

9/8/2016

Page 1

CITY OF DETROIT
BOARD OF POLICE COMMISSIONERS

RE: Special Meeting
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Page 1 - 100

Proceedings held in the above-entitled matter
Taken at 1776 w. Warren Ave.
Detroit, Michigan,
Commencing at 6:30 p.m.,
Thursday, September 8, 2016,
Before Melinda R. Womack, CSR3611.

APPEARANCES:

WILLIE E. BELL - Chairperson
LISA CARTER - District 6
REGINALD CRAWFORD - District 3
RICHARD SHELBY - District 1
WILLIE E. BURTON District 5
RICARDO R. MOORE - District 7
DERRICK SANDERS - Appointed
EVA GARZA DEWAELSCHE - Appointed
ELIZABETH BROOKS - Appointed
CONRAD MALLETT - Appointed

ALSO PRESENT:

Mr. Gregory Hicks - Secretary to the Board
Ms. Pamela Davis-Drake - Chief Investigator
Chief James White - Assistant Chief
Mr. Robert Brown - Administrative Assistant
Sergeant Alan Quinn - Recorder

PANELISTS: LESS THAN LETHAL WEAPONS

Mark Fancer - Staff Attorney for the Racial
Justice Project, ACLU of Michigan
Mark Young- President Detroit Police Lieutenants
and Sergeants Association
Christopher White, Coalition Against Police
Brutality
Isaiah McKinnon - Former Detroit Police Chief and
Former Deputy Mayor
Robert Dunne, M.D. - Vice Chief of Emergency
Medicine at St. Johns Hospital and DMC

1 Detroit, Michigan
2 Thursday, September 8, 2016
3 About 6:30 p.m.

4 CHAIRMAN BELL: Good afternoon. We should
5 say good evening. I always make sure you're with us
6 this evening. Thank you for your attendance. I'm
7 going to call the meeting to order. I am Chair Willie
8 Bell from District 4. At this time I'm going to ask if
9 Bishop Cheryl Myhand would come forward to opening
10 prayer. That's you, young lady. Yes, ma'am. The
11 podium, please, if you would be so kind.

12 (Invocation given).

13 CHAIRMAN BELL: Thank you. Bishop on the
14 Chief Craig's advisory team. We just met so I thought
15 it would be appropriate since Bishop Vann is not here
16 this evening, but we're going to start with the
17 introduction of the board to my left.

18 COMMISSIONER SHELBY: Commissioner Richard
19 Shelby, District 1.

20 COMMISSIONER CRAWFORD: Commissioner Reggie
21 Crawford, District 3.

22 COMMISSIONER BURTON: Police Commissioner
23 Willie Burton, District 5.

24 COMMISSIONER MOORE: Good Evening. Police
25 Commissioner Ricard Moore, District 7 and also the Vice

1 Chairman of the Board of Police Commissioners. Thank
2 you for coming out this evening.

3 COMMISSIONER CARTER: Good evening. Lisa
4 Carter, District 6.

5 COMMISSIONER BROOKS: Good evening.
6 Elizabeth Brooks, Appointed.

7 COMMISSIONER MALLETT: Conrad Mallett.

8 COMMISSIONER SANDERS: Good evening. Derrick
9 Sanders, Appointed.

10 COMMISSIONER DEWAELESCHE: Eva Garza
11 Dewaelsche, Appointed.

12 CHAIRMAN BELL: Thank you. And at this time,
13 I'd like to introduce Assistant Chief James White to my
14 far left.

15 A.C. WHITE: Good evening everyone, and I'm
16 glad you were all able to come out and make it tonight.

17 CHAIRMAN BELL: Thank you. And I'm going to
18 ask the Board Secretary to introduce the staff of the
19 Board of Police Commission.

20 SECRETARY HICKS: Thank you, Mr. Chair. I
21 just want to introduce, first of all, Chief
22 Investigator Pam Drake. Pam is in front us and she
23 will introduce her staff. In addition to that, Robert
24 Brown is here. He's down over in this area here and
25 Sergeant Quinn, Media Services both of them are

1 assisting us this evening. And Mindy Womack is also
2 our court reporter for this evening. And just for the
3 record, Mr. Chair, you do have a quorum.

4 CHAIRMAN BELL: Thank you. At this time I'd
5 like to introduce --

6 SECRETARY HICKS: Pam.

7 CHAIRMAN BELL: Yes, ma'am. Go ahead.

8 C.I. DAVIS-DRAKE: Good evening, everyone.
9 Chief Investigator Pamela Davis-Drake. With me today
10 is Senior Investigator Melanie White. If you would
11 just raise your hand so everyone in the knows who you
12 are. Also Supervisor Investigator Abdullah Nelson,
13 Senior Investigator Rosia Madrigal and Investigator
14 Rosalind Banks.

15 CHAIRMAN BELL: Okay. Thank you. I'd like
16 to introduce Commissioner, Jewel Ware of Wayne County
17 Commissioner. Thank you for your attendance. Any
18 other elected officials in the house? Anyone
19 representing elected officials? If not, thank all of
20 you for your attendance.

21 And at this time, I'd like to make a
22 statement. Tonight we have reduced our agenda to give
23 the greatest amount of time for a special discussion
24 about the use of force when in our community.
25 Specifically, we would like to learn about the use of a

1 class of weapons used by law enforcement that some say
2 reduces the fatal contact of law enforcement and others
3 say responsible for more or as many fatal encounters
4 with law enforcement.

5 Tonight we have assembled a special panel of
6 experts and observers to help shed some light on an
7 important exchange within the community. On the
8 generalization weapons category of less-than-lethal
9 weapons we have a wide variety of weapons including
10 beanbag propelled rifles, blunt and pack projectiles,
11 pepper grenades, rubber bullets, heat rays and one
12 would often find police -- used mostly by police
13 detainees. And that's something that I was not totally
14 familiar with all the weaponry that we have utilized
15 versus nonlethal weapons.

16 Tonight we're interested in exploring this
17 topic from several vantage points. As a Civilian
18 Oversight Board, we are concerned about the people when
19 in our city and, therefore, interested in hearing from
20 the community representatives. We are concerned that
21 black and brown communities suffer from elevated level
22 of blood pressure and hypertension as well as other
23 medical issues and, therefore, evaluated medical
24 effects from the use of weapons like tasers. We are
25 concerned about the potential violation of civil

1 liberties and human rights.

2 Finally, we are concerned for the men and
3 women who work on the streets having contact with our
4 citizens who are, in turn, exposed to life-threatening
5 combative situations every day. To address these
6 issues, we have invited tonight five outstanding
7 individuals from a cross section of our community to
8 give their perspectives on less than lethal weapons.

9 Our special panel discussion will be followed
10 by questions from the commissioners and concluded with
11 questions from the general audience. Each panelist
12 will have about ten minutes to make a presentation to
13 us. After the panel's presentation, we would take a
14 short ten-minute break and return for questions. We
15 ask you to hold your questions until we have heard from
16 the entire panel. So, on the back table, we have
17 several blank cards that you can use for notes or
18 questions. Again, please hold your questions till we
19 have heard from the entire panel.

20 Tonight, I'm going to introduce the panel.
21 They need no introduction. Former Deputy Mayor, Former
22 Chief, and my boss at one time, Isaiah McKinnon, Chief
23 Ike. And Robert Dunne from the medical profession Vice
24 Chief of Emergency Medicine at St. Johns and DMC. And
25 Mark Fancer, Staff Attorney for the Racial Justice

1 Project, ACLU of Michigan. And Christopher White,
2 Coalition Against Police Brutality in Detroit. And
3 Mark Young, President, Detroit police Lieutenants &
4 Sergeants Association.

5 As you see, we have an outstanding panel.
6 We're going to move forward and make an adjustment and
7 seat the panel now, and we can get rolling. I will
8 serve as your moderator this evening, and it should be
9 interesting and very informative to have this type of
10 panel and have this type of dialog. And I'm glad to
11 see this attendance this evening because I think it's
12 very meaningful if we move forward. As the Board of
13 Police of Commission we have some meaningful subject
14 and meaningful dialog and have input from the
15 community. Thank you. If we can make that adjustment
16 now. Mr. Brown, you're going to help us keep time,
17 that will be very helpful as we try to stay on schedule
18 make sure we move to especially the community aspect
19 part of the program. And we're going to kick it off
20 with Mark Fancer, staff attorney from ACLU Racial
21 Justice. That's to my left.

22 MR. FANCER: Thank you very much. It's a
23 great honor and privilege to be able to discuss this
24 topic because it is of such vital importance. The ACLU
25 of Michigan has had a longstanding concern about the

1 use of tasers for a number of reasons arising largely
2 from a study that we did a few years ago where we
3 solicited through the Freedom on Information Act police
4 reports from a number of different police departments
5 across the state regarding their use of tasers. The
6 incident reports that we reviewed showed a number of
7 things. They showed, first of all, that with respect
8 to where on the use of force continuum, different
9 departments placed the use of tasers. It's all over
10 the lot.

11 We found that there were policies in place in
12 some police departments where it was clear from the
13 reports that we saw that police officers did not have a
14 clue as to the existence of these policies because
15 their actions were completely in contradiction with
16 what the policies required. We found that some
17 policies were inconsistent with governing law.

18 And in addition to that, and it's an
19 overriding concern that we have, is that the taser
20 manufacturer itself has come forward with warnings
21 about the use of these devices, which should give pause
22 to any police department that's even thinking about
23 adopting these as part of their arsenal. Just to give
24 you some examples. These are warnings that are
25 produced in and published by the manufacturer itself.

1 It says quote, cardiac capture may be more likely in
2 children and thin adults pause the heart is usually
3 closer the CEW, that's the taser, delivered discharge
4 the dart-to-heart distance. Serious complications
5 could also arise in those with impaired heart function
6 or in those with an implanted cardiac pacemaker or
7 defibrillator.

8 It also says CEW use on a pregnant, infirm,
9 elderly, or low body mass index person or on a small
10 child could increase the risk of death or serious
11 injury. As with any force option, CEW use has not been
12 scientifically tested on these populations.

13 Now, we're concerned about this because very
14 often we find that with respect to practices that are
15 permitted and not permitted that very often law
16 enforcement administrators will hope that if they put
17 into place policies that restrict or limit the use of
18 particular weapons that the problem is solved. But
19 what we saw in the reports that we found were incidents
20 where police officers use tasers on children.

21 And so the fact that the warnings are there,
22 the fact that the policies are in place do not take
23 into account the police officer who, for whatever
24 reason, is ignorant of those warnings or those policies
25 or who consciously chooses to disregard them and the

1 risk is far too great. When the manufacturer itself
2 tells you that it's dangerous to use these things on
3 certain populations and you present the risk of use on
4 children, of elderly people, of pregnant people, then
5 you have a problem that is worth considering and
6 addressing.

7 In addition, this is also from what the
8 manufacturer says. Is says CEWs are not precision
9 aimed weapons. Probe discharge -- before I go on, for
10 those who don't know how a taser works, what it is is a
11 pistol-like device that fires probes or darts into the
12 flesh or the clothing of the person who's targeted.
13 Attached to the darts are the probes. It's a wire. And
14 through that wire runs an electric current, all right?
15 And so when it references probes, it's talking about
16 those darts that are fired into the target. CEW's are
17 not precision aimed weapons.

18 Probe discharge flight trajectory impact
19 location can be affected by numerous factors, including
20 cartridge or probe accuracy, failure of cartridge to
21 properly deploy, strong air movements, user and subject
22 movements or probe striking subject, clothing or object
23 with insufficient force or trajectory to penetrate or
24 adhere to the sub. Now that's significant. What
25 they're admitting is that you can't aim that thing and

1 guarantee precision.

2 Now, it also has the following warning. It
3 says when practicable, avoid intentionally targeting
4 the CEW on sensitive areas of the body such as the
5 face, eyes, head, throat, chest area. The area of the
6 heart, breast, groin, genitals are known preexisting
7 injury areas. But it's basically saying it says the
8 only place that you can really safely, reasonably
9 safely target these devices is on the limbs and the
10 preferred targets are the back or the stomach area
11 beneath the chest.

12 Now, this puts all of the officers using this
13 the burden of trying to use and aim a device which by
14 the manufacturer's own admission is one that you can't
15 really aim with accuracy. And what happens, if one of
16 these things happens and the factors that they listed
17 which can cause inaccurate aim results in the probe,
18 even though you're aiming for the stomach, it ends up
19 landing in the heart area? What happens if it ends up
20 landing in the groin area? What happens if it ends of
21 landing in the eyes? Are you going to say oops? I
22 mean it's too big a risk to take.

23 Beyond all of this, and assuming for whatever
24 reason lunacy takes hold and a decision is made to
25 actually bring these things into the arsenal of police,

1 then what you also have is an ignorance in many
2 quarters of exactly what the law allows with respect to
3 use of these devices.

4 I've had any number of police officers say
5 with conviction that the taser is something that can be
6 used for purposes of compliance. In other words, when
7 you have an uncooperative suspect, someone who's not
8 following orders, that the taser can be used to force
9 compliance. We have reports that we have, incident
10 reports where, to give you one example, a person is
11 intoxicated, the person is halfway inside of police
12 cruiser, the legs are hanging outside of the vehicle,
13 the torso is on the inside of the vehicle, and
14 notwithstanding repeated orders to get inside of the
15 cruiser, the suspect refuses to get in. And what
16 happened in that incident and actually others like it
17 is that the darts are removed from the taser device and
18 it can be used in what's called a dry stun. And so
19 what you do is you place the device directly on the
20 person and administer the shock in that way. What they
21 did is they dry stunned the person to force the person
22 to get inside of the vehicle. That is inconsistent
23 with governing law in this jurisdiction.

24 There's a case that was decided by the 6th
25 Circuit Court of Appeals called Austin versus Redford

1 Township Police and what it says in no uncertain terms
2 is that the only occasions where it's reasonable to use
3 a taser is on two -- in two instances. One, when
4 there's the potential escape of a dangerous criminal or
5 there's a threat of immediate harm and they explicitly
6 say that it cannot be used for purposes of compliance.
7 So as long as there's this myth that's circulating in
8 many circles that it can be used for purposes of
9 compliance. There is the risk that there will be
10 overuse of these devices creating dangerous situations
11 for people.

12 Now beyond all of that, we've talked a lot
13 about tasers, but one final thing that I do want to
14 encourage, if we're talking about less than lethal
15 force, you know the Chairman listed a number of
16 different options that are available without using
17 tasers. Batons, pepper spray, beanbag, all kinds of
18 things are available without using tasers, right? And
19 it really, it raises questions, at least in the minds
20 of a civilian about a police officer who's armed with
21 all those things is still not able to gain control of
22 two middle school children who are fighting and he
23 wants to use a taser on them, or someone who's highly
24 intoxicated, knocked down drunk and they can't get
25 control of them. Somehow, somehow, you would think

1 that a police officer or combination of police officers
2 would somehow manage to be able to control situations
3 like that without using an electrical device.

4 But if you want to really get to the root of
5 the problems that plague many of our communities,
6 particularly that plague communities of black youth,
7 then it's not a question of just treating symptoms and
8 trying to control the situation and contain it. We've
9 got a real crisis on our hands. And very often when we
10 talk in the national discussion that's going on now
11 about police shootings, people quickly pivot and say
12 well what about all the black on black crime? Well,
13 one of the responses that must come immediately to mind
14 is the fact that yes, black youth kill each other, but
15 they kill each other because they hate themselves.
16 They know nothing about themselves. Everything in this
17 society tells you if you're a black male youth that you
18 are worthless. That you will never amount to anything.
19 That you're taking up space. That you're a drain on
20 society. And so if people want to do some good,
21 including police officers, one of the things that will
22 help is to affirm the worth of these young people
23 because not only do they feel that they're worthless,
24 they feel anybody like them is worthless and they have
25 no objections, no reluctance to take their lives.

1 So if police are unable because of time or
2 budget to spend time affirming the worth of youth, I
3 would go so far as to say then reduce the number of
4 police officers, put people on the force and pay them
5 with municipal dollars to go into these communities to
6 work with black youth and affirm their value. Tell
7 them their history. Tell them their culture. Help
8 them to understand that they have potential; that they
9 have options and once they begin to love themselves,
10 they'll love others like them and they will not engage
11 in the violence that we've seen occur in such high
12 levels and cities throughout the country. Thank you.

13 CHAIRMAN BELL: Next speaker I want to ask
14 Chief Ike McKinnon to respond.

15 CHIEF McKINNON: I'm not responding in terms
16 of --

17 CHAIRMAN BELL: I'm sorry. You've got ten
18 minutes.

19 CHIEF McKINNON: And so -- and the person's
20 who's been through this, number one, is the law
21 enforcement officer. Number two is the person who's
22 lived in Detroit for most of his life. Number three,
23 who as a Police Chief lost four officers, and number
24 four is the person who as I came up to the Detroit
25 Police Department lost a -- witnessed a number of

1 officers losing their lives. And so I think I can
2 agree with Mark on this that this is a public health
3 concern. It's not just something that is specific to
4 Detroit, it's something across the country. I was in
5 Washington D.C. last year invited by the Justice
6 Department at a forum similar to this in which they
7 asked what can they do about the number of -- the
8 amount of violence, the number of shootings that goes
9 on. And I asked this question. We had a number of
10 police chiefs. We had deputy mayors. We had mayors
11 there, and we probably had about 250 there. I asked
12 this question. I said as a young boy growing up in
13 Detroit, this is what I saw, to belabor a long point, I
14 was a victim of police brutality. And I think all I
15 saw at that time were people who didn't look like me.
16 I said in 1967 I was shot at by fellow officers. And I
17 said -- now, I'm saying this to you because throughout
18 my tenure as a police officer I was shot at eight
19 times, and thank God they missed me. But I said this,
20 I said this is important for us to understand that
21 there are a great number of people who are being shot
22 at are being shot, and we as polices officers have to
23 understand it's not an us versus them mentality.

24 Certainly as a person that's been around here
25 forever, what do we do? We can't take the position of

1 well, you know, it's those damn people that's
2 committing those acts and we have to go out and do
3 this. No. We have to look, as Mark said, we have to
4 look at ways that we can hopefully alleviate some of
5 those problems because if not, officers will lose their
6 lives, people will get shot at, as I did, and we'll
7 continue to have problems that we've had throughout the
8 years here and around the country. We've been
9 fortunate here. I mean I went through 1967 and almost
10 lost my life a few times and know people who did.

11 But listen, we ask ourselves, what is
12 reasonable force, and those of us in law enforcement
13 well, if somebody threatens your life, you have to use
14 whatever is there to take them out. Well, think about
15 this in terms of a person who's on the street who
16 hasn't seen that. I was talking to some people last
17 week about some of the things that we've seen on TV in
18 terms of officers and what they use. Please understand
19 this, as officers, there's a certain thing that we do,
20 but people in the street certainly who grew up as I
21 did, they said man, you know, the cops are out to get
22 me. If they're out to get me, when they stop me,
23 they're going to beat me up or they're going to shoot
24 me. You have to understand that. That's a mentality
25 where young people, whether they're black or brown or

1 whatever it might be, they say the police officer is
2 out to get me. So we as officers have to understand,
3 we can't change all of society. We have to do whatever
4 we can to take it, make an effort to say we're going to
5 train and retrain.

6 Now, I was -- they used gas on me to let me
7 see what it was like. It was hell. They used a
8 beanbag on me to see what it was like. It was hell.
9 But there's things that we in law enforcement must do
10 to let the people know in the community that we are out
11 to help you as much as possible. We can't say well,
12 it's their fault, it's their fault. It's important to
13 us as law enforcement officers to say look, here's what
14 we can do to not only meet with you to talk with you,
15 we're going to try to eliminate those problems. But as
16 a person who's been around forever, and certainly in
17 the capacities I've been in, we have to do as much as
18 we can to train and retrain and educate. If we don't
19 do that, these things continue because young people, I
20 have two sons and one's 38 and the other is 32. But we
21 talk about this conversation we've had with you people,
22 particularly young black men, what do you do, how do
23 you do, how do you respond if you're stopped by the
24 police? Well, you know, that's a reality. And I said
25 this to this group down in Washington D.C., and nobody

1 could answer that. How do you answer that? Young
2 people are afraid and so they make a firm gesture
3 toward the police and the police are afraid too. And
4 then someone might lose his or her life so there's an
5 understanding here.

6 And so what you said, Mark, in terms of
7 officers learning how people respond, how they act,
8 what you should do and make certain that everybody
9 learns from this. This is a major, major problem and
10 concern for every community in this country and we as
11 law enforcement have to understand that there are
12 things that we have to do. We have to make that first
13 move. There's 300, what 30,000,000 people in this
14 country, there's 700,000 law enforcement officers,
15 there's 700,000. So who's going to make that change.
16 And we can't continue to let all police departments
17 with individuals who might have a propensity for acting
18 out and using deadly force. This is important.

19 Look at the officers back here. They've all
20 gone through major major evaluations, they've been
21 around for a long time. If we look at their
22 backgrounds, and some of the backgrounds that we see of
23 officers whether they're trained, they're educated,
24 it's important. If we can understand the importance of
25 education and training and understanding communities

1 and going out and talking to people, we got to get away
2 from, I keep saying this to you, it's not an us versus
3 them. If we can get away from that as those of us in
4 law enforcement and say I'm going to do everything that
5 I can, everything that I can, not only to educate
6 myself, but to educate my fellow officers.

7 You know, this will be a first start whether
8 you're using a taser or whatever it might be, a
9 beanbag, but deadly force is the ultimate. And think
10 about it. Once you do that, your life has changed
11 forever, certainly that person who has lost his or her
12 life, their life has changed forever, but your family
13 and his or her family is changed forever.

14 So sometimes, as I used to say to the
15 officers who worked for me, sometimes you might have to
16 take a step back. We know that we're afraid, we know
17 we have to take precautions. I have a chief who said
18 everybody's going to wear a bulletproof vest. I
19 remember back to those times, Mark, that not you, but
20 others before you, said we don't want to wear a
21 bulletproof vest, and an officer was shot in the chest,
22 and thank God the bullet hit and went along the vest
23 and came out his arm. And so now, that was an
24 education, but it's also an education for everybody.
25 This is a crisis for all of us, it's not just for the

1 community, for the police, we have to take a stand also
2 and say look, here's what we're going to do, educate
3 ourselves and stand by our community and make this
4 tremendous change that has to be made for our city.

5 The last thing. What alternatives do we
6 have, those in law enforcement? What alternatives do
7 we have. We have to look at that. What alternatives
8 do we have. Is that the last resort? Because once you
9 pull that trigger, there's no pulling it back, there's
10 no pulling it back. I mean that's such a frightening
11 thing.

12 An officer who leaves home in the morning or
13 evening or at night and who goes to work, he or she
14 wants to go back home the same way they came. As I
15 told you, I think between 1965 and when I retired the
16 first time in 1998, there's probably up 40 officers who
17 lost their lives. As I said before, during my tenure
18 as Chief there was four. Everybody wants to be safe
19 and we have to figure the best ways to make all of us
20 safe. We have to look at this entirety of community.
21 And that's it for my roll. Any questions?

22 CHAIRMAN BELL: Thank you, Chief. Next
23 speaker will be Christopher White from Coalition
24 Against Police Brutality.

25 MR. WHITE: Good evening everyone. Thank

1 you, Chairman and the Board of Commissioners,
2 administrators in charge of the Detroit Police
3 Department for allowing us to present and state our
4 position on the issue of tasers. To get straight to
5 the point, our position is we're opposed to the use of
6 tasers. That's been the position of the Coalition
7 since the late Father Ron Scott and that's the position
8 of the Coalition under the current President, Sandra
9 Hines.

10 And the Chairman opened up, eloquently stated
11 several different tactics that can be used to
12 deescalate a situation. The Coalition supports
13 deescalation. We're not anti police, we're anti police
14 brutality. We support use of body cams. But one of
15 our concerns is if you take a look at the Baltimore 7,
16 one of the first things that's listed in the newspaper
17 is that the Baltimore Police Department abused the
18 policy and didn't follow federal guidelines when using
19 tasers and that's when you peel back the onion after
20 the shooting that took place and the problems that they
21 have in Baltimore. Miami has the same challenges with
22 the use of tasers. Also in the City of Warren they
23 began the process of using tasers, but their chief and
24 mayor concluded that it was not an effective use for a
25 tool to use for deescalation. So these are just a few

1 examples of departments with bad training, this is what
2 happens with tasers.

3 Second, we take a look at the health of an
4 individual who's, I myself, like probably most of the
5 people in this room, even some of you officers when you
6 see your paycheck you probably take your Norvasc and
7 your hypertension medicine as well. The point is that
8 we are in stress. I have hypertension and I know right
9 now if you all shot a taser and missed me, I might even
10 pass out. So the bottom line is we have to be ever
11 concerned about the condition, as you opened up, from
12 hypertension, diabetes, mental challenges that
13 individuals face, and that has to all be taken into
14 account when we're talking about tasers, which most
15 people in the streets will view as another form of a
16 weapon.

17 Finally, when we're talking about community
18 policing, if you take a look at Chicago, Baltimore,
19 Milwaukee, these incidents that have taken place in
20 these cities have all stemmed from a lack of community
21 and police relations. Here in Detroit we do have a
22 commission that's bringing forth various experts to
23 even have the discussion, I doubt very seriously if
24 those type of events even took place in those cities,
25 Ferguson, and things of that nature. The point being

1 that when we're talking about community relations with
2 police, to discuss this type of weapon moves us away
3 from the direction that we should be going as far as
4 how to strengthen the relationship with the community
5 and the police. We should not be having these types of
6 discussions if, to this day, we do not, we have not had
7 the types of incidents in a long time that they've had
8 in Ferguson, a long time that they've had in Baltimore.
9 We've done that without the use of tasers so we don't
10 need to start to going backwards. When you start your
11 car, you put it in drive, it should go forward. If you
12 put it in drive and it goes backwards, there's
13 something wrong with the transmission. The point being
14 that we are in a different positions. We have an
15 opportunity to become the gold standard.

16 Now, there would be some that will say, well
17 you had 32 shootings over Labor Day Weekend. We need
18 to do something about that. Well, those are two
19 separate topics. The 32 shootings are a result of
20 community groups and the community and this investment
21 and things of that nature, we do have to address that.
22 I was in Chicago. I was on the corner of 79th and
23 Halstead and I asked some of the brothers out there,
24 why you all killing each at the rate that you're doing
25 in Chicago, and the first thing they did was they

1 pointed at the Loop and they said Trump, and this is
2 before he made a mockery of himself and tried to run
3 for president, they pointed at the Loop and they said
4 we cannot see ourselves in those skyscrapers, and that
5 simply means they can't see themselves as decision
6 makers. They can't see themselves as stockbrokers.
7 They can't see themselves as advertising executives.

8 Now, we have an opportunity here with a lot
9 less of a population in 2.8 million to use our
10 department, our community and everything to help
11 instill hope and our youngsters and our children and
12 even some of the adults that are going in the wrong
13 direction. I don't think at a time like this of what's
14 happening all across this country that we need to be
15 entertaining this type of discussion. We could look at
16 some of the other forms that were presented in the
17 beginning, but our position has been, and always will
18 be at this time, against the use of tasers. Thank you.

19 CHAIRMAN BELL: Thank you, Mr. White. Our
20 next speaker is going to be Robert, Dr. Robert Dunne
21 from St. John and DMC. He's Vice Chief of Emergency
22 Medicine and he is our next speaker at this time.

23 DR. DUNNE: Thank you. I've been an
24 emergency physician in Detroit for over 20 years.
25 Certainly we've seen a lot of injured patients in the

1 emergency departments, as everyone's aware. This topic
2 came up as many of the other speakers talked about
3 because of various different things that are out there.
4 There is a fair amount of medical literature looking at
5 different types of wounds and wounding patterns. In
6 medicine we refer to these weapons as less lethal, not
7 less than lethal, because what we know is that
8 literally any type of weapon could kill somebody, and
9 certainly people have been killed with open hand,
10 closed hand techniques, batons and many other things as
11 well as projectile weapons like the rubber bullets and
12 beanbag buttons that were mentioned earlier. One thing
13 that's true for every one of these weapons and devices,
14 including the taser, which has been dominating the
15 discussion, is that things that are designed as weapons
16 aren't tested clinically like the way a new medical
17 device may be or a new medication. So the reason we
18 have information about them and their effects is from
19 the observations we have gathered from taking care of
20 patients, and people write this up, people do research
21 on it, and Mark mentioned some of the research that's
22 out there.

23 So when we look at the various weapons,
24 they've all been implicated in deaths. People have
25 tried to determine what the potential for causing a

1 lethal injury is in each of these types of weapons, and
2 it's difficult to do because we don't have necessarily
3 good empiric data, but we can talk about a few of the
4 things. We certainly know that bare hands, opened and
5 closed hands certainly account for a number of deaths
6 both at the hands of individual perpetrators and at the
7 hands of law enforcement. We know that batons can be
8 potentially dangerous. Any one of these things can be
9 dangerous. The reason we call them less than lethal
10 weapons is because they were designed to be not a
11 definitely lethal option as opposed to the design of
12 the firearm, which has very different wounding pattern
13 when we look at wounds from firearms, which are also
14 very well studied both in the civilian and military
15 population. Clearly that's a weapon that's designed to
16 be lethal in its design.

17 So when we talk about this in the medical
18 literature when people are quoting on medical
19 literature, there's different types of discussion about
20 different types of weapons. They mention the term CEW.
21 That term is used that's conducted energy weapon.
22 That's what a taser is. The taser is not the only kind
23 of weapon like that. People have seen or heard of
24 other types of stunning weapons. It's just that
25 taser's probably the most common one that's deployed,

1 not just in the United States, but in other parts of
2 the world.

3 So what do we actually know about those
4 weapons. They deliver a fairly high amount of voltage,
5 as he mentioned, as Mark mentioned, he talked a little
6 bit about it, but they're starting out with a fairly
7 high voltage within the weapon itself. That sounds a
8 lot, 50,0900 volts, a lot of voltage at not necessarily
9 a very high current. When we look at what's actually
10 delivered to the tissue, it's about 1,900 volts that's
11 delivered to the tissue in a series of pulses in most
12 of these types of weapons.

13 So what happens to the body then when we
14 think medically? And there are certainly observational
15 studies. People have volunteered to have been tasered.
16 If you've never looked at any of that, it's interesting
17 to look at. There are a number of videos out there of
18 volunteers who were either getting in training or doing
19 this as part of some type of research study, and that
20 voltage actually causes the muscles to contract
21 violently and stimulates the nerves to the point where
22 they're overstimulated and the person loses the ability
23 to control the muscles and nerves, and that's really
24 the idea behind these weapons. And they've actually
25 been around for a long time and they predate the taser.

1 But before, most of them were contact weapons. They
2 had to be used directly touching someone's skin, which
3 meant that they were used in situations where they were
4 actually close enough to be within arms reach of a
5 person. The taser was different because it shot out a
6 barb up to 35 feet with a compressed air charge, so
7 that kind of change the use and increased the use of
8 these of these weapons. So when we look at the
9 literature, we see a lot more literature that's talking
10 specifically about the taser, in addition to the
11 manufacturer has sponsored some research on their. But
12 there's nothing comprehensive.

13 If we look overall, a good kind of take-home
14 point is estimates from what we know in the medical
15 literature is that the lethality of the taser is
16 probably somewhere between one in 10,000 and one
17 100,000 uses.

18 Now what do we know about those deaths? We
19 know something about them. Many of them have been
20 comprehensively studied. There were autopsies on many
21 of these people and there is research that is published
22 case series from these medical examiner studies and
23 from looking at deconstructing the incident itself. So
24 we know that people who are on stimulant drugs, whether
25 they're prescription drugs, whether they're street

1 drugs like methamphetamine and cocaine seem to have a
2 higher risk. People who have some preexisting disease
3 seem to have a higher risk. There are deaths in people
4 that had no identifiable prior risk, and again, without
5 any specific in-depth studies being done, it's hard to
6 characterize that.

7 So there's definitely information out there.
8 And Mark also mentioned the manufacturers warnings. I
9 was going to talk about that a little bit as well
10 because that was the manufacturer's response to some of
11 the published data that was out there about how to use
12 weapons differently.

13 These are certainly out in use in various
14 parts of the country and various parts of Michigan. We
15 have actually currently in Michigan a state emergency
16 medical services and EMS protocol in regards to
17 patients who have been tasered, if you will, that
18 addresses taking out the barbs. The barbs are like a
19 fishhook. The actual kind of business end of the taser
20 sticks into the skin and you have to take it out like
21 the way you take out a fishhook. So there are
22 protocols that cover that and there are protocols that
23 cover the evaluation of a person who has been tasered.
24 So specifically, looking for signs of distress.
25 Checking vital signs. Considering putting the patient

1 on a monitor. In many places routinely recommend tat
2 they will either in the prehospital or bring the
3 patient to the hospital, monitor a patient after they
4 have had an energy weapon used on them. So there are a
5 number of recommendations out there. As I mentioned,
6 our state does have a protocol specifically covering
7 the areas where this is being used.

8 I think as we go forward tonight answer some
9 questions when we get to the question and answer
10 question, but that just provides a summary of some of
11 what's out there. Thank you.

12 CHAIRMAN BELL: Thank you, Dr. Dunne.

13 Last but not least on the panel would be Mark
14 Young, President of the Detroit Lieutenants & Sergeants
15 Association, LSA.

16 MR. YOUNG: Thank you. First of all, I'm
17 honored to be here. I wrote some notes so please be
18 patient with me. It's been a long day, but it's been
19 an awesome day for the Detroit Law Enforcement
20 community. I'm also the president -- I'm the president
21 of the Detroit Lieutenants & Sergeants Association. I
22 represent the detectives, investigators, sergeants and
23 lieutenants. I'm also in a unique position to be the
24 associate of NAPO, The National Association of Police
25 Organization, the vice president of the associate

1 membership at large. Normally, I don't talk about that
2 a whole lot, but the reason why I'm going to talk to
3 about that today is because I get to see what's
4 happening around the world, what's around the country,
5 and it's powerful.

6 These are difficult and troubling times. If
7 anybody in this room don't believe that, then you are
8 in the wrong place. This is a tough city. This is a
9 very tough city. I have the distinct honor of
10 representing the heroes that respond to your calls when
11 you need them. I'm blessed and I'm proud about that.
12 My heroes or dependable, not expendable, not at all.

13 While tasers are not the total solution,
14 they're a good start. You have an obligation to these
15 men and women that go out here every day to serve your
16 community to give them every tool that you possibly can
17 give them and then some. So let's talk for a minute.
18 First, you need funding and support, and you need to
19 support these people that's out here because they're
20 doing a damn good job. It's very few of them and the
21 taser is important for them. Then you need to make
22 sure they get the updated, the latest technology that's
23 going to keep them safe every day, whether it's
24 bulletproof vests or upgraded equipment.

25 Let's talk about parents. We need to do some

1 parenting because we don't want to have the contact.
2 You grab your own child. Community policing, community
3 policing, we need that too. When Chief Craig, we got
4 that, with the heroes that I represent, I'm very proud
5 of that. And the law enforcement involvement that we
6 have now is pretty good. In fact, we got a field day
7 Saturday, that's awesome, that is very awesome. We
8 need to educate. I know that math, history, algebra
9 and all that stuff is important, but guess what, we
10 need some classes in civility. We need some conflict
11 resolution. We need some conflict management. This is
12 a tough damn city. We need some church involvement. I
13 live in the City of Detroit. I love here, I live here.
14 So guess what, there's a lot of storefront churches,
15 there's a lot of big churches. We need them to step up
16 because we don't want to use tasers, no, no, not at
17 all. So we need some mental health funding. When you
18 closed the mental institutions, guess what you did?
19 You dumped your problems on the people that's
20 responding and those create a greater chance of
21 hostility for the law enforcement officers that I
22 represent.

23 Let's talk about the veteran funding. We
24 need to make sure our veterans are taken care of
25 because keep this in mind, those are people that need

1 help too. And those are some of our most violent
2 encounters. They're suffering. And you know what,
3 they're good people and we encounter some of them too.
4 We got PAL, so we need to use that outreach to touch
5 those 14,000 youth. We also need a justice system that
6 matters and a justice system that's going to hold
7 people accountable. Most of our violent encounters
8 that we encounter that might be tasered or otherwise,
9 they've already been in the system.

10 No, tasers are not the total solution, but
11 it's a great start, and you owe these men and women
12 that's out here that.

13 First all, the taser on the side, the visual,
14 I hope that the visualness of the taser on my member's
15 thigh is enough to change a violent person's
16 intentions. I can tell you this, the reactionary gap
17 is normally 20 feet. Most law enforcement officers
18 know the intentions of someone once they encounter
19 them. I'm going to tell you something. I know. I've
20 been there. We need to neutralize that threat and we
21 need to neutralize it, and I know there's some
22 fatalities with tasers. I'm not going to sit here and
23 blow smoke up you, but I can tell you this: how many
24 non-fatalities have been because the officer withdrew
25 the taser or because the person saw the taser?

1 There's no perfect thing here. The injuries
2 to officers and the fatalities would be minimized.
3 There will be some liability, of course. If you can
4 tell me something that is not going to be breaking, I'm
5 willing to listen and entertain it.

6 So I'm going to tell you a story. I'm almost
7 through. When I first got -- I got 29 1/2 years on the
8 Detroit Police Department. When I first got assigned
9 to the 6th precinct, the first person I met was a guy
10 named Andre Barksdale. He said my name is Dre.
11 Welcome. Hey, I was so honored because he was almost
12 the same age as me and he was a young African-American
13 like myself. I was humbled because I met this guy and
14 he opened up to me. Well, on November 3rd, my friend,
15 Andre Barksdale, was killed by an individual named
16 Jessie White who was a black male, 21, in a closed
17 quartered incident while Andre was trying to wrestle a
18 baby from his arms knowing that the baby was already
19 killed. Andre Barksdale while wrestling with this
20 individual, his weapon fell out of his holster. Jessie
21 White grabbed the weapon, shot Andre and shot Sergeant
22 Mitchell. Andre died from his injuries. I never got
23 over that. It was a close quarter incident. If he had
24 had a taser, might have been a different situation.

25 I know of no law enforcement officer that

1 wants to take another life. In fact, the law
2 enforcement officers I know do so begrudgingly and they
3 suffer greatly from posttraumatic stress disorder,
4 depression, suicide, insomnia, alcoholism and other
5 vices, including divorce. Yes. So when you see the
6 news and you think that this law enforcement officer
7 got his chest stuck out because he had to use fatal
8 force, he's devastated I know. I've had many of them
9 cry in my arms, and some of the biggest of guys, and it
10 blew me away. I know. I've been there myself.

11 So when you talk about these tasers, I am for
12 them, if you didn't get that message already. You have
13 an obligation to do so. The liability decreases. The
14 sick time of the members, not only the sick time
15 decrease, the injuries, the medical cost to the
16 officers because yes, a lot of these officers that get
17 in these close quarters, they're severely injured. You
18 don't know this, but the injuries carry over into
19 retirement. Let's talk about that. We took away their
20 retirement and health care. Most of the injuries that
21 law enforcement officers suffers, manifests after they
22 retire, the stress, the injuries, the illnesses, the
23 car accidents, the back problems from wearing a weapon,
24 all that stuff manifests afterwards. So now we're not
25 going to give them a weapon that's going to make sure

1 that they get home. I was one of those officers that
2 used to put on his bulletproof vest, wear his uniform
3 to work and flinch, something told me don't go to that.
4 Realizing I didn't make up my bed and wondering if
5 something happened to me and somebody come into my
6 house and see that I was sloppy today. Real talk.

7 Here's what else you should know, and I'm
8 almost done. Law enforcement numbers across this
9 nation are shrinking drastically. The likelihood of
10 backup is less. That taser is that partner. That's
11 huge. I'm praying that just having a taser on their
12 waist accomplishes the task without deployment. And
13 let's talk about that. Just the fact that I pull out
14 that taser, I bet you a lot of guys might think twice.

15 I created the Detroit Police Memorial
16 Facebook page. I'm very proud of that. I'm very proud
17 of that because I didn't want my heroes to be forgotten.

18 It's recorded that there's about 230 law
19 enforcement officers in Detroit that are killed. It's
20 more than that, trust me, I know, because most of them
21 have died from their injuries after they left this
22 department. I wonder if they had tasers, how many of
23 my friends and colleagues that I wouldn't have to stay
24 by their bedside or graveside. I wonder would my
25 friend Andre Barksdale because I would have liked to

1 finish that relationship, I wonder how would he been
2 here.

3 I approve of the tasers. If you don't
4 approve them, it will be a disservice to the men and
5 women and our shrinking numbers that the
6 responsibilities are greater. You know, they deserve
7 it for the officer's health, safety and welfare. You
8 know, I met a lot of people in my past and meeting the
9 Chief of Dallas was huge. He said it best. Society
10 has seemed to dump every problem on law enforcement
11 officers without giving them the proper funding,
12 support and resources. You have the chance here to
13 give these men and women the proper tools so they can
14 go out there and make a difference for you. Again,
15 they don't want to hurt anybody. Trust me, they're
16 running because they get a 911 call. Thank you.

17 CHAIRMAN BELL: Thank you. Open it up to
18 Commissioners. And we're taking 20 minutes or 10
19 minutes for the Commission. 10 minutes for the
20 Commission. I would hope they be on point and respond
21 to the Q & A in the proper timeframe. I do want to
22 acknowledge the DPOA president, Mark Diaz. Is he still
23 here. Mark, thank you for you coming out, your
24 attendance. Thank you.

25 A.C. WHITE: Mr. Chair?

1 CHAIRMAN BELL: Yes, sir.

2 A.C. WHITE: If I may, I would like to take a
3 moment, and I apologize for taking off of the order of
4 business, but it would be irresponsible for me not to
5 respond just for a moment, and this is not a rhetoric,
6 it's just a reaction to a couple things that were said
7 today. And certainly, I appreciate everyone's passion
8 towards this issue, and this is exactly what we should
9 have when we have these types of discussions. But I
10 think it's also equally important that we frame the
11 subject matter appropriately. What we're talking about
12 is the deployment of weapons, and certainly affirmation
13 of values is one of the things that was said today,
14 which is very important. And notwithstanding that, the
15 fact of the matter is, the deployments of this weapon
16 is not an affirmation of value portion of what we do in
17 policing. We have Neighborhood Police Officers here.
18 Can they raise their hand, please? And we have a
19 number of programs that are designed to reach out to
20 the community. And as a couple of the people said
21 today, we don't have, thank God, the issues that some
22 agencies have because of our officers who go out there
23 every day and every night, engage our communities. The
24 work that Commander Barren does at protests. And I
25 don't know if you look at the engagement and the

1 patience that is employed with our SRT. And you also
2 have to take into account that we were under a Consent
3 Judgement for approximately 11 years with 172
4 requirements that we had to meet. There was no smoke
5 and mirrors in that completion of the Consent
6 Judgement. We are a more transparent department with
7 the help of this Board as well as the Officer of Chief
8 Investigator, you know, we react and respond to our
9 community.

10 One of the things that was said that gives me
11 a bit of concern is -- well, actually there are a
12 couple, but I'll just stick with one in particular, and
13 that's this notion of dry stunning. Our policy, and
14 we've already drafted a preliminary policy that says
15 hey, if we were to go down this road, what would it
16 look like. One of the things that we will strictly
17 prohibit is dry stunning. There's just no need for
18 that.

19 The other thing is that was talked about is
20 this notion of using this weapon, and I'll call it
21 electronic control weapon because Taser is a company,
22 much like Bondo is a company and the product is putty,
23 it's not Bondo. Taser is the company that produces
24 this electronic control weapon. There are two major
25 companies that if we were to go through the procurement

1 process we would look at. The electronic control
2 weapon would be used by way of our force continuum. So
3 this wouldn't be an arbitrarily deployed weapon where
4 people would just walk up to folks and get them out of
5 their car by virtue of using this weapon. We would use
6 our force continuum, which we have consistently in my
7 career, and those people who violate it will be dealt
8 with individually.

9 And lastly, and I will be quiet here in a
10 second, when we talk about the force continuum, I think
11 the audience, the Board needs to understand, there are
12 a lot of options available to officers today that are
13 much more aggressive than the appearances of the taser
14 weapon. For example, you know, you start off with
15 officers present, which is our force continuum, meaning
16 officer shows up. Some people look at the officer and
17 say okay, the police are here, let's stop. Verbal
18 commands. Officers can say hey, stop. Some citizens
19 will stop.

20 But then we move into our soft techniques,
21 which are our pepper spray and our tape or our
22 come-along, and then there's the hard techniques, which
23 are our strikes. PR-24s, which for the audience's
24 purpose, is a weapon that is basically a metal
25 nightstick. You pull that metal nightstick out, you

1 deploy it and you are if you're in the force continuum,
2 this person is giving you active aggression, able to
3 swing that stick, and if you are using it in compliance
4 with your training, however, because you are in a fight
5 and people aren't standing still and you miss the area
6 that you are trained to hit and you hit someone in
7 another area, as long as you are acting in good faith
8 to deliver a strike as trained, you are not held
9 responsible for excessive force.

10 So, as we talk about these things, we have to
11 understand that there are a lot of weapons that the
12 officers have that increase the likelihood of injuries
13 to the citizen as well as the likelihood of injury to
14 the officer.

15 So I just wanted to make sure that we framed
16 the four corners of the conversation appropriately,
17 because to say or for me to sit here and hear that we
18 would dry stun citizens and cause heart attacks and
19 things such as that would be irresponsible. And
20 certainly, fighting with an officer, with a heart
21 problem, could cause a heart attack, but we hope to
22 never engage a citizen with a weapon much like the
23 weapons we have on our hip. I have 43 bullets on me
24 right now, okay? And I have in 21 years in the Detroit
25 Police Department haven't had to use one of them, and I

1 hope to retire having never shot one bullet. That's my
2 goal every day. And I hope if and when we get tasers
3 to never deploy it.

4 None of these officers that work hard every
5 day and night feel that we're better than our
6 community. We have the absolute privilege of upholding
7 the United States constitution and we do so
8 respectfully and professionally and what we're asking
9 for is a weapon to lessen injury to the officers,
10 lessen injury to the community and to show this
11 community as we have in the past many years that we are
12 partners with them. It is not us against them. So
13 thank you.

14 CHAIRMAN BELL: Now we give the Commissioners
15 the opportunity to respond. So if you have a question
16 or a comment. Hopefully you have a question for the
17 panelist that we can hear them directly and identify
18 the panelist in order to respond. So this is your
19 time.

20 COMMISSIONER MOORE: Through the Chair?

21 CHAIRMAN BELL: Yes, sir.

22 COMMISSIONER MOORE: First of all, I would
23 like to thank the community and the panelists for
24 coming out this evening.

25 Just a point of clarification to you,

1 Assistant Chief White when you mentioned empty hand
2 tactics. Could you say that again. Would you give an
3 example of empty hand tactics.

4 A.C. WHITE: So there's a number of tactics
5 in our force continuum. First, there's officer
6 presence, verbal commands and then there's soft
7 tactics, which are basically come-along techniques
8 where you put your arm out, grab the person's arm or
9 you put them in what's called a goose neck. Rather
10 technical, but pretty much grabbing their wrist and
11 bringing them along with you.

12 COMMISSIONER MOORE: So more like a pressure
13 point?

14 A.C. WHITE: We do use pressure point control
15 tactics, infraorbital, common peroneal, brachial plexus
16 strikes. There's a number of different techniques that
17 we use.

18 COMMISSIONER MOORE: Now the strikes would
19 you consider hard?

20 A.C. WHITE: Yes. That would be a hard
21 technique. That would be a brachial plexus strike,
22 what looks like to a citizen a punch.

23 COMMISSIONER MOORE: Right. Exactly. Okay.
24 You mentioned that there's a preliminary policy already
25 developed for the taser, Assistant Chief?

1 A.C. WHITE: Yes.

2 COMMISSIONER MOORE: Have you or any
3 executives visited Taser International?

4 A.C. WHITE: Yes.

5 COMMISSIONER MOORE: Can you tell us about
6 that trip?

7 A.C. WHITE: A number of years ago they came
8 out. We took a look at Taser International. They came
9 here, we went there. We looked at their technology.
10 We looked at the weapons. They walked us through how
11 they build a weapon, the reliability of the weapon what
12 we were very concerned about was the camera system that
13 comes with the weapon because in the newer tasers now,
14 they're able to -- if we were to get them, we would
15 want the one with the camera so you're able to see what
16 the officer sees from their point of view right before
17 they deploy the weapon. It was a very good and
18 beneficial trip.

19 COMMISSIONER MOORE: And who paid for that
20 trip? I need an answer to that question. Who paid for
21 that trip?

22 A.C. WHITE: I'm sorry?

23 COMMISSIONER MOORE: Who paid for that trip?

24 A.C. WHITE: Taser paid for it.

25 COMMISSIONER MOORE: In closing, were there

1 any visits to any beanbag companies?

2 A.C. WHITE: No, not to my knowledge on
3 visiting beanbag companies.

4 COMMISSIONER MOORE: What about pepper
5 grenades, rubber bullets, heat rays?

6 A.C. WHITE: Not to my knowledge.

7 COMMISSIONER MOORE: Okay. Thank you.

8 A.C. WHITE: It could have, but not to my
9 knowledge.

10 COMMISSIONER MOORE: Thank you.

11 CHAIRMAN BELL: I would hope that the
12 Commission would focus in on the panelists because the
13 Department wants to get more of an opportunity to speak
14 to this issue, but we want for the community to have
15 the opportunity and the Commission so if you could
16 focus in on the panelists, that would help us out.

17 COMMISSIONER MOORE: One closing question,
18 Mr. Mark Young. You mentioned that retiree healthcare
19 was taken away. Who took that away?

20 MR. YOUNG: It was taken away during the
21 bankruptcy through the Emergency Management process.

22 CHAIRMAN BELL: Yes, sir.

23 COMMISSIONER CRAWFORD: Yes, sir. Through
24 the Chair. I want to thank everyone for their
25 attendance here. And those on the Commission know that

1 every time this discussion came up recently at the
2 table several times, I was a real advocate of the
3 community coming out and participating, and I liken
4 this forum in the spirit of Ron Scott from the
5 Community Coalition because years ago when Jerry Oliver
6 was Police Chief, I was in communication with Ron
7 Scott, Sandra Hines, and Mr. White here and contributed
8 the information and research on the issue of the use of
9 tasers.

10 Couple fast facts and stats here. Amnesty
11 International in 2001 to 2008, 351 people were killed
12 by the police using tasers in the U.S. From 2009 to
13 2015, 283 people were killed by the police using tasers
14 in the United States. That's a total of 634 documented
15 taser-related deaths in American, 634.

16 Also too, from 2009 to 2014 42% of related
17 deaths in America, America by -- with the use of tasers
18 by police were black people. That's 42% according to
19 the stats in 2014, make up only 13.6% of the
20 population. By far, most of those killed with the use
21 of taser were black, people of color, Latinos and
22 people of color.

23 Also too, the Fairfax County Virginia
24 Sheriff's Department has banned the use of tasers after
25 the result of a death in their jail. Memphis Police

1 Department, San Francisco banned the use of tasers.
2 Charlotte, North Carolina pulled all the tasers off the
3 street. Nevada, I believe it's Las Vegas, Nevada
4 revised their taser policy to be more in line with the
5 ACLU proposal. Also I was going to ask the ACLU for
6 their position.

7 I have a question for Mark Young. In January
8 of 2015 sitting at the Commission table, and I
9 suggested this several times, and asked a question
10 where is the data in terms of the increase in assaults
11 on police officers. I haven't gotten it. Every week
12 sit at the table I hear the stats on crime. Crime is
13 down. Crime is down. Never heard of any stats,
14 particularly -- well, I hadn't asked the DPOA, but I'd
15 like to hear the DPOA if they can bring forth some
16 numbers. They may need some time to get it together.
17 But what is the increase on assaults on police officers
18 in the City of Detroit? You know, I've heard stuff
19 about national, what's going on national. I do
20 understand what's going on national with, you know,
21 some of the assaults and even the killings of police
22 officers, but I'm talking about Detroit since I've
23 heard this comment Detroit is different. So and also
24 too, in asking that, in January of 2015, this is
25 something that came out of the Whitehouse from

1 President Obama. The Justice Department meeting with
2 the Chief of Police and across the country was that
3 they tracked and started to submit the stats of the
4 federal government in terms of all the assaults, be it
5 physical, weapon, shootings, etcetera of police
6 officers. So we can start right here in the City of
7 Detroit.

8 And in reference to one thing I omitted in
9 Warren, I believe Mr. White said something about Warren
10 PD they more or less gave the tasers back to the
11 company. No? Yes, they did. But that was because of
12 the civil litigation that Warren had to pay out in the
13 lawsuit in the death of an African-American male who
14 was 16-years-old some years ago. And Taser
15 International as they stated, Warren stated, didn't
16 back them in terms of, you know, what was going on with
17 the trial and the litigation. So that's why today
18 Warren PD is another of those departments that has
19 banned the use of tasers. But my question was to Mr.
20 Young in terms of do you have any data, sir,
21 specifically to the Detroit Police Department as to
22 there is this increase in assaults on police officers?
23 And also, too, if there is, then I should be able to
24 obtain some of this data from Wayne County Prosecutor's
25 office that individuals should be prosecuted for

1 assaulting police officers.

2 MR. YOUNG: No. Right now, as I said before,
3 I don't have that data. But I can tell you this, that
4 I do represent some individuals that were assaulted
5 by citizens in the City of Detroit, so assaulted so bad
6 that they suffered duty disabilities. And, in fact, to
7 follow up to Commissioner Moore is what I want to say
8 is yes. No, we don't have retiree health care, and
9 some of the injuries that these guys suffer was from
10 some assaults and from some of these incidents that
11 that intermediate weapon would have stopped. No. I
12 can say this to you soundingly, if one law enforcement
13 officer is hurt in the line of duty and a taser could
14 stop it, then it's done its job.

15 I got to make this other comment. Mike
16 Sauger, the president of Warren Police Officers
17 Association is my friend. In fact, we sat in Lansing
18 today at a meeting and I asked him why did they get rid
19 of tasers and he explained it to me. I asked him. He
20 told me that he wants tasers so bad for his members he
21 does not know what to do. He said the deployment of it
22 alone used to save his members from some violent
23 contacts. It's not that the police officers don't want
24 them. In fact, the president of their association is
25 asking for them back.

1 COMMISSIONER CRAWFORD: Through the Chair.
2 Documentary I looked at called Killing Them Safely,
3 there was Warren Police Officers that were interviewed
4 and they said they did not want to I use a product
5 being the taser since they went back to their own
6 product. And these were police officers in that
7 interview from Warren.

8 So also to the doctor, the emergency room
9 doctor, I do understand taser has put out communiques
10 in terms of this and they're in some policies in some
11 responsible police departments across the country and
12 even in the jail in Wayne County, which I work as a
13 deputy. You can't taser a mentally ill person or
14 person that's mentally challenged. You're not supposed
15 to taser people on drugs. There's an issue also too
16 one's state of health in terms of hypertension, which
17 Mr. White made reference to, and heart disease and in
18 black communities in terms of one's health or state of
19 health and hypertension, heart disease and a number of
20 other issues disproportionately high opposed to the
21 general population. So to the doctor, in terms of
22 one's medical state of health, would you like to
23 expound on that, sir?

24 DR. DUNNE: Sure. If we look at the data
25 that's out there, as mentioned a number of deaths, and

1 many of those deaths have been investigated. And
2 certainly, it appears in a majority of them, either
3 there was some significant preexisting disease or there
4 were drugs on board, either prescription drugs or other
5 drugs that led to a very stimulated state what people
6 kind of refer to as agitated delirium. It's not
7 actually a diagnostic criteria, but it's a description
8 of a patient's condition. And there are also a number
9 of deaths that they did not find any preexisting
10 disease, and that's where some of the estimates in the
11 medical literature, and again, we're without controlled
12 studies, obviously, in any of these things, so the best
13 you can do is look at what's actually occurred. And
14 this is just as true of the other less lethal weapons,
15 a baton and there was some mentioning of the use of a
16 baton and a person moving, and certainly batons have
17 resulted in injuries, some of them unintentional where
18 an officer was using it clearly in the way they were
19 trained and the person moved or was injured a different
20 way. Any one of these things can be lethal.

21 So that's where the estimates, and the
22 estimates vary pretty widely. I mean honestly, just
23 looking at the data that's out there, there's an
24 estimate between one and ten thousand and one in a
25 hundred thousand appear to be appropriate uses of

1 conducting energy weapons, again, not just tasers, but
2 other brands as well resulted in the death of the
3 victim. So there is some guidance on that about
4 avoiding many of those things that you mentioned are
5 very difficult to know prior to the deployment of that
6 weapon.

7 One of the other things that is discussed in
8 the literature is that, obviously, properly deployed
9 weapons that are designed to be lethal essentially
10 could kill a hundred percent of the time if they're
11 designed that way. So there is -- people have
12 mentioned the continuum of force, but there's a
13 continuum of injuries associated with the various
14 techniques that people have mentioned here.

15 COMMISSIONER CRAWFORD: Thank you, sir.

16 COMMISSIONER MALLETT: Chief, if you have
17 done this work for decades and are probably as familiar
18 as anybody in the room about training techniques that
19 are used to prepare men and women to do the very
20 difficult work that they are called upon to do. As you
21 think about weapons of this type, and as Dr. Dunne
22 explained it, all of these weapons are potentially
23 lethal. So as you're thinking about it, do you believe
24 that Detroit Police Officers now don't have the range
25 of equipment necessary to do the work based on the

1 training that we provide, because I really do think
2 that, and if you listen to Sergeant Young, and I could
3 assure you Sergeant Young, that nobody on this
4 Commission wants any officer associated with Detroit
5 Police department not to have what he or she needs. So
6 the question really is, is do they really need it. And
7 as we are approaching this kind of decision, where in
8 the training regimen would you, Chief, responsible for
9 evaluating the training that these men and women get?
10 Where do you put this weapon? Is this going to be a
11 step forward? Is this going to make the Police
12 Department more effective in the work that they do, or
13 is this going to regard the forward progress that we've
14 been able to make, or is it just one more thing that
15 we, you know, is really not going to have the positive
16 effect that people might think?

17 CHIEF MCKINNON: Mr. Mallett, that's a great
18 question. I wish there was a correct answer because in
19 all the years that I've been around we see things that
20 we hope that that's going to be the solution for what
21 we need. In the continuum force assistant chief was
22 talking about, if you look at that and you've gone
23 through that continuum of gets to a strike, that can be
24 ugly. And when you see that, you say my God, you know,
25 what did this police officer do to get this person, but

1 it's the continuum force. So that's one then. But if
2 you get into something else, we have, and I go back to
3 this again, Commissioner, we have to make sure, number
4 one, that everybody is effectively trained, and I think
5 Mark has mentioned this. We have to make sure that
6 everybody's effectively trained.

7 I've used, whether it is a beanbag or is gas
8 on me, and those things are effective for me. But
9 let's look at the liability that goes along with those
10 things. If, in fact, something happens to a person
11 whether it's hit the heart, the Doctor can tell you
12 more about this than I, there's that liability that
13 goes along with that. We have to get the most
14 effective tool possible to assist the officers of the
15 City of Detroit and in all the years that I've been
16 around, I like the way you say decades, that's
17 absolutely true.

18 COMMISSIONER MALLETT: Well, you said 1967,
19 Chief. I just did the math.

20 CHIEF MCKINNON: I started in 1965. Back in
21 those days, I mean after he babysat me. Back in those
22 days, there was no training. There was absolutely no
23 training. And so we've come I mean millions and
24 millions years ahead of that. But we have to look at
25 the best and most effective way to make our officers

1 safe, and secondly, to make sure that they use the best
2 tools possible. I think that this is going to be an
3 evolving situation for us.

4 We don't know whether, in all sincerity, what
5 the final solution is going to be because someone's
6 going to say well, you know, that's not the best way to
7 do this. Maybe we can use something else. Let's see.
8 There's a spray gas or something like that that will
9 immobilize the person. Right now I don't think anybody
10 knows for sure because everyone's going to, of course,
11 think that their tool is the best one.

12 You know, I trained hard to learn how to
13 protect myself and I was effective with that, but I
14 think that what we have right now is a situation where
15 anything that someone uses could be detrimental to law
16 enforcement, could be detrimental to the community.
17 And so we have to do everything that we can to learn
18 whatever it's going to be to be effective for our
19 officers and make sure no more of the Baltimore and
20 Ferguson.

21 MR. YOUNG: I would like to follow-up on
22 that. First of all, it's better to have and not need.
23 That's number one for law a enforcement officer. And I
24 think that that is crucial to them. So here's the
25 other piece. Detroit has done a phenomenal job of

1 deescalation, conflict management, conflict resolution
2 with the citizens. That shows. Anytime that you can
3 have a protest here and you don't to have shields,
4 helmets, riot batons and things like that. We've done
5 a phenomenal job here. But we have to also brace
6 ourselves for what potentially can come.

7 I can tell you this, that there's been
8 thousands and thousands of taser deployment and it's
9 not been a big deal on the news. I guarantee you that
10 if I walk out this building and had an encounter with a
11 perpetrator and I fired on them, that every camera
12 footage around here would show that on the news.

13 There is no silver bullet. There is no
14 perfect bullet. But I will tell you something, you
15 have an obligation to the men and women that you send
16 out here that's in a limited capacity to arm them with
17 the best tools available. I reiterate this. I know of
18 no one that wants to take anybody's life. Everything
19 changes. I'm not the same Mark when I walked into this
20 door with my wife or my kids. I'm not the same Mark my
21 futures, my goals. I can tell you this, every law
22 enforcement officer I know involved in a shooting,
23 they've had nightmares, posttraumatic stress disorder,
24 cold sweats, insomnia and the rest of that. I bet they
25 don't do that when they have a taser pointed at them,

1 because they pulled those prongs out, and if the
2 perpetrators went on to jail, listen, I wish that there
3 was some perfect, that's why you have brave men and
4 women go out there every day.

5 COMMISSIONER MALLETT: Well, but see,
6 Sergeant, here's the problem. The problem is is that
7 what the Commission needs is really an analytical tool,
8 right? We need to understand, Mark, how to make this
9 decision. It can't merely be made as passionate as you
10 are and experienced as you are, and you have experience
11 I will never have and respect all that you have
12 achieved. Your anecdotal advice to the Board is not
13 going to be a firm enough basis is for us to make a
14 decision. So really, when I was asking the Chief about
15 the training, I'm trying to figure out a way for us to
16 stand in front of a general community and say, this is
17 how we made this decision and this is why we made that
18 decision. So we are clear that there are some persons
19 on the Police Department who believe based on what
20 they've read or experiences that they had that tasers
21 would be better, but that's anecdotal. It's very
22 difficult to make a decision based on anecdotal
23 evidence. So what Commissioner Crawford has asked for
24 is a data point that perhaps could form a foundation
25 for us making a decision pro or con. The things that

1 Dr. Dunne have talked about in terms of the injuries
2 associated with the use are very important. And I do
3 think that one of the questions that we've got to
4 figure out in terms of the training that the men and
5 women of the Police Department get, where does the
6 taser fit on the force continuum? How would it be used
7 and does it, does it, for instance, would it come in
8 the training manual in the force continuum before the
9 baton? Does it come after? So and so there's lots of
10 permutations to this and you would say it would come
11 before the baton.

12 MR. YOUNG: I would say before the baton
13 because if I deploy the baton, there's a stronger
14 likelihood of injury.

15 COMMISSIONER MALLETT: For the police officer
16 and the --

17 MR. YOUNG: And I'm trained with PR-24. If I
18 hit a person with a PR-24, there is a great likelihood
19 of injury. The PR-24 it's a long metal pole with a
20 handle on it. I can tell you this, if I hit you with
21 that PR-24, chances are, you are going to the hospital.
22 I've seen people get tased and they didn't.

23 CHAIRMAN BELL: If we can move, I'd like to
24 really give the community, that's why we're here to
25 give the community an opportunity to give us feedback.

1 I did see one more hand up so we can stop on that note.

2 COMMISSIONER DEWAELSCHÉ: If I may, please.

3 I look at this taser as an alternative to shooting a
4 gun. I mean anything that will prevent an officer from
5 having to use a gun to shoot somebody to stop them from
6 injuring or hurting them or hurting someone or
7 committing a crime is an alternative. It means that
8 that person, the chances of that person dying are going
9 to be a lot less. That's how I see it.

10 You know, there are a lot of statistics that
11 we can get to see how severe or how much worse, you
12 know. I copied down the numbers that Dr. Dunne, gave
13 one in 10,000 uses, one in 100,000 uses. That is very
14 minimal when you consider that that person could have
15 been shot and killed. You know, that's what I'm
16 looking at. To me, it's an alternative. Anything that
17 is an alternative to a gunshot is safer, in my opinion.

18 CHAIRMAN BELL: Thank you, Commissioner. At
19 this time, we really want to open it up to the people
20 that's here. Do we have any cards or we just going to
21 have them come. Please, if you want to speak, come to
22 the mic now, the podium right there. I would just ask
23 that you be specific. We had quite a few commentary
24 from the Commissioner, but I would hope that we could
25 frame a question for the panel and your concerns will

1 be addressed. Yes, ma'am.

2 MS. SMITH: Hi. My name is Rita Smith. I
3 live here in the 3rd precinct. I've been coming to the
4 monthly community meetings for over 20 years. So I'm
5 one of the ones that work with police on a regular
6 basis and I want all of them to come home as well.

7 Now, this meeting was billed as a
8 less-than-lethal weapons discussion, but the only thing
9 we've talked about is CEW's or tasers. We haven't
10 talked about anything else, so I'm just wondering, are
11 we considering anything else or are we only considering
12 CEWs? Because the only thing I've heard is about
13 tasers. I haven't heard anything else. We haven't had
14 another discussion about any other weapons. So if it
15 really is about less-than-lethal weapons, why aren't we
16 discussing anything else if we're only considering the
17 tasers, maybe it should have been billed that way so we
18 would have been able to do some research on our own on
19 the one item and come here. Okay.

20 Secondly, I just wanted to say, this is just
21 a comment. They were saying that this is worse for
22 people who are in -- who have stimulated problems or
23 whatever. Okay. So everyone, if you're encountering a
24 police, aren't you going to be in that kind of
25 situation? I mean aren't you going to be in a

1 stimulation situation? I don't see where you're never
2 not in that situation if you're facing a cop if you're
3 fighting or whatever and so forth.

4 But secondly, and, you know, they quoted
5 stats about how many people, you know, people of color
6 that have been tasered and stuff. We're in Detroit.
7 It's going to be 80 to 90% black folks so that stats
8 doesn't meaning anything to us because we're a black
9 city for the most part, okay? So I just thought I'd
10 throw that out when we're considering stuff.

11 CHAIRMAN BELL: Thank you, ma'am. I
12 appreciate that.

13 MS. DRINKARD: I'm Peggy Drinkard and a
14 resident of the city. Sergeant Young mentioned pulling
15 the taser out and hauling them off to jail. Regarding
16 the preliminary protocol for taser use, if a person is
17 tasered, will the person be transported to the hospital
18 by ambulance for removal of the barb and evaluation and
19 monitoring until they're medically cleared? And if so,
20 I understand this would be paid for by the City. Is
21 that correct?

22 A.C. WHITE: That's correct. That's a very
23 good question, and yes. Preliminarily our policy would
24 include if you are tased or whatever electronic weapon
25 we use, you would be transported by EMS to have the

1 prongs removed. We would not remove them.

2 MS. DRINKARD: Okay. One thing I've found
3 rather remarkable, and I think some cities could come
4 to study us is, for instance, I'm retired from Detroit
5 EMS and stood by a variety of barricaded gunmen
6 situations and no one ever -- the police never fired
7 any shots. They may have shot some teargas in but
8 there weren't any guns fired and there was a protocol
9 and it was very disciplined, rigorously followed and
10 situations were resolved without a big commotion. And
11 I don't know statistics, how many citizens have been
12 shot by the police. Do we really do that very often in
13 Detroit, and it's my impression that that is not true;
14 that we're a sophisticated enough police department to
15 our credit, I think, that that doesn't happen very
16 often. And I guess a question for Sergeant Young, are
17 there any statistics pre and post taser use of police
18 department personnel as far as change in the rate of
19 injuries on an officer's part?

20 MR. YOUNG: Without having stats in front of
21 me, I would tell you that's a resounding yes. I can
22 tell you that since they got tasers, I'm sure that a
23 lot of officers around this country, I think a lot of
24 people would agree with me have not gotten injured or
25 disabled in some close quartered instances. I can tell

1 you without having stats in front of me, that's a yes.

2 MS. DRINKARD: But do you have published
3 research?

4 MR. YOUNG: We can get that. I'm sure that
5 wouldn't be hard to obtain.

6 CHAIRMAN BELL: Thank you.

7 UNIDENTIFIED SPEAKER: Good evening. I'm a
8 member of the Morningside Community and I have a black
9 male who is 26 years old. I have a son who is in
10 constant contact with the Detroit Police. He has been
11 had weapons, guns pulled on him multiple occasions,
12 constantly pulled over. And I wanted to know, Mr.
13 White, what is the training protocol because
14 immediately, almost on every occasion, their weapons
15 are drawn? Mind you, my son is huge. He's 6'7". He
16 weighs 300 pounds, but he's not a criminal and he does
17 not carry a weapon. I make sure he doesn't carry a
18 weapon. Only thing he has is his camera and his cell
19 phone. But every instance he's had a weapon pulled on
20 him. He had a weapon pulled on him in my front yard.
21 The officer thought he had a AK-47. My son has a
22 paintball gun. A paintball gun has a tube on it so you
23 know it's not an AK-47. It's red or orange or green or
24 some other color.

25 So I wanted to know, you mentioned this

1 training protocol of the force that they're supposed to
2 use. So how do you -- I mean because I've never had an
3 officer say stop, you know. He's never incurred that.
4 They automatically either put their hand on their
5 weapon or draw their weapon, even at a traffic stop.
6 So I'm paranoid every night.

7 CHAIRMAN BELL: Assistant Chief, briefly
8 respond. She's talking about training, but we're
9 trying to get specific questions in.

10 UNIDENTIFIED SPEAKER: That's the specific
11 question. If that is the training why, is it
12 constantly their hand is on their weapon or the weapon
13 is drawn on every instance, in every occasion.

14 A.C. WHITE: Well, the hand on the weapon
15 certainly is officer discretion. Now, drawing the
16 weapon, there are some protocols in place for drawing a
17 weapon. Some of the things that we have in place,
18 there has to be a reasonable fear of officer safety.
19 But without knowing the specific circumstances involved
20 in your case, what I'd like to do is just talk to you
21 about it off line in the interest of time because there
22 may be something specific to your case that I really
23 need to get into a little bit more. So if you could --

24 UNIDENTIFIED SPEAKER: So it's at the
25 officer's discretion.

1 A.C. WHITE: Well, if you talk about hand on
2 weapon, there's a lot to that, so I'd really want to
3 get into exactly what you mean. Some officers, they
4 approach a vehicle, they may put their hand on their
5 weapon. But drawing a weapon and hand on weapon are
6 two different distinctions that I want to make.

7 CHAIRMAN BELL: Thank you.

8 CHIEF McKINNON: Can I say something? You
9 know, it's a long time I've been around, Commissioner
10 Mallett. I would put my hand on my gun when I'd stop
11 people back in the '60s and I would talk to them in
12 such a way, understand, listen, you know, I don't know
13 who you are. I don't know what you were doing, but
14 this is what was occurring. And as I talked to them,
15 they understand what I was doing and there was never a
16 complaint about it. I didn't try to do anything wrong,
17 but when you're stopping someone, 2, 3, 4 in the
18 morning and it's dark, you just don't know. So the
19 officer is preparing himself for whatever it might be.
20 He might not be wrong or right. As Assistant Chief
21 said, that's a discretionary situation. I did that and
22 it was never any intention to offend anyone, but I
23 wanted to make sure, again, that I was safe. And it
24 never came out.

25 COMMISSIONER BELL: Thank you, Chief. Yes

1 ma'am.

2 PASTOR GRIFFIN: Good evening. Pastor Yvette
3 Griffin, Pilgrim Baptist Church. I have a daughter
4 who's on the job for eight years. I have two
5 goddaughters who are currently on the job, meaning that
6 they are DPD officers and so I'm very close to the
7 police officers. However, I want to talk about the
8 current tools that are being used that are on the belt
9 right now, because those that I know had to retire from
10 disability because they were carrying a heavy gun, all
11 those bullets, the handcuffs and everything else. So
12 that's something that we need to talk about because
13 currently you have people on disability because of
14 those things.

15 Now, my questions are this. Are they
16 bringing a taser to a gunfight? How do you know who is
17 a mental health patient or person or a person with high
18 blood pressure or hypertension? Those are some of the
19 questions that we need to ask. And then I want to talk
20 about this young man here, another Mark, when he talked
21 about the black-on-black crime where we are killing off
22 each other in the City and how, what you can do, we can
23 do as the Police Commission to resolve that and
24 decrease that because there's some things that we can
25 do.

1 Yes, the NPO's are helping because they're
2 dealing with, in our neighborhood they're dealing with
3 a training and training young children about the
4 relationship between police officers and the children
5 and families and the children, yes, but there's some
6 other things that we need to do in terms of tasers.
7 Talking about tasers that we need to talk about how
8 we're going to reduce this black-on-black crime because
9 right now, I thank God for the Police Department. DPD
10 has come a long way. I'm really proud of them at this
11 time, but I want them to be more proactive and to work
12 with us on what we're going to do to help these
13 families because right now, everybody's looking at the
14 church for us to do stuff too. We don't have the
15 resources that you have. We're dealing with trying to
16 deal with Gary Brown and the water. So but how are
17 you -- we need to -- we're in the same position as
18 clergy. Everybody's looking at us to do something, but
19 we need this body to help us with this black-on-black
20 crime. We need to focus in on that because I think you
21 have something going on, Mr. Mark, about decreasing
22 that to help.

23 CHAIRMAN BELL: Ma'am, we would be here all
24 night long if we take that subject.

25 PASTOR GRIFFIN: Okay. So are you bringing

1 the taser to the gunfight?

2 COMMISSIONER BELL: No, we're not.

3 PASTOR GRIFFIN: And how do you know who is a
4 mental health patient?

5 COMMISSIONER BELL: We don't know. We don't
6 know. Next question. If you can be brief but we're
7 not going to get into black-on-black crime.

8 MR. FANCER: I think so much depends on the
9 vision and the attitude that the department brings to
10 these situations. One of the reports that we got
11 concerned a fight between two 15-year-old girls, all
12 right? They were throwing down at a school. The
13 police officer's response to that was to use a taser on
14 them to separate them. Now there are options there,
15 all right? In a different era, two girls fighting,
16 teenage girls fighting, that a male, whether he's a
17 police officer or not, is going to work through that
18 situation. First. He's going to physically separate
19 them. I think that there is a way to separate teenage
20 girls from fighting. And secondly, get to the root of
21 the problem and to try and resolve the conflict and the
22 contradiction to affirm their value and their worth.

23 If the attitude of law enforcement is that
24 we're going to avoid getting injured at all costs,
25 we're not going to wade into these kinds of situations

1 because we might get roughed up, and instead of that,
2 we're going to use a taser in order to take care of
3 this issue, you're never going to get to the point
4 where you're going to have a constructive dialog with
5 the people who are involved in a schoolyard fight.
6 You're never going to get to the point of talking to
7 them about their value and their worth and their
8 options of life and to resolve the root of the problem.

9 And so a lot has to do with vision. Yes, I
10 know the police officers want to be as armed as well as
11 they can with all things that are available to them to
12 protect themselves, but where is the limit. Where is
13 the line. Is there any departments that have tanks.
14 They have military equipment. And yes, those officers
15 may walk around feeling safe but they destroy the
16 relationship that can develop between them and the
17 community because of how they're perceived as occupiers
18 and military force.

19 COMMISSIONER BELL: Thank you, sir. Yes,
20 ma'am.

21 MR. CHARLES: My name is Charles. I live in
22 the 3rd District and I have a comment/question for
23 Sergeant Young. I feel like a lot of what you said is
24 very passionate. I understand it was presented as a
25 false dichotomy in the sense that it's either the taser

1 or gun. If the conducted energy weapon is a less
2 lethal weapon, it would be somewhere, it would be
3 placed with other less lethal weapons on the force
4 continuum. So I don't see how it would actually
5 prevent the use of a gun unless you're going to say
6 that that is the last resort before the use of a gun.
7 And obviously, most reasonable minded people would say
8 yes, we prefer than officer to deploy their conductive
9 energy device as opposed to a firearm, but what do we
10 do when they start using that in lieu of other less
11 forceful actions. And there is research to suggest
12 that has happened in other departments where the taser
13 then becomes the default mechanism for situations where
14 they otherwise might have used a come-along or some
15 other soft tissue technique.

16 The second point is that with regard to
17 injuries, research also suggested in some agencies that
18 some such injuries have actually increased because of
19 this issue having transport to the hospital to have the
20 prongs removed. And my question to you is how are we
21 going to deal with or are you prepared to deal with the
22 issue of officers over relying on tasers in lieu of
23 less coercive and forceful means?

24 MR. FANCER: My response to you would be that
25 there is a force continuum, there is force continuum in

1 place. I'm sure we have a great Assistant Chief that
2 would make sure that that's in there. You're right,
3 one of the concerns to place accurately, I would not
4 want the men and women that I represent or the men and
5 women of this Department to be complacent because of
6 the taser. What I want is an intermediate weapon for
7 the members so they can make sure, listen, the hard
8 hands and all of that stuff, when you talk about
9 somebody 6'7", 340 pounds, their presence alone
10 sometimes is frightening. The reality of it is it's a
11 tool to have. Most law enforcement officers every day
12 go out there and make decisions. And guess what, they
13 do try to deescalate. They do. We hope that our
14 presence alone on the scene deescalates. Sometimes
15 that doesn't happen that way, unfortunately.

16 There is a force continuum. And you're
17 right. I don't want my officers or members I represent
18 to be complacent because they have a taser, a handgun
19 or anything on their waist.

20 A.C. WHITE: Could I add to that too? We
21 have a management awareness system that tracks
22 officer's behavior. So the tools that they have at
23 their disposal now are managed through that management
24 awareness system so if they're relying on any
25 technique, the supervisors are able to monitor the

1 officers, take corrective action.

2 As it stands today, the officers are
3 supervised on a ten to one ratio, supervisor and
4 officer. So my ten officers that I know report to me,
5 I manage their force from the standpoint of seeing how
6 often they use it, and I compare them to like officers
7 to see if we have an officer who has fallen out of the
8 norm, so to speak, in their use of force and then that
9 officer is grilled and talked to.

10 CHAIRMAN BELL: Sir, no. I'm sorry. We're
11 going to entertain the next question. Thank you.

12 MS. BROUGHTON: Theo Broughton from Hood
13 Research. I'm glad there's a big turnout this evening.
14 To retiree McKinnon, if I remember right, there was a
15 test at Greater Grace with a taser. I don't remember
16 any hooks in your skin.

17 CHIEF MCKINNON: I didn't do a test at
18 Greater Grace.

19 MS. BROUGHTON: So you didn't do a test at
20 all.

21 CHAIRMAN BELL: Chief Oliver, my
22 understanding.

23 MS. BROUGHTON: Even though you say that
24 people get killed with bullets, there are people who
25 have been shot with bullets who did not die. Tasers do

1 kill. There were six young men in Mississippi all
2 teenagers, young adults, six of them murdered with
3 tasers. Police department. You can check that out.
4 My concern is officers like Brown, the people who might
5 use them to torture the young men in our community, I
6 don't see that those tasers that you all seem hell bent
7 on getting them would be carried by those who are in
8 downtown or midtown. They have multi layers of
9 officers, however. Our communities need to have more
10 than a concern about tasers. They need to have more
11 education as it relates to deescalation, as someone
12 else has said. Someone should be able to tell me the
13 weight of this one that you are considering. Someone
14 on the panel should be able to tell us whether they
15 will have cameras on them. It has been suggested, but
16 I have not heard any definitive answer on that. And
17 the third question is, what is the pulsating of the
18 electronic weapon, as you call it, made by Taser or
19 whatever other company you use? Will it operate like a
20 repeating rifle or will it be one shot, and you stop
21 and how many volts?

22 CHAIRMAN BELL: Ma'am, we haven't taken any
23 position in reference to utilizing the weapon at all,
24 tasers. We just wanted to have a discussion because
25 we've been informally talking about it. This is the

1 first step. So that's why we're here this evening is
2 to get response in terms of questions.

3 MS. BROUGHTON: Somebody should be able to
4 tell me the weight of one. The research has been done.

5 COMMISSIONER BELL: We don't have any experts
6 in that area that I'm aware.

7 MS. BROUGHTON: But you have people who have
8 gone to the company.

9 COMMISSIONER BELL: No, ma'am. We haven't
10 gone anywhere.

11 MS. BROUGHTON: Really?

12 COMMISSIONER BELL: If you can respond
13 briefly.

14 A.C. WHITE: Through the procurement process,
15 ma'am, when we get ready to make a decision on this
16 electronic weapon, we will put out a bid for the weapon
17 and they will come in with exactly what the weapon
18 delivers. We will submit it to this board. I do not
19 have that information right now.

20 MS. BROUGHTON: So the preliminary research
21 that you have done, you don't want to release right
22 now.

23 A.C. WHITE: Well, we look at the weapon
24 itself. We've worked on how would we look at the
25 department with the weapon. We looked at other

1 agencies that currently deploy the weapon. But we may
2 not end up with a taser weapon. We may end up with
3 another weapon that provides the same service.

4 MS. BROUGHTON: Cameras on it.

5 A.C. WHITE: Well, I will tell you that a
6 camera is a must if we were to deploy the weapon so
7 that is the only benchmark that is required at this
8 point is a camera.

9 MS. BROUGHTON: On the weapon.

10 A.C. WHITE: On the weapon.

11 MS. BROUGHTON: The body cameras still have
12 not been distributed as has been promised. I attend
13 these meetings and sure some of you know.

14 CHAIRMAN BELL: Thank you. Commissioner
15 Burton.

16 COMMISSIONER BURTON: I'm requesting that we
17 get a copy of the DOJ, Department of Justice, approved
18 policy of a use of nonlethal weapons such as tasers.

19 CHAIRMAN BELL: I don't know if there's such
20 a policy, but we can entertain that. Next question,
21 please.

22 MS. SMITH: Good evening. Bernice Smith,
23 political activist. A.C. Chief White, and to the
24 Commissioners and our guests. I have been very
25 observant in the newspaper and in the TV. Last week,

1 as most of you may have noticed, there was an incident
2 of a prisoner escaping from down south somewhere and he
3 was caught in the suburbs, which was Royal Oak, or
4 whatever the case may be. There was no gun action by
5 shooting him. He wrestled with the police. In the
6 meantime, he got away and he had a hypodermic, some
7 kind of drug needle and he pointed toward the police.
8 It was three of them that ran down the area to get him.
9 So what I'm saying is and directing to the audience and
10 to Commissioners, I do have faith in our police
11 commissioners and in our police officers. I've been
12 one of their favorites for I don't know how long, since
13 Coleman days. But I want to let you know this past
14 Saturday I was invited or in a way I was able to go to
15 the Trump event, fiasco, really, and this young man
16 right here, Commander Barren, he was there in control.
17 The people were out there acting ugly and I was fearful
18 of my police officers and what they were going to do.
19 But with Commander Barron in control, there was no
20 incidents whatsoever and we should give him all the
21 kudos in the world. When police deserve it, I want
22 everybody to know about it because the fact they are
23 out there 24 hours a day risking their lives while
24 we're at home sleeping, all right? So I want you to
25 give them a break and let them do their jobs. And in

1 the meantime, come to the Commission meetings if you
2 have any kind of complaints or whatever the case may
3 be, like I do. I thank you for your time.

4 CHAIRMAN BELL: Thank you. Yes, sir.

5 MR. BRISBANE: Commissioner Bell and the rest
6 of the committee, my name is Harvey Brisbane, part of
7 the DPAC and Michigan United. My portion is to the
8 doctor and the question is what is the amount -- the
9 heart goes through this QRS rhythm, correct?

10 DR. DUNNE: Correct.

11 MR. BRISBANE: So if the heart is at rest and
12 the taser hits it and causes it to kick up, would that
13 cause the person to die?

14 DR. DUNNE: So there have been some studies
15 looked at this in animals, but as I mentioned before,
16 unlike all our medical devices, there's no
17 comprehensive study. They haven't looked at this on
18 thousands of people. So what we know about what's out
19 there is somewhat contradictory where they have had
20 folks who voluntarily got tasered as part of training
21 who were willing to stay on a monitor and get an EKG
22 done and most of them showed no change in their heart
23 action. In general, and again, I'm at fault for using
24 the term taser when I should be talking about a
25 conducted energy weapon, they're not all taser products

1 that are looked at when they're looking at these
2 things. And there are other cases where there appeared
3 to be abnormal heartbeats caused. The weapon is
4 designed to work on the muscles and peripheral nerves
5 on the surface of the body, which is, as I believe Mark
6 mentioned, one of the warnings that the company makes
7 that is somewhat challenging, depending on how well you
8 can aim it, is that if it is on a person where it
9 actually is putting a lot of energy through your skin
10 so if you're not very muscular or you're thin, and it
11 does appear that it causes some energy discharge in the
12 heart. Now that doesn't necessarily stop your heart.
13 We all have been exposed to energy at various times,
14 including even things like a bad static shock, but that
15 is what is considered some of the risks, and that's
16 where some of the estimate of a potential for
17 conductive energy weapons to cause that comes from.

18 MR. BRISBANE: So if the heart is at risk,
19 you can knock it out and take into defibrillation,
20 correct?

21 DR. DUNNE: It can cause an extra beat or it
22 may cause fibrillation, which is an abnormal beat that
23 doesn't actually pump blood.

24 MR. BRISBANE: Thank you, Doctor.

25 MS. SUROBY: Kim Suroby. And I'm really glad

1 that we started this conversation off with not us
2 against them, you know. It's really about
3 relationships. Being a retired teacher, I remembered
4 when we stopped being able to paddle students or spank
5 them.

6 CHIEF MCKINNON: They didn't stop with me.

7 MS. SUROBY: But I say that to share with you
8 when, you know, spanking was immediate. You could get
9 the result you wanted. But what I found out is that it
10 didn't build relationships. And when we couldn't do it
11 anymore, and I should say when I couldn't do it
12 anymore, I had to transform. I didn't have that
13 spanking tool and I had to do something different, and
14 it made a difference. And you have to want that.

15 So I'm really torn about this because I know
16 it's challenging. I identify with police officers
17 being a teacher going through all that I did. But I
18 just want to say that having weapons I don't think is
19 the correct thing. We really need to work on some
20 alternatives, conflict resolution, what have you.

21 And then the last thing before I sit, I want
22 to ask the Commission to have a workshop and I'm going
23 to ask that you use Ron's book, Conflict and Police
24 Brutality. There's a lot of suggestions in here and
25 Ron was on both sides, to sit down with the community

1 and let's figure this out. We have to figure this out.
2 This is about relationships. It's not about weapons.
3 There are no easy answers.

4 COMMISSIONER BELL: Thank you. Yes, sir.

5 MR. HARRIS: Bishop Daryl Harris, Ceasefire
6 Detroit. I grew up watching a lot of cartoons. One of
7 my favorite cartoons is the Roadrunner. Roadrunner
8 cartoon, you always get to see Wile E. Coyote putting
9 his best efforts after he leaves the ACME shop, buys
10 all this weaponry, buys all this stuff to catch the
11 Roadrunner. And gets this first thing, this catapult,
12 uses this catapult. He's right there. He's almost at
13 the Roadrunner's neck, and then something happens.
14 Instead of him modifying what he already has, he goes
15 back to the ACME store, scraps what he has already that
16 almost got him to catch the Roadrunner and then he buys
17 something totally new.

18 I just want to go back to Commissioner
19 Mallett's point and just making sure, are we using
20 everything that we already have to the fullest of its
21 capability? Is the actual weaponry that you're
22 implying here going to make for a better police
23 department, for better relationship between community
24 and police department? And if that is the case, you
25 know, the studies also, are there any studies that show

1 that we've been so close because we all have said
2 basically that the community relationship with the
3 police department of this day and age is much better
4 than it was before?

5 How be it, I do think it's somewhat
6 disingenuous to think that it's all because of police
7 department and the community. But largely back in 2001
8 there were a series of investigations indictments done
9 against the police department from the DOJ, which
10 caused their eyes to be upon this which helped to shape
11 our response as far as the police department.

12 However, I would like to say with that
13 question, are we doing the Wile E. Coyote thing here?
14 Are we not using what we have that we all say we have a
15 better police department, community relationship today?
16 Is it something else that we can do with what we
17 already have or is this weaponry going to make that
18 much better for the police department? Thank you.

19 CHAIRMAN BELL: Thank you, sir. I'd like to
20 ask the panel if they can make some brief closing
21 remarks and I'll start in reverse order. Mr. Young
22 would go first.

23 MR. YOUNG: My comment is that the members of
24 the Detroit Police Department are doing an outstanding
25 job. They are doing an outstanding job under very

1 difficult circumstances. And I would like to remind
2 the people in the room because you call. And they come
3 fast. They come hard. They come furious. They don't
4 come because they're making a donut run or because
5 they're doing something else. They come because you
6 need them. Let's not take that for granted.

7 There's a lot of people that would make a lot
8 of comments and they wouldn't understand. I listen to
9 a lot of people as the president of my union that talk
10 about things and they're not informed. They're not
11 informed decisions. So here's the deal. Sometimes
12 when somebody speaks very quickly, they're the people
13 that needs the very things that they speak against. I
14 think that this is a positive thing for the members of
15 the Detroit Police Department and I'm asking for as
16 much support as possible.

17 COMMISSIONER BELL: Thank you.

18 DR. DUNNE: I'd just like to thank everyone
19 for being here and some really great questions. One of
20 the things I think that I feel honored to be asked to
21 be here because I think it is part of the conversation.
22 Every type of weapon has consequences in terms of
23 injury and medical issues. And as they are considered,
24 we should be considering with our eyes open everything
25 we know about all the different options at our

1 disposal, things that are designed to be less lethal,
2 and again, I use that term, not less-than-lethal
3 because it's less lethal I think is the right way to
4 talk about it, and where they fall in that continuum of
5 force all the way up into weapons that if they're used
6 as they were designed, like a firearm, are lethal. So
7 that's something I think we should all just be aware of
8 the consequences.

9 COMMISSIONER BELL: Thank you, Doctor. Mr.
10 White.

11 MR. WHITE: First of all, thank you all for
12 having us to come before you again. I'm glad to see
13 such a great turnout from the community.

14 First, our position is no tasers. We stated
15 that before, but there were a couple things I want
16 clarify. When it talks about Consent Agreement,
17 Coalition Against Police Brutality, members of Hood
18 Research and other organizations are the reason why
19 that Consent Agreement was drafted. I think that
20 that's important to say because some of what I heard
21 today, it gives the illusion that all of a sudden with
22 the current administration, things of that nature, that
23 everything is great, but we have to really look at the
24 history on both ends. You've had Matthew Johnson. You
25 had Crawford with his black police officers. You've

1 had Ron Scott. You had Ken Cockerel, lawyers, you had
2 Justice Raddatz. You've had all types of different
3 individuals, which is the reason why we're able to sit
4 here today so when we take a look at this when the
5 community comes forward and says to you that this type
6 of move draws division and a very wide gap when we're
7 in the direction of where we're coming together, I
8 think that needs to be taken into consideration.

9 And finally, if the only alternative approach
10 has been looked at internally from traveling and
11 everything has been tasers. We have a fiduciary
12 responsibility as a body, members of the Commission to
13 make sure that the whole entire different processes are
14 examined first. And those are some of the things that
15 I see. So right now, just based upon the fact that
16 only, the only decision, the only approach that's made
17 was to take a look at just tasers, that's not a good
18 policy. That's not good managerial, that's not the way
19 that you arrive at any decision. And then that's what
20 I say.

21 COMMISSIONER BELL: Chief.

22 CHIEF McKINNON: So, it's interesting for me
23 because for years ago we were having the same
24 discussion at a different level and it was about how do
25 we curb the violence, how do we stop shootings an such.

1 I was one of those people who worked with Justice
2 Raddatz and Ken Cockrel. Ron Scott was a good friend.
3 We talked all the time. He was concerned about things.
4 People didn't know that because I was the Chief and Ron
5 and I would talk.

6 But these are important things. And so the
7 bottom line is how do we as a community and law
8 enforcement, we're all one big community, how do we
9 stem the tide of violence in whatever we might do?

10 And so my position is that we have to use the
11 best tools in the best areas possible to make sure that
12 the police are equipped with whatever it might take and
13 hopefully something that's not going to take someone's
14 life, because taking someone's life is certainly the
15 ultimate supreme court decision can do that. We have
16 to make sure that everyone is well equipment, well
17 trained, well trained, well trained, well trained, and
18 the people that we bring from the police department
19 have a mentality as such that they're not going to
20 overuse that.

21 That's one thing that hasn't been talked
22 about here tonight, you know, the selection process is
23 most important to what we want to do. If you don't
24 have the right people in the police department, you can
25 have a Ferguson, a Baltimore, whatever it might be in

1 terms of what you're bringing onto this. And as we do
2 this, start with the selection process and continue
3 with that training, training. As a police person, we
4 train what, twice a year the range, twice a year the
5 range. How often do we train in terms of community
6 talking, relations and those kind of things. That has
7 to be emphasized even more. The conscious is here all
8 over the country.

9 So my final resolve is as whether it's law
10 enforcement, politicians. Now I'm an educator at the
11 University of Detroit Mercy, I still talk about this.
12 This is a passion for me. Let's continue to educate
13 our community, educate our law enforcement and make
14 sure that families are educating their children.

15 CHAIRMAN BELL: Thank you, Chief.

16 MR. FENCER: The concern that we have about
17 tasers is not speculative, even though there aren't any
18 here, there are any number of departments across the
19 state that have a history of abusing things. And the
20 existence of policies governing their use has
21 apparently not made a difference. In one sheriff's
22 department there was an explicit policy, a requirement
23 that officers not use tasers in instances when jailed
24 occupants were engaged in passive resistance. Yet,
25 there's a police report that we have that talks about a

1 female jailed inmate who refused to put on her orange
2 jumpsuit, and when she finally retreated underneath the
3 bunk and went limp and refused to come out, the
4 sheriff's deputies decided to use the taser in order to
5 get her out. So these things happen. We know that
6 they happen and it's a concern.

7 But more important that that is the whole
8 question of whether given what's happening in this
9 country, given the relationships between police and
10 community, looking for new weapons is the way to go.
11 There are countries around the world where police do
12 not even carry firearms. Now, I'm not suggesting that
13 that's something that's realistic or feasible here, but
14 there is something that can be learned from them
15 because they make a priority developing productive
16 partnerships with the community. And one police
17 administrator there said that the most effective weapon
18 that our officers have is their mouths, their ability
19 to talk, to develop relationships with the community so
20 that there is never a need for firearms in any
21 practical way. And I think that in terms of the
22 direction, the drift of law enforcement where we as
23 community in partnership with them need to go, it needs
24 to be more in that direction than bringing in new
25 devices that are only going to put barriers and create

1 fear and terror among people who could be working with
2 police as opposed to against them.

3 COMMISSIONER BELL: Thank you. I want to
4 thank the panel for a really healthy discussion.
5 That's what we wanted to establish this evening. And I
6 want you to know, this was not driven by Commission or
7 driven by the Department, but it was driven by police
8 officers who were recently promoted to sergeants and
9 lieutenants in terms of dialog with them. They
10 understand in 2016 the use of deadly force, the use of
11 a weapon and they are concerned. And they wanted us to
12 look at it and also have the public respond. I thought
13 we were obligated and the Commissioners wholeheartedly
14 endorse discussion, an informal discussion, but they
15 are concerned because they are the ones, as Mark Young,
16 when I started my career in 1971 there was very little
17 training in terms of surviving on the city streets. At
18 that time, we were given a nightstick, a nightstick.
19 You know, there was very little training. The
20 slapstick. Remember the blackjack? And basically it
21 was about surviving. We responded to the best of our
22 ability in terms of diffusing a situation. And I
23 recall that I was reluctant to give up my 38 caliber,
24 six-shooter, whatever, you know. And so the necessity
25 of a Glock, we were out armed. That's why we made a

1 transition. You know the firepower that we are dealing
2 with in the city streets all over America.

3 I'm a Viet Nam veteran. I understand being
4 shot at. On my first shooting on this Department, I was
5 not wearing a vest. I had the mentality I didn't need
6 a vest. And survived that shooting, and the
7 perpetrator was shot and killed. I didn't fire my
8 weapon. My last shooting was at Gratiot and Gunston
9 when a young man came in there with a gun and he was
10 able to get it out, and I'm on the desk without a gun,
11 without a vest. I survived that because the officer
12 responded quickly.

13 Officers, as Mark Young indicated, you know,
14 we know about the military veterans that we're dealing
15 with now with all issues they have come home with and
16 are still dealing with, that is the un-looked issue
17 dealing with policing in America, especially in
18 Detroit. You don't consider the consequence of
19 engaging a shooting or losing a good friend. I lost my
20 classmate, Glenn Smith, the first two years on the job.
21 When I look on that memorial wall, I see several people
22 that I know. You talk about this day and age, you
23 know, but that's the nature of the business that I
24 raise my right hand for. You know, when they leave
25 home, they have no intentions, but we know there are

1 bad actors in any professions, any profession, but the
2 bottom line is that it's another tool and putting your
3 hand on your gun, you're offended by that, so be it.
4 That's the reality. Now if I pull the gun, it's a
5 different ball game. But once I pull the trigger, once
6 I fire, it's over. I don't what it takes now. Once it
7 goes out, to whosoever is concerned, that's the impact
8 of a bullet. I know it up close in terms of firepower
9 we used in Viet Nam. I know it's up close to the
10 firepower in the city streets. We see it all the time.
11 People have no qualms. We talk about black-on-black
12 crime, Black Lives Matter. All lives matter, but
13 people are still dying in the City of Detroit. So
14 that's why we want to have this discussion about
15 another tool. We talk about the other tools that we
16 mentioned it casually, but we wanted to focus in on it.
17 So keep that in mind and you can give us
18 feedback. You can contact. There is no one person
19 make a decision. The mayor is not in on this. The
20 Chief is not in on this. The Commission haven't made a
21 final decision. The council will weigh in on it
22 because they have to budget to pay for it, right? Like
23 we all in for body cameras. Am I right or wrong? We
24 all want body cameras, video cameras. We know the
25 reality that might bring out the truth, but that's not

1 the solution. Because we saw Rodney King, people saw
2 something totally different. But we're trying to
3 protect ourself and protect you. While you're running
4 away, police officers are running to the situation.
5 While you're demonstrating, police officers are
6 guarding you for your rights to protest. And we know
7 what is happening in other cities and it hasn't
8 happened here. But the reality is we need to have
9 discussion. If we don't talk about it, then we have
10 issues. So we're trying to flush those issues out.

11 I'd like to close by getting an idea, if you
12 are in favor would you please stand? If you are in
13 favor of tasers, please stand? Okay. Thank you. If
14 you're in opposition, would you please stand? Thank
15 you. Undecided, would you please stand? Thank you.
16 This is democracy. This is what it's all about and we
17 need your input. You can contact us and give us that
18 type of feedback.

19 COMMISSIONER MALLETT: I appreciate your
20 passion, Mr. Chairman, on this issue as well. As we go
21 forward, and I really am looking both to the Department
22 and to persons like Sergeant Young who are expert in
23 these areas. What is the problem, Mr. Chairman, that
24 we're trying to solve? I think we really, really,
25 really need to define that for the public so that the

1 public is sure that we have thought through the
2 solutions. And because what I think is in front of us,
3 actually, is an opportunity to make a very well
4 thought-out decision, or at least a recommendation as
5 to what the go forward is. But I really would like for
6 you, Mr. Chairman, and you, Sergeant Young, we
7 recognize that the police are in a very very dangerous
8 job and that there are very very significant issues on
9 a daily basis minute by minute that they confront, but
10 I'm really looking for you to not set that aside. If
11 that's a problem and that there is evidence that you
12 want the Commission to have and to understand that in
13 the current circumstances that Police Department is
14 operating in, they don't have the tools that they need
15 to do their job, the Police Commission needs to know
16 that. But if there is, but if that's not the problem
17 that we're trying to solve. And if the only thing
18 Commissioner Dewaelsche says that we want to place in
19 the hands had of the Police Department an alternative
20 to a lethal force, then as Dr. Dunne's indicated,
21 there's just less lethal, there's really not a clear
22 alternative to nonlethal.

23 COMMISSIONER DEWAELSCHE: As an alternative
24 and to save lives.

25 COMMISSIONER MALLETT: So is it then that we

1 are in a circumstance where we are losing life and
2 that, therefore, this particular tool is necessary? Is
3 that the problem?

4 So I really do think, Mr. Chairman, that it
5 would be beneficial if we could just step back a little
6 bit and have the problem that we are discussing, what
7 is it that we're really trying to get to because what
8 we can do is get to where everybody wants this to go, I
9 think.

10 CHAIRMAN BELL: That is correct. I think as
11 we move forward, this is like the first dialog. If we
12 move forward to even attending the NACo Conference this
13 year or end of this month, that as we interact with
14 other oversights in other cities and we're going to get
15 that type of feedback. And naturally want to meet with
16 the experts and the police officers. Police officers,
17 their response to the promotion class was we don't want
18 to be in the position we have to use our weapons. And
19 to beat somebody with the nightstick, we don't want to
20 engage in that, and that was why we had that dialog.
21 They want to save lives and save their lives too. So
22 that's how we're going to approach it.

23 COMMISSIONER DEWAELESCHE: Mr. Chair, I just
24 want to ask a quick question. What is the goal? When
25 do we need to make this decision? What is the Police

1 Department hoping for in terms of our decision?

2 COMMISSIONER BELL: There's nothing on the
3 table. There's no timeframe. I don't think it's going
4 to happen this year. What we're addressing now is body
5 cameras. That's the reality. This is something that
6 we just thought, since it came up, that we thought we
7 would address it. So there's no timetable in terms of
8 addressing. Commissioner Moore.

9 COMMISSIONER MOORE: Just a quick point, Mr.
10 Chairman. I believe it's necessary for you and the
11 community to know that we do have current intermediate
12 weapon which is the equivalent of a taser and it's
13 called pepper spray. That might not be the preferred
14 method that the Department is using, but I don't want
15 anyone to go out here thinking oh, they don't have an
16 intermediate weapon. They do have them. It's probably
17 not one that's liked, but they do have them.

18 COMMISSIONER BELL: And perhaps in another
19 forum, we can have the Department address those
20 concerns whereas they're utilizing those type of pepper
21 sprays, weapons, whatever they outline that we can have
22 that type available. But as we go forward, there's
23 nothing locked in that we have to do certain things by
24 a certain date, not even on the table. I think this
25 has been a great evening to have this type of dialog

1 and there's no other business, I'd like to thank you.

2 COMMISSIONER CRAWFORD: Mr. Chair?

3 COMMISSIONER BELL: Yes, sir.

4 COMMISSIONER CRAWFORD: I have one quick
5 point or two quick points here. One is tasers, the use
6 of tasers do kill. Secondly, and most importantly, a
7 lot of these if you do some research, the data will
8 show that the abuse by police officers stepping outside
9 of or violating policy and protocol is very high on the
10 results of individual's being killed such as
11 individuals being multi tasered. That's a documented
12 fact which contributes to the death of individuals who
13 were tasered multiple times within, you know, the
14 30-second period or one-minute period, and it can be
15 done by one officer or two or three officers tasing one
16 individual. So that is a fact of officers the abuse
17 and in violating policy. And the young man asked a
18 question in terms of protocol and policy, which
19 occurred, the incident that occurred in Oklahoma two
20 years ago where a businessman who was a deputized
21 deputy in Oklahoma who allegedly -- well, he shot and
22 killed an individual allegedly reaching for what he had
23 a taser and a gun and he thought he was pulling the
24 taser and, of course, he pulled is gun. Ultimately, he
25 was convicted.

1 But again, those types of incidents I think
2 you will find overwhelmingly too that when individuals
3 step outside of training, outside of protocol,
4 violating policy, there's oftentimes it results in
5 death. And even tasing individuals who are
6 handcuffed and they taser them. So and that's what the
7 ACLU attorney spoke to. Thank you.

8 COMMISSIONER DEWAEELSCHE: Mr. Chair, if I
9 may, I would also like if we're going to move forward
10 with this to have some data on how many people were not
11 shot, and instead, tasers were used so maybe lives were
12 saved, if we can get that kind of information as well.
13 And I really would recommend that we as a Commission If
14 we're going to talk about this issue and raise the
15 hopes of the Police Department that we may, you know,
16 approve this that we have some kind of a timeline or
17 goal date to make a decision.

18 COMMISSIONER BROOKS: Yes, ma'am. Keep in
19 mind that as the Doctor stated, anything can kill you.
20 You can punch a person with one punch, he might die.
21 You choke -- I mean a choke hold, how many have died
22 from a choke hold. I can't breath. So the reality
23 that the consequence of any action might lead to your
24 death, you can stumble and fall, I might survive, you
25 might die. You can take a pill, it might react a

1 certain way. I survive, you might die. Those are the
2 realities, but in law enforcement, this is not Canada
3 or in London even police officers not carry gun. In
4 Canada there's no guns for law enforcement, only rare
5 occasions, right? Somebody mentioned that. Well, I
6 don't think that's reality, so we have to face reality,
7 and what we're trying to do is we're trying to respond.

8 The key is we want to mention recruiting. If
9 Commissioner Brooks will talk briefly about recruiting,
10 we can close on that note about we're seeking police
11 officers Chief mentioned about hiring.

12 COMMISSIONER BROOKS: We are doing an
13 excellent job in our recruiting, and the recruiting
14 session that was held I think what, yesterday?
15 Tuesday? There were 94. And so we are steadily
16 recruiting, but I just want to say one thing, I've
17 listened to everything. We seem to dwell on people
18 dying. We need to dwell on people living. That's why
19 we think about new ways, new tools for the Police
20 Department, not about who's black, who's white, who's
21 going to die, but who's going to live. And so while
22 we're recruiting, we're recruiting the best people that
23 we can get because officers nowadays have to have, they
24 have to be trained. And so when you're trained, you
25 will learn how to use a taser if that's what we're

1 going to do. So let's not forget about the officers
2 and their training and what they have to do in the
3 community and let's not forget about all the programs
4 that are going on in the communities between the Police
5 Department.

6 So the Police Department is hard at work.
7 They're working with all kinds of communities and we
8 are recruiting in all of these communities. So I just
9 wanted to add that little bit that please, let's think
10 about living, protecting each other, officers
11 protecting themselves, officers policing themselves,
12 and let's talk about, let's talk about dying lesser.
13 Thank you.

14 COMMISSIONER BELL: On that note, let's give
15 the panel a round of applause for participating. Give
16 yourselves a round of applause for coming out and thank
17 you. The Chair will entertain a motion for
18 adjournment.

19 COMMISSIONER MALLETT: So moved.

20 (The proceeding was adjourned at 9:00 p.m.)
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CERTIFICATE OF NOTARY

STATE OF MICHIGAN)
) SS
COUNTY OF JACKSON)

I, Melinda R. Womack, Certified Shorthand Reporter, a Notary Public in and for the above county and state, do hereby certify that the above examination under oath was taken before me at the time and place hereinbefore set forth; that the witness was by me first duly sworn to testify to the truth, and nothing but the truth, that the foregoing questions asked and answers made by the witness were duly recorded by me stenographically and reduced to computer transcription; that this is a true, full and correct transcript of my stenographic notes so taken; and that I am not related to, nor of counsel to either party nor interested in the event of this cause.

Melinda R. Womack



Melinda R. Womack CSR3611
Notary Public,
Jackson County, Michigan

My Commission expires: June 22, 2018

A
A.C 3:15 38:25
 39:2 44:4,14
 44:20 45:1,4,7
 45:22,24 46:2
 46:6,8 62:22
 65:14 66:1
 72:20 75:14,23
 76:5,10,23
Abdullah 4:12
ability 28:22
 88:18 89:22
able 3:16 7:23
 13:21 14:2
 42:2 45:14,15
 49:23 54:14
 61:18 72:25
 74:12,14 75:3
 77:14 80:4
 85:3 90:10
abnormal 79:3,22
above-entitled
 1:5
absolute 43:6
absolutely 55:17
 55:22
abuse 96:8,16
abused 22:17
abusing 87:19
accidents 36:23
accomplishes
 37:12
account 9:23
 23:14 27:5
 40:2
accountable 34:7
accuracy 10:20
 11:15
accurately 72:3
achieved 58:12
acknowledge
 38:22
ACLU 1:20 7:1,20
 7:24 48:5,5
 97:7
ACME 81:9,15
act 8:3 19:7
acting 19:17
 42:7 77:17
action 73:1 77:4
 78:23 97:23

actions 8:15
 71:11
active 42:2
activist 76:23
actors 91:1
acts 17:2
actual 30:19
 81:21
add 72:20 99:9
addition 3:23
 8:18 10:7
 29:10
address 6:5
 24:21 95:7,19
addressed 61:1
addresses 30:18
addressing 10:6
 95:4,8
adhere 10:24
adjourned 99:20
adjournment
 99:18
adjustment 7:6
 7:15
administer 12:20
administration
 84:22
Administrative
 1:17
administrator
 88:17
administrators
 9:16 22:2
admission 11:14
admitting 10:25
adopting 8:23
adults 9:2 25:12
 74:2
advertising 25:7
advice 58:12
advisory 2:14
advocate 47:2
affirm 14:22
 15:6 69:22
affirmation
 39:12,16
affirming 15:2
afraid 19:2,3
 20:16
African-American
 35:12 49:13
afternoon 2:4

age 35:12 82:3
 90:22
agencies 39:22
 71:17 76:1
agenda 4:22
aggression 42:2
aggressive 41:13
agitated 52:6
ago 8:2 45:7
 47:5 49:14
 85:23 96:20
agree 16:2 63:24
Agreement 84:16
 84:19
ahead 4:7 55:24
aim 10:25 11:13
 11:15,17 79:8
aimed 10:9,17
aiming 11:18
air 10:21 29:6
AK-47 64:21,23
Alan 1:18
alcoholism 36:4
algebra 33:8
allegedly 96:21
 96:22
alleviate 17:4
allowing 22:3
allows 12:2
alternative 60:3
 60:7,16,17
 85:9 93:19,22
 93:23
alternatives
 21:5,6,7 80:20
ambulance 62:18
America 47:17,17
 90:2,17
American 47:15
Amnesty 47:10
amount 4:23
 14:18 16:8
 26:4 28:4 78:8
analytical 58:7
Andre 35:10,15
 35:17,19,21,22
 37:25
anecdotal 58:12
 58:21,22
animals 78:15
answer 19:1,1
 31:8,9 45:20

54:18 74:16
answers 81:3
 100:12
anti 22:13,13
anybody 14:24
 32:7 38:15
 53:18 56:9
anybody's 57:18
anymore 80:11,12
Anytime 57:2
apologize 39:3
apparently 87:21
Appeals 12:25
appear 52:25
 79:11
appearances 1:9
 41:13
appeared 79:2
appears 52:2
applause 99:15
 99:16
Appointed 1:13
 1:13,14,14 3:6
 3:9,11
appreciate 39:7
 62:12 92:19
approach 66:4
 85:9,16 94:22
approaching 54:7
appropriate 2:15
 52:25
appropriately
 39:11 42:16
approve 38:3,4
 97:16
approved 76:17
approximately
 40:3
arbitrarily 41:3
area 3:24 11:5,5
 11:10,19,20
 42:5,7 75:6
 77:8
areas 11:4,7
 31:7 86:11
 92:23
arising 8:1
arm 20:23 44:8,8
 57:16
armed 13:20
 70:10 89:25
arms 29:4 35:18

36:9
arrive 85:19
arsenal 8:23
 11:25
aside 93:10
asked 16:7,9,11
 24:23 48:9,14
 50:18,19 58:23
 83:20 96:17
 100:12
asking 43:8
 48:24 50:25
 58:14 83:15
aspect 7:18
assaulted 50:4,5
assaulting 50:1
assaults 48:10
 48:17,21 49:4
 49:22 50:10
assembled 5:5
assigned 35:8
assist 55:14
assistant 1:17
 1:17 3:13 44:1
 44:25 54:21
 65:7 66:20
 72:1
assisting 4:1
associate 31:24
 31:25
associated 53:13
 54:4 59:2
association 1:21
 7:4 31:15,21
 31:24 50:17,24
assuming 11:23
assure 54:3
Attached 10:13
attack 42:21
attacks 42:18
attend 76:12
attendance 2:6
 4:17,20 7:11
 38:24 46:25
attending 94:12
attitude 69:9,23
attorney 1:19
 6:25 7:20 97:7
audience 6:11
 41:11 77:9
audience's 41:23
Austin 12:25

automatically
 65:4
autopsies 29:20
available 13:16
 13:18 41:12
 57:17 70:11
 95:22
Ave 1:6
avoid 11:3 69:24
avoiding 53:4
aware 26:1 75:6
 84:7
awareness 72:21
 72:24
awesome 31:19
 33:7,7

B

baby 35:18,18
babysat 55:21
back 6:16 11:10
 19:19 20:16,19
 21:9,10,14
 22:19 36:23
 49:10,16 50:25
 51:5 55:2,20
 55:21 66:11
 81:15,18 82:7
 94:5
backgrounds
 19:22,22
backup 37:10
backwards 24:10
 24:12
bad 23:1 50:5,20
 79:14 91:1
ball 91:5
Baltimore 22:15
 22:17,21 23:18
 24:8 56:19
 86:25
bankruptcy 46:21
Banks 4:14
banned 47:24
 48:1 49:19
Baptist 67:3
barb 29:6 62:18
barbs 30:18,18
bare 27:4
Barksdale 35:10
 35:15,19 37:25
Barren 39:24

77:16
barricaded 63:5
barriers 88:25
Barron 77:19
based 53:25
 58:19,22 85:15
basically 11:7
 41:24 44:7
 82:2 89:20
basis 58:13 61:6
 93:9
baton 52:15,16
 59:9,11,12,13
batons 13:17
 26:10 27:7
 52:16 57:4
beanbag 5:10
 13:17 18:8
 20:9 26:12
 46:1,3 55:7
beat 17:23 79:21
 79:22 94:19
bed 37:4
bedside 37:24
began 22:23
beginning 25:17
begrudgingly
 36:2
behavior 72:22
belabor 16:13
believe 32:7
 48:3 49:9
 53:23 58:19
 79:5 95:10
Bell 1:10 2:4,8
 2:13 3:12,17
 4:4,7,15 15:13
 15:17 21:22
 25:19 31:12
 38:17 39:1
 43:14,21 46:11
 46:22 59:23
 60:18 62:11
 64:6 65:7 66:7
 66:25 68:23
 69:2,5 70:19
 73:10,21 74:22
 75:5,9,12
 76:14,19 78:4
 78:5 81:4
 82:19 83:17
 84:9 85:21

87:15 89:3
 94:10 95:2,18
 96:3 99:14
belt 67:8
benchmark 76:7
beneath 11:11
beneficial 45:18
 94:5
bent 74:6
Bernice 76:22
best 21:19 38:9
 52:12 55:25
 56:1,6,11
 57:17 81:9
 86:11,11 89:21
 98:22
bet 37:14 57:24
better 43:5
 56:22 58:21
 81:22,23 82:3
 82:15,18
beyond 11:23
 13:12
bid 75:16
big 11:22 33:15
 57:9 63:10
 73:13 86:8
biggest 36:9
billed 61:7,17
Bishop 2:9,13,15
 81:5
bit 28:6 30:9
 40:11 65:23
 94:6 99:9
black 5:21 14:6
 14:12,12,14,17
 15:6 17:25
 18:22 35:16
 47:18,21 51:18
 62:7,8 64:8
 84:25 91:12
 98:20
black-on-black
 67:21 68:8,19
 69:7 91:11
blackjack 89:20
blank 6:17
blessed 32:11
blew 36:10
blood 5:22 67:18
 79:23
blow 34:23

blunt 5:10
board 1:1,16
 2:17 3:1,18,19
 5:18 7:12 22:1
 40:7 41:11
 52:4 58:12
 75:18
body 9:9 11:4
 22:14 28:13
 68:19 76:11
 79:5 85:12
 91:23,24 95:4
Bondo 40:22,23
book 80:23
boss 6:22
bottom 23:10
 86:7 91:2
boy 16:12
brace 57:5
brachial 44:15
 44:21
brands 53:2
brave 58:3
break 6:14 77:25
breaking 35:4
breast 11:6
breath 97:22
brief 69:6 82:20
briefly 65:7
 75:13 98:9
bring 11:25 31:2
 48:15 86:18
 91:25
bringing 23:22
 44:11 67:16
 68:25 87:1
brings 69:9
brining 88:24
Brisbane 78:5,6
 78:11 79:18,24
Brooks 1:14 3:5
 3:6 97:18 98:9
 98:12
brothers 24:23
BROUGHT 75:11
Broughton 73:12
 73:12,19,23
 75:3,7,20 76:4
 76:9,11
brown 1:17 3:24
 5:21 7:16
 17:25 68:16

74:4
brutality 1:22
 7:2 16:14
 21:24 22:14
 80:24 84:17
budget 15:2
 91:22
build 45:11
 80:10
building 57:10
bullet 20:22
 43:1 57:13,14
 91:8
bulletproof
 20:18,21 32:24
 37:2
bullets 5:11
 26:11 42:23
 46:5 67:11
 73:24,25
bunk 88:3
burden 11:13
Burton 1:12 2:22
 2:23 76:15,16
business 30:19
 39:4 90:23
 96:1
businessman
 96:20
buttons 26:12
buys 81:9,10,16

C

C. I 4:8
caliber 89:23
call 2:7 27:9
 38:16 40:20
 74:18 83:2
called 12:18,25
 44:9 51:2
 53:20 95:13
calls 32:10
camera 45:12,15
 57:11 64:18
 76:6,8
cameras 74:15
 76:4,11 91:23
 91:24,24 95:5
cams 22:14
Canada 98:2,4
capability 81:21
capacities 18:17

capacity 57:16
capture 9:1
car 24:11 36:23
 41:5
cardiac 9:1,6
cards 6:17 60:20
care 26:19 33:24
 36:20 50:8
 70:2
career 41:7
 89:16
Carolina 48:2
carried 74:7
carry 36:18
 64:17,17 88:12
 98:3
carrying 67:10
Carter 1:10 3:3
 3:4
cartoon 81:8
cartoons 81:6,7
cartridge 10:20
 10:20
case 12:24 29:22
 65:20,22 77:4
 78:2 81:24
cases 79:2
casually 91:16
catapult 81:11
 81:12
catch 81:10,16
category 5:8
caught 77:3
cause 11:17
 42:18,21 78:13
 79:17,21,22
 100:17
caused 79:3
 82:10
causes 28:20
 78:12 79:11
causing 26:25
Ceasefire 81:5
cell 64:18
certain 10:3
 17:19 19:8
 95:23,24 98:1
certainly 16:24
 17:20 18:16
 20:11 25:25
 26:9 27:4,5
 28:14 30:13

39:7,12 42:20
 52:2,16 65:15
 86:14
CERTIFICATE
 100:1
Certified 100:6
certify 100:8
CEW 9:3,8,11
 11:4 27:20
CEW's 10:16 61:9
CEWs 10:8 61:12
Chair 2:7 3:20
 4:3 38:25
 43:20 46:24
 51:1 94:23
 96:2 97:8
 99:17
Chairman 2:4,13
 3:1,12,17 4:4
 4:7,15 13:15
 15:13,17 21:22
 22:1,10 25:19
 31:12 38:17
 39:1 43:14,21
 46:11,22 59:23
 60:18 62:11
 64:6 65:7 66:7
 68:23 73:10,21
 74:22 76:14,19
 78:4 82:19
 87:15 92:20,23
 93:6 94:4,10
 95:10
Chairperson 1:10
challenged 51:14
challenges 22:21
 23:12
challenging 79:7
 80:16
chance 33:20
 38:12
chances 59:21
 60:8
change 18:3
 19:15 21:4
 29:7 34:15
 63:18 78:22
changed 20:10,12
 20:13
changes 57:19
characterize
 30:6

charge 22:2 29:6
Charles 70:21,21
Charlotte 48:2
check 74:3
Checking 30:25
Cheryl 2:9
chest 11:5,11
 20:21 36:7
Chicago 23:18
 24:22,25
chief 1:16,17,17
 1:22,23 2:14
 3:13,21 4:9
 6:22,22,24
 15:14,15,19,23
 20:17 21:18,22
 22:23 25:21
 33:3 38:9 40:7
 44:1,25 47:6
 49:2 53:16
 54:8,17,21
 55:19,20 58:14
 65:7 66:8,20
 66:25 72:1
 73:17,21 76:23
 80:6 85:21,22
 86:4 87:15
 91:20 98:11
chiefs 16:10
child 9:10 33:2
children 9:2,20
 10:4 13:22
 25:11 68:3,4,5
 87:14
choke 97:21,21
 97:22
chooses 9:25
Christopher 1:21
 7:1 21:23
church 33:12
 67:3 68:14
churches 33:14
 33:15
circles 13:8
Circuit 12:25
circulating 13:7
circumstance
 94:1
circumstances
 65:19 83:1
 93:13
cities 15:12

23:20,24 63:3
 92:7 94:14
citizen 42:13,22
 44:22
citizens 6:4
 41:18 42:18
 50:5 57:2
 63:11
city 1:1 5:19
 21:4 22:22
 32:8,9 33:12
 33:13 48:18
 49:6 50:5
 55:15 62:9,14
 62:20 67:22
 89:17 90:2
 91:10,13
civil 5:25 49:12
civilian 5:17
 13:20 27:14
civility 33:10
clarification
 43:25
clarify 84:16
class 5:1 94:17
classes 33:10
classmate 90:20
clear 8:12 58:18
 93:21
cleared 62:19
clearly 27:15
 52:18
clergy 68:18
clinically 26:16
close 29:4 35:23
 36:17 63:25
 67:6 82:1 91:8
 91:9 92:11
 98:10
closed 26:10
 27:5 33:18
 35:16
closer 9:3
closing 45:25
 46:17 82:20
clothing 10:12
 10:22
clue 8:14
Coalition 1:21
 7:2 21:23 22:6
 22:8,12 47:5
 84:17

cocaine 30:1
Cockerel 85:1
Cockrel 86:2
coercive 71:23
cold 57:24
Coleman 77:13
colleagues 37:23
color 47:21,22
 62:5 64:24
combative 6:5
combination 14:1
come 2:9 3:16
 8:20 14:13
 37:5 55:23
 57:6 59:7,9,10
 60:21,21 61:6
 61:19 63:3
 68:10 75:17
 78:1 83:2,3,3
 83:4,5 84:12
 88:3 90:15
come-along 41:22
 44:7 71:14
comes 45:13
 79:17 85:5
coming 3:2 38:23
 43:24 47:3
 61:3 85:7
 99:16
Commander 39:24
 77:16,19
commands 41:18
 44:6
Commencing 1:7
comment 43:16
 48:23 50:15
 61:21 82:23
comment/question
 70:22
commentary 60:23
comments 83:8
commission 3:19
 7:13 23:22
 38:19,20 46:12
 46:15,25 48:8
 54:4 58:7
 67:23 78:1
 80:22 85:12
 89:6 91:20
 93:12,15 97:13
 100:24
Commissioner

2:18,18,20,20
 2:22,22,24,25
 3:3,5,7,8,10
 4:16,17 43:20
 43:22 44:12,18
 44:23 45:2,5
 45:19,23,25
 46:4,7,10,17
 46:23 50:7
 51:1 53:15,16
 55:3,18 58:5
 58:23 59:15
 60:2,18,24
 66:9,25 69:2,5
 70:19 75:5,9
 75:12 76:14,16
 78:5 81:4,18
 83:17 84:9
 85:21 89:3
 92:19 93:18,23
 93:25 94:23
 95:2,8,9,18
 96:2,3,4 97:8
 97:18 98:9,12
 99:14,19
commissioners
 1:1 3:1 6:10
 22:1 38:18
 43:14 76:24
 77:10,11 89:13
committee 78:6
committing 17:2
 60:7
common 27:25
 44:15
commotion 63:10
communication
 47:6
communiques 51:9
communities 5:21
 14:5,6 15:5
 19:25 39:23
 51:18 74:9
 99:4,7,8
community 4:24
 5:7,20 6:7
 7:15,18 18:10
 19:10 21:1,3
 21:20 23:17,20
 24:1,4,20,20
 25:10 31:20
 32:16 33:2,2

39:20 40:9
 43:6,10,11,23
 46:14 47:3,5
 56:16 58:16
 59:24,25 61:4
 64:8 70:17
 74:5 80:25
 81:23 82:2,7
 82:15 84:13
 85:5 86:7,8
 87:5,13 88:10
 88:16,19,23
 95:11 99:3
companies 40:25
 46:1,3
company 40:21,22
 40:23 49:11
 74:19 75:8
 79:6
compare 73:6
complacent 72:5
 72:18
complaint 66:16
complaints 78:2
completely 8:15
completion 40:5
compliance 12:6
 12:9 13:6,9
 42:3
complications
 9:4
comprehensive
 29:12 78:17
comprehensively
 29:20
compressed 29:6
computer 100:14
con 58:25
concern 7:25
 8:19 16:3
 19:10 40:11
 74:4,10 87:16
 88:6
concerned 5:18
 5:20,25 6:2
 9:13 23:11
 45:12 69:11
 86:3 89:11,15
 91:7
concerns 22:15
 60:25 72:3
 95:20

concluded 6:10
 22:24
condition 23:11
 52:8
conducted 27:21
 71:1 78:25
conducting 53:1
conductive 71:8
 79:17
Conference 94:12
conflict 33:10
 33:11 57:1,1
 69:21 80:20,23
confront 93:9
Conrad 1:14 3:7
conscious 87:7
consciously 9:25
Consent 40:2,5
 84:16,19
consequence
 90:18 97:23
consequences
 83:22 84:8
consider 44:19
 60:14 90:18
consideration
 85:8
considered 79:15
 83:23
considering 10:5
 30:25 61:11,11
 61:16 62:10
 74:13 83:24
consistently
 41:6
constant 64:10
constantly 64:12
 65:12
constitution
 43:7
constructive
 70:4
contact 5:2 6:3
 29:1 33:1
 64:10 91:18
 92:17
contacts 50:23
contain 14:8
continue 17:7
 18:19 19:16
 87:2,12
continuum 8:8

41:2,6,10,15
 42:1 44:5
 53:12,13 54:21
 54:23 55:1
 59:6,8 71:4,25
 71:25 72:16
 84:4
contract 28:20
contradiction
 8:15 69:22
contradictory
 78:19
contributed 47:7
contributes
 96:12
control 13:21,25
 14:2,8 28:23
 40:21,24 41:1
 44:14 77:16,19
controlled 52:11
conversation
 18:21 42:16
 80:1 83:21
convicted 96:25
conviction 12:5
cop 62:2
copied 60:12
cops 17:21
copy 76:17
corner 24:22
corners 42:16
correct 54:18
 62:21,22 78:9
 78:10 79:20
 80:19 94:10
 100:15
corrective 73:1
cost 36:15
costs 69:24
council 91:21
counsel 100:16
countries 88:11
country 15:12
 16:4 17:8
 19:10,14 25:14
 30:14 32:4
 49:2 51:11
 63:23 87:8
 88:9
county 4:16
 47:23 49:24
 51:12 100:5,7

100:23
couple 39:6,20
 40:12 47:10
 84:15
course 35:3
 56:10 96:24
court 4:2 12:25
 86:15
cover 30:22,23
covering 31:6
Coyote 81:8
 82:13
Craig 33:3
Craig's 2:14
Crawford 1:11
 2:20,21 46:23
 51:1 53:15
 58:23 84:25
 96:2,4
create 33:20
 88:25
created 37:15
creating 13:10
credit 63:15
crime 14:12
 48:12,12,13
 60:7 67:21
 68:8,20 69:7
 91:12
criminal 13:4
 64:16
crisis 14:9
 20:25
criteria 52:7
cross 6:7
crucial 56:24
cruiser 12:12,15
cry 36:9
CSR3611 1:8
 100:21
culture 15:7
curb 85:25
current 10:14
 22:8 28:9 67:8
 84:22 93:13
 95:11
currently 30:15
 67:5,13 76:1

D

D.C 16:5 18:25
daily 93:9

Dallas 38:9
damn 17:1 32:20
 33:12
dangerous 10:2
 13:4,10 27:8,9
 93:7
dark 66:18
dart-to-heart
 9:4
darts 10:11,13
 10:16 12:17
Daryl 81:5
data 27:3 30:11
 48:10 49:20,24
 50:3 51:24
 52:23 58:24
 96:7 97:10
date 95:24 97:17
daughter 67:3
Davis-Drake 1:16
 4:8,9
day 6:5 24:6,17
 31:18,19 32:15
 32:23 33:6
 39:23 43:2,5
 58:4 72:11
 77:23 82:3
 90:22
days 55:21,22
 77:13
deadly 19:18
 20:9 89:10
deal 57:9 68:16
 71:21,21 83:11
dealing 68:2,2
 68:15 90:1,14
 90:16,17
dealt 41:7
death 9:10 47:25
 49:13 53:2
 96:12 97:5,24
deaths 26:24
 27:5 29:18
 30:3 47:15,17
 51:25 52:1,9
decades 53:17
 55:16
decided 12:24
 88:4
decision 11:24
 25:5 54:7 58:9
 58:14,17,18,22

58:25 75:15
 85:16,19 86:15
 91:19,21 93:4
 94:25 95:1
 97:17
decisions 72:12
 83:11
deconstructing
 29:23
decrease 36:15
 67:24
decreases 36:13
decreasing 68:21
deescalate 22:12
 72:13
deescalates
 72:14
deescalation
 22:13,25 57:1
 74:11
default 71:13
defibrillation
 79:19
defibrillator
 9:7
define 92:25
definitely 27:11
 30:7
definitive 74:16
delirium 52:6
deliver 28:4
 42:8
delivered 9:3
 28:10,11
delivers 75:18
democracy 92:16
demonstrating
 92:5
department 8:22
 15:25 16:6
 22:3,17 25:10
 35:8 37:22
 40:6 42:25
 46:13 47:24
 48:1 49:1,21
 54:5,12 58:19
 59:5 63:14,18
 68:9 69:9 72:5
 74:3 75:25
 76:17 81:23,24
 82:3,7,9,11,15
 82:18,24 83:15

86:18,24 87:22
 89:7 90:4
 92:21 93:13,19
 95:1,14,19
 97:15 98:20
 99:5,6
departments 8:4
 8:9,12 19:16
 23:1 26:1
 49:18 51:11
 70:13 71:12
 87:18
dependable 32:12
depending 79:7
depends 69:8
deploy 10:21
 42:1 43:3
 45:17 59:13
 71:8 76:1,6
deployed 27:25
 41:3 53:8
deployment 37:12
 39:12 50:21
 53:5 57:8
deployments
 39:15
depression 36:4
deputies 88:4
deputized 96:20
deputy 1:23 6:21
 16:10 51:13
 96:21
Derrick 1:13 3:8
description 52:7
deserve 38:6
 77:21
design 27:11,16
designed 26:15
 27:10,15 39:19
 53:9,11 79:4
 84:1,6
desk 90:10
destroy 70:15
detainees 5:13
detectives 31:22
determine 26:25
detrimental
 56:15,16
Detroit 1:1,6,20
 1:22 2:1 7:2,3
 15:22,24 16:4
 16:13 22:2

23:21 25:24
 31:14,19,21
 33:13 35:8
 37:15,19 42:24
 48:18,22,23
 49:7,21 50:5
 53:24 54:4
 55:15 56:25
 62:6 63:4,13
 64:10 81:6
 82:24 83:15
 87:11 90:18
 91:13
devastated 36:8
develop 70:16
 88:19
developed 44:25
developing 88:15
device 10:11
 11:13 12:17,19
 14:3 26:17
 71:9
devices 8:21
 11:9 12:3
 13:10 26:13
 78:16 88:25
Dewaelsche 1:13
 3:10,11 60:2
 93:18,23 94:23
 97:8
diabetes 23:12
diagnostic 52:7
dialog 7:10,14
 70:4 89:9
 94:11,20 95:25
Diaz 38:22
dichotomy 70:25
die 73:25 78:13
 97:20,25 98:1
 98:21
died 35:22 37:21
 97:21
difference 38:14
 80:14 87:21
different 8:4,8
 13:16 22:11
 24:14 26:3,5
 27:12,19,20
 29:5 35:24
 44:16 48:23
 52:19 66:6
 69:15 80:13

83:25 85:2,13
 85:24 91:5
 92:2
differently
 30:12
difficult 27:2
 32:6 53:5,20
 58:22 83:1
diffusing 89:22
directing 77:9
direction 24:3
 25:13 85:7
 88:22,24
directly 12:19
 29:2 43:17
disabilities
 50:6
disability 67:10
 67:13
disabled 63:25
discharge 9:3
 10:9,18 79:11
disciplined 63:9
discretion 65:15
 65:25
discretionary
 66:21
discuss 7:23
 24:2
discussed 53:7
discussing 61:16
 94:6
discussion 4:23
 6:9 14:10
 23:23 25:15
 26:15 27:19
 47:1 61:8,14
 74:24 85:24
 89:4,14,14
 91:14 92:9
discussions 24:6
 39:9
disease 30:2
 51:17,19 52:3
 52:10
disingenuous
 82:6
disorder 36:3
 57:23
disposal 72:23
 84:1
disproportion...

51:20
disregard 9:25
disservice 38:4
distance 9:4
distinct 32:9
distinctions
 66:6
distress 30:24
distributed
 76:12
District 1:10,11
 1:11,12,12 2:8
 2:19,21,23,25
 3:4 70:22
division 85:6
divorce 36:5
DMC 1:24 6:24
 25:21
doctor 51:8,9,21
 55:11 78:8
 79:24 84:9
 97:19
Documentary 51:2
documented 47:14
 96:11
doing 24:24
 28:18 32:20
 66:13,15 82:13
 82:24,25 83:5
 98:12
DOJ 76:17 82:9
dollars 15:5
dominating 26:14
donut 83:4
door 57:20
doubt 23:23
downtown 74:8
DPAC 78:7
DPD 67:6 68:9
DPOA 38:22 48:14
 48:15
Dr 25:20,23
 31:12 51:24
 53:21 59:1
 60:12 78:10,14
 79:21 83:18
 93:20
drafted 40:14
 84:19
drain 14:19
Drake 3:22
drastically 37:9

draw 65:5
drawing 65:15,16
 66:5
drawn 64:15
 65:13
draws 85:6
Dre 35:10
drift 88:22
Drinkard 62:13
 62:13 63:2
 64:2
drive 24:11,12
driven 89:6,7,7
drug 77:7
drugs 29:24,25
 30:1 51:15
 52:4,4,5
drunk 13:24
dry 12:18,21
 40:13,17 42:18
duly 100:10,13
dump 38:10
dumped 33:19
Dunne 1:23 6:23
 25:20,23 31:12
 51:24 53:21
 59:1 60:12
 78:10,14 79:21
 83:18
Dunne's 93:20
duty 50:6,13
dwelt 98:17,18
dying 60:8 91:13
 98:18 99:12

E

E 1:10,12 81:8
 82:13
earlier 26:12
easy 81:3
educate 18:18
 20:5,6 21:2
 33:8 87:12,13
educated 19:23
educating 87:14
education 19:25
 20:24,24 74:11
educator 87:10
effect 54:16
effective 22:24
 54:12 55:8,14
 55:25 56:13,18

88:17
effectively 55:4
 55:6
effects 5:24
 26:18
effort 18:4
efforts 81:9
eight 16:18 67:4
either 28:18
 31:2 52:2,4
 65:4 70:25
 100:16
EKG 78:21
elderly 9:9 10:4
elected 4:18,19
electric 10:14
electrical 14:3
electronic 40:21
 40:24 41:1
 62:24 74:18
 75:16
elevated 5:21
eliminate 18:15
Elizabeth 1:14
 3:6
eloquently 22:10
emergency 1:23
 6:24 25:21,24
 26:1 30:15
 46:21 51:8
emphasized 87:7
empiric 27:3
employed 40:1
empty 44:1,3
EMS 30:16 62:25
 63:5
encounter 34:3,8
 34:18 57:10
encountering
 61:23
encounters 5:3
 34:2,7
encourage 13:14
endorse 89:14
ends 11:18,19,20
 84:24
energy 27:21
 31:4 53:1 71:1
 71:9 78:25
 79:9,11,13,17
enforcement 5:1
 5:2,4 9:16

15:21 17:12
 18:9,13 19:11
 19:14 20:4
 21:6 27:7
 31:19 33:5,21
 34:17 35:25
 36:2,6,21 37:8
 37:19 38:10
 50:12 56:16,23
 57:22 69:23
 72:11 86:8
 87:10,13 88:22
 98:2,4
engage 15:10
 39:23 42:22
 94:20
engaged 87:24
engagement 39:25
engaging 90:19
entertain 35:5
 73:11 76:20
 99:17
entertaining
 25:15
entire 6:16,19
 85:13
entirety 21:20
equally 39:10
equipment 32:24
 53:25 70:14
 86:16
equipped 86:12
equivalent 95:12
era 69:15
escape 13:4
escaping 77:2
especially 7:18
 90:17
essentially 53:9
establish 89:5
estimate 52:24
 79:16
estimates 29:14
 52:10,21,22
etcetera 49:5
Eva 1:13 3:10
evaluated 5:23
evaluating 54:9
evaluation 30:23
 62:18
evaluations
 19:20

evening 2:5,6,16
 2:24 3:2,3,5,8
 3:15 4:1,2,8
 7:8,11 21:13
 21:25 43:24
 64:7 67:2
 73:13 75:1
 76:22 89:5
 95:25
event 77:15
 100:17
events 23:24
everybody 19:8
 20:24 21:18
 55:4 77:22
 94:8
everybody's
 20:18 55:6
 68:13,18
everyone's 26:1
 39:7 56:10
evidence 58:23
 93:11
evolving 56:3
exactly 12:2
 39:8 44:23
 66:3 75:17
examination
 100:8
examined 85:14
examiner 29:22
example 12:10
 41:14 44:3
examples 8:24
 23:1
excellent 98:13
excessive 42:9
exchange 5:7
executives 25:7
 45:3
existence 8:14
 87:20
expendable 32:12
experience 58:10
experienced
 58:10
experiences
 58:20
expert 92:22
experts 5:6
 23:22 75:5
 94:16

expires 100:24
explained 50:19
 53:22
explicit 87:22
explicitly 13:5
exploring 5:16
exposed 6:4
 79:13
expound 51:23
extra 79:21
eyes 11:5,21
 82:10 83:24

F

face 11:5 23:13
 98:6
Facebook 37:16
facing 62:2
fact 9:21,22
 14:14 33:6
 36:1 37:13
 39:15 50:6,17
 50:24 55:10
 77:22 85:15
 96:12,16
factors 10:19
 11:16
facts 47:10
failure 10:20
fair 26:4
Fairfax 47:23
fairly 28:4,6
faith 42:7 77:10
fall 84:4 97:24
fallen 73:7
false 70:25
familiar 5:14
 53:17
families 68:5,13
 87:14
family 20:12,13
Fancer 1:19 6:25
 7:20,22 69:8
 71:24
far 3:14 10:1
 15:3 24:3
 47:20 63:18
 82:11
fast 47:10 83:3
fatal 5:2,3 36:7
fatalities 34:22
 35:2

Father 22:7
fault 18:12,12
 78:23
favor 92:12,13
favorite 81:7
favorites 77:12
fear 65:18 89:1
fearful 77:17
feasible 88:13
federal 22:18
 49:4
feedback 59:25
 91:18 92:18
 94:15
feel 14:23,24
 43:5 70:23
 83:20
feeling 70:15
feet 29:6 34:17
fell 35:20
fellow 16:16
 20:6
female 88:1
FENCER 87:16
Ferguson 23:25
 24:8 56:20
 86:25
fiasco 77:15
fibillation
 79:22
fiduciary 85:11
field 33:6
fight 42:4 69:11
 70:5
fighting 13:22
 42:20 62:3
 69:15,16,20
figure 21:19
 58:15 59:4
 81:1,1
final 13:13 56:5
 87:9 91:21
finally 6:2
 23:17 85:9
 88:2
find 5:12 9:14
 52:9 97:2
finish 38:1
fire 90:7 91:6
firearm 27:12
 71:9 84:6
firearms 27:13

88:12,20
fired 10:16
 57:11 63:6,8
firepower 90:1
 91:8,10
fires 10:11
firm 19:2 58:13
first 3:21 8:7
 19:12 20:7
 21:16 22:16
 24:25 31:16
 32:18 34:13
 35:7,8,9 43:22
 44:5 56:22
 69:18 75:1
 81:11 82:22
 84:11,14 85:14
 90:4,20 94:11
 100:10
fishhook 30:19
 30:21
fit 59:6
five 6:6
flesh 10:12
flight 10:18
flinch 37:3
flush 92:10
focus 46:12,16
 68:20 91:16
folks 41:4 62:7
 78:20
follow 22:18
 50:7
follow-up 56:21
followed 6:9
 63:9
following 11:2
 12:8
footage 57:12
force 4:24 8:8
 9:11 10:23
 12:8,21 13:15
 15:4 17:12
 19:18 20:9
 36:8 41:2,6,10
 41:15 42:1,9
 44:5 53:12
 54:21 55:1
 59:6,8 65:1
 70:18 71:3,25
 71:25 72:16
 73:5,8 84:5

89:10 93:20
forceful 71:11
 71:23
foregoing 100:12
forever 16:25
 18:16 20:11,12
 20:13
forget 99:1,3
forgotten 37:17
form 23:15 58:24
Former 1:22,23
 6:21,21
forms 25:16
forth 23:22
 48:15 62:3
 100:10
fortunate 17:9
forum 16:6 47:4
 95:19
forward 2:9 7:6
 7:12 8:20
 24:11 31:8
 54:11,13 85:5
 92:21 93:5
 94:11,12 95:22
 97:9
found 8:11,16
 9:19 63:2 80:9
foundation 58:24
four 15:23,24
 21:18 42:16
frame 39:10
 60:25
framed 42:15
Francisco 48:1
Freedom 8:3
friend 35:14
 37:25 50:17
 86:2 90:19
friends 37:23
frightening
 21:10 72:10
front 3:22 58:16
 63:20 64:1,20
 93:2
full 100:14
fullest 81:20
function 9:5
funding 32:18
 33:17,23 38:11
furious 83:3
futures 57:21

G

gain 13:21
game 91:5
gap 34:16 85:6
Gary 68:16
Garza 1:13 3:10
gas 18:6 55:7
 56:8
gathered 26:19
general 6:11
 51:21 58:16
 78:23
generalization
 5:8
genitals 11:6
gesture 19:2
getting 28:18
 69:24 74:7
 92:11
girls 69:11,15
 69:16,20
give 4:22 6:8
 8:21,23 12:10
 32:16,17 36:25
 38:13 43:14
 44:2 59:24,25
 59:25 77:20,25
 89:23 91:17
 92:17 99:14,15
given 2:12 88:8
 88:9 89:18
gives 40:10
 84:21
giving 38:11
 42:2
glad 3:16 7:10
 73:13 79:25
 84:12
Glenn 90:20
Glock 89:25
go 4:7 10:9 15:3
 15:5 17:2
 21:14 24:11
 31:8 32:15
 37:3 38:14
 39:22 40:15,25
 55:2 58:4
 72:12 77:14
 81:18 82:22
 88:10,23 92:20
 93:5 94:8

95:15,22
goal 43:2 94:24
 97:17
goals 57:21
God 16:19 20:22
 39:21 54:24
 68:9
goddaughters
 67:5
goes 16:8 21:13
 24:12 55:9,13
 78:9 81:14
 91:7
going 2:7,8,16
 3:17 6:20 7:6
 7:16,19 11:21
 14:10 17:23,23
 18:4,15 19:15
 20:1,4,18 21:2
 24:3,10 25:12
 25:20 30:9
 32:2,23 34:6
 34:19,22 35:4
 35:6 36:25,25
 48:5,19,20
 49:16 54:10,11
 54:13,15,20
 56:2,5,6,10,18
 58:13 59:21
 60:8,20 61:24
 61:25 62:7
 68:8,12,21
 69:7,17,18,24
 69:25 70:2,3,4
 70:6 71:5,21
 73:11 77:18
 80:17,22 81:22
 82:17 86:13,19
 88:25 94:14,22
 95:3 97:9,14
 98:21,21 99:1
 99:4
gold 24:15
good 2:4,5,24
 3:3,5,8,15 4:8
 14:20 21:25
 27:3 29:13
 32:14,20 33:6
 34:3 42:7
 45:17 62:23
 64:7 67:2
 76:22 85:17,18

86:2 90:19
goose 44:9
gotten 48:11
 63:24
governing 8:17
 12:23 87:20
government 49:4
grab 33:2 44:8
grabbed 35:21
grabbing 44:10
Grace 73:15,18
granted 83:6
Gratiot 90:8
graveside 37:24
great 7:23 10:1
 16:21 34:11
 54:17 59:18
 72:1 83:19
 84:13,23 95:25
greater 33:20
 38:6 73:15,18
greatest 4:23
greatly 36:3
green 64:23
Gregory 1:16
grenades 5:11
 46:5
grew 17:20 81:6
Griffin 67:2,3
 68:25 69:3
grilled 73:9
groin 11:6,20
group 18:25
groups 24:20
growing 16:12
guarantee 11:1
 57:9
guarding 92:6
guess 33:9,14,18
 63:16 72:12
guests 76:24
guidance 53:3
guidelines 22:18
gun 60:4,5 64:22
 64:22 66:10
 67:10 71:1,5,6
 77:4 90:9,10
 91:3,4 96:23
 96:24 98:3
gunfight 67:16
 69:1
gunmen 63:5

guns 63:8 64:11
 98:4
gunshot 60:17
Gunston 90:8
guy 35:9,13
guys 36:9 37:14
 50:9

H

halfway 12:11
Halstead 24:23
hand 4:11 26:9
 26:10 39:18
 44:1,3 60:1
 65:4,12,14
 66:1,4,5,10
 90:24 91:3
handcuffed 97:6
handcuffs 67:11
handgun 72:18
handle 59:20
hands 14:9 27:4
 27:5,6,7 72:8
 93:19
hanging 12:12
happen 63:15
 72:15 88:5,6
 95:4
happened 12:16
 37:5 71:12
 92:8
happening 25:14
 32:4 88:8 92:7
happens 11:15,16
 11:19,20 23:2
 28:13 55:10
 81:13
hard 30:5 41:22
 43:4 44:19,20
 56:12 64:5
 72:7 83:3 99:6
harm 13:5
Harris 81:5,5
Harvey 78:6
hate 14:15
hauling 62:15
head 11:5
health 16:2 23:3
 33:17 36:20
 38:7 50:8
 51:16,18,19,22
 67:17 69:4

healthcare 46:18
healthy 89:4
hear 42:17 43:17
 48:12,15
heard 6:15,19
 27:23 48:13,18
 48:23 61:12,13
 74:16 84:20
hearing 5:19
heart 9:2,5 11:6
 11:19 42:18,20
 42:21 51:17,19
 55:11 78:9,11
 78:22 79:12,12
 79:18
heartbeats 79:3
heat 5:11 46:5
heavy 67:10
held 1:5 42:8
 98:14
hell 18:7,8 74:6
helmets 57:4
help 5:6 7:16
 14:22 15:7
 18:11 25:10
 34:1 40:7
 46:16 68:12,19
 68:22
helped 82:10
helpful 7:17
helping 68:1
hereinbefore
 100:9
heroes 32:10,12
 33:4 37:17
hey 35:11 40:15
 41:18
Hi 61:2
Hicks 1:16 3:20
 4:6
high 15:11 28:4
 28:7,9 51:20
 67:17 96:9
higher 30:2,3
highly 13:23
Hines 22:9 47:7
hip 42:23
hiring 98:11
history 15:7
 33:8 84:24
 87:19
hit 20:22 42:6,6

55:11 59:18,20
hits 78:12
hold 6:15,18
 11:24 34:6
 97:21,22
holster 35:20
home 21:12,14
 37:1 61:6
 77:24 90:15,25
honestly 52:22
honor 7:23 32:9
honored 31:17
 35:11 83:20
Hood 73:12 84:17
hooks 73:16
hope 9:16 25:11
 34:14 38:20
 42:21 43:1,2
 46:11 54:20
 60:24 72:13
hopefully 17:4
 43:16 86:13
hopes 97:15
hoping 95:1
hospital 1:24
 31:3 59:21
 62:17 71:19
hostility 33:21
hours 77:23
house 4:18 37:6
huge 37:11 38:9
 64:15
human 6:1
humbled 35:13
hundred 52:25
 53:10
hurt 38:15 50:13
hurting 60:6,6
hypertension
 5:22 23:7,8,12
 51:16,19 67:18
hypodermic 77:6

I

idea 28:24 92:11
identifiable
 30:4
identify 43:17
 80:16
ignorance 12:1
ignorant 9:24
Ike 6:23 15:14

ill 51:13
illnesses 36:22
illusion 84:21
immediate 13:5
 80:8
immediately
 14:13 64:14
immobilize 56:9
impact 10:18
 91:7
impaired 9:5
implanted 9:6
implicated 26:24
implying 81:22
importance 7:24
 19:24
important 5:7
 16:20 18:12
 19:18,24 32:21
 33:9 39:10,14
 59:2 84:20
 86:6,23 88:7
importantly 96:6
impression 63:13
in-depth 30:5
inaccurate 11:17
incident 8:6
 12:9,16 29:23
 35:17,23 77:1
 96:19
incidents 9:19
 23:19 24:7
 50:10 77:20
 97:1
include 62:24
including 5:9
 10:19 14:21
 26:14 36:5
 79:14
inconsistent
 8:17 12:22
increase 9:10
 42:12 48:10,17
 49:22
increased 29:7
 71:18
incurred 65:3
index 9:9
indicated 90:13
 93:20
indictments 82:8
individual 23:4

27:6 35:15,20
 96:16,22
individual's
 96:10
individually
 41:8
individuals 6:7
 19:17 23:13
 49:25 50:4
 85:3 96:11,12
 97:2,5
infirm 9:8
informal 89:14
informally 74:25
information 8:3
 26:18 30:7
 47:8 75:19
 97:12
informative 7:9
informed 83:10
 83:11
infraorbital
 44:15
injured 25:25
 36:17 52:19
 63:24 69:24
injuries 35:1,22
 36:15,18,20,22
 37:21 42:12
 50:9 52:17
 53:13 59:1
 63:19 71:17,18
injuring 60:6
injury 9:11 11:7
 27:1 42:13
 43:9,10 59:14
 59:19 83:23
inmate 88:1
input 7:14 92:17
inside 12:11,13
 12:14,22
insomnia 36:4
 57:24
instance 59:7
 63:4 64:19
 65:13
instances 13:3
 63:25 87:23
instill 25:11
institutions
 33:18
insufficient

10:23
intention 66:22
intentionally
 11:3
intentions 34:16
 34:18 90:25
interact 94:13
interest 65:21
interested 5:16
 5:19 100:17
interesting 7:9
 28:16 85:22
intermediate
 50:11 72:6
 95:11,16
internally 85:10
International
 45:3,8 47:11
 49:15
interview 51:7
interviewed 51:3
intoxicated
 12:11 13:24
introduce 3:13
 3:18,21,23 4:5
 4:16 6:20
introduction
 2:17 6:21
investigated
 52:1
investigations
 82:8
Investigator
 1:16 3:22 4:9
 4:10,12,13,13
 40:8
investigators
 31:22
investment 24:20
invited 6:6 16:5
 77:14
Invocation 2:12
involved 57:22
 65:19 70:5
involvement 33:5
 33:12
irresponsible
 39:4 42:19
Isaiah 1:22 6:22
issue 22:4 39:8
 46:14 47:8
 51:15 70:3

71:19,22 90:16
 92:20 97:14
issues 5:23 6:6
 39:21 51:20
 83:23 90:15
 92:10,10 93:8
item 61:19

J

Jackson 100:5,23
jail 47:25 51:12
 58:2 62:15
jailed 87:23
 88:1
James 1:17 3:13
January 48:7,24
Jerry 47:5
Jessie 35:16,20
Jewel 4:16
job 32:20 50:14
 56:25 57:5
 67:4,5 82:25
 82:25 90:20
 93:8,15 98:13
jobs 77:25
John 25:21
Johns 1:24 6:24
Johnson 84:24
Judgement 40:3,6
jumpsuit 88:2
June 100:24
jurisdiction
 12:23
justice 1:20
 6:25 7:21 16:5
 34:5,6 49:1
 76:17 85:2
 86:1

K

keep 7:16 20:2
 32:23 33:25
 91:17 97:18
Ken 85:1 86:2
key 98:8
kick 7:19 78:12
kids 57:20
kill 14:14,15
 26:8 53:10
 74:1 96:6
 97:19
killed 26:9

35:15,19 37:19
 47:11,13,20
 60:15 73:24
 90:7 96:10,22
killing 24:24
 51:2 67:21
killings 48:21
Kim 79:25
kind 2:11 27:22
 29:7,13 30:19
 52:6 54:7
 61:24 77:7
 78:2 87:6
 97:12,16
kinds 13:17
 69:25 99:7
King 92:1
knock 79:19
knocked 13:24
know 10:10 13:15
 14:16 17:1,10
 17:21 18:10,24
 20:7,16,16
 23:8 26:7 27:4
 27:7 28:3
 29:14,18,19,24
 33:8 34:2,18
 34:19,21 35:25
 36:2,8,10,18
 37:7,20 38:6,8
 39:25 40:8
 41:14 46:25
 48:18,20 49:16
 50:21 53:5
 54:15,24 56:4
 56:6,12 57:17
 57:22 60:10,12
 60:15 62:4,5
 63:11 64:12,23
 64:25 65:3
 66:9,12,12,13
 66:18 67:9,16
 69:3,5,6 70:10
 73:4 76:13,19
 77:12,13,22
 78:18 80:2,8
 80:15 81:25
 83:25 86:4,22
 88:5 89:6,19
 89:24 90:1,13
 90:14,22,23,24
 90:25 91:8,9

91:24 92:6
 93:15 95:11
 96:13 97:15
knowing 35:18
 65:19
knowledge 46:2,6
 46:9
known 11:6
knows 4:11 56:10
kudos 77:21

L

Labor 24:17
lack 23:20
lady 2:10
landing 11:19,20
 11:21
Lansing 50:17
large 32:1
largely 8:1 82:7
Las 48:3
lastly 41:9
late 22:7
latest 32:22
Latinos 47:21
law 5:1,2,4 8:17
 9:15 12:2,23
 15:20 17:12
 18:9,13 19:14
 20:4 21:6 27:7
 31:19 33:5,21
 34:17 35:25
 36:1,6,21 37:8
 37:18 38:10
 50:12 56:15,23
 57:21 69:23
 72:11 86:7
 87:9,13 88:22
 98:2,4
lawsuit 49:13
lawyers 85:1
layers 74:8
lead 97:23
learn 4:25 56:12
 56:17 98:25
learned 88:14
learning 19:7
learns 19:9
leave 90:24
leaves 21:12
 81:9
led 52:5

left 2:17 3:14
 7:21 37:21
legs 12:12
less-than-lethal
 5:8 61:8,15
 84:2
lessen 43:9,10
lesser 99:12
let's 32:17,25
 33:23 36:19
 37:13 41:17
 55:9 56:7 81:1
 83:6 87:12
 99:1,3,9,12,12
 99:14
lethal 1:19 6:8
 13:14 26:6,7
 27:1,9,11,16
 52:14,20 53:9
 53:23 71:2,3
 84:1,3,6 93:20
 93:21
lethality 29:15
level 5:21 85:24
levels 15:12
liability 35:3
 36:13 55:9,12
liberties 6:1
lieu 71:10,22
lieutenants 1:20
 7:3 31:14,21
 31:23 89:9
life 15:22 17:10
 17:13 19:4
 20:10,12,12
 36:1 57:18
 70:8 86:14,14
 94:1
life-threatening
 6:4
light 5:6
liked 37:25
 95:17
likelihood 37:9
 42:12,13 59:14
 59:18
liken 47:3
limbs 11:9
limit 9:17 70:12
limited 57:16
limp 88:3
line 23:10 48:4

50:13 65:21
 70:13 86:7
 91:2
Lisa 1:10 3:3
listed 11:16
 13:15 22:16
listen 17:11
 35:5 54:2 58:2
 66:12 72:7
 83:8
listened 98:17
literally 26:8
literature 26:4
 27:18,19 29:9
 29:9,15 52:11
 53:8
litigation 49:12
 49:17
little 28:5 30:9
 65:23 89:16,19
 94:5 99:9
live 33:13,13
 61:3 70:21
 98:21
lived 15:22
lives 14:25 16:1
 17:6 21:17
 77:23 91:12,12
 93:24 94:21,21
 97:11
living 98:18
 99:10
location 10:19
locked 95:23
London 98:3
long 13:7 16:13
 19:21 24:7,8
 28:25 31:18
 42:7 59:19
 66:9 68:10,24
 77:12
longstanding
 7:25
look 16:15 17:3
 17:4 18:13
 19:19,21 21:2
 21:7,20 22:15
 23:3,18 25:15
 26:23 27:13
 28:9,17 29:8
 29:13 39:25
 40:16 41:1,16

45:8 51:24
 52:13 54:22
 55:9,24 60:3
 75:23,24 84:23
 85:4,17 89:12
 90:21
looked 28:16
 45:9,10 51:2
 75:25 78:15,17
 79:1 85:10
looking 26:4
 29:23 30:24
 52:23 60:16
 68:13,18 79:1
 88:10 92:21
 93:10
looks 44:22
Loop 25:1,3
lose 17:5 19:4
loses 28:22
losing 16:1
 90:19 94:1
loss 19:11
lost 15:23,25
 17:10 20:11
 21:17 90:19
lot 8:10 13:12
 25:8,25 28:8,8
 29:9 32:2
 33:14,15 36:16
 37:14 38:8
 41:12 42:11
 60:9,10 63:23
 63:23 66:2
 70:9,23 79:9
 80:24 81:6
 83:7,7,9 96:7
lots 59:9
love 15:9,10
 33:13
low 9:9
LSA 31:15
lunacy 11:24

M

M.D 1:23
ma'am 2:10 4:7
 61:1 62:11
 67:1 68:23
 70:20 74:22
 75:9,15 97:18
Madrigal 4:13

major 19:9,9,20
 19:20 40:24
majority 52:2
makers 25:6
making 58:25
 81:19 83:4
male 14:17 35:16
 49:13 64:9
 69:16
Mallet 3:7
Mallett 1:14 3:7
 53:16 54:17
 55:18 58:5
 59:15 66:10
 92:19 93:25
 99:19
Mallett's 81:19
man 17:21 67:20
 77:15 90:9
 96:17
manage 14:2 73:5
managed 72:23
management 33:11
 46:21 57:1
 72:21,23
managerial 85:18
manifests 36:21
 36:24
manual 59:8
manufacturer
 8:20,25 10:1,8
 29:11
manufacturer's
 11:14 30:10
manufacturers
 30:8
Mark 1:19,20
 6:25 7:3,20
 16:2 17:3 19:6
 20:19 26:21
 28:5 30:8
 31:13 38:22,23
 46:18 48:7
 55:5 57:19,20
 58:8 67:20
 68:21 79:5
 89:15 90:13
mass 9:9
math 33:8 55:19
matter 1:5 39:11
 39:15 91:12,12
matters 34:6

Matthew 84:24
mayor 1:23 6:21
 22:24 91:19
mayors 16:10,10
McKinnon 1:22
 6:22 15:14,15
 15:19 54:17
 55:20 66:8
 73:14,17 80:6
 85:22
mean 11:22 17:9
 21:10 52:22
 55:21,23 60:4
 61:25 65:2
 66:3 97:21
meaning 41:15
 62:8 67:5
meaningful 7:12
 7:13,14
means 25:5 60:7
 71:23
meant 29:3
mechanism 71:13
Media 3:25
medical 5:23,23
 6:23 26:4,16
 27:17,18 29:14
 29:22 30:16
 36:15 51:22
 52:11 78:16
 83:23
medically 28:14
 62:19
medication 26:17
medicine 1:24
 6:24 23:7
 25:22 26:6
meet 18:14 40:4
 94:15
meeting 1:3 2:7
 38:8 49:1
 50:18 61:7
meetings 61:4
 76:13 78:1
Melanie 4:10
Melinda 1:8
 100:6,21
member 64:8
member's 34:14
members 36:14
 50:20,22 72:7
 72:17 82:23

83:14 84:17
 85:12
membership 32:1
memorial 37:15
 90:21
Memphis 47:25
men 6:2 18:22
 32:15 34:11
 38:4,13 53:19
 54:9 57:15
 58:3 59:4 72:4
 72:4 74:1,5
mental 23:12
 33:17,18 67:17
 69:4
mentality 16:23
 17:24 86:19
 90:5
mentally 51:13
 51:14
mention 27:20
 98:8
mentioned 26:12
 26:21 28:5,5
 30:8 31:5 44:1
 44:24 46:18
 51:25 53:4,12
 53:14 55:5
 62:14 64:25
 78:15 79:6
 91:16 98:5,11
mentioning 52:15
Mercy 87:11
merely 58:9
message 36:12
met 2:14 35:9,13
 38:8
metal 41:24,25
 59:19
methamphetamine
 30:1
method 95:14
Miami 22:21
mic 60:22
Michigan 1:6,20
 2:1 7:1,25
 30:14,15 78:7
 100:3,23
middle 13:22
midtown 74:8
Mike 50:15
military 27:14

70:14,18 90:14
million 25:9
millions 55:23
 55:24
Milwaukee 23:19
mind 14:13 33:25
 64:15 91:17
 97:19
minded 71:7
minds 13:19
Mindy 4:1
minimal 60:14
minimized 35:2
minute 32:17
 93:9,9
minutes 6:12
 15:18 38:18,19
 38:19
mirrors 40:5
missed 16:19
 23:9
Mississippi 74:1
Mitchell 35:22
mockery 25:2
moderator 7:8
modifying 81:14
moment 39:3,5
monitor 31:1,3
 72:25 78:21
monitoring 62:19
month 94:13
monthly 61:4
Moore 1:12 2:24
 2:25 43:20,22
 44:12,18,23
 45:2,5,19,23
 45:25 46:4,7
 46:10,17 50:7
 95:8,9
morning 21:12
 66:18
Morningside 64:8
motion 99:17
mouths 88:18
move 7:6,12,18
 19:13 41:20
 59:23 85:6
 94:11,12 97:9
moved 52:19
 99:19
movements 10:21
 10:22

moves 24:2
moving 52:16
multi 74:8 96:11
multiple 64:11
 96:13
municipal 15:5
murdered 74:2
muscles 28:20,23
 79:4
muscular 79:10
Myhand 2:9
myth 13:7

N

NACo 94:12
Nam 90:3 91:9
name 35:10 61:2
 70:21 78:6
named 35:10,15
NAPO 31:24
nation 37:9
national 14:10
 31:24 48:19,19
 48:20
naturally 94:15
nature 23:25
 24:21 84:22
 90:23
necessarily 27:2
 28:8 79:12
necessary 53:25
 94:2 95:10
necessity 89:24
neck 44:9 81:13
need 6:21 24:10
 24:17 25:14
 32:11,18,18,21
 32:25 33:3,8
 33:10,10,11,12
 33:15,17,24,25
 34:4,5,20,21
 40:17 45:20
 48:16 54:6,21
 56:22 58:8
 65:23 67:12,19
 68:6,7,17,19
 68:20 74:9,10
 80:19 83:6
 88:20,23 90:5
 92:8,17,25
 93:14 94:25
 98:18

needle 77:7
needs 41:11 54:5
 58:7 83:13
 85:8 88:23
 93:15
neighborhood
 39:17 68:2
Nelson 4:12
nerves 28:21,23
 79:4
neutralize 34:20
 34:21
Nevada 48:3,3
never 14:18
 28:16 35:22
 42:22 43:1,3
 48:13 58:11
 62:1 63:6 65:2
 65:3 66:15,22
 66:24 70:3,6
 88:20
new 26:16,17
 81:17 88:10,24
 98:19,19
newer 45:13
news 36:6 57:9
 57:12
newspaper 22:16
 76:25
night 21:13
 39:23 43:5
 65:6 68:24
nightmares 57:23
nightstick 41:25
 41:25 89:18,18
 94:19
non-fatalities
 34:24
nonlethal 5:15
 76:18 93:22
norm 73:8
normally 32:1
 34:17
North 48:2
Norvasc 23:6
Notary 100:1,7
 100:22
note 60:1 98:10
 99:14
notes 6:17 31:17
 100:15
noticed 77:1

notion 40:13,20
notwithstanding
 12:14 39:14
November 35:14
nowadays 98:23
NPO's 68:1
number 8:1,4,6
 12:4 13:15
 15:3,20,21,22
 15:23,25 16:7
 16:8,9,21 27:5
 28:17 31:5
 39:19 44:4,16
 45:7 51:19,25
 52:8 55:3
 56:23 87:18
numbers 37:8
 38:5 48:16
 60:12
numerous 10:19

O

Oak 77:3
oath 100:8
Obama 49:1
object 10:22
objections 14:25
obligated 89:13
obligation 32:14
 36:13 57:15
observant 76:25
observational
 28:14
observations
 26:19
observers 5:6
obtain 49:24
 64:5
obviously 52:12
 53:8 71:7
occasion 64:14
 65:13
occasions 13:2
 64:11 98:5
occupants 87:24
occupiers 70:17
occur 15:11
occurred 52:13
 96:19,19
occurring 66:14
offend 66:22
offended 91:3

office 49:25
officer 9:23
 13:20 14:1
 15:21 16:18
 18:1 20:21
 21:12 34:24
 35:25 36:6
 40:7 41:16,16
 42:14,20 44:5
 45:16 50:13
 52:18 54:4,25
 56:23 57:22
 59:15 60:4
 64:21 65:3,15
 65:18 66:19
 69:17 71:8
 73:4,7,9 90:11
 96:15
officer's 38:7
 63:19 65:25
 69:13 72:22
officers 8:13
 9:20 11:12
 12:4 14:1,21
 15:4,23 16:1
 16:16,22 17:5
 17:18,19 18:2
 18:13 19:7,14
 19:19,23 20:6
 20:15 21:16
 23:5 33:21
 34:17 35:2
 36:2,16,16,21
 37:1,19 38:11
 39:17,22 41:12
 41:15,18 42:12
 43:4,9 48:11
 48:17,22 49:6
 49:22 50:1,16
 50:23 51:3,6
 53:24 55:14,25
 56:19 63:23
 66:3 67:6,7
 68:4 70:10,14
 71:22 72:11,17
 73:1,2,4,6
 74:4,9 77:11
 77:18 80:16
 84:25 87:23
 88:18 89:8
 90:13 92:4,5
 94:16,16 96:8

96:15,16 98:3
 98:11,23 99:1
 99:10,11
officials 4:18
 4:19
oftentimes 97:4
oh 95:15
okay 4:15 41:17
 42:24 44:23
 46:7 61:19,23
 62:9 63:2
 68:25 92:13
Oklahoma 96:19
 96:21
old 64:9
Oliver 47:5
 73:21
omitted 49:8
once 15:9 20:10
 21:8 34:18
 91:5,5,6
one's 18:20
 51:16,18,22
one-minute 96:14
ones 61:5 89:15
onion 22:19
oops 11:21
open 26:9 38:17
 60:19 83:24
opened 22:10
 23:11 27:4
 35:14
opening 2:9
operate 74:19
operating 93:14
opinion 60:17
opportunity
 24:15 25:8
 43:15 46:13,15
 59:25 93:3
opposed 22:5
 27:11 51:20
 71:9 89:2
opposition 92:14
option 9:11
 27:11
options 13:16
 15:9 41:12
 69:14 70:8
 83:25
orange 64:23
 88:1

order 2:7 39:3
 43:18 70:2
 82:21 88:4
orders 12:8,14
Organization
 31:25
organizations
 84:18
ourself 92:3
outline 95:21
outreach 34:4
outside 12:12
 96:8 97:3,3
outstanding 6:6
 7:5 82:24,25
overall 29:13
overriding 8:19
Oversight 5:18
oversights 94:14
overstimulated
 28:22
overuse 13:10
 86:20
overwhelmingly
 97:2
owe 34:11

P

P 61:9
p.m 1:7 2:3
 99:20
pacemaker 9:6
pack 5:10
paddle 80:4
page 1:4 37:16
paid 45:19,20,23
 45:24 62:20
paintball 64:22
 64:22
PAL 34:4
Pam 3:22,22 4:6
Pamela 1:16 4:9
panel 5:5 6:9,16
 6:19,20 7:5,7
 7:10 31:13
 60:25 74:14
 82:20 89:4
 99:15
panel's 6:13
panelist 6:11
 43:17,18
panelists 1:19

43:23 46:12,16
paranoid 65:6
parenting 33:1
parents 32:25
part 7:19 8:23
 28:19 62:9
 63:19 78:6,20
 83:21
participating
 47:3 99:15
particular 9:18
 40:12 94:2
particularly
 14:6 18:22
 48:14
partner 37:10
partners 43:12
partnership
 88:23
partnerships
 88:16
parts 28:1 30:14
 30:14
party 100:16
pass 23:10
passion 39:7
 87:12 92:20
passionate 58:9
 70:24
passive 87:24
Pastor 67:2,2
 68:25 69:3
patience 40:1
patient 30:25
 31:3,3,18
 67:17 69:4
patient's 52:8
patients 25:25
 26:20 30:17
pattern 27:12
patterns 26:5
pause 8:21 9:2
pay 15:4 49:12
 91:22
paycheck 23:6
PD 49:10,18
peel 22:19
Peggy 62:13
penetrate 10:23
people 5:18 10:4
 10:4 13:11
 14:11,20,22

15:4 16:15,21
 17:1,6,10,16
 17:20,25 18:10
 18:19,21 19:2
 19:7,13 20:1
 23:5,15 26:9
 26:20,20,24
 27:18,23 28:15
 29:21,24 30:2
 30:3 32:19
 33:19,25 34:3
 34:7 38:8
 39:20 41:4,7
 41:16 42:5
 47:11,13,18,21
 47:22 51:15
 52:5 53:11,14
 54:16 59:22
 60:19 61:22
 62:5,5 63:24
 66:11 67:13
 70:5 71:7
 73:24,24 74:4
 75:7 77:17
 78:18 83:2,7,9
 83:12 86:1,4
 86:18,24 89:1
 90:21 91:11,13
 92:1 97:10
 98:17,18,22
pepper 5:11
 13:17 41:21
 46:4 95:13,20
perceived 70:17
percent 53:10
perfect 35:1
 57:14 58:3
period 96:14,14
peripheral 79:4
permitted 9:15
 9:15
permutations
 59:10
peroneal 44:15
perpetrator
 57:11 90:7
perpetrators
 27:6 58:2
person 9:9 10:12
 12:10,11,20,21
 12:21 15:21,24
 16:24 17:15

18:16 20:11
 28:22 29:5
 30:23 34:25
 35:9 42:2
 51:13,14 52:16
 52:19 54:25
 55:10 56:9
 59:18 60:8,8
 60:14 62:16,17
 67:17,17 78:13
 79:8 87:3
 91:18 97:20
person's 15:19
 34:15 44:8
personnel 63:18
persons 58:18
 92:22
perspectives 6:8
phenomenal 56:25
 57:5
phone 64:19
physical 49:5
physically 69:18
physician 25:24
piece 56:25
Pilgrim 67:3
pill 97:25
pistol-like
 10:11
pivot 14:11
place 8:11 9:17
 9:22 11:8
 12:19 22:20
 23:19,24 32:8
 65:16,17 72:1
 72:3 93:18
 100:9
placed 8:9 71:3
places 31:1
plague 14:5,6
please 2:11 6:18
 17:18 31:17
 39:18 60:2,21
 76:21 92:12,13
 92:14,15 99:9
plexus 44:15,21
podium 2:11
 60:22
point 16:13 22:5
 23:7,25 24:13
 28:21 29:14
 38:20 43:25

44:13,14 45:16
 58:24 70:3,6
 71:16 76:8
 81:19 95:9
 96:5
pointed 25:1,3
 57:25 77:7
points 5:17 96:5
pole 59:19
police 1:1,20,21
 1:22 2:22,24
 3:1,19 5:12,12
 7:2,3,13 8:3,4
 8:12,13,22
 9:20,23 11:25
 12:4,11 13:1
 13:20 14:1,1
 14:11,21 15:1
 15:4,23,25
 16:10,14,18
 18:1,24 19:3,3
 19:16 21:1,24
 22:2,13,13,17
 23:21 24:2,5
 31:24 35:8
 37:15 39:17
 41:17 42:25
 47:6,12,13,18
 47:25 48:11,17
 48:21 49:2,5
 49:21,22 50:1
 50:16,23 51:3
 51:6,11 53:24
 54:5,11,25
 58:19 59:5,15
 61:5,24 63:6
 63:12,14,17
 64:10 67:7,23
 68:4,9 69:13
 69:17 70:10
 74:3 77:5,7,10
 77:11,18,21
 80:16,23 81:22
 81:24 82:3,6,9
 82:11,15,18,24
 83:15 84:17,25
 86:12,18,24
 87:3,25 88:9
 88:11,16 89:2
 89:7 92:4,5
 93:7,13,15,19
 94:16,16,25

96:8 97:15
 98:3,10,19
 99:4,6
polices 16:22
policies 8:11,14
 8:16,17 9:17
 9:22,24 51:10
 87:20
policing 23:18
 33:2,3 39:17
 90:17 99:11
policy 22:18
 40:13,14 44:24
 48:4 62:23
 76:18,20 85:18
 87:22 96:9,17
 96:18 97:4
political 76:23
politicians
 87:10
population 25:9
 27:15 47:20
 51:21
populations 9:12
 10:3
portion 39:16
 78:7
position 16:25
 22:4,5,6,7
 25:17 31:23
 48:6 68:17
 74:23 84:14
 86:10 94:18
positions 24:14
positive 54:15
 83:14
possible 18:11
 55:14 56:2
 83:16 86:11
possibly 32:16
post 63:17
posttraumatic
 36:3 57:23
potential 5:25
 13:4 15:8
 26:25 79:16
potentially 27:8
 53:22 57:6
pounds 64:16
 72:9
powerful 32:5
PR-24 59:17,18

59:19,21
PR-24s 41:23
practicable 11:3
practical 88:21
practices 9:14
prayer 2:10
praying 37:11
pre 63:17
precautions
 20:17
precinct 35:9
 61:3
precision 10:8
 10:17 11:1
predate 28:25
preexisting 11:6
 30:2 52:3,9
prefer 71:8
preferred 11:10
 95:13
pregnant 9:8
 10:4
prehospital 31:2
Preliminarily
 62:23
preliminary
 40:14 44:24
 62:16 75:20
prepare 53:19
prepared 71:21
preparing 66:19
prescription
 29:25 52:4
presence 44:6
 72:9,14
present 1:15
 10:3 22:3
 41:15
presentation
 6:12,13
presented 25:16
 70:24
president 1:20
 7:3 22:8 25:3
 31:14,20,20,25
 38:22 49:1
 50:16,24 83:9
pressure 5:22
 44:12,14 67:18
pretty 33:6
 44:10 52:22
prevent 60:4

71:5
prior 30:4 53:5
priority 88:15
prisoner 77:2
privilege 7:23
 43:6
pro 58:25
proactive 68:11
probably 16:11
 21:16 23:4,6
 27:25 29:16
 53:17 95:16
probe 10:9,18,20
 10:22 11:17
probes 10:11,13
 10:15
problem 9:18
 10:5 19:9
 38:10 42:21
 58:6,6 69:21
 70:8 92:23
 93:11,16 94:3
 94:6
problems 14:5
 17:5,7 18:15
 22:20 33:19
 36:23 61:22
proceeding 99:20
Proceedings 1:5
process 22:23
 41:1 46:21
 75:14 86:22
 87:2
processes 85:13
procurement
 40:25 75:14
produced 8:25
produces 40:23
product 40:22
 51:4,6
productive 88:15
products 78:25
profession 6:23
 91:1
professionally
 43:8
professions 91:1
program 7:19
programs 39:19
 99:3
progress 54:13
prohibit 40:17

Project 1:20 7:1
projectile 26:11
projectiles 5:10
promised 76:12
promoted 89:8
promotion 94:17
prongs 58:1 63:1
 71:20
propelled 5:10
propensity 19:17
proper 38:11,13
 38:21
properly 10:21
 53:8
proposal 48:5
prosecuted 49:25
Prosecutor's
 49:24
protect 56:13
 70:12 92:3,3
protecting 99:10
 99:11
protest 57:3
 92:6
protests 39:24
protocol 30:16
 31:6 62:16
 63:8 64:13
 65:1 96:9,18
 97:3
protocols 30:22
 30:22 65:16
proud 32:11 33:4
 37:16,16 68:10
provide 54:1
provides 31:10
 76:3
public 16:2
 89:12 92:25
 93:1 100:7,22
published 8:25
 29:21 30:11
 64:2
pull 21:9 37:13
 41:25 91:4,5
pulled 48:2 58:1
 64:11,12,19,20
 96:24
pulling 21:9,10
 62:14 96:23
pulsating 74:17
pulses 28:11

pump 79:23
punch 44:22
 97:20,20
purpose 41:24
purposes 12:6
 13:6,8
put 9:16 15:4
 24:11,12 37:2
 44:8,9 51:9
 54:10 65:4
 66:4,10 75:16
 88:1,25
puts 11:12
putting 30:25
 79:9 81:8 91:2
putty 40:22

Q

QRS 78:9
qualms 91:11
quarter 35:23
quartered 35:17
 63:25
quarters 12:2
 36:17
question 14:7
 16:9,12 31:9
 31:10 43:15,16
 45:20 46:17
 48:7,9 49:19
 54:6,18 60:25
 62:23 63:16
 65:11 69:6
 71:20 73:11
 74:17 76:20
 78:8 82:13
 88:8 94:24
 96:18
questions 6:10
 6:11,14,15,18
 6:18 13:19
 21:21 31:9
 59:3 65:9
 67:15,19 75:2
 83:19 100:12
quick 94:24 95:9
 96:4,5
quickly 14:11
 83:12 90:12
quiet 41:9
Quinn 1:18 3:25
quite 60:23

quorum 4:3
quote 9:1
quoted 62:4
quoting 27:18

R

R1:8,12 100:6
 100:21
Racial 1:19 6:25
 7:20
Raddatz 85:2
 86:2
raise 4:11 39:18
 90:24 97:14
raises 13:19
ran 77:8
range 53:24 87:4
 87:5
rare 98:4
rate 24:24 63:18
ratio 73:3
rays 5:11 46:5
reach 29:4 39:19
reaching 96:22
react 40:8 97:25
reaction 39:6
reactionary
 34:16
read 58:20
ready 75:15
real 14:9 37:6
 47:2
realistic 88:13
realities 98:2
reality 18:24
 72:10 91:4,25
 92:8 95:5
 97:22 98:6,6
Realizing 37:4
really 11:8,15
 13:19 14:4
 28:23 54:1,6,6
 54:15 58:7,14
 59:24 60:19
 61:15 63:12
 65:22 66:2
 68:10 75:11
 77:15 79:25
 80:2,15,19
 83:19 84:23
 89:4 92:21,24
 92:24,25 93:5

93:10,21 94:4
 94:7 97:13
reason 9:24
 11:24 26:17
 27:9 32:2
 84:18 85:3
reasonable 13:2
 17:12 65:18
 71:7
reasonably 11:8
reasons 8:1
recall 89:23
recognize 93:7
recommend 31:1
 97:13
recommendation
 93:4
recommendations
 31:5
record 4:3
recorded 37:18
 100:13
Recorder 1:18
recruiting 98:8
 98:9,13,13,16
 98:22,22 99:8
red 64:23
Redford 12:25
reduce 15:3 68:8
reduced 4:22
 100:13
reduces 5:2
refer 26:6 52:6
reference 49:8
 51:17 74:23
references 10:15
refused 88:1,3
refuses 12:15
regard 54:13
 71:16
regarding 8:5
 62:15
regards 30:16
Reggie 2:20
regimen 54:8
REGINALD 1:11
regular 61:5
reiterate 57:17
related 47:16
 100:16
relates 74:11
relations 23:21

24:1 87:6
relationship
 24:4 38:1 68:4
 70:16 81:23
 82:2,15
relationships
 80:3,10 81:2
 88:9,19
release 75:21
reliability
 45:11
reluctance 14:25
reluctant 89:23
relying 71:22
 72:24
remarkable 63:3
remarks 82:21
remember 20:19
 73:14,15 89:20
remembered 80:3
remind 83:1
removal 62:18
remove 63:1
removed 12:17
 63:1 71:20
repeated 12:14
repeating 74:20
report 73:4
 87:25
reporter 4:2
 100:6
reports 8:4,6,13
 9:19 12:9,10
 69:10
represent 31:22
 33:4,22 50:4
 72:4,17
representatives
 5:20
representing
 4:19 32:10
requesting 76:16
required 8:16
 76:7
requirement
 87:22
requirements
 40:4
research 26:20
 26:21 28:19
 29:11,21 47:8
 61:18 64:3

71:11,17 73:13
 75:4,20 84:18
 96:7
resident 62:14
resistance 87:24
resolution 33:11
 57:1 80:20
resolve 67:23
 69:21 70:8
 87:9
resolved 63:10
resort 21:8 71:6
resounding 63:21
resources 38:12
 68:15
respect 8:7 9:14
 12:2 58:11
respectfully
 43:8
respond 15:14
 18:23 19:7
 32:10 38:20
 39:5 40:8
 43:15,18 65:8
 75:12 89:12
 98:7
responded 89:21
 90:12
responding 15:15
 33:20
response 30:10
 69:13 71:24
 75:2 82:11
 94:17
responses 14:13
responsibilities
 38:6
responsibility
 85:12
responsible 5:3
 42:9 51:11
 54:8
rest 57:24 78:5
 78:11
restrict 9:17
result 24:19
 47:25 80:9
resulted 52:17
 53:2
results 11:17
 96:10 97:4
retire 36:22

43:1 67:9
retired 21:15
 63:4 80:3
retiree 46:18
 50:8 73:14
retirement 36:19
 36:20
retrain 18:5,18
retreated 88:2
return 6:14
reverse 82:21
reviewed 8:6
revised 48:4
rhetoric 39:5
rhythm 78:9
Ricard 2:25
RICARDO 1:12
Richard 1:11
 2:18
rid 50:18
rifle 74:20
rifles 5:10
right 10:14
 13:18 23:8
 42:24 44:23
 45:16 49:6
 50:2 56:9,14
 58:8 60:22
 66:20 67:9
 68:9,13 69:12
 69:15 72:2,17
 73:14 75:19,21
 77:16,24 81:12
 84:3 85:15
 86:24 90:24
 91:22,23 98:5
rights 6:1 92:6
rigorously 63:9
riot 57:4
risk 9:10 10:1,3
 11:22 13:9
 30:2,3,4 79:18
risking 77:23
risks 79:15
Rita 61:2
road 40:15
Roadrunner 81:7
 81:7,11,16
Roadrunner's
 81:13
Robert 1:17,23
 3:23 6:23

25:20,20
Rodney 92:1
roll 21:21
rolling 7:7
Ron 22:7 47:4,6
 80:25 85:1
 86:2,4
Ron's 80:23
room 23:5 32:7
 51:8 53:18
 83:2
root 14:4 69:20
 70:8
Rosalind 4:14
Rosia 4:13
roughed 70:1
round 99:15,16
routinely 31:1
Royal 77:3
rubber 5:11
 26:11 46:5
run 25:2 83:4
running 38:16
 92:3,4
runs 10:14

S

safe 21:18,20
 32:23 50:22
 56:1 66:23
 70:15
safely 11:8,9
 51:2
safer 60:17
safety 38:7
 65:18
San 48:1
Sanders 1:13 3:8
 3:9
Sandra 22:8 47:7
sat 50:17
Saturday 33:7
 77:14
Sauger 50:16
save 93:24 94:21
 94:21
saved 97:12
saw 8:13 9:19
 16:13,15 34:25
 92:1,1
saying 11:7
 16:17 20:2

61:21 77:9
says 9:1,8 10:8
 10:8 11:3,7
 13:1 40:14
 85:5 93:18
scene 72:14
schedule 7:17
school 13:22
 69:12
schoolyard 70:5
scientifically
 9:12
Scott 22:7 47:4
 47:7 85:1 86:2
scraps 81:15
seat 7:7
second 23:3
 41:10 71:16
secondly 56:1
 61:20 62:4
 69:20 96:6
Secretary 1:16
 3:18,20 4:6
section 6:7
see 7:5,11 18:7
 18:8 19:22
 23:6 25:4,5,6
 25:7 29:9 32:3
 36:5 37:6
 45:15 54:19,24
 56:7 58:5 60:1
 60:9,11 62:1
 71:4 73:7 74:6
 81:8 84:12
 85:15 90:21
 91:10
seeing 73:5
seeking 98:10
seen 15:11 17:16
 17:17 25:25
 27:23 59:22
sees 45:16
selection 86:22
 87:2
send 57:15
Senior 4:10,13
sense 70:25
sensitive 11:4
separate 24:19
 69:14,18,19
September 1:7
 2:2

Sergeant 1:18
 3:25 35:21
 54:2,3 58:6
 62:14 63:16
 70:23 92:22
 93:6
sergeants 1:21
 7:4 31:14,21
 31:22 89:8
series 28:11
 29:22 82:8
serious 9:4,10
seriously 23:23
serve 7:8 32:15
service 76:3
services 3:25
 30:16
session 98:14
set 93:10 100:9
severe 60:11
severely 36:17
shape 82:10
share 80:7
shed 5:6
Shelby 1:11 2:18
 2:19
sheriff's 47:24
 87:21 88:4
shields 57:3
shock 12:20
 79:14
shooting 90:4
shoot 17:23 60:5
shooting 22:20
 57:22 60:3
 77:5 90:6,8,19
shootings 14:11
 16:8 24:17,19
 49:5 85:25
shop 81:9
short 6:14
Shorthand 100:6
shot 16:16,18,21
 16:22 17:6
 20:21 23:9
 29:5 35:21,21
 43:1 60:15
 63:7,12 73:25
 74:20 90:4,7
 96:21 97:11
shots 63:7
show 43:10 57:12

81:25 96:8
showed 8:6,7
 78:22
shows 41:16 57:2
shrinking 37:9
 38:5
sick 36:14,14
side 34:13
sides 80:25
significant
 10:24 52:3
 93:8
signs 30:24,25
silver 57:13
similar 16:6
simply 25:5
sincerity 56:4
sir 39:1 43:21
 46:22,23 49:20
 51:23 53:15
 70:19 73:10
 78:4 81:4
 82:19 96:3
sit 34:22 42:17
 48:12 80:21,25
 85:3
sitting 48:8
situation 14:8
 22:12 35:24
 56:3,14 61:25
 62:1,2 66:21
 69:18 89:22
 92:4
situations 6:5
 13:10 14:2
 29:3 63:6,10
 69:10,25 71:13
six 74:1,2
six-shooter
 89:24
skin 29:2 30:20
 73:16 79:9
skyscrapers 25:4
slapstick 89:20
sleeping 77:24
sloppy 37:6
small 9:9
Smith 61:2,2
 76:22,22 90:20
smoke 34:23 40:4
society 14:17,20
 18:3 38:9

soft 41:20 44:6
 71:15
solicited 8:3
solution 32:13
 34:10 54:20
 56:5 92:1
solutions 93:2
solve 92:24
 93:17
solved 9:18
somebody 17:13
 26:8 37:5 60:5
 72:9 75:3
 83:12 94:19
 98:5
someone's 29:2
 56:5 86:13,14
somewhat 78:19
 79:7 82:5
son 64:9,15,21
sons 18:20
sophisticated
 63:14
sorry 15:17
 45:22 73:10
soundingly 50:12
sounds 28:7
south 77:2
space 14:19
spank 80:4
spanking 80:8,13
speak 46:13
 60:21 73:8
 83:13
speaker 15:13
 21:23 25:20,22
 64:7 65:10,24
speakers 26:2
speaks 83:12
special 1:3 4:23
 5:5 6:9
specific 16:3
 30:5 60:23
 65:9,10,19,22
specifically
 4:25 29:10
 30:24 31:6
 49:21
speculative
 87:17
spend 15:2
spirit 47:4

spoke 97:7
sponsored 29:11
spray 13:17
 41:21 56:8
 95:13
sprays 95:21
SRT 40:1
SS 100:4
St 1:24 6:24
 25:21
staff 1:19 3:18
 3:23 6:25 7:20
stand 21:1,3
 58:16 92:12,13
 92:14,15
standard 24:15
standing 42:5
standpoint 73:5
stands 73:2
start 2:16 20:7
 24:10,10 32:14
 34:11 41:14
 49:6 71:10
 82:21 87:2
started 49:3
 55:20 80:1
 89:16
starting 28:6
state 8:5 22:3
 30:15 31:6
 51:16,18,22
 52:5 87:19
 100:3,7
stated 22:10
 49:15,15 84:14
 97:19
statement 4:22
States 28:1 43:7
 47:14
static 79:14
statistics 60:10
 63:11,17
stats 47:10,19
 48:12,13 49:3
 62:5,7 63:20
 64:1
stay 7:17 37:23
 78:21
steadily 98:15
stem 86:9
stemmed 23:20
stenographic

100:15
stenographically
 100:13
step 20:16 33:15
 54:11 75:1
 94:5 97:3
stepping 96:8
stick 40:12 42:3
sticks 30:20
stimulant 29:24
stimulated 52:5
 61:22
stimulates 28:21
stimulation 62:1
stockbrokers
 25:6
stomach 11:10,18
stood 63:5
stop 17:22 41:17
 41:18,19 50:14
 60:1,5 65:3,5
 66:10 74:20
 79:12 80:6
 85:25
stopped 18:23
 50:11 80:4
stopping 66:17
store 81:15
storefront 33:14
story 35:6
straight 22:4
street 17:15,20
 29:25 48:3
streets 6:3
 23:15 89:17
 90:2 91:10
strengthen 24:4
stress 23:8 36:3
 36:22 57:23
strictly 40:16
strike 42:8
 44:21 54:23
strikes 41:23
 44:16,18
striking 10:22
strong 10:21
stronger 59:13
stuck 36:7
students 80:4
studied 27:14
 29:20
studies 28:15

29:22 30:5
 52:12 78:14
 81:25,25
study 8:2 28:19
 63:4 78:17
stuff 33:9 36:24
 48:18 62:6,10
 68:14 72:8
 81:10
stumble 97:24
stun 12:18 42:18
stunned 12:21
stunning 27:24
 40:13,17
sub 10:24
subject 7:13
 10:21,22 39:11
 68:24
submit 49:3
 75:18
suburbs 77:3
sudden 84:21
suffer 5:21 36:3
 50:9
suffered 50:6
suffering 34:2
suffers 36:21
suggest 71:11
suggested 48:9
 71:17 74:15
suggesting 88:12
suggestions
 80:24
suicide 36:4
summary 31:10
supervised 73:3
supervisor 4:12
 73:3
supervisors
 72:25
support 22:14
 32:18,19 38:12
 83:16
supports 22:12
supposed 51:14
 65:1
supreme 86:15
sure 2:5 7:18
 32:22 33:24
 36:25 42:15
 51:24 55:3,5
 56:1,10,19

63:22 64:4,17
 66:23 72:1,2,7
 76:13 81:19
 85:13 86:11,16
 87:14 93:1
surface 79:5
Suroby 79:25,25
 80:7
survive 97:24
 98:1
survived 90:6,11
surviving 89:17
 89:21
suspect 12:7,15
sweats 57:24
swing 42:3
sworn 100:10
symptoms 14:7
system 34:5,6,9
 45:12 72:21,24

T

table 6:16 47:2
 48:8,12 95:3
 95:24
tactics 22:11
 44:2,3,4,7,15
take 6:13 9:22
 11:22 14:25
 16:25 17:14
 18:4 20:16,17
 21:1 22:15
 23:3,6,18
 30:20,21 36:1
 39:2 40:2
 57:18 68:24
 70:2 73:1
 79:19 83:6
 85:4,17 86:12
 86:13 97:25
take-home 29:13
taken 1:6 23:13
 23:19 33:24
 46:19,20 74:22
 85:8 100:9,15
takes 11:24 91:6
talk 14:10 18:14
 18:21 27:3,17
 30:9 32:1,2,17
 32:25 33:23
 36:11,19 37:6
 37:13 41:10

42:10 65:20
 66:1,11 67:7
 67:12,19 68:7
 72:8 83:9 84:4
 86:5 87:11
 88:19 90:22
 91:11,15 92:9
 97:14 98:9
 99:12,12
talked 13:12
 26:2 28:5
 40:19 59:1
 61:9,10 66:14
 67:20 73:9
 86:3,21
talking 10:15
 13:14 17:16
 20:1 23:14,17
 24:1 29:9
 39:11 48:22
 54:22 65:8
 68:7 70:6
 74:25 78:24
 87:6
talks 84:16
 87:25
tanks 70:13
tape 41:21
target 10:16
 11:9
targeted 10:12
targeting 11:3
targets 11:10
tased 59:22
 62:24
taser 8:19 9:3
 10:10 12:5,8
 12:17 13:3,23
 20:8 23:9
 26:14 27:22,22
 28:25 29:5,10
 29:15 30:19
 32:21 34:13,14
 34:25,25 35:24
 37:10,11,14
 40:21,23 41:13
 44:25 45:3,8
 45:24 47:21
 48:4 49:14
 50:13 51:5,9
 51:13,15 57:8
 57:25 59:6

60:3 62:15,16
 63:17 67:16
 69:1,13 70:2
 70:25 71:12
 72:6,18 73:15
 74:18 76:2
 78:12,24,25
 88:4 95:12
 96:23,24 97:6
 98:25
taser's 27:25
taser-related
 47:15
tasered 28:15
 30:17,23 34:8
 62:6,17 78:20
 96:11,13
tasering 97:5
tasers 5:24 8:1
 8:5,9 9:20
 13:13,17,18
 22:4,6,19,22
 22:23 23:2,14
 24:9 25:18
 32:13 33:16
 34:10,22 36:11
 37:22 38:3
 43:2 45:13
 47:9,12,13,17
 47:24 48:1,2
 49:10,19 50:19
 50:20 53:1
 58:20 61:9,13
 61:17 63:22
 68:6,7 71:22
 73:25 74:3,6
 74:10,24 76:18
 84:14 85:11,17
 87:17,23 92:13
 96:5,6 97:11
tasing 96:15
task 37:12
tat 31:1
teacher 80:3,17
team 2:14
teargas 63:7
technical 44:10
technique 44:21
 71:15 72:25
techniques 26:10
 41:20,22 44:7
 44:16 53:14,18

technology 32:22
 45:9
teenage 69:16,19
teenagers 74:2
tell 15:6,7
 34:16,19,23
 35:4,6 45:5
 50:3 55:11
 57:7,14,21
 59:20 63:21,22
 63:25 74:12,14
 75:4 76:5
tells 10:2 14:17
ten 6:12 15:17
 52:24 73:3,4
ten-minute 6:14
tenure 16:18
 21:17
term 27:20,21
 78:24 84:2
terms 13:1 15:15
 17:15,18 19:6
 48:10 49:4,16
 49:20 51:10,16
 51:18,21 59:1
 59:4 68:6 75:2
 83:22 87:1,5
 88:21 89:9,17
 89:22 91:8
 95:1,7 96:18
terror 89:1
test 73:15,17,19
tested 9:12
 26:16
testify 100:11
thank 2:6,13 3:1
 3:12,17,20 4:4
 4:15,17,19
 7:15,22 15:12
 16:19 20:22
 21:22,25 25:18
 25:19,23 31:11
 31:12,16 38:16
 38:17,23,24
 39:21 43:13,23
 46:7,10,24
 53:15 60:18
 62:11 64:6
 66:7,25 68:9
 70:19 73:11
 76:14 78:3,4
 79:24 81:4

82:18,19 83:17
 83:18 84:9,11
 87:15 89:3,4
 92:13,14,15
 96:1 97:7
 99:13,16
Theo 73:12
thigh 34:15
thin 9:2 79:10
thing 10:25
 13:13 17:19
 21:5,11 24:25
 26:12 35:1
 40:19 49:8
 54:14 61:8,12
 63:2 64:18
 80:19,21 81:11
 82:13 83:14
 86:21 93:17
 98:16
things 8:7 10:2
 11:16,25 13:18
 13:21 14:21
 17:17 18:9,19
 19:12 22:16
 23:25 24:21
 26:3,10,15
 27:4,8 39:6,13
 40:10,16 42:10
 42:19 52:12,20
 53:4,7 54:19
 55:8,10 57:4
 58:25 65:17
 67:14,24 68:6
 70:11 79:2,14
 83:10,13,20
 84:1,15,22
 85:14 86:3,6
 87:6,19 88:5
 95:23
think 7:11 13:25
 16:1,14 17:14
 20:9 21:15
 25:13 28:14
 31:8 36:6
 37:14 39:10
 41:10 53:21
 54:1,16 55:4
 56:2,9,11,14
 56:24 59:3
 63:3,15,23
 68:20 69:8,19

80:18 82:5,6
 83:14,20,21
 84:3,7,19 85:8
 88:21 92:24
 93:2 94:4,9,10
 95:3,24 97:1
 98:6,14,19
 99:9
thinking 8:22
 53:23 95:15
third 74:17
thought 2:14
 62:9 64:21
 89:12 93:1
 95:6,6 96:23
thought-out 93:4
thousand 52:24
 52:25
thousands 57:8,8
 78:18
threat 13:5
 34:20
threatens 17:13
three 15:22 77:8
 96:15
throat 11:5
throw 62:10
throwing 69:12
Thursday 1:7 2:2
tide 86:9
till 6:18
time 2:8 3:12
 4:4,21,23 6:22
 7:16 15:1,2
 16:15 19:21
 21:16 24:7,8
 25:13,18,22
 28:25 36:14,14
 43:19 47:1
 48:16 53:10
 60:19 65:21
 66:9 68:11
 78:3 86:3
 89:18 91:10
 100:9
timeframe 38:21
 95:3
timeline 97:16
times 16:19
 17:10 20:19
 32:6 47:2 48:9
 79:13 96:13

timetable 95:7
tissue 28:10,11
 71:15
today 4:9 32:3
 37:6 39:7,13
 39:21 41:12
 49:17 50:18
 73:2 82:15
 84:21 85:4
told 21:15 37:3
 50:20
tonight 3:16
 4:22 5:5,16
 6:6,20 31:8
 86:22
tool 22:25 32:16
 55:14 56:11
 58:7 72:11
 80:13 91:2,15
 94:2
tools 38:13 56:2
 57:17 67:8
 72:22 86:11
 91:15 93:14
 98:19
topic 5:17 7:24
 26:1
topics 24:19
torn 80:15
torso 12:13
torture 74:5
total 32:13
 34:10 47:14
totally 5:13
 81:17 92:2
touch 34:4
touching 29:2
tough 32:8,9
 33:12
Township 13:1
tracked 49:3
tracks 72:21
traffic 65:5
train 18:5,18
 87:4,5
trained 19:23
 42:6,8 52:19
 55:4,6 56:12
 59:17 86:17,17
 86:17,17 98:24
 98:24
training 19:25

23:1 28:18
 42:4 53:18
 54:1,8,9 55:22
 55:23 58:15
 59:4,8 64:13
 65:1,8,11 68:3
 68:3 78:20
 87:3,3 89:17
 89:19 97:3
 99:2
trajectory 10:18
 10:23
transcript
 100:15
transcription
 100:14
transform 80:12
transition 90:1
transmission
 24:13
transparent 40:6
transport 71:19
transported
 62:17,25
traveling 85:10
treating 14:7
tremendous 21:4
trial 49:17
tried 25:2 26:25
trigger 21:9
 91:5
trip 45:6,18,20
 45:21,23
troubling 32:6
true 26:13 52:14
 55:17 63:13
 100:14
Trump 25:1 77:15
trust 37:20
 38:15
truth 91:25
 100:11,11
try 7:17 18:15
 66:16 69:21
 72:13
trying 11:13
 14:8 35:17
 58:15 65:9
 68:15 92:2,10
 92:24 93:17
 94:7 98:7,7
tube 64:22

Tuesday 98:15
turn 6:4
turnout 73:13
 84:13
TV 17:17 76:25
twice 37:14 87:4
 87:4
two 13:3,3,22
 15:21 18:20
 24:18 40:24
 66:6 67:4
 69:11,15 90:20
 96:5,15,19
type 7:9,10
 23:24 24:2
 25:15 26:8
 28:19 53:21
 83:22 85:5
 92:18 94:15
 95:20,22,25
types 24:5,7
 26:5 27:1,19
 27:20,24 28:12
 39:9 85:2 97:1

U

U.S 47:12
ugly 54:24 77:17
ultimate 20:9
 86:15
Ultimately 96:24
un-looked 90:16
unable 15:1
uncertain 13:1
uncooperative
 12:7
Undecided 92:15
underneath 88:2
understand 15:8
 16:20,23 17:18
 17:24 18:2
 19:11,24 41:11
 42:11 48:20
 51:9 58:8
 62:20 66:12,15
 70:24 83:8
 89:10 90:3
 93:12
understanding
 19:5,25 73:22
unfortunately
 72:15

UNIDENTIFIED
 64:7 65:10,24
uniform 37:2
unintentional
 52:17
union 83:9
unique 31:23
United 28:1 43:7
 47:14 78:7
University 87:11
updated 32:22
upgraded 32:24
upholding 43:6
use 4:24,25 5:24
 6:17 8:1,5,8,9
 8:21 9:8,11,17
 9:20 10:2,3
 11:13 12:3
 13:2,23 17:13
 17:18 22:5,14
 22:22,24,25
 24:9 25:9,18
 29:7,7 30:11
 30:13 33:16
 34:4 36:7 41:5
 42:25 44:14,17
 47:8,17,20,24
 48:1 49:19
 51:4 52:15
 56:1,7 59:2
 60:5 62:16,25
 63:17 65:2
 69:13 70:2
 71:5,6 73:6,8
 74:5,19 76:18
 80:23 84:2
 86:10 87:20,23
 89:10,10 94:18
 96:5 98:25
user 10:21
uses 29:17 52:25
 56:15 60:13,13
 81:12
usually 9:2
utilized 5:14
utilizing 74:23
 95:20

V

value 15:6 39:16
 69:22 70:7
values 39:13

Vann 2:15
vantage 5:17
variety 5:9 63:5
various 23:22
 26:3,23 30:13
 30:14 53:13
 79:13
vary 52:22
Vegas 48:3
vehicle 12:12,13
 12:22 66:4
verbal 41:17
 44:6
versus 5:15
 12:25 16:23
 20:2
vest 20:18,21,22
 37:2 90:5,6,11
vests 32:24
veteran 33:23
 90:3
veterans 33:24
 90:14
vice 1:23 2:25
 6:23 25:21
 31:25
vices 36:5
victim 16:14
 53:3
video 91:24
videos 28:17
Viet 90:3 91:9
view 23:15 45:16
violate 41:7
violating 96:9
 96:17 97:4
violation 5:25
violence 15:11
 16:8 85:25
 86:9
violent 34:1,7
 34:15 50:22
violently 28:21
Virginia 47:23
virtue 41:5
vision 69:9 70:9
visited 45:3
visiting 46:3
visits 46:1
visual 34:13
visualness 34:14
vital 7:24 30:25

voltage 28:4,7,8
28:20
volts 28:8,10
74:21
voluntarily
78:20
volunteered
28:15
volunteers 28:18

W

w 1:6
wade 69:25
waist 37:12
72:19
walk 41:4 57:10
70:15
walked 45:10
57:19
wall 90:21
want 3:21 13:13
14:4,20 15:13
20:20 33:1,16
37:17 38:15,21
45:15 46:14,24
50:7,23 51:4
60:19,21 61:6
66:2,6 67:7,19
68:11 70:10
72:4,6,17
75:21 77:13,21
77:24 80:14,18
80:21 81:18
84:15 86:23
89:3,6 91:14
91:24 93:12,18
94:15,17,19,21
94:24 95:14
98:8,16
wanted 42:15
61:20 64:12,25
66:23 74:24
80:9 89:5,11
91:16 99:9
wants 13:23
21:14,18 36:1
46:13 50:20
54:4 57:18
94:8
Ware 4:16
warning 11:2
warnings 8:20,24

9:21,24 30:8
79:6
Warren 1:6 22:22
49:9,9,12,15
49:18 50:16
51:3,7
Washington 16:5
18:25
watching 81:6
water 68:16
way 12:20 21:14
26:16 30:21
41:2 52:18,20
53:11 55:16,25
56:6 58:15
61:17 66:12
68:10 69:19
72:15 77:14
84:3,5 85:18
88:10,21 98:1
Wayne 4:16 49:24
51:12
ways 17:4 21:19
98:19
we'll 17:6
we're 2:16 5:16
7:6,19 9:13
13:14 18:4,15
20:16 21:2
22:5,13,13
23:14,17 24:1
36:24 38:18
39:11 43:5,8
52:11 59:24
61:16 62:6,8
62:10 63:14
65:8 68:8,12
68:15,17 69:2
69:6,24,25
70:2 73:10
75:1 77:24
85:3,6,7 86:8
90:14 92:2,10
92:24 93:17
94:7,14,22
95:4 97:9,14
98:7,7,10,22
98:22,25
we've 13:12 14:8
15:11 17:7,8
17:17 18:21
24:9 25:25

40:14 54:13
55:23 57:4
59:3 61:9
74:25 75:24
82:1
weapon 23:16
24:2 26:8
27:15,21,23
28:7 31:4
35:20,21 36:23
36:25 39:15
40:20,21,24
41:2,3,5,14,24
42:22 43:9
45:11,11,13,17
49:5 50:11
53:6 54:10
62:24 64:17,18
64:19,20 65:5
65:5,12,12,14
65:16,17 66:2
66:5,5,5 71:1
71:2 72:6
74:18,23 75:16
75:16,17,23,25
76:1,2,3,6,9
76:10 78:25
79:3 83:22
88:17 89:11
90:8 95:12,16
weaponry 5:14
81:10,21 82:17
weapons 1:19 5:1
5:8,9,9,15,24
6:8 9:18 10:9
10:17 26:6,11
26:13,15,23
27:1,10,20,24
28:4,12,24
29:1,8 30:12
39:12 42:11,23
45:10 52:14
53:1,9,21,22
61:8,14,15
64:11,14 71:3
76:18 79:17
80:18 81:2
84:5 88:10
94:18 95:21
wear 20:18,20
37:2
wearing 36:23

90:5
week 17:17 48:11
76:25
Weekend 24:17
weigh 91:21
weighs 64:16
weight 74:13
75:4
Welcome 35:11
welfare 38:7
went 17:9 20:22
45:9 51:5 58:2
88:3
weren't 63:8
whatsoever 77:20
white 1:17,21
3:13,15 4:10
7:1 21:23,25
25:19 35:16,21
38:25 39:2
44:1,4,14,20
45:1,4,7,22,24
46:2,6,8 47:7
49:9 51:17
62:22 64:13
65:14 66:1
72:20 75:14,23
76:5,10,23
84:10,11 98:20
Whitehouse 48:25
wholeheartedly
89:13
whosoever 91:7
wide 5:9 85:6
widely 52:22
wife 57:20
Wile 81:8 82:13
Willie 1:10,12
2:7,23
willing 35:5
78:21
wire 10:13,14
wish 54:18 58:2
withdrew 34:24
witness 100:10
100:12
witnessed 15:25
Womack 1:8 4:1
100:6,21
women 6:3 32:15
34:11 38:5,13
53:19 54:9

57:15 58:4
 59:5 72:4,5
wonder 37:22,24
 38:1
wondering 37:4
 61:10
words 12:6
work 6:3 15:6
 21:13 37:3
 39:24 43:4
 51:12 53:17,20
 53:25 54:12
 61:5 68:11
 69:17 79:4
 80:19 99:6
worked 20:15
 75:24 86:1
working 89:1
 99:7
works 10:10
workshop 80:22
world 28:2 32:4
 77:21 88:11
worse 60:11
 61:21
worth 10:5 15:2
 69:22 70:7
worthless 14:18
 14:23,24
wouldn't 37:23
 41:3 64:5 83:8
wounding 26:5
 27:12
wounds 26:5
 27:13
wrestle 35:17
wrestled 77:5
wrestling 35:19
wrist 44:10
write 26:20
wrong 24:13
 25:12 32:8
 66:16,20 91:23
wrote 31:17
wroth 14:22

X

Y

yard 64:20
year 16:5 87:4,4
 94:13 95:4

years 8:2 17:8
 25:24 35:7
 40:3 42:24
 43:11 45:7
 47:5 49:14
 54:19 55:15,24
 61:4 64:9 67:4
 85:23 90:20
 96:20
yesterday 98:14
young 2:10 7:3
 14:22 16:12
 17:25 18:19,22
 19:1 31:14,16
 35:12 46:18,20
 48:7 49:20
 50:2 54:2,3
 56:21 59:12,17
 62:14 63:16,20
 64:4 67:20
 68:3 70:23
 74:1,2,5 77:15
 82:21,23 89:15
 90:9,13 92:22
 93:6 96:17
Young- 1:20
youngsters 25:11
youth 14:6,14,17
 15:2,6 34:5
Yvette 67:2

Z

0

1

1 1:4,11 2:19
1,900 28:10
1/2 35:7
10 38:18,19
10,000 29:16
 60:13
100 1:4
100,000 29:17
 60:13
11 40:3
13.6 47:19
14,000 34:5
15-year-old
 69:11
16-years-old
 49:14

172 40:3
1776 1:6
1965 21:15 55:20
1967 16:16 17:9
 55:18
1971 89:16
1998 21:16

2

2 66:17
2.8 25:9
20 25:24 34:17
 38:18 61:4
2001 47:11 82:7
2008 47:11
2009 47:12,16
2014 47:16,19
2015 47:13 48:8
 48:24
2016 1:7 2:2
 89:10
2018 100:24
21 35:16 42:24
22 100:24
230 37:18
24 77:23
250 16:11
26 64:9
283 47:13
29 35:7

3

3 1:11 2:21
 66:17
30-second 96:14
30,000,000 19:13
300 19:13 64:16
32 18:20 24:17
 24:19
340 72:9
35 29:6
351 47:11
38 18:20 89:23
3rd 35:14 61:3
 70:22

4

4 2:8 66:17
40 21:16
42% 47:16,18
43 42:23

5

5 1:12 2:23
50,0900 28:8

6

6 1:10 3:4
6'7 64:15 72:9
6:30 1:7 2:3
60s 66:11
634 47:14,15
6th 12:24 35:9

7

7 1:12 2:25
 22:15
700,000 19:14,15
79th 24:22

8

8 1:7 2:2
80 62:7

9

9:00 99:20
90% 62:7
911 38:16
94 98:15