chief's job, as well as one of two finalists for New Orleans Police Chief's job, both of which ultimately went to someone else. When I was on the San Francisco Police Commission, we conducted a national search for a new Chief that ultimately brought us George Gascon, but we made sure to keep candidates identities confidential, because
several Chiefs said they would be fired from their current jobs if their current mayors learned they were applying anywhere else. So it was really top-secret. So I was very surprised, just out in the papers they're saying, here are the three finalists, with your pictures and bios and everything. Was that awkward for you in East Palo Alto, and how has the community responded now that you're currently staying put as Chief?

DAVIS: You know what, I just got an opportunity to thank my community again. The amount of support was overwhelming. It was extremely humbling. First I would say that the process, I knew the process would be relatively public, and Washington State is, definitely tied into their public information laws. So as a candidate, I think the key is knowing what you're getting into. So I knew that those finals would become public. Same thing with New Orleans. A very public process because of a very significant reform issue and both mayors wanted very much to engage the community at that level because of the issues. So, and I wouldn't say that it's always the case. So it's got to be tailored to the issues at the time. But you're right, to the point that you can protect the confidentiality, that's always the better method. But going back to East Palo Alto, it was very, very supporting. So for example, in Seattle, when I was
named as one of the three finalists, they sent the media down, they sent a search committee down, and the search committee actually met with community leaders, faith leaders, elected officials, and one meeting, my understanding was, standing room only. And the community came together to support my candidacy. And as I told somebody recently, it really felt that we were being recruited. That for me to be recruited would suggest that we, as a community, had done a good job, that people were taking notice of what we did, so here's this chief from a smaller agency being recruited by some of the biggest agencies in the country, and being a finalist. I think we accepted, we embraced it as something that's positive for all of us as a community. So the support was tremendous. With that being said, it was so humbling, and I think people were so supportive that my obligation now is to give them stability. These were once-in-a-lifetime opportunities, they came at the same time, I have no regrets, you know how it goes, being on a commission, when you get down to the final two, it really is about fit for you, and that person that's hiring you. So I think we were validated as a community, me as a Chief, but now I have an obligation to give my community some stability. I've already talked to them about giving them that stability, so I'm not testing. Not looking for anything else. Wasn't looking for a job when I got called, but
it was a once-in-a-lifetime opportunity. So I would say I'm lucky I was not castigated for testing.

ONEK: Now, your dad was a cop, and I wanted to ask you, how does the policing your dad did, in his era, different from the policing you are doing in your era?

DAVIS: Well, it's funny, in many ways it's vastly different, and in many ways, it's exactly the same. At the end of the day, the transaction, the human transaction can be the same. And also, talking to a person in the field. Whether it's a victim, whether it's a child, whether it's a victim, it still comes down to the personal contact. What has changed drastically is, dramatically, has been the community's expectations, technology, advancements of what we learn works, doesn't work. So we're better, much better at what we do now. But I think that human experience is relatively the same.

ONEK: Now, you were in the Oakland Police Department for almost 20 years before you came over to East Palo Alto.

DAVIS: Yes.
ONEK: What did you learn in Oakland that you took with you as Chief? The Oakland Department went through some rough times during your time there, some scandals and so forth. What did you learn from those that you took with you to your new job as Chief?

DAVIS: I think, well, Oakland, you know, I think historically, Oakland has produced a lot of Police Chiefs. For all over the state. So the experience, and working with communities, the experience of area commander, working with the, closely with neighborhoods, leading officers and providing services, I was lucky I had experience working investigations and experience working as our training academy directly. So I think it definitely prepared me to be a Chief. I think, specifically with regards to some of the challenges, is a couple of things it really showed me is one, as things occur is to, one you have to identify risk. You should predict risk, identify it, and respond appropriately. And sometimes the response means being very, very candid, very open, willing to accept mistakes when they're made. And then looking at ways to make sure you minimize the opportunity for mistakes in the future. And I think that's probably the number one lesson I walked away with, is really facing your challenges head-on and being very candid with the
community so that there's no surprises. You know, you should be a very transparent organization, and if you're not, then it really stretches people trust and confidence.

ONEK: The last question is about working collaboratively in the Bay Area. You're a small city, but a part of a larger Bay Area where crime flows from one city to the next. We have some terrific Police Chiefs here, many of whom have been on the show, like George Gascon, Tony Batts in Oakland, Susan Manheimer in San Mateo. How are all of you working together on a more regional collaborative approach to crime problems in the Bay Area?

DAVIS: Well, there's a couple venues that exist. One, you mentioned Susan Manheimer, San Mateo, the city of San Mateo, she's in my county. So at the county level, we have, through the county Police Chiefs and Sheriffs Association, we have collaborative with regards to our gangs task force, our narcotics task force. But what we're seeing right now is that many of the crime trends are even now not even staying within counties, that they're breaking regional. So for example, there's a partnership right now between East Palo Alto, Fremont, Union City, and Newark that has some nexus of crime that are
going on together. Myself, George Gascon, Tony Batts in Oakland are looking at some issues that may be related with regards to a crime. There's about seven cities that are partnering with regards to Operation Ceasefire, from as far as the Salinas to Oakland, to East Palo Alto, to Stockton. So I think, whether it's joint task forces, whether it's state-wide groups, whether it's the associations, I think most of us agree that crime doesn't respect boundaries, and that with this global economy with technology, that you just cannot hunker down in your own insular environment. That regardless, if you're as big as San Jose, or as small as East Palo Alto, you're going to have to communicate and work with other agencies.

ONEK: Ron Davis, thanks so much for joining us.

DAVIS: Thank you very much.

ONEK: Please tune in next week when we’ll be joined by Reverend Jeffrey Brown, Executive Director of the Boston Ten Point Coalition. Thank you for listening to the Criminal Justice Conversations Podcast. You can find this episode of the program, and all prior episodes, on our website at www.law.berkeley.edu/cjconversations, on NPR KALW’s website,
and on iTunes. You can also become a fan of Criminal Justice Conversations on Facebook, and you can follow us on Twitter on CJ Conversations. The podcast is engineered by Milt Wallace, our editor is Nancy Lopez, and our program intern is Sheridan Bloch. I'm David Onek, thanks for listening.