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FERGUSON COMMISSION

RECORD OF PROCEEDINGS

SEPTEMBER 9, 2015

FERGUSON COMMUNITY ENTERTAINMENT BUILDING

1027 Smith Avenue

Ferguson, MO 63135

Reported by: Suzanne Benoist, RPR, CSR

1 APPEARANCES

2

3 CO-CHAIRS:

4 Reverend Starsky Wilson

5 Mr. Rich McClure

6

7 MANAGING DIRECTOR:

8 Ms. Bethany Johnson-Javois

9

10 COMMISSION MEMBERS:

11 Ms. Felicia Pulliam

12 Ms. Becky James-Hatter

13 Mr. T.R. Carr

14 Ms. Brittany Packnett

15 Mr. Byron Watson

16 Mr. Rasheen Aldridge

17 Ms. Rose Windmiller

18 Mr. Scott Negwer

19 Sgt. Kevin Ahlbrand

20 Mr. Gabriel E. Gore

21 Mr. Patrick Sly

22 Mr. Kevin Ahlbrand

23 Rev. Traci Blackmon

24

25

1 ALSO PRESENT:

2

3 CINCINNATI, OHIO PANELISTS

4

5 Mr. Alphonse Gerhardstein

6 Ms. Iris Roley

7 Officer Kathy Harrell Captain Maris Herold

8 Rev. Damon Lynch, III

9 Mr. Robert Killins

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1 (Whereupon, the meeting began at 5:40 p.m.)

2 MANAGING DIRECTOR JOHNSON-JAVOIS:

3 Good evening everyone. I have the pleasure of
4 calling us to order this evening. Thank you
5 everyone for attending, my name is Bethany
6 Johnson-Javois, I'm the managing director of the
7 Ferguson Commission and tonight marks our 17th
8 Ferguson Commission meeting. Today is September
9 9th, we're here at Ferguson Community Center, I
10 think we should clap for that too. 1072 Smith
11 Avenue here in Ferguson, 63135.

12 I am here to do the roll call tonight
13 so Commissioners please if you're in attendance
14 state your name by saying aye or present.

15 Reverend Starsky Wilson.

16 CO-CHAIR WILSON: Present.

17 MANAGING DIRECTOR JOHNSON-JAVOIS:

18 Rich McClure.

19 CO-CHAIR MCCLURE: Present.

20 MANAGING DIRECTOR JOHNSON-JAVOIS:

21 Kevin Ahlbrand.

22 COMMISSIONER AHLBRAND: Here.

23 MANAGING DIRECTOR JOHNSON-JAVOIS:

24 Rasheen Aldridge.

25 COMMISSIONER ALDRIDGE: Present.

1 MANAGING DIRECTOR JOHNSON-JAVOIS:

2 Traci Blackmon.

3 COMMISSIONER BLACKMON: Present.

4 MANAGING DIRECTOR JOHNSON-JAVOIS:

5 T.R. Carr.

6 COMMISSIONER CARR: Here.

7 MANAGING DIRECTOR JOHNSON-JAVOIS:

8 Becky James-Hatter.

9 COMMISSIONER JAMES-HATTER: Present.

10 MANAGING DIRECTOR JOHNSON-JAVOIS:

11 Daniel Isom.

12 COMMISSIONER ISOM: Present.

13 MANAGING DIRECTOR JOHNSON-JAVOIS:

14 Scott Negwer.

15 COMMISSIONER NEGWER: Present.

16 MANAGING DIRECTOR JOHNSON-JAVOIS:

17 Brittany Packnett is excused.

18 Felicia Pulliam.

19 COMMISSIONER PULLIAM: Present.

20 MANAGING DIRECTOR JOHNSON-JAVOIS:

21 Pat Sly.

22 COMMISSIONER SLY: Present.

23 MANAGING DIRECTOR JOHNSON-JAVOIS:

24 Byron Watson.

25 COMMISSIONER WATSON: Here.

1 MANAGING DIRECTOR JOHNSON-JAVOIS:

2 And Rose Windmiller.

3 COMMISSIONER WINDMILLER: Present.

4 MANAGING DIRECTOR JOHNSON-JAVOIS:

5 And just for fun is Koch Elementary School in the
6 house as well? And fabulous three teachers are you
7 here as well? Let's clap for them.

8 So at this time we have in order to
9 set the stage for this evening an opening song that
10 will be performed by the 4th grade class at Koch
11 Elementary, this is the combined fourth grade class
12 under the direction of Ms. Teresa Kindell and their
13 purpose for tonight is to sing a song that they
14 have prepared in honor of their classmate, Ms.
15 Jamyla Bolden, from Koch Elementary, this is in her
16 memory and in her honor. Please welcome them as
17 they come.

18 MS. KINDELL: Good evening everyone.
19 Thank you so much for the invitation and allowing
20 us the space. As we prepare I'm going to introduce
21 to you our principal of Koch Elementary School,
22 home of the Cougars.

23 They're really excited by today,
24 they're really, really excited by honoring their
25 friend Jamyla.

1 (Performance by Koch Elementary School)

2 MANAGING DIRECTOR JOHNSON-JAVOIS: I
3 think they deserve one more round of applause.

4 So tonight at this time I'll ask the
5 Commissioners and our guests from Cincinnati to
6 please take your places behind me in your seats,
7 your assigned seating and as you do so I'll ask if
8 our co-chairs, Reverend Starsky Wilson and Rich
9 McClure, would provide our evening's charge, please
10 welcome them as they come as well.

11 Thank you.

12 CO-CHAIR MCCLURE: To our friends
13 from Koch Elementary and your wonderful tribute to
14 your classmate Jamyla we are so incredibly
15 grateful, you have touched us deeply. Thank you.

16 My name is Rich McClure, I'm one of
17 the co-chairs of the Commission and we are
18 delighted you have joined us here this evening. We
19 are particularly thoughtful tonight because we have
20 had guests from Cincinnati join us and you'll learn
21 more about them later but we are incredibly
22 grateful that they have made this journey and
23 sacrificed their time to be here with us.

24 Our Commission's work focuses on
25 policy recommendations that seek to address the

1 root causes of systemic and structural inequities
2 in the region and so through this work, through
3 listening and engaging with the community and
4 listening and engaging with experts it's become
5 abundantly clear that we must also deal with and
6 recognize the real regional trauma that has and
7 continues to occur in our region and the presence
8 of our friends from Koch Elementary is another
9 vivid, vivid reminder of that.

10 So we've heard expert testimony from
11 the Regional Health Commission, the Missouri
12 Foundation For Health, we've heard research about
13 trauma and toxic stress as the underlying causes of
14 poor health and leading to undesirable education
15 and occupational outcomes. So we seek to be
16 informed by other communities that have been
17 through their own experiences and have experienced
18 similar events as we've experienced in our region
19 and so as we prepare to release our report early
20 next week and to take all of the calls to action,
21 which many of you have helped us formulate through
22 your engagement at these meetings and in working
23 groups, tonight we think it's very appropriate that
24 we hear from a community who has had experiences
25 like we've had and so this will be a particularly

1 meaningful meeting and at this stage I'd like to
2 turn the podium over to my co-chair and friend and
3 brother Reverend Starsky Wilson.

4 CO-CHAIR WILSON: Thanks Rich.

5 Good evening everyone. So because
6 there are empty chairs you've got to make up for
7 the volume that people who would have sat next to
8 you would have brought today. So good evening
9 everyone.

10 Thank you very much. My name is
11 Starsky Wilson I'm pleased to share
12 responsibilities with my friend Rich McClure in
13 co-chairing the Commission and really pleased to
14 see all of you here on tonight come back to this
15 space just across the parking lot from where we
16 began this journey December 1st, 2014, we had our
17 first meeting here at the Ferguson Community Center
18 gathering members of this community to begin this
19 conversation that we extend today before this last
20 open meeting before the release of the Commission's
21 report. It is unfortunate but appropriate that we
22 have the construction of our agenda tonight,
23 unfortunate because it is a sign that connects us
24 to something we have learned over the course of the
25 last year if we did not know it before. It is

1 pointed out by Lindsay Lupo in a book entitled
2 Flak-Catchers: One Hundred Years of Riot Commission
3 Politics in America, and that fact is just about
4 every nine to 10 years in American history it is a
5 fact of life there is community uprising in some
6 city that usually happens because of a police
7 officer shooting an African-American person,
8 usually an African-American man. Lindsay Lupo
9 wrote that book chronicling riot commissions that
10 happened between 1917 and 1929 closing with the Los
11 Angeles riots. She closed that work before the
12 next chapter could have been written and that
13 chapter would have been written in Cincinnati. We
14 come to learn today because our experiences are
15 inextricably linked. If we probed the stories we
16 would find them but I'll just share one. I was a
17 youth pastor of a church, Greater Mt. Carmel
18 Missionary Baptist Church in North St. Louis in
19 2002 and all of a sudden I came back to the city
20 and we were all in a tizzy because my pastor had
21 gotten a phone call that he was going to be the
22 host pastor for the Progressive National Baptist
23 Convention. That convention was going to happen in
24 August, he got that phone call in April. He got
25 the phone call because of an economic boycott in

1 Cincinnati where the meeting was supposed to be
2 held. Over an extended period of time of the
3 community's uprising turned into a kind of tension
4 that was held long enough so that certain
5 collaborations and conversations could happen,
6 there was enough tension that was held long enough
7 that people recognized that they needed to change
8 behavior, there was tension that was held long
9 enough that people put in place accountability
10 measures such that those behaviors would be
11 measured over time and evaluated such that there
12 can actually be cultural change, not just an
13 accommodation and quiet.

14 So we come tonight to learn about
15 that experience and chapter in American history,
16 prayerfully and hopefully so there is not a city
17 that has to learn from us 10 years from now.
18 So we are pleased to have these guests with us, we
19 pray that we learn from them that will chronicle
20 these lessons and that we integrate them into our
21 process, our learning for our community and perhaps
22 even for the nation as is formed by their tragic
23 history. We thank you for being here tonight and
24 look forward to a productive meeting.

25 MANAGING DIRECTOR JOHNSON-JAVOIS:

1 Thank you so much, and as a point in process I
2 wanted to note tonight that public comment will be
3 captured in at least a couple of ways. There are
4 blue sheets that you can see on the table that will
5 allow you to be able to write and express, those
6 comments will go on that board. We also have
7 markers if you want to write directly on there and
8 Ferguson Commission staff if you would stand
9 tonight, if you have additional comment or feedback
10 that we need tonight will you please see one of the
11 staff that are making their way in or raising their
12 hand? Emily here in the front as well. Just a
13 point of order on that, so thank you for being here
14 tonight.

15 At this time audience polling will
16 begin and we're asking Ms. Monique Thomas from the
17 Ferguson Commission to conduct this at this time.

18 Does everyone have their polling
19 apparatus? If there's someone that doesn't will
20 you please get it to them?

21 Thank you Monique.

22 MS. THOMAS: Now does anyone still
23 not have a keypad polling instrument, tool? All
24 right, great.

25 Good evening, again my name is

1 Monique Thomas, I'm the assistant director of the
2 Ferguson Commission so I'm part of the staff and as
3 Reverend Wilson noted about the significance of
4 history being part of history this too is making
5 sure you're a part of history so this is our
6 audience polling, it's significant to us. I know
7 we have a couple of veterans in the audience who
8 have been with us for a number of times but I know
9 there may be people who this is their first
10 meeting, this is their first meeting and this is
11 the first time maybe you've used keypad polling and
12 maybe just raise your hand and let me know if
13 you've never used this keypad before to participate
14 in a public poll.

15 Okay, a few of you. Many of you seem
16 like you're familiar. So I'll review, we'll have a
17 test question to get us kicked off, get us started
18 so you'll be warmed up for the actual content. All
19 right.

20 So you'll see your keypad, for those
21 who are new to us there are a number of buttons and
22 they have letter A through J or 1 through 9, also
23 zero, and that is going to correspond with the
24 answer choices that I'll give you. So I'll ask a
25 question and you respond with the best answer based

1 on this. Sounds more complicated than it is so
2 we're going to do a test question, okay? Are you
3 guys ready?

4 So I'm asking you what is your
5 favorite color? We have A, black; B, brown; C,
6 blue; D, green; E, orange; F, purple; G, red; H
7 yellow; I, white and J, other. Please note that
8 polling is now closed. It's indicated by this red
9 rectangle that Jerrica Franks is so kindly circling
10 with her mouse. So as you enter your keypad answer
11 in it won't be locked right now, we don't be able
12 to capture it because it's closed right now. So
13 when it says polling open then you can do it but
14 then polling will be closed and if you do it after
15 it won't capture it. Okay, enough suspense, let's
16 do the test question. What is your favorite color?
17 If you're entering your answer you're wrong because
18 we haven't kicked it off yet.

19 And polling is now open. The bottom
20 indicates how many seconds you have left, you have
21 about 15 seconds.

22 We're going to close it. We have
23 results here. Blue always wins, it's always, about
24 50 percent of us our favorite color is blue, I'm
25 not mad at all, it's consistent.

1 So that was the test question, now
2 we're going to be collecting two sets of data,
3 demographic data gives us who's in the room and
4 also content-related data and that is pertaining to
5 trauma. Okay? So we're going to kick it off with
6 this one: In what geographic area is your primary
7 residence or home located? A, St. Louis City; B,
8 St. Louis County; C, St. Charles County; D,
9 Jefferson County; E, Franklin County; F, St. Clair
10 County; G, Madison County; H, Monroe County; I,
11 other. Polling is closed.

12 Polling is now open. About five
13 seconds left.

14 Great. Significant representation in
15 St. Louis City, St. Louis County with 55 percent in
16 the County and 32 percent in the City.

17 In what geographic area is your
18 primary work and/or school? Now if you are retired
19 you can indicate I, other. So the answer choices
20 are A, St. Louis City; B, St. Louis County; C, St.
21 Charles County; D, Jefferson County; E, Franklin
22 County; F, St. Clair County; G, Madison County; H
23 Monroe County; I, other.

24 Polling is open.

25 Okay. Interesting. So we have 33,

1 we have a majority again in St. Louis City, St.
2 Louis County but we also have a significant amount
3 of people who have indicated other, 30 percent.
4 Shows the retirees in the room or other, welcome.

5 With which gender do you identify?
6 Please select one. A, female; B, male; C, other;
7 D, decline.

8 Polling is now open. About 10
9 seconds left.

10 Okay. Majority female, 60 percent.
11 Four percent other, 36 percent male.

12 Next question. In what age group do
13 you belong, please select one. I also do this
14 consistently, reminding people that it's anonymous
15 so you don't have to lie, it's a safe place so you
16 can just indicate your truth and you also have an
17 option to decline with G, but it's safe, okay? So
18 I'll read the answer choices. A, 21 and under; B,
19 22 to 34 years; C, 35 to 44 years; D, 45 to 54
20 years; E, 55 to 64 years; F, 65 and over; G, you
21 decline.

22 Polling is now open. About 10
23 seconds left.

24 Great, okay, we have some diversity.
25 20 percent is under 34 years old, we have, well

1 specifically between 22 and 34 years old, we have
2 significant majority over 55, some choosing to
3 decline and then folks in the middle. Welcome all.

4 Next question. How would you
5 describe your ethnicity or race? A, white; B,
6 black or African-American; C, Hispanic, Latino or
7 Spanish origin; D, Asian; E, American Indian or
8 Alaskan native; F, Native Hawaiian or Pacific
9 Islander; G, other; H, you choose to decline.

10 Polling is now open. About five
11 seconds left.

12 Okay. Majority white followed by
13 African-American with some representation in other,
14 others choosing to decline.

15 Okay. So this is our 17th meeting of
16 the Ferguson Commission. How many previous
17 meetings have you attended? Okay. So if you put A
18 that means this is your first meeting, okay? I, 15
19 or more, you've been to all of them nearly. So A
20 none, this is the first meeting; B, one to two; C,
21 three to four; D, five to six; E, seven to eight;
22 F, nine to 10; G, 11 to 12; H, 13 to 14; I, 15 or
23 more.

24 Polling is now open. About 10
25 seconds left, a little less.

1 Okay. A number of new folks, this is
2 your first meeting, welcome. Then we have a
3 spattering throughout. No one has been to nearly
4 15 or more which is disappointing, I'm looking at
5 you Ruth directly but she's indicating that she's
6 been injured which is why she's down, she has an
7 excuse, that's fine. But anyway.

8 So how did you learn about today's
9 meeting? Check all that apply. So you can select
10 all that apply and how that works, excuse me for
11 not explaining this, you have an opportunity to
12 lock in multiple answers so if all of these apply
13 to you you can indicate A, B, C, all throughout,
14 okay? It will save the last answers you locked in
15 if you change them.

16 So how did you learn about today's
17 meeting? A, Facebook; B, Twitter; C, e-mail; D,
18 newspaper; E, radio; F, word of mouth, friend,
19 coworker, relative, et cetera told you; G, Ferguson
20 Commission website stlpositivechange.org and then
21 H, other, some other way not listed here.

22 Polling is now open. About 15
23 seconds left.

24 Okay. So let's find out how people
25 found out. Mostly word of mouth, 38 percent

1 followed by the Ferguson Commission website, thank
2 you for giving us those hits. 20 percent e-mail,
3 nine percent other.

4 So now we're going to go into our
5 content-related question, almost done, and here
6 we're going into questions related to trauma, toxic
7 stress so I wanted to know a description because
8 each question will be related to this topic, okay?
9 So this is described as a one time or ongoing
10 deeply disturbing experience often brought on by
11 physical, economic, cultural, emotional or
12 environmental assault. Again so trauma and toxic
13 stress described as one time or ongoing deeply
14 disturbing experiences often brought on by
15 physical, economic, cultural, emotional or
16 environmental assault. The first question is,
17 excuse me, have you experienced trauma or toxic
18 stress? A, yes; B, no; C, I don't know; D, decline
19 to respond.

20 Polling is open. Less than 10
21 seconds left.

22 Nearly eight out of 10 of you have
23 experienced trauma or toxic stress indicated by
24 yes.

25 Next question. Do you think the

1 community you live in has experienced trauma? A,
2 yes; B, no; C, I don't know; D, decline to respond.

3 Do you think the community you live in has
4 experienced trauma?

5 Polling is now open. About 15
6 seconds left.

7 Consistent with the last question,
8 seven out of 10 of you indicated yes, 15 percent
9 no, others saying they don't know and others again
10 choosing to not respond.

11 Next question. Do you believe
12 someone can be traumatized by racism? A, yes; B,
13 no; C, I don't know; D, decline to respond.

14 Polling is open. 10 seconds left.
15 96 percent say no, the rest being
16 split between no you cannot be traumatized and two
17 I don't know.

18 Next question. Have you experienced
19 any trauma due to racism? A, yes; B, no; C, don't
20 know; D, decline to respond.

21 Polling is open. 10 seconds, less
22 than 10 seconds.

23 It's split, some indicating yes,
24 excuse me, 46 percent indicating yes, 48 percent
25 indicating no and six percent not knowing.

1 From your experience, how many people
2 in your community are coping with past trauma or
3 toxic stress? This is approximate. A, very few;
4 B, some; C, a lot.

5 Polling is open. About 15 seconds
6 left. How many people in your community are coping
7 with past trauma or toxic stress?

8 56 percent indicate a lot followed by
9 some and 15 percent saying very few.

10 That concludes our polling. I'm now
11 going to put us back to the direction of Bethany
12 Johnson-Javois, our managing director.

13 MANAGING DIRECTOR JOHNSON-JAVOIS:
14 Thank you very much. If you would if you have your
15 polling keys if you would turn those in to the
16 center aisle if you haven't done so already, just
17 pass them down to the center and someone will
18 collect those from you at this time.

19 It's my pleasure to do introductions
20 to community and to Commissioners tonight of the
21 Cincinnati delegation, one which is joining us by
22 audio visual behind me so if you would press the
23 green light to have him join us at this time I will
24 also do a review for him.

25 To my left Al Gerhardstein, if you

1 would waive your hand. Al is the lead plaintiff
2 counsel in the ACLU lawsuit against the CPD. He's
3 a partner in the Cincinnati law firm of
4 Gerhardstein & Branch. Mr. Gerhardstein has been
5 an attorney for over 37 years, his area of practice
6 is on civil rights including race, sex, sexual
7 orientation, disability discrimination and housing,
8 employment, prison rights, police misconduct,
9 voting rights and reproductive health issues. He
10 also is lead counsel with the plaintiffs in the
11 class action lawsuit which was an eight year effort
12 that resulted in more officer accountability, less
13 use of force, elimination of systematic factors
14 related to racially based policing and increasing
15 engagement of the African-American community
16 through problem solving. Welcome Mr. Gerhardstein.

17 MR. GERHARDSTEIN: Glad to be here.

18 MANAGING DIRECTOR BETHANY

19 JOHNSON-JAVOIS: Kathy Harrell is president of the
20 Fraternal Order of Police Queen Lodge No. 69 in
21 Cincinnati. Kathy was born and raised in
22 Cincinnati and received her degree from the
23 University of Cincinnati. Through her career Kathy
24 served for four years as a military police officer
25 in the U.S. Army Reserves and has been a member of

1 the Cincinnati police department since 1987 where
2 she has served as a community beat cop on the west
3 side of Cincinnati and as an undercover drug and
4 major crime investigator. Ms. HARRELL was the
5 first woman selected as union president of the FOP
6 Queen Lodge No. 69 and currently holds that
7 position. She also serves as national FOP pension
8 chairman, second vice-president of the National
9 Conference on Public Employment Retirement Systems
10 and a member of the President's Task Force on 21st
11 Century Policing. Please welcome Ms. Kathy
12 HARRELL.

13 Captain Maris Herold is here as well.
14 She is, works within the Cincinnati police
15 department. She's the District 4 captain of
16 Cincinnati PD and has worked extensively with the
17 implementation of the Cincinnati Collaborative.
18 Since 2001 Captain Herold has led many reforms
19 serving as an officer during the 2001 Cincinnati
20 riots and during the past decade with CPD she has
21 served as a negotiator between the police
22 governance and community organizations. Captain
23 Herold is experienced in working with the old model
24 as well as the new community problem solving
25 policing framework and has seen strong improvements

1 within the CPD since the establishment of the
2 Collaborative. Just a little bit of background,
3 she has held numerous positions within the
4 Cincinnati police department including the criminal
5 investigation section, professional standards,
6 community relations, crime analysis and problem
7 solving units and police academy. Please welcome
8 Captain Maris Herald.

9 Pastor Damon Lynch, III is to my
10 right, a former president of the Cincinnati Black
11 United Front. Pastor Damon Lynch, III is the
12 senior pastor of the New Prospect Baptist Church, a
13 position he has held since 1970. Also a lifetime
14 resident of Cincinnati graduating from the
15 Cincinnati Bible Seminary with a Bachelor of
16 Science in '73 and in '91 received his MBA from the
17 Graduate Theological Foundation at Notre Dame.
18 Pastor Lynch is a former president of the
19 Cincinnati Black United Front and led the group of
20 organizations in the filing of a class action
21 lawsuit against racial profiling in the city of
22 Cincinnati. This lawsuit resulted in a historic
23 landmark agreement between the Cincinnati police
24 department, Fraternal Order of Police, City of
25 Cincinnati, American Civil Liberties Union and the

1 Cincinnati Black United Front. He's also on
2 faculty and in 2015 Pastor Lynch was appointed to
3 the Ohio Governor's Task Force on Community Police
4 Relationships. Pastor Damon Lynch, III is joining
5 us as well.

6 Ms. Iris Roley, Cincinnati Black
7 United Front. Iris Roley is a native of Cincinnati
8 and currently serves as the project manager for the
9 Cincinnati Black United Front. In 2001 Ms. Roley
10 was instrumental in the design and monitoring of
11 the Cincinnati police department reform stemming
12 from the deaths of two unarmed black men by the
13 CPD. She later was named as Cincinnati's city
14 manager selection committee which involved the
15 hiring of a new police chief and later leading to
16 Cincinnati's first African-American police chief.
17 Ms. Roley also sits on the fraternal advisory
18 committee of the police chief and is the Cincinnati
19 branch NAACP chairperson of the education
20 committee. Welcome Ms. Iris Roley.

21 And last but not least who is joining
22 me by audio visual. Hello. Delay is not denial.

23 Robert A. Killins, Greater Cincinnati
24 Foundation is program director, he coordinates GCS
25 grant making in the area of Vibrant Places.

1 Vibrant Places grant making includes community and
2 economic development, environmental stewardship,
3 cultural vibrancy and job creation. Robert also
4 coordinates the GCS \$10 million impact investment
5 program, he has been with GCS since January 2010
6 and January '09 he retired from P&G after 24 years.
7 Important to know about him is he has significant
8 nonprofit experience as a volunteer founder, board
9 member and board chair currently serving on the
10 Sisters of Charity Ministry Foundation. He is
11 currently the president of the Cheers Toastmaster's
12 Club of Cincinnati. Robert is a graduate of
13 Leadership Cincinnati, key notes class of 23. Mr.
14 Robert Killens joins us as well.

15 I'm going to ask the co-chairs to set
16 us up for the panel Q and A at this time.

17 CO-CHAIR MCCLURE: We're going to
18 have the panel speak to us in a particular order
19 that they determined and there are some
20 presentation materials and so we're going to have
21 Bethany call on them in the order that they have
22 agreed to speak and we're going to hold all
23 questions from the Commission until they complete
24 their presentation so we've got the full base of
25 information.

1 So again welcome to our guests from
2 Cincinnati and Mr. Killens thank you for joining us
3 electronically, we are very grateful for your
4 presence.

5 MANAGING DIRECTOR JOHNSON-JAVOIS: At
6 this time Reverend Damon Lynch, III is set to go
7 first but you can either keep your seat or you can
8 come to the podium. We would ask in your
9 presentation if you would turn the podium this
10 direction, toward us and speak with the cordless
11 mic which I'm happy to give you.

12 REV. DAMON LYNCH, III: Good evening.
13 I'm honored to be here, honored to be here with our
14 team, honored to be here to share with the Ferguson
15 Commission and the residents from the many
16 different counties from which we first saw earlier.

17 This is the first time I've ever had
18 my bio read, which is a compilation of my bio and
19 my dad's bio, so sometimes you guys mixed my father
20 who was also Damon Lynch who was actually a pastor
21 in Cincinnati, the bios are mixed. So when I heard
22 I've been pastor since 1970, I was 10 years old in
23 1970. My father started in 1970 and so I'm honored
24 to share his name and anything about him so it is
25 great to be here.

1 I started pastoring in 1990, I've
2 been pastoring 25 years, the Church of Cincinnati,
3 Ohio.

4 Let me share with you, and I need to
5 talk kind of quickly because there are a lot of
6 people coming behind me, so I'll share with you
7 what I shared last night with the group and I'll
8 start with a Sufi story, a Sufi story is a title,
9 you will only learn what you already know. So the
10 story says that there was a woman, there was a
11 village that had an intractable problem, they had a
12 problem that they could not solve. So eventually
13 they asked a woman of another village who was of
14 great wisdom to come and help them with their
15 problem. In time the woman came and when she came
16 she asked the people in Ferguson, she said do you
17 know what I'm going to tell you, and they all said
18 no, she said well if you don't know I'm leaving.
19 And she left. And the people in Ferguson were like
20 we brought these people all the way from Cincinnati
21 for that? And so the problem continued and so in
22 time they got up the nerve to ask her to come again
23 and she came. She came again and she said do you
24 know what I'm going to tell you? And this time
25 they all said yes. She said well, if you know I'm

1 leaving. And she left. But the problem persisted
2 so the community one more time asked the lady to
3 come to share her wisdom. Well, this time the
4 community thought they were ready and so when they
5 came she asked the same question, do you know what
6 I'm going to tell you, and this side of the
7 community said yes and this side of the community
8 said no. She said well, those of you who know tell
9 those who don't know and you all will know and she
10 left again and never came back. That night one of
11 the elders in the community had a dream and she
12 said I understand what the elderly woman was trying
13 to tell us is that any real wisdom, any real
14 knowledge that we need we already have it in our
15 own community. It doesn't have to come from
16 outsiders, it doesn't have to come from outside
17 experts, we just have to have the courage to
18 believe in ourselves.

19 And so we come from Cincinnati not
20 because we're experts, but we come from Cincinnati
21 because we share the same problem. We come from
22 Cincinnati because we have sat where you sit, we
23 have been through what you're going through and so
24 I think it's important for us to understand tonight
25 is why we go through this in communities around

1 this country. I think it's important for each of
2 us, especially for law enforcement, to understand
3 it. One of the problems we've had in America at
4 least since 1619 is that the face of oppression,
5 the face of racism for African-Americans and other
6 minorities, the face of it has been law enforcement
7 and law enforcement itself doesn't even realize
8 that. The first 20 Africans came to these shores
9 in 1619, they came here on a Dutch slave ship
10 called the Man of War. They landed in a place
11 called Jamestown, Virginia, 1619. From 1619 to
12 1863, 244 years, the first 244 years of Africans'
13 existence on this land was slavery and if you left
14 the plantation, if you tried to get away you know
15 who came and got you? Law enforcement. The first
16 244 years spent just trying to get out of slavery.
17 So when you talk about American exceptionalism,
18 greatest country ever was, ever lived, there might
19 be a slight reason why there's some people who
20 don't really feel that way. So from 1619 to 1863
21 bondage, from 1863 to 1964 apartheid, apartheid
22 means segregation, we called it in this country Jim
23 Crow. So for the next 101 years, from 1863 to 1964
24 Jim Crow segregation. The first three and a half
25 centuries for black people in America, the first

1 350 years, slavery and Jim Crow segregation. And I
2 understand Jim Crow segregation was not something
3 in Alabama or Mississippi, it was something in
4 Cincinnati. It was something in St. Louis. The
5 first 350 years, and so if you decide you want to
6 cross the Edmund Pettus bridge, who's on the other
7 end to stop you? It's not the governor, it's not
8 the legislature, who do they put out to stop you?
9 Law enforcement. Who is the face of the structural
10 racism in America? So when they turned the dogs on
11 you and water hoses it's not Governor Wallace or
12 Governor Faubus or the legislature, and these might
13 be nice cops but you got people making laws saying
14 stop them and who's the face of that? The guy with
15 the badge, the guy with the gun, the guy with the
16 night stick, the guy with the German shepherd. The
17 first 350 years.

18 So after that then you have
19 redlining, profiling, mass incarceration, so from
20 1946 to now is another 51 years. You have to
21 understand the history. So what we wanted to do in
22 Cincinnati was figure out how can we move beyond
23 that, this is after 15 black men were killed by
24 police from 1997 to 2001, all black, different
25 varying circumstances, I'm not saying everybody

1 didn't deserve, some people didn't deserve to be
2 killed but the only people being killed in
3 Cincinnati were black men and killed by white cops
4 in that time frame and we thought the number 15 was
5 huge. Nowadays in some cities, and that was over a
6 period of time, now in some cities that happens
7 within, you know, a year. But we wanted police
8 transformation, we wanted police reform but we also
9 wanted to bring our community together and how do
10 we bring our community together? What Ferguson has
11 and St. Louis has and Baltimore has and others,
12 what Cincinnati has, we have the same problem. We
13 will probably all end up with the same product.
14 Everybody's got the same product, got to get some
15 kind of consent decree from the DOJ, we're all
16 going to get the same product because none of us
17 are that smart that we're going to do that much
18 different than what anybody else has done. Same
19 problem, same product, but what we wanted to do
20 different was process, a process that brought
21 Ferguson together so since we're in a church, or I
22 think used to be a church, now a community center,
23 let me give you a word, it's called synoptic, if
24 you want to write it down, write it down.
25 S-Y-N-O-P-T-I-C, synoptic. If you know language

1 you can break it down in to two words, syn, S-Y-N,
2 being with and optic meaning lenses. We had to
3 figure out how can we get people in Cincinnati to
4 see this problem through the same lenses, not just
5 to see the same thing but to see it through the
6 same lenses. For you Christians in the room you
7 know that the first three books of your New
8 Testament, Matthew, Mark and Luke, all called
9 synoptic gospels which means that these three guys
10 not only see the same thing but see it through the
11 same lenses. Because I wonder if you saw what I
12 saw earlier today, those beautiful kids get up here
13 and sing, this fourth grade class, and me, the way
14 my lenses work I'm looking for the white kids, I'm
15 looking, I'm like these beautiful black kids,
16 where's the white kids? I'm like oh, that's right,
17 because every city I travel to now vies for being
18 the most segregated. Every city I go to, we're the
19 most segregated city. I went to Cleveland, we're
20 the most segregated city, Cincinnati, we're the
21 eighth most segregated city. America has so fastly
22 segregated itself it's funny. So I watched all
23 these beautiful little kids and I'm like well,
24 where's the integration. Because we're
25 resegregated.

1 So how do we get synoptic vision?
2 Synoptic vision works like this, I'll only take two
3 more minutes. I am African-American, born and
4 raised in a black American family, attended a
5 predominantly black church all my life. I've lived
6 the black experience my entire life but I'm also
7 born and raised in America and so I have an
8 africentric stream of consciousness and I have a
9 eurocentric stream of consciousness. I went to a
10 public school system, I had to learn European
11 history, I had to learn about the French
12 Revolution, I had to learn everything my white
13 friends learned. I had to be sometimes just as
14 white as my white friends. I know what it means to
15 be the only black person in the board room, the
16 only black person in the classroom, that's my life
17 experience. So I have a dual stream of
18 consciousness. Most of my white friends are purely
19 eurocentric because you're in a European country
20 and being eurocentric is really all you need. So
21 what happens is, and we're old enough in here to
22 remember this, you can put up on the screen the OJ
23 trial verdict and Judge Lance Ito reads the
24 verdict, not guilty, and we're all in the same room
25 at the same time watching the same thing and you

1 know what America did? It defined it. The
2 majority of white people said this is crazy, the
3 majority of black people said we finally won one.
4 You could put up the Rodney King beating in Los
5 Angeles and we're all in the same room watching the
6 same thing at the same time and majority of white
7 people in America said why did he just lay down and
8 the majority of black people said why do they keep
9 beating him. And we're looking at the same thing
10 at the same time but not looking through each
11 other's lenses and so because I have a dual stream
12 of consciousness I can see what my white friend
13 sees. Sure OJ did it, who else did it? I can see
14 that. I can see what they see but so often others
15 can't see what we see. And so Iris Roley is going
16 to come behind me and show you how we were able to
17 take the city of Cincinnati divided by race,
18 dealing with police brutality, dealing with the
19 deaths of 15 black men and bring the city together,
20 what was called a collaborative agreement, how we
21 did that, she's going to share that with you. And
22 so hopefully it's instructive for the work that
23 you're going to do here in Ferguson to bring this
24 community together.

25 Thank you for your time.

1 MS. ROLEY: You're all clapping, I'm
2 not, it's hard following Reverend Damon, III.

3 So I do want to thank Ferguson for,
4 and the Commission for having the Cincinnati team
5 come into your region to talk about the work that
6 we did in Cincinnati and the work that we continue
7 to do. I, like Reverend Lynch, we always are
8 talking to the community folks and it's hard to
9 talk to important people.

10 So it's my job to attempt to tell you
11 how we did it but I want to say one very important
12 thing. How we did it was being very determined as
13 a people to attempt to see transformation of a
14 system and in hopes to see, seeing transformation
15 of a community. A very important person said to me
16 one time if you attempt to change the system and
17 not change the community you will be walking a very
18 long road. That person was Iris Roley.

19 And so I've been walking this road
20 with Al and Damon and Kathy and Maris for the last
21 14 and a half years and it never seems to get
22 easier. So we have to be very determined, be very
23 deliberate and in some instances very arrogant in
24 our attempts to transform the system because reform
25 without transformation is nothing. You'll be

1 having more commissions, more panels, more
2 meetings, more conversations, writing on more cards
3 but you'll be at the same place on that very long
4 path.

5 So I wanted to read a couple of
6 things because we often and always, I know that
7 Reverend Lynch and Al and myself, we always find
8 ourselves going back to the Collaborative Agreement
9 because this process is not a document, the
10 Collaborative is a process and it is a continuous
11 process because systems change, police get new
12 weapons to use to fight crime, communities figure
13 out how to commit more crimes and so we have to
14 come together to figure this process out together
15 so I wanted to read some things to you because
16 they're very important and I often read them all
17 the time because I find myself looking back to 2001
18 thinking wow, that was just yesterday, but it was
19 14 years ago and I'm still 25.

20 So the first thing that I want to
21 read to you is the very important value statement.
22 The overall Collaborative Agreement described in
23 this document contains a description of
24 problem-oriented policing which frames the overall
25 philosophy and practices at its core. Central to

1 problem solving and orientation is the problems are
2 the limits to be engaged and learned from and that
3 blame is an obstacle to progress. We bought into
4 that community, the Black United Front bought into
5 that because we wanted to blame somebody, it was
6 somebody's fault. The overall Collaborative effort
7 suggests an alternative to blame that different
8 groups within the community with different
9 experiences and perspectives share much more in
10 common than not and can work together on common
11 goals and solve problems together. So that was the
12 first phase of our process.

13 What did we do, under the Court's
14 order, before we got to the Court the Cincinnati
15 Black United Front collected over 400 stories from
16 the black community because that was the community
17 that was negatively, highly impacted by biased
18 policing. Right? So I could ask you what you
19 think about policing not even knowing your story
20 but 98 percent of you are going to say your
21 connection and interaction with police is probably
22 positive, am I correct?

23 AUDIENCE MEMBER: Not always.

24 MS. ROLEY: I feel like I lived
25 overseas and dictatorships, right? And I can ask

1 this beautiful lady sitting next to you about her
2 experience and maybe 98 percent of those she loves
3 and who she is probably would be a negative
4 experience, am I correct?

5 AUDIENCE MEMBER: Correct.

6 MS. ROLEY: So we come from those
7 different lenses that Reverend Lynch talked about.
8 So not only did we collect the 400 stories from
9 African-Americans because no one had ever asked us
10 how we were being policed. It was the most
11 humbling experience in my life because I watched
12 fathers bring their sons in, grandmothers bring
13 their grandchildren, boyfriends bring their
14 girlfriends and parents take their children out of
15 school to bring them to us and we did this in the
16 month of January, coldest month of the year in
17 Ohio, and over 400 people came out and gave us
18 their story so we knew we were on to something.

19 The next process was how do we get
20 everyone else's thoughts and feelings around
21 policing? Right? So we created eight stakeholder
22 groups, police and their family, youth, religious,
23 business, nonprofits, LGBTQ, we covered everybody,
24 everybody was covered in the community because the
25 Collaborative starts off with that very critical C.

1 What is that you all? Because you all know what I
2 came here to tell you, right? You all know what
3 the lady came to tell you? What's the very
4 critical C? You were there last night, what is it?
5 Communities. So that's the biggest problem in all
6 of this work is how is the community engaged in the
7 law. So those eight stakeholder groups including
8 the African-American group had the opportunity to
9 describe what policing looked like for them and
10 then how did they want policing to look. Can you
11 guess what we came up with? Very similar
12 statements. We had more in common than not. So
13 when Pastor talked about bringing those and
14 connecting those lenses together and then
15 understand what they mean and what they look like
16 we have more in common than not. Those eight
17 stakeholder groups define the goals, the five goals
18 in the Collaborative Agreement and I want to read
19 those to you.

20 The first goal, police officers and
21 community members will become proactive partners in
22 community problem solving. It's not easy. We're
23 talking changing systems and community.

24 Second goal, build relationships of
25 respect, cooperation and trust within and between

1 police and communities. Not easy. Reverend gave
2 you history and if you missed it shame on you.
3 Because that was a great history lesson.

4 The third goal, improve education,
5 oversight monitoring, hiring practices and
6 accountability of CPD. Very, very lofty goal.

7 Fourth goal, ensure fair, equitable
8 and courteous treatment for all. Because see not
9 everybody was being treated fairly by the
10 Cincinnati police department but when you looked at
11 all the comments from the eight stakeholder groups
12 each group said that they wanted everyone to be
13 treated fairly and equitably by the police
14 department.

15 Our last goal, create methods to
16 establish the public's understanding of police
17 practices and procedures and recognition of
18 exceptional service in an effort to foster support
19 for the police. Wow, that's really big. In
20 particular for the black community because as
21 Pastor described who's the front line in a very
22 negative, negative way all the time? It's the
23 police. Could be nice women and men, I like Maris,
24 I like Kathy, some days anyway, but we have more in
25 common than not. Right?

1 The last thing that I wanted to share
2 with you is that throughout this process, and that
3 was just the first phase of what we had to do
4 because we had to continuously survey the
5 community, engage, teach to know your rights, but
6 we also had to be at the table. There's nothing
7 about this agreement that the Black United Front
8 didn't have a hand in. Nothing happened without
9 our consent and it was our duty, it was our
10 commitment to the black community to make sure that
11 they understood and that they knew that we were
12 there fighting for them because without buying,
13 without ownership, the process can wane. So what
14 we have in Cincinnati, Ohio is a continuous process
15 to make sure we get it right, get it better,
16 continue to build but we never leave out the
17 critical C which is who?

18 AUDIENCE MEMBERS: Community.

19 MS. ROLEY: If you leave out the
20 community you will just have a document. So I urge
21 not only you but the Commission, it's my challenge
22 to figure out how to get community in the process
23 and particularly those who are mostly impacted in a
24 very negative way. I will tell you that you can
25 move forward in a positive way if you do that

1 simply. At times I wanted to tell the police you
2 were just wrong, just dead dang wrong, just say
3 you're sorry. But reforming systems is much more
4 than that. So we have to be the adults, we have to
5 be the honest ones, we have to be the ones that are
6 going to roll up our sleeves and do the work. It's
7 not easy, it's 14 years later. And I believe, are
8 you after me Al? Kathy 's after me so Kathy will
9 tell you how long this process has been going and
10 we're still working, working very hard so we've got
11 to figure out now, we got to problem solve now how
12 to get out of this situation that we're in in
13 Cincinnati.

14 I want to end with this: Cincinnati
15 is not the utopia for black people and police but
16 it's much better than what it was in 2001 and I
17 need to say something to you Pastor. We filed our
18 lawsuit in March 2001, that was before the unrest,
19 we didn't have a riot, we had unrest so it was
20 before, it was our goal to stop the police from
21 killing another unarmed black man but unfortunately
22 it happened again so I just wanted to correct the
23 history.

24 So I want to tell you all that it can
25 be done but be self determined, be arrogant, fight,

1 push, kick, scream, everyone curses sometimes but
2 be able to use those lenses that Pastor talked
3 about so that you can see some transformation.
4 Don't be in the same place next year at this time.
5 It is up to you all to figure out how to use the
6 problem solving method to problem solve your issue.
7 We did it in Cincinnati and you all can do it here.

8 Thank you.

9 OFFICER KATHY HARRELL: Welcome. I
10 would like to thank everyone for being here and
11 taking out the time to be here tonight, this is a
12 very important process, it is a process that is
13 very necessary, very important to making sure that
14 you are heard.

15 I'm going to say some things to you
16 that are probably going to be very surprising
17 coming from a police officer, a union president and
18 having been in the unrest in Cincinnati in 2001.

19 A little bit of background about
20 myself. I got myself hired by the Cincinnati
21 police department in 1987. I turned 21 in
22 September, got hired in November. It's the only
23 job I've had, it's the only job that I know.
24 Worked in the neighborhoods, became a neighborhood
25 officer, majority of my work done in the police

1 department was drug work, undercover drug work.
2 Major offender unit, and I got involved in the
3 union in 1999, got elected to the board in 2001,
4 right as the unrest was unfolding. I was used to
5 sitting on that board and getting 10 to 12 officers
6 sued every month by Al Gerhardstein for civil
7 rights violations. That's the relationship that Al
8 and I had prior to becoming president in 2005.
9 Sitting there month after month spending large
10 amounts of our member's money in civil lawsuits, I
11 will tell you that like Captain Maris Herold I also
12 worked the lines during the unrest and I, it will
13 probably be surprising to some but I have said this
14 around the country, on the lines I had my
15 African-American partner Bill Andrews to my right
16 and another African-American officer to my left,
17 Russ Mendez. And when racial slurs were being
18 thrown at me on that line and they came to my
19 defense they were called Uncle Toms. So when you
20 talk about looking at the unrest and the policies
21 that we were in through different lenses I can say
22 very confidently that the Cincinnati police
23 officers during the unrest and after being involved
24 in this process did not see the unrest as race, did
25 not see the colors black and white, we saw the

1 color blue being attacked and that was us as law
2 enforcement officers and that was very important
3 for us. Our attorney Don Harden worked very close
4 with Al Gerhardstein and as Iris and Damon Lynch
5 stated there had been a suit filed before the
6 unrest in 2001 and two additional African American
7 men being killed in Cincinnati. After that unrest
8 our FOP attorney came to the union and said we need
9 to take part in this, we need to be at the table,
10 it's very important and came to the union to try to
11 sell that. I was a no vote, I did not want to take
12 part in the Collaborative, I felt like a lot of
13 officers that was a personal attack on me, how I
14 policed, that I engaged in racial profiling, that I
15 was a racist and I knew that I was not, therefore I
16 was going to be a no vote because in my mind if I
17 voted yes to take part in it then I was agreeing
18 with what they were saying about me as a police
19 officer and I knew it wasn't true and a lot of
20 officers felt that way. But then we needed to
21 listen to our attorney that said you need to be at
22 the table because if you're not at the table
23 there's going to be reform that you have no input
24 in, you're not going to be a part of the process,
25 you're not going to like what happens. And I'll

1 tell you Damon, Iris and Al will agree that this
2 society, FOP, signing on and agreeing to be a part
3 of that process was instrumental in the final
4 outcome of the Federal Collaborative. We went into
5 court to make sure that the word collaborative was
6 used because it was a very collaborative approach.
7 So when we sold it to our members and said we need
8 to be at the table we gave them a five year
9 commitment, we will use your dues, your money to
10 pay an attorney to sit at that table for five
11 years. It went to a vote and it passed. At that
12 time I never thought I'd be FOP president, that
13 wasn't even in my radar of going and running for
14 president. I became the president in December 2005
15 and I'm still the current president and right after
16 I got elected I called Don Harden and said what
17 about the meetings that I'm supposed to go to, he
18 said what do you mean, the FOP attorney hasn't been
19 to any of them. At that point we'd been in for a
20 good two years. So I thought it was important that
21 I went and that's when I started building
22 relationships with Al Gerhardstein, Iris Roley,
23 Damon and I never spoke too much until about two
24 years ago when he gave a presentation in New York
25 and I think was a little surprised about what he

1 heard there as far as the FOP involvement and our
2 commitment to it. But the thing that's very
3 important, a statement that Iris just made previous
4 to me coming up here is the fact that we all have a
5 lot in common. We all have the same goals for the
6 communities and the one thing I will say that was
7 very surprising I think in those that took part in
8 the process, that attended meetings like this, that
9 sat at the table, was the fact that the officers
10 also wanted change, they had been asking for change
11 and they weren't being listened to because what
12 most people do not realize and understand is that
13 officers police according to their training, their
14 policy and procedures and if you expect change and
15 want that change you need to do it at your state
16 level, like ours for instance, Cincinnati police
17 department had its own academy so it was a lot
18 easier for us during the total collaborative to add
19 additional training and that's actually what
20 happened. And during the process of the Federal
21 Collaborative we actually had meetings set up where
22 officers were separated to just police officers and
23 specialists and asked very important questions
24 about what they believed needed to change and this
25 is our police department to be and we had

1 supervisors that were also interviewed about the
2 change that they thought was necessary and they
3 even brought in our families and spoke to our
4 families. The concerns that our families had, what
5 were some of the issues that officers were bringing
6 home, what the spouses and children were hearing
7 from those officers and making sure that all of
8 that was taken into account and it was being
9 listened to. I thought it was my job as a union
10 president, this may be a bad word but to sell the
11 Cincinnati police department to the community, to
12 get trust back in the police department. For the
13 citizens to understand that the officers also
14 wanted change but they were policing according to
15 policy procedure, training and state law. And that
16 was very hard at first until we gave example after
17 example when Al I think was surprised on numerous
18 occasions when they wanted policy change and the
19 FOP was like we want that too, we want the same
20 thing, let's get it done, how can we get it done.
21 Or we would bring things to Al and say can you get
22 this done for us because the administration isn't
23 listening and Al was able to get it done with the
24 work of our attorney. I will say that because of
25 that process, because of the officers being

1 involved in that process and the community
2 understanding that as Iris said we all want
3 something in common, basically the same thing at
4 the end of the day but how do we get there? The
5 Cincinnati police department, the officers in the
6 Cincinnati police department every day are still
7 working toward that Federal Collaborative. We had
8 an all new round of additional training, tasers,
9 in-car cameras, the establishment of a citizens
10 complaint authority and everyone seems to think,
11 and one of the biggest questions I get, well how
12 hard is it to keep involved in that process, how
13 hard is it for that Federal Collaborative to
14 continue to keep being, moving in that same
15 direction of the community-oriented policing, the
16 problem with policing and what we have learned in
17 Cincinnati due to budget cuts, due to who's hired,
18 due to what direction is given from the upper
19 command dictates what our officers do, what that
20 importance is and what direction they are given and
21 we're still working towards those goals every
22 single day. I get very few questions anymore from
23 my membership and haven't in probably the last six
24 years, and I've talked with Captain Maris Herold
25 about it, it's just something we do every day.

1 When new training comes through, when as Al stated
2 earlier today a meeting, when they brought up the
3 fact about our tasers having chest shots with the
4 tasers and changing it, it was a policy and
5 procedure change. They didn't get a lot from the
6 FOP, a lot of arguments or anything else. The FOP
7 had used a very outdated evaluation system for our
8 officers but our attorney liked it because he was
9 able to win arbitrations with it so when the union
10 president, myself, says to the attorney our
11 officers are policing differently now and we're not
12 getting credit for it. They're asked to do problem
13 solving, they're asked to write down and document
14 the work that they're doing with the community but
15 they're not getting any credit for it, they're
16 getting lawsuits and people yelling because they're
17 on the radio too long. Because radio runs are
18 being held. So we were able to get that evaluation
19 changed so that because we were policing different
20 in Cincinnati their officers were able to get
21 credit for the work that they were doing. This is
22 a very long process but for us, and I can say it
23 now and a lot of people are shocked by that,
24 getting involved in the Federal Collaborative was
25 of one of the best things that the FOP did because

1 our officers did have a voice, the citizens in
2 Cincinnati realized that they were working towards
3 the same goals, the same things and in many
4 instances disagreed with the command staff and
5 wanted those changes, had requested those changes
6 and been ignored so we had the union. What most
7 citizens do not realize is even the FOP and the
8 union, we have no say in policy and procedure, we
9 have no say in the training that occurs, we have no
10 say in the direction that a police chief, command
11 staff officer gives or directive that they give to
12 their subordinates. Those officers are expected to
13 follow those and if not as we all know there's
14 potential discipline because of that.

15 Luckily in Cincinnati we believe
16 we're on the right path, we continue and the
17 officers are very dedicated, there's still
18 problems, there's still issues and we have to work
19 those out every single day but the one thing I can
20 say is there is trust, there is transparency, it is
21 something that has to be worked towards every day
22 with new promotions, officers going from PO
23 specialists to supervisor positions where of course
24 there is different type of goals and problem
25 solving that's expected of them in a supervisory

1 role and hopefully because they have been POs or
2 specialists for so long while we've been involved
3 in this Federal Collaborative they would then go
4 ahead and make sure that that is what the direction
5 is that they give to those that they command.

6 It's been a long process, it's been a
7 lot of work, it's not been easy but it has been
8 very well worth it and it's something that we will
9 continue to strive for. I will tell you that I
10 believe very, very much from the bottom of my heart
11 that with what we did today in speaking to people
12 today and coming into Ferguson today and speaking
13 to everyone that there are goals that can be
14 reached and there's going to be surprises along the
15 way, things that you would not have expected that
16 you would agree with and not expect an outcome that
17 you would hopefully believe would benefit everyone
18 in the community and I do wish that for you.

19 Thank you very much.

20 MR. GERHARDSTEIN: Thank you Kathy.

21 I'm Al Gerhardstein, the civil rights
22 attorney, I've represented the Black United Front,
23 the ACLU, African American residents of Cincinnati
24 and throughout Ohio on police misconduct cases and
25 when Iris came with her 400 stories and all of the

1 problems and the 15 African-Americans who had been
2 shot I knew that we had to do something very
3 dramatic, we had to do something different because
4 what had we done before that time in order to
5 affect police reform in Cincinnati? We'd gone to
6 meetings, we had blue ribbon panels, we had lots of
7 important people sitting at tables that had skirts
8 on them and we issued reports and those reports
9 were really profound and thoughtful and thorough
10 and they sat on shelves and the reports didn't
11 change anything and the clients still got killed.
12 So I'm sorry, but I have to start there tonight
13 because I'm worried for you.

14 I got a sneak preview here of your
15 citizen law enforcement calls to action, 50. Got a
16 lot of work on police reform, and the last column
17 has multiple bodies and people responsible for
18 implementing that, a lot of work to do but I don't
19 see a boss and I don't really see how you're going
20 to get this done and I'm afraid that you're going
21 to be like I was back in 1990 carrying around my
22 three ring binders showing everybody all the
23 reports that had been done and that hadn't been
24 implemented and I hope I'm wrong, and I hope that
25 with the warning and with the attention the nation

1 has paid to your region that you'll find a better
2 way to make sure that people get the work done that
3 you've now identified and that you're naming and
4 committing to but we're here to tell you about
5 Cincinnati and I'll say that when we finally did
6 assemble those 400 stories and started our work the
7 one thing we knew was that we had failed so
8 miserably at implementing blue ribbon panel reports
9 that we wanted a court order and we needed a court
10 order to keep us all on track and that court order
11 wasn't just about spanking people who did bad
12 things, it was about helping people because the
13 court order came with a group of monitors. We
14 negotiated a very comprehensive agreement much like
15 your 50 calls to action and within that agreement
16 we knew that in the short period of time we had to
17 implement it we needed to change the culture of the
18 Cincinnati police, we needed to change the way
19 business operated and that meant we had to take the
20 court order and translate that into the policy and
21 procedures of the Cincinnati police department and
22 those policies and procedures had to become the
23 training for the Cincinnati police officers and
24 that training had to become the standards, the
25 metric for performance evaluations as Kathy just

1 mentioned so that people got credit for all this
2 new philosophy of policing that we were talking
3 about, and that metric for performance on your
4 daily activity reports had to become also the
5 metric for supervisors to be promoted so that we
6 had bosses who were on the same page as the people
7 we were training. That's a lot of work, that's a
8 lot of detail and I will tell you every time we
9 start to tell this story to police officers and we
10 use a word like community policing people say oh,
11 we do that, or we use a word like training people
12 say well, of course we do that. Or we use a word
13 like force reform, they say of course we do that.
14 So there's a lot of detail here that's got to be
15 figured out and we worked through that in
16 Cincinnati and our monitor team who implemented the
17 police reforms under the court order had two jobs
18 and the first job was to do technical assistance,
19 we have the best people in each field who were very
20 creative go in and say to the Cincinnati police,
21 look, this is how we're doing in such a such a town
22 or this is the best practice for this and to really
23 help them because for some of the stuff it was like
24 asking people to wiggle their ears, they didn't
25 know how to do it, so they just got hunkered down

1 and say we do that already. Well, no you don't but
2 that's okay let's try it another way. And rather
3 than order you again to do it let's talk about how
4 we can inspire you to do it or give you some skill
5 sets you don't have yet and we were all about it
6 because we understood what we were dealing with but
7 it wasn't easy, we had to hold the city in
8 contempt, we had to go into court and get an extra
9 year of court supervision because people even
10 though they served, even though they said we'd do
11 this they didn't do that, we had to stay vigilant.
12 The FOP was actually a partner in all of this and
13 when we had to go for the extra year the FOP was
14 not a party for that extra year because they
15 weren't a problem, it was the administration that
16 was a problem and we had known that all along which
17 is why the FOP was at the table because again we
18 all worked on this stuff together and not only did
19 we create the Collaborative Agreement together with
20 all our disparate groups but we then went through
21 all our crises together and have continued to do
22 that for 14 years. I mean we have gone through
23 lots of officer-involved shootings and Kathy and I
24 have talked and the manager and I have talked and
25 Iris and Damon and Captain Maris Herold, we've all

1 talked through all of this stuff and more officers
2 getting shot, in fact we were supposed to come last
3 month but on the eve of our trip an officer was
4 shot, a citizen was shot and killed, so, but we
5 worked through all that together. Today our chief
6 got fired but we're still talking. Now we don't
7 all have the same reaction to our chief getting
8 fired but we're still talking. So we have
9 relationships that can endure all of the stuff and
10 the stuff that will happen as we proceed and I hope
11 that through your work you can find that, and so
12 let me just say one other thing about the
13 Collaborative. Not only was it unique because it
14 brought the FOP to the table and that was very,
15 very important but it was also unique because it
16 didn't, it didn't, it wasn't copycat to the
17 traditional DOJ agreements, the traditional DOJ
18 agreements say to the police department reform
19 yourself, do a better job of using force, do a
20 better job of being culturally competent, don't do
21 racial profiling, do biased-free policing, hold
22 yourself accountable appropriately, have an early
23 warning system, have a citizens complaint authority
24 where there's subpoena power and an independent
25 group that can actually look at what's going on.

1 All of that stuff is just about policing fairly and
2 I'm not minimizing it, it's big stuff, but at the
3 end of the day my clients say okay, you did all
4 that work just to make sure the Constitution was
5 followed, you did all that work just to make sure
6 that they don't beat us up and kill us anymore? I
7 mean can't we aspire to something a little bit
8 better than that, and that's where we really tried
9 to take an extra step in Cincinnati and as Captain
10 Maris Herold will tell you we committed to problem
11 solving and why is that? The reason we committed
12 to problem solving is that my clients, the
13 African-American community, said they were
14 occupied. They didn't feel that the police were
15 their police, they felt that the police were always
16 coming in and doing tactics that passive, innocent
17 people over policed the people who were engaged in
18 just minor transgressions and were acting totally
19 unfair, and all of this in the name of law
20 enforcement. So how do you turn that around,
21 because the typical response is well, there's lots
22 of crime in the black community, well that doesn't
23 mean you have to use tactics that treat everyone as
24 if they're a suspect, rather problem solving allows
25 you to say okay, and this is basic criminal

1 justice, very few people commit most of the crimes,
2 very few victims trigger or are victimized most of
3 the time and very few locations create the
4 conditions where we see a lot of the crime. So if
5 you can capture and understand your repeat
6 location, your repeat victim and your repeat
7 perpetrators you can focus your work on those areas
8 and people that most are responsible for crime and
9 disorder and we actually did in the Collaborative
10 say problem solving as I'm labeling it now is the
11 primary strategy for fighting crime and disorder in
12 Cincinnati. That way when Captain Maris Herold
13 goes to an African-American apartment building and
14 says I'm here, they don't expect that we're having
15 stop and frisk or a sweep, rather she'll be able to
16 say I'm here because we've had so many calls to
17 this building or we've studied our data and we
18 understand that this building is triggering this
19 much crime and blah, blah, blah and we're here to
20 help work with you to try and solve that problem
21 and as you'll see that kind of approach says to the
22 African-American community all right, I'm a partner
23 with you now police in making my area safe.
24 That makes sense. That's fair. That's logical.
25 That's problem solving. That's not midnight

1 basketball, that's not, you know, feel good, let's
2 all have a picnic and a party, there's a place for
3 that kind of stuff too, and Officer Friendly, you
4 know, playing with the kids, I mean that's all good
5 but that's not what I'm talking about, I'm talking
6 data driven policing that really treats the black
7 community with respect. And that gets respect back
8 by engaging in multi-stakeholder problem solving
9 and that's what you'll hear more about from Maris
10 Herold.

11 CAPTAIN MARIS HEROLD: Good evening
12 everyone. Thank for coming, you got about 15
13 minutes for me? Because I'm going to go through a
14 PowerPoint quickly but I would just like to tell
15 you and the Ferguson Commission this will be the
16 hardest thing that a police department will
17 undertake, it will be the most challenging, but
18 this is the most important work that a police
19 department will ever engage in and so I hope you
20 guys as we go through it understand it and have
21 some questions at the end because I really do think
22 it's the most valuable tool in policing right now
23 to avoid police legitimacy issues and it will build
24 community's trust I guaranty you. But problem
25 solving is a science, it's a data driven strategy,

1 it's usually referred to as problem oriented
2 policing in all the literature. In Cincinnati I
3 think Iris did a heck of a job and everybody that
4 worked on the Collaborative because it is the
5 critical C that really brings it home and that's
6 the community problem-oriented policing so I'll
7 refer to it tonight for brevity purposes I'll just
8 use problem solving so why don't we go ahead and
9 I'll start.

10 All right. So the crime triangle.
11 Has anybody seen this, anybody? You've seen it.
12 All right. Let's briefly go through this because
13 it's important, the whole basis of problem solving
14 is based on this crime triangle and basically what
15 this says is it's based on routine activities
16 theory and basically what this says is that for a
17 crime to occur you have to have an offender, a
18 place, a target or a victim come together in time
19 and space for the crime to reoccur. We can all
20 agree on that, right? So problem solving says
21 well, if we intellectualize this and we look at the
22 data and we understand the problem and we
23 understand the crime well enough and we can target
24 one side of that crime triangle then the crime
25 can't occur. Okay? It's as basic as that. Now

1 I've always said we should try to take out two
2 sides of the crime triangle to be more efficient
3 and more effective but smart people have come along
4 since the early '80s and said listen, let's add
5 another crime triangle and say the offenders should
6 have handlers, the more handlers we can add the
7 better and the targets or victims should have
8 guardians and the places that we're responding to
9 repeatedly should have better management tools to
10 manage this location. Okay? So if somebody in the
11 audience, somebody give me an example of a handler
12 for an offender?

13 Police officer. Who else? Probation
14 officer.

15 But in Cincinnati we're getting
16 really good at making handlers somebody that's very
17 close or attached to the offender emotionally and
18 we've had a lot of success with that so families,
19 sisters, brothers, grandmothers, people in the
20 community. So we can all go through this and agree
21 that that's very important. Okay?

22 So this is probably the most
23 important thing about problem solving is that we
24 know that there are very view offenders, like Al
25 said very few offenders, very few locations and

1 very few victims that are contributing to 80
2 percent of the crime problem. It's called the
3 80/20 principle, it's actually an economic strategy
4 but it works very well with just about everything.
5 So let me ask you something, if we know this and
6 when you look at violence it really goes through.
7 When you're talking about violence in Cincinnati
8 we're talking point zero five percent of the
9 Cincinnati population that is committing these
10 violent crimes. So why are we randomly policing
11 these communities? You got to ask yourself that.
12 In Cincinnati we also know that less than three
13 percent of locations are contributing to all of our
14 chronic nuisance problems. So I have to ask myself
15 if you're a logical person why are we allowing
16 police departments to randomly patrol? We should
17 not. It should be very focused, we should be very
18 focused in our policing. When you look at victim
19 data it's the same thing. We have a high
20 percentage of repeat victims contributing to the
21 overall crime problem. Why aren't we getting
22 services for the repeat victims? Isn't that a
23 smart way to police? I think it is.

24 So this is just one of the tools that
25 we use and I'm not going to go into it but I urge

1 everybody in the audience, I urge the Ferguson
2 Commission please, there's an excellent website and
3 they talk about 25 techniques of situational crime
4 prevention and it's www.popcenter.org, this is an
5 interactive crime prevention tool, it's excellent
6 because what it tries to say is if we can convince
7 offenders through crime prevention strategies that
8 they're going to have to increase the effort,
9 increase their risk, we're going to reduce the
10 rewards for committing crimes, we're going to
11 reduce provocations and we're going to reduce
12 excuses then offenders, because offenders are
13 rational just like us, right, they go about their
14 day just like we do, they make decisions based on
15 logic just like we do, they're no different so if
16 we can make the offenders think, wow, that's too
17 risky to do, and we can, why aren't we doing it as
18 a police department? You have to ask your police
19 departments this, why aren't we engaged in this
20 type of policing? And it works.

21 So what is problem-oriented policing?
22 It focuses on results, it groups events into
23 patterns, it looks for ways to address proximate
24 causes, it emphasizes on information and analysis,
25 it selects actions to fit the problem and it forces

1 the police to partner with not only the public but
2 private and public organizations that have just as
3 much responsibility to impact the problems and my
4 favorite thing is it's evidence based. So the
5 difference between problem solving and traditional
6 policing is it's not at all considered, I mean it's
7 not at all concerned with a single event. So it
8 would not be considered if you two got into a fight
9 and it was an isolated incident and it never
10 happened again, we could not problem solve that
11 because it has to be repeated. Nor is it concerned
12 with these large scale economic, cultural,
13 political or social change, it's too overwhelming
14 for the police department to deal with. It's
15 somewhere right in the middle is usually where
16 we're working.

17 This is a basic problem solving
18 model. You can use any kind of model, Canada uses
19 CABRA [sic], the European countries have another
20 one, I like the SARA process because it's very easy
21 but this is what you should force your police
22 department to do every time you have a repeat
23 problem that you're concerned with. Are you
24 properly identifying the problem, are you analyzing
25 the problem so you can come up with a tailored

1 response that will work and that will not
2 negatively impact the community and are you
3 assessing that problem, and today we were with a
4 group of police chiefs from across Missouri, I
5 believe, and they indicated they do this. I don't
6 think they are. Because I know we're not assessing
7 their successes and I know they're not really
8 giving big analysis on the problems and if you
9 don't do those two your responses are either going
10 to be overbearing for the community or they're not
11 going to work.

12 So this is from the National Academy
13 of Sciences, it's probably the best well-known
14 research organization in the country that studies
15 police strategies and so what they have studied is
16 basically when you're unfocused by the standard
17 policing model, which a lot of police agencies are
18 still engaged in, they're still reacting, they're
19 still doing an investigative model and they're
20 still thinking that rapid response is the best way
21 to go in policing. So there's also community
22 policing, right, and that relies on neighborhood
23 canvassing, foot patrols, but it's not very
24 focused, so the more focused you get, and that's
25 problem solving and that's like hot spot policing,

1 the more focused you get the more effective you
2 become and problem solving encompasses the
3 community policing so you get the double bang
4 there. You have to partner with the community, you
5 have to be highly visible, you have to be, you have
6 to understand the community's problems so you are
7 much more effective than the traditional model or
8 just community policing by itself.

9 So these are five cautions that I can
10 guarantee you that every police department that
11 will try to engage in policing will run into.
12 Please do not allow a police department to say
13 they're problem solving a large area or a
14 neighborhood. That should never be allowed to
15 happen, don't ever let a police department tell you
16 we're going to go police the whole community or
17 we're going to police the neighborhood, that's not
18 problem solving. In fact, I think that we've
19 gotten so good with the data we really should be
20 talking single addresses. And I'll show you a
21 project that not only are we talking single
22 addresses, I can break it down and I can talk about
23 single units of a large apartment complex and
24 that's important. So you're not impacting the
25 community negatively.

1 Public support is necessary but not a
2 sufficient condition for effectiveness. I'm a big
3 believer in science and I get a ton of community
4 input on everything but sometimes the community can
5 be, they can perceive things wrong or what I have
6 experienced lately as crime goes up community can
7 drag you back into traditional policing models so
8 you have to be aware of that, so does your police
9 department.

10 Most criminologists do not know much
11 about crime prevention so be very careful who you
12 partner with and that is the truth. There's a
13 handful of experts in criminology who understand
14 crime prevention so make sure you partner with
15 somebody who really understands it.

16 Superficial problem solving probably
17 exists in a lot of places and problems solving does
18 not have a natural process with police departments
19 so I'm going to tell you that problem solving is
20 very complicated for police departments to engage
21 in. It is not natural because what police
22 departments usually do is react to that 911 system.

23 So let me briefly just talk and I
24 think we're only going to go over one because of
25 time so if we can go over a couple of these. One

1 thing Cincinnati has and I'll encourage you to
2 consider this is one thing that the Collaborative
3 mandated is that we had a problem solving tracking
4 system and this is really important because it
5 forces the police department to go through that
6 SARA model and document who they're partnering with
7 in the community so that's very important. We have
8 a tracking system that goes all the way back to the
9 very beginning and documents all the problem
10 solving projects, and not all of them are great,
11 but there's some really great ones in there that
12 have been very creative and innovative, we've won
13 awards for them, but what that does is that
14 administrator who is putting the problem solving
15 project in is forced through a series of questions
16 to be very analytical, to be very data driven and
17 to ensure that we put our partners in that problem
18 solving tracking system and it's an accountability
19 tool as well.

20 Okay. So this is a recent problem
21 solving project, I just wanted to put a face on it
22 so everybody, we're all on the same page. This is
23 a project that a group of us worked on in District
24 4, I'm the commander of probably right now the most
25 violent district in the city of Cincinnati, and

1 historically this apartment building was
2 responsible for the most violent shootings and the
3 most burglaries in the entire city and so I decided
4 to take this project on and I'm glad I did because
5 I learned a lot of valuable lessons but I just want
6 to say this is the kind of policing you should
7 expect today, it's 2015, this is the kind of
8 policing that we should all expect and it's doable.
9 So let's go through it.

10 So this is the apartment, it runs
11 right up the Reading Road corridor which is a major
12 corridor going north and south of Cincinnati and
13 this building has historically been very violent.
14 It has 44 apartments in it but right off the bat
15 let me ask you, what is missing from this apartment
16 complex in your mind? What's it really look like?

17 It looks like an institution with not
18 a lot of grass, not a quality of life building,
19 right? So right off the bat this isn't Avondale,
20 right off the bat doesn't that give you a bad
21 feeling like I don't want to live there, right? So
22 as we take a deeper look at this, now this is
23 important, you got to disentangle these issues and
24 it has to be done systemically so you know, old
25 policing would do what? We're going to go in

1 there, we're going to take everybody out of that
2 apartment building, we're going to arrest them,
3 we're going to cite them for whatever they're doing
4 and it's probably all of the people living in there
5 that are bad people, right? That's the traditional
6 model, right? We're going to invade that property,
7 we're going to take it over, we're going to piss
8 everybody off and then we're going to go home and
9 say we did a good job. So I'm asking you, let's
10 think about this a little bit in a more
11 compassionate, ethical way so let's look at it.

12 So the first thing when I go there
13 which is aggravating to me is look at this, there
14 are no lights, there is no numbers on these
15 buildings, no identification for the residents, no
16 system of cleanliness, no garbage cans, no flowers,
17 no grass, no nothing to say this is a livable
18 building. So right away, you know, my radar's up,
19 this is going to be a hard project.

20 What triggered this was a little 14
21 year old girl that got killed by one of our group
22 member involved gang members living in Cincinnati
23 so we knew that we had a problem, probably a couple
24 of people inside the building and we knew that we
25 had a problem with the land ownership of this

1 building.

2 So this is how bad it is, people dump
3 tires there, it always looks like that and
4 residents that care put up these trash cans on
5 their own so they have some sense of livability
6 there.

7 So as we looked at this closer we,
8 again we had five people that were shot inside of
9 this building in a very short amount of time. We
10 had 300 calls for service within a year. Now as a
11 community I'm asking you do you want your police
12 officer responding 300 times a year to this one
13 small geographic location or could they do better
14 things in other parts of the community? So I have
15 to dedicate all of these resources from the police
16 department to respond here. The highest call was
17 family troubles and it goes down. You have to do
18 this analysis to understand. Okay? 300 calls for
19 service a year I can tell you that scientifically
20 that's off the charts. 80 percent of my
21 multi-family locations within the city have zero
22 calls for service, zero. 10 percent have one.
23 This is one of the buildings I was talking about
24 before.

25 Again, aggravated assaults and

1 burglary, major problem no matter how you look at
2 it, slice the data, major problem.

3 Okay. But this is really cool and
4 this is complicated work because it requires feet
5 on the ground from the community, social service
6 agencies and the police. This is really
7 interesting. So when you look at the building this
8 is how all the floors are laid out, these are
9 individual apartment units, right? So let me ask
10 you something, the red signifies a problem, the
11 orange signifies a little problem. Let me ask you
12 something, of all those apartment buildings what do
13 I have to be concerned with? A couple, right?
14 Everybody else is what? They're great. Getting
15 by, they're doing their thing, they're going to
16 work, they're going to school, they're doing their
17 life, right? A couple of them I'm concerned with
18 now, right? Force the police departments to do
19 this type of analysis. Why would I think this
20 whole building is bad, it's not. I've got
21 possibilities of two apartments having some issues
22 and we, as we go through the problem solving
23 process we figure out what's going in these
24 buildings. This one sits on the outside, right, so
25 they're, they were drug traffickers out of here so

1 they're burglarized constantly because it's an
2 outside unit. This one right here is where the
3 little girl was killed, 14 years old, the lady that
4 lived in that apartment was a relative of the gang
5 member that killed her. So now I've got two
6 apartments I have to contend with.

7 So you should ask this before you
8 begin a project, who's available to help you, what
9 is the goal and what are you going to do, you got
10 to ask those in the beginning.

11 These are the partners that I used
12 weekly to solve this problem. Patrol officers you
13 have to include, right Kathy?

14 Violent crimes squad, I used Safe
15 Streets which is just a smaller group that
16 understands gang violence, I used our neighborhood
17 liaison unit, I used our quality of life
18 enhancement team which is instrumental because the
19 chief allowed that team to stay there for six
20 months. That was huge. They weren't -- the
21 quality of life officers are dedicated to a problem
22 solving project, they work out of the police
23 chief's office so the chief gave me two officers
24 that he would dedicate that wouldn't have to go
25 back and answer radio runs so they stayed there and

1 really got the confidence of the residents of this
2 building. I used a chronic nuisance attorney out
3 of the city, obviously I used a top notch crime
4 analyst, I partnered with the owner of the
5 building, Community Builder's, I partnered with the
6 community counsel in Avondale and the redevelopment
7 counsel, all the business owners within that block
8 and here's something I'm very proud of, I partnered
9 with legal aid and they have not left my side since
10 this project and I work with them all the time and
11 they normally, Al am I right, they normally do not
12 work with the police, we usually are opposing sides
13 but I tell you when you partner and you establish a
14 goal that you don't want another 14 year old little
15 girl getting shot everybody can agree with that.
16 People that are naturally not good partners can
17 agree if that's what we're trying to stop and we
18 can do it ethically, let's do it.

19 The long and the short of this is at
20 the end of the day the city, I'm just really proud
21 because we were able to cut aggravated assaults by
22 50 percent and burglaries by 50 percent.

23 Now, here's the story: We were able
24 to stabilize this building for eight months and now
25 we are back in negotiations with the Community

1 Builder's because as soon as the police left and
2 moved on to the next building the Community
3 Builder's, what they, you know, dedicated to do to
4 help us stabilize this, they backed out. So all of
5 the sustainability, all of the things that they
6 should take ownership of, right, they own the
7 building, who owns crime? They do, not the
8 community but they do at this point. We all
9 stabilized it, they have to sustain it so we
10 stabilized it for eight months and now
11 unfortunately we have to do it all over again which
12 will probably involve legal legislation or legal
13 action against the owners but the work can be done,
14 it can be done ethically and I wanted you guys to
15 know that, take that to heart that there's a better
16 policing model and remember a police agency is a
17 paramilitary organization, police will do what they
18 are told to do, it's the natural way police
19 departments work. Don't let anybody ever tell you
20 any different.

21 If you tell police to police like this they will
22 police like this. If you don't tell them and you
23 don't make it a point to have a strategy in place
24 they will go back to reactive policing that usually
25 is zero tolerance, take over a neighborhood because

1 that's what they know.

2 Thanks a lot for your time tonight.

3 Appreciate it.

4 CO-CHAIR WILSON: We'll now set up to
5 go to a representative of the Community Foundation
6 who is joining us via technology.

7 MR. ROBERT KILLINS: Well, it's a
8 pleasure to be here with you tonight, or at least
9 be with you via video to talk about the Cincinnati
10 effort.

11 As you know during the Cincinnati CAN
12 process funders came together led by the community
13 foundation to talk about how we would fund
14 initiatives that we knew would come out of the
15 Cincinnati CAN effort. So we started almost two
16 years prior to the launch we started trying to
17 align funding to support many of the initiatives.
18 We had a very ambitious goal of trying to raise \$20
19 million to fund initiatives that were yet to be
20 defined but initiatives that we knew had to be
21 substantial if they were going to make any kind of
22 lasting and sustainable difference. However, from
23 the start we were only able to raise about six and
24 a half million dollars and that was, you know, a
25 little disappointing to say the least but it was a

1 start. About 75 percent of that money went into
2 something called the Community Police Partnering
3 Center which was, you know, designed to be kind of
4 a broker or an intermediary between the police and
5 community for the purpose of trying to improve
6 police community relations, help citizens to be
7 engaged in the process and then the balance of the
8 money, a little over \$2 million went into a variety
9 of other programs though what I would say, and I
10 won't be long, but one of the things looking at
11 this in the, from the lens of a citizen and the
12 lens of a grant maker what I was, what I felt was
13 that the approach to what I call the city
14 administration level and in some cases the broader
15 community was really a crisis focus and a lot of
16 the work was short term and crisis in nature and
17 really was not a long term sustainable focus and so
18 while this funding collaborative stayed together
19 for more than eight years many of the partners,
20 especially some of the business and corporate
21 partners, you know, they fell off after about two
22 to three years and it was only for the most part
23 the nonprofit partners, the foundations and the
24 like working with their partners that stayed in the
25 process to the end. So that was the, one thing

1 that I wanted to offer, there had certainly been
2 some lasting change but probably not enough to have
3 a long term sustainable partnership and a program
4 that has to be long term commitment. I think in
5 many ways so much of the effort, and if you just
6 look at the funding with 75 percent of it going to
7 deal with police-community relations that was a
8 precious little that was left to deal with the
9 underlying, the long term, the structural problems
10 of lack of education, poor education, the economic
11 issues, all of which contribute to and foment the
12 problems that then the police and others have to
13 deal with and that the community has to suffer from
14 so one of my lasting impressions was that there was
15 not enough done to deal with the long term
16 structural issues that were there prior to what
17 happened in April of 20, of 2001 and that continues
18 sort of to plague us now and as I close I would
19 simply say as I look at the data, because one of
20 the things that we did do as a part of the funding
21 of the collaborative we engaged the University of
22 Cincinnati's community research initiative to track
23 the disparities data around employment, education,
24 criminal justice, a few other metrics and in some
25 cases the numbers or the data is no better and in

1 some cases it's a little worse. Now, I will say
2 like all the country the economic downturn had a
3 devastating impact and that devastating impact
4 certainly hit Cincinnati and the data shows that
5 just about every group, economic group except for
6 African-Americans and especially African-American
7 men have recovered. So in many cases our
8 unemployment rate is worse so what you see is you
9 have even more economically distressed,
10 undereducated individuals with many of us some
11 criminal justice background, et cetera, that don't
12 have viable economic means to go forward and so we
13 all know when that kind of circumstance is
14 prevalent what the long term outcome is.

15 So that's what I would say, I'm
16 certainly prepared to answer questions about any of
17 the specifics because I was at the table prior to
18 the funding collaborative starting, I've been at
19 the table for the eight plus years that it operated
20 and am still there dealing with some of the legacy
21 issues both positive and negative.

22 CO-CHAIR WILSON: We again extend our
23 thanks to all of our guests from Cincinnati for
24 sharing with us.

25 This time is now set aside for

1 questions from Commissioners for our respective
2 guests so there are microphones at your different
3 places, it's hard to see everyone in our
4 configuration so just jump in.

5 Commissioner Becky James-Hatter.

6 COMMISSIONER JAMES-HATTER: I've got
7 a couple of questions. Al, I think this one is
8 particularly to you.

9 If I'm understanding correctly you
10 feel strongly that the hammer to get some of this
11 done was the court order. Can you imagine a
12 possibility where you could operate without the
13 court order and still have successes in the issues
14 you've been discussing?

15 MR. GERHARDSTEIN: Sure. I mean if
16 you have shared commitments and you have shared
17 goals and a time line and somebody organizing you
18 it can be done. I tried for 20 years to get that
19 done in Cincinnati before the Collaborative
20 Agreement and I failed, so good luck. But we
21 needed a court order. And I hope you don't.

22 COMMISSIONER JAMES-HATTER: Could I
23 ask a second question?

24 CO-CHAIR WILSON: Sure Becky.

25 COMMISSIONER JAMES-HATTER: I have

1 three, I'll limit it to two.

2 Iris in particular. So I've listened
3 and heard and read, and congratulations to everyone
4 on all the data and the reduction, I'd be curious
5 if we walked into the neighborhoods that have
6 suffered and have been the most concerned with
7 these issues what would the community, the
8 residents say about the last eight years, how would
9 they see it?

10 MS. ROLEY: Depends on who you ask.
11 And so while things have gotten much better in some
12 respects things still need change and I think I
13 wanted to point you back to where Reverend Lynch
14 started because for most of us and as Robert so
15 eloquently ended on the presentation with
16 historical reference of all the new causal issues
17 that black folks in particular have to deal with,
18 and even today, and Robert talked about the
19 industries, the economic downturn, the lack of
20 access to great, good education, being able to go
21 on a college campus in your community is a very,
22 very far, far dream away so being able to dream as
23 a young African-American child is very difficult in
24 2015. But I will say this: If you drill down and
25 ask, because you can simply walk in and say our

1 policing methods, some say hell no, so why do you
2 say that? And really have a conversation around
3 it. I mean you probably will get a different
4 answer but because Cincinnati mirrors the rest of
5 the country in things that we see you can easily
6 wake up and listen to black talk radio and you can
7 hear a story about a police and citizen encounter
8 whether it's just a beating or a death and say
9 dang. We're always one issue away from going
10 backwards, so how do we institutionalize these
11 things? The problem is how we see the problem so
12 to simply ask that question is not enough, you've
13 got to drill down and then you have to ask are you
14 engaged and are you involved in your community
15 because policing is not just for police, it is for
16 all of us, tax paying citizens, you have the right,
17 the role and that is your responsibility to talk
18 about how you want to be policed.

19 So there's more to it than just
20 asking that very simple question. That would be my
21 answer.

22 CO-CHAIR WILSON: Other questions
23 from Commissioners?

24 Commission Ahlbrand?

25 COMMISSIONER AHLBRAND: Captain, I

1 think this question is probably for you, and
2 forgive me if you talked about this while I had to
3 run to the bathroom a little earlier in the talk.
4 But I think we talked earlier today about the
5 difference in philosophies between the bottom up
6 rather than the top down. Could you, if you didn't
7 talk about that already could you expand on that a
8 little bit and how important that is in this model?

9 CAPTAIN MARIS HEROLD: Sure. So I
10 think the founding fathers, Herman Goldstein and
11 there's a lot of them, John Eck now from the
12 University of Cincinnati really wanted this
13 evolution in policing to come from the bottom up
14 and they always said that the innovation and the
15 creativity would come from police officers and work
16 its way up. Unfortunately my experience in
17 Cincinnati and other cities that I've visited that
18 are engaged in some type of problem solving it
19 comes from the chief down and so it's very
20 important that the chief supports problem solving
21 because police officer's natural tendency is to go
22 back to reactive policing because it's so much
23 easier than engaging in data driven strategies
24 because you know what works and what doesn't and if
25 police departments are strictly being monitored and

1 held accountable for answering that radio and
2 writing tickets and making arrests that's what the
3 police will do because that's, I hate to say it,
4 that's a lot easier than doing problem solving
5 because that takes different skill sets so the
6 chief has to push that down. Now John Eck if he
7 was sitting here, Dr. Eck, he might disagree with
8 that but from a police perspective it's absolutely
9 chief down.

10 COMMISSIONER AHLBRAND: And I think
11 it's also important for especially rank and file
12 officers when I hear buzz words hey, we all went
13 through the COPS thing in the '80s and what's the
14 flavor of the month but we talked about this and we
15 said hey, older coppers say yeah, that's what we
16 do, I mean, but it goes a little bit farther than
17 that and I think some of the pushback from rank and
18 file is going to be hey, I get yelled at because
19 I'm out of service too long and the radio's backed
20 up, we got 20 calls backing up and the sergeant's
21 saying hey, you got to answer these calls. So I
22 guess two fold, there's going to have to be number
23 one the officers realize that their portion of
24 problem solving can be simply, and we call it
25 project 87, filling out a little project 87 form,

1 hey, respond to this address, and then that goes to
2 somebody else so it really doesn't take that much
3 of an officer's time, however, I think it's
4 important that line officers are allowed, if they
5 choose, to really be able to, to dig in if they
6 can.

7 CAPTAIN MARIS HEROLD: I think you're
8 absolutely right and I know, I have officers that
9 do creative problem solving, there's no doubt you
10 can have officers engaged in this greater problem
11 solving but at the end of the day a police officer
12 only has so much latitude to do these deep problem
13 solving projects but they're most certainly a part
14 of it because they are responding to those calls
15 for service daily and if you're not asking your
16 police officers what are you seeing, because they
17 know, they know what's going on, I guarantee you
18 they know what's going on, you have to interview
19 not only the community residents that are affected
20 by this but you have to sit down with your cops
21 because they have great insight into this and so,
22 you know, I really push on the police officers all
23 the time to deploy with purpose and then the
24 critical small areas of the district that require
25 their discretionary work and that's the key. I

1 also tell police officers all the time do not let
2 that radio dictate your policing style and I'm
3 always on them, I'm always on supervisors, do not
4 let a dispatcher tell the police how to run the
5 police department, and you probably know what I
6 mean by that, because you'll get these dispatchers,
7 what's their number one goal? Clear the screen.
8 Right? And I have supervisors that will go oh my
9 God, we got to clear this screen. No you don't.
10 You know what you have to do, deploy with a purpose
11 and you need to problem solve when you're out there
12 and so that's something I just really feel, I'm
13 glad you brought it up.

14 COMMISSIONER AHLBRAND: Which is why
15 it's really important to let the community know
16 hey, this is what we're doing so I hate to say it
17 but yeah, it might take an hour or two hours for an
18 officer to respond to your burglary call or your
19 stolen car call or something like that.

20 CAPTAIN MARIS HEROLD: Or the
21 community, you know, we need to have more
22 conversation on what we do not expect the police to
23 respond to because there's a whole group of calls
24 for service, you know, I ask myself do the police
25 really need to be there and so these, this will be

1 the next evolution of policing, I mean problem
2 solving, to go continue to evolve and it's an old
3 strategy, I mean we're talking about it like it's
4 new but heck, it's been around since 1979 but it's
5 harder but you really bring up good points so thank
6 you for that.

7 COMMISSIONER AHLBRAND: And I'm sorry
8 Commissioner, I'm sorry to monopolize this but I've
9 got a bunch of questions.

10 OFFICER KATHY HARRELL: I was just
11 going to say you that brought up a very good
12 important point that I didn't even bring out, is
13 the fact when you say officers are engaged as
14 they're doing it at some point on their own
15 depending on the beat that they run and the work
16 that they do and it was brought up earlier today
17 that everyone who's involved in law enforcement
18 understands that officers get involved in law
19 enforcement for different reasons, some get
20 involved and they start to get involved in drug
21 work, that's what they enjoy. We have others that
22 enjoy neighborhood policing, others that enjoy
23 traffic, so what you end up finding is as a good
24 leader or command staff officer is going to know
25 which officers that they can go to within their

1 command that have an interest and enjoy doing that
2 type of work so when they do specific problem
3 solving projects that's where they're going to go
4 to for those expertise to add to that project, do
5 that problem solving.

6 Keep in mind what we've experienced
7 in Cincinnati and why we've gotten away from all
8 this and haven't been able to get back to it as
9 much as we have in the past is budget. Cincinnati
10 police have not hired since 2008, we have been
11 threatened with layoffs in 9, '10, '11, '12. They
12 hired their first lateral class of 21 officers in
13 2014 and at one point we're 188 officers down from
14 where we had been in 2000, January 2009. And we're
15 still seeing that attrition, we're still losing
16 officers and even though since 2014 we've hired 93
17 officers we're still down 117 and that greatly
18 affects what we're trying to do and accomplish in
19 moving forward the Federal Collaborative and it
20 does affect the police department and is totally
21 out of control of the police department.

22 CO-CHAIR WILSON: Is there anyone
23 else who has a question?

24 COMMISSIONER ISOM: There was to some
25 degree and then the Collaborative Agreement and

1 there were a set of goals or issues that the
2 community is working towards, how, this is for Iris
3 and Al, how did you, and Reverend, how did you
4 evaluate your progress along the way? What are the
5 sort of metrics that you are looking at that says
6 that the community is progressing towards your goal
7 and you started out with 400 people that were
8 interviewed, did you continue that process to
9 engage people, interview them and see if their
10 perceptions about community and police relations
11 had changed over time?

12 MR. GERHARDSTEIN: All right. So
13 during the course of the court supervision we
14 actually had a contract with the Rand Corporation
15 to evaluate the progress on several levels and the
16 big take away from that is that it's too short a
17 period to do it in four years. We did not detect
18 much of an increase in trust by the community of
19 the police and I think anecdotally that it is
20 improving but in the short period of time we had
21 funding for I can't say that we saw a tremendous
22 amount of increase there. But other things that
23 the Rand Corporation did that were very helpful is
24 that first of all they did an integrated group of
25 experts who evaluated the traffic stops. One of

1 our, we had a paragraph 59 was that you have to
2 respect citizens and so we had the Rand Corporation
3 deconstruct on a random basis the traffic stops
4 done by officers and break them and this was very
5 helpful because we had black and white officers,
6 black and white experts all working together to try
7 to figure out what does make a respectful traffic
8 stop and where is your cultural competence shining
9 and where are you really out to lunch and we worked
10 through that and that was reported out to the
11 community in several forums and that was very
12 helpful to try to get a shared idea of what a
13 respectful encounter looks like and hopefully the
14 supervisors continue to draw on that as they look
15 at traffic stop tapes going forward.

16 The other thing that Rand did was
17 they did a regular count of policing in Cincinnati,
18 you know, where is the heavy hand of the police
19 being demonstrated, what are officer injuries
20 looking like, what are citizen injuries on arrests,
21 those all went down, officer injuries on arrest
22 went down, citizen injuries on arrest went down,
23 crime went down generally and part one crime in
24 particular went down so on a large number of
25 metrics we made progress. I wish we still had

1 funding to do that type of analysis, we don't, but
2 Iris has tried to carry on and can tell you what
3 she's done in the community.

4 MS. ROLEY: So great question Chief,
5 thank you all for that. Great question.

6 So in 2011 we did a survey model,
7 very unscientific, because we're very thoughtful
8 and I think one of the things that we need to
9 underscore here is that police do not have
10 unrealistic expectations. This was a very new
11 model, a new way of doing things and for all
12 intents and purposes we're still in a pilot phase
13 because when we went to Federal court we had a 30
14 year study of how policing had been negative in the
15 black community and it's going to take us 30 years
16 to figure this out so in 2011 we employed I think
17 maybe 20 youth through the Andrews Family Fund out
18 of New York and we received a grant from them that
19 Al and Megan and our partners the Urban League
20 wrote for us and we put the youth to work. We
21 wanted to simply know what the people know about
22 the Collaborative and we wanted to focus on the
23 class and I forgot to read the class for you all
24 because for me that's what makes the CA so special
25 and it goes something like this: The class is

1 defined as all African-Americans or black people
2 who are perceived as such who live and ride and
3 roam through the streets and thoroughfares of the
4 city of Cincinnati, come into contact with police
5 and/or agents and the last line is all others,
6 something like that. I'm close. And so we wanted
7 to deal specifically with the class because the
8 class was the group of people that have been
9 impacted in the very negative and very biased way
10 and so what we saw in a very unscientific way is
11 people knew a lot about the Collaborative Agreement
12 mainly because the Black United Front we used to
13 read it every Sunday on the radio and we had quite
14 a bit of interested people who were blind, who
15 couldn't read, who wanted to know about it so we
16 would read it paragraph by paragraph to people so
17 they knew about the Collaborative, they knew it was
18 something to do with police, they knew that it was
19 for African-Americans. Now, what they did not know
20 were all other things, citizens complaint
21 authority, service, cease fire, all these outbursts
22 that came of the Collaborative had been signed and
23 delivered to the community but what we did do is we
24 did, our youth did interview 150 people who were
25 willing again to share and to go to work so

1 hopefully as we go forward we can start
2 interviewing people -- let me take that back. The
3 partnering center will initiate another survey to
4 really focus in on how people see and perceive
5 problem solving in the SARA process.

6 MR. GERHARDSTEIN: So as one final
7 followup to that that's a great question for your
8 commission, because before you lose your staff,
9 before you disband and while you've just got all
10 these, like I mentioned you have 50 recommendations
11 in the policing area alone, come up with your
12 metric for how you want when the anniversary story
13 comes out, the press will come out in six months
14 and then in a year again, so what happened, did the
15 Ferguson Commission make a difference, if you can
16 start laying the table for what the metric ought to
17 be other than just did we accomplish 13 of our 50
18 or 20 of our 50, but actually get it back to the
19 problem you're trying to address, that will be
20 great work for the final weeks of your paid staff's
21 employment because that's what we didn't do. When
22 we lost our court order we just said all right,
23 let's keep it going and we are actually literally
24 doing this right now, we are coming back together
25 to come up with our dashboard of data that we want

1 to collect to show our progress, to capture our
2 standards so that we know whether we're staying on
3 the right track. So I just thought of that. So I
4 think it might be helpful for you.

5 COMMISSIONER BLACKMON: I'm extremely
6 interested in the comment you made about commission
7 reports that are nicely bound and that you carried
8 around for a long time. That I believe everybody
9 on this commission shares my interest in that
10 comment and one of the things that I've noticed
11 throughout our process is that while there has been
12 tremendous access for community to be involved in
13 this process, every meeting has been open,
14 community was involved in every work group, what
15 has been noticeably absent is law enforcement
16 outside of those who are hired to monitor us on the
17 outside for protection, and maybe they were here
18 and they just didn't identify so I won't just make
19 that statement boldly without any qualifiers but I
20 haven't known of a large amount or even a small
21 amount of community officers participating in this
22 process even though I've known a lot of community
23 people so I'm interested in what would you
24 recommend as being those policies, those
25 strongholds, those program, programmatic pieces

1 that have to be put in place to hold accountable
2 those who need to be held accountable for these
3 changes to happen in law enforcement? I don't
4 believe that they're going to happen just because
5 we roll out our plan, I'm not that naive, but I am
6 asking you because you said that you found on the
7 opposite end that that is what you needed. What is
8 it that you found that had to be mandated to create
9 change in law enforcement?

10 MR. GERHARDSTEIN: Well, I mean my
11 law enforcement partners here might agree I think
12 that law enforcement generally is stuck in the
13 status quo, it's really hard to get people to
14 change their ways and just because a bunch of, and
15 the other thing that I often experience when I sue
16 law enforcement all the time, I mean that's what I
17 basically do on my day job, and what I find is that
18 the officers that I am litigating against think
19 that they're doing something super secret, I
20 couldn't possibly understand it, this is like the
21 CIA, this is really dark stuff and, you know, I
22 wouldn't want to reveal any of my special ops and,
23 you know, that's true for about one-fifth of one
24 percent of police work and what Maris is talking
25 about is real police work and so just changing

1 attitudes, and then I get back to the metric that
2 you want to leave the community with, you know,
3 don't leave us with 50 recommendations that have 16
4 bodies each responsible for it, because that's like
5 nothing is responsible. If you can come up with
6 something really tight that the press could seize
7 on, that those who want to work on this stuff could
8 seize on, you've got a great opportunity.

9 There's two things going on here that
10 weren't around when I was carrying my notebooks
11 around, number one the whole nation is watching
12 your work and your community and as part of that
13 we're at a time when people just need leadership.

14 Yesterday a friend of mine, another
15 civil rights attorney, got a \$5.5 million verdict
16 on a police shooting in Cleveland. The day before
17 that Baltimore settled the Freddy Gray case for 6.5
18 million. Last year New York settled Eric Garner's
19 case for 5.9 million and cities hoped they could
20 just buy their way out of this problem and they
21 can't, they need the work you're doing, this reform
22 work. You just can't throw a bunch of money at
23 people and think the problem will go away but those
24 dollar numbers do tell us that they're really
25 serious and that people are taking it seriously so

1 I think your work will be taken seriously.

2 The other thing that we haven't

3 really talked about is that the DOJ did an

4 excellent report on Ferguson and I was totally

5 impressed by the findings that they made and the

6 detailed recommendations that they made and that

7 will be a court order and it could be a good model

8 for some of the reforms that need to be done

9 throughout the region but even without that, when I

10 was very involved in taser cases I just did a

11 public records request to the 47 law enforcement

12 agencies in my one county, Hamilton County, Ohio,

13 got all of their taser policies and training and

14 did a white paper rating all of them and came out

15 with a report saying which law enforcement agencies

16 had bad policies, which ones had good policies and

17 why and the press covered that and that was helpful

18 because that put a shining light on certain

19 agencies that were doing a terrible job of keeping

20 our citizens safe and then the local law

21 enforcement community, their chiefs association

22 wrote a rebuttal report which was great because it

23 opened the dialogue. So the more focused your work

24 can be, the more tight your recommendations are and

25 the more tools you give the press and others who

1 are interested like all the people in this room for
2 how to carry this work forward the better off I
3 think people will be.

4 COMMISSIONER WATSON: Getting back to
5 the evaluation process, I think that was very, I'm
6 speaking to Captain Herold. Could you expound a
7 little bit more on that evaluation process because
8 I think you're hitting on something that I think I
9 heard in some of the work groups especially with
10 officers that I've had the pleasure of working with
11 in terms of recognition for some of the things that
12 you were talking about and included in the
13 evaluation process that you guys have actually
14 modeled in terms of having evaluation based on the
15 things that you're asking law enforcement to now
16 start doing. Obviously taking supervisors,
17 recognizing that as being a change so that officers
18 are not penalized for doing the things that their
19 public is wanting them to do. I think that
20 sometimes just like you said police officers are
21 kind of like pro military, we follow orders and if
22 we're not getting recognition or reward for going
23 out doing the things that citizens are asking us to
24 do then it kind of falls into a hole as to what do
25 you get rewarded for and what you don't get

1 rewarded for and so my question is how did you
2 incorporate that into your evaluation process and
3 how did you get the supervisors to buy in on it?

4 CAPTAIN MARIS HEROLD: Okay. That's
5 a great question. First I think the Collaborative
6 Agreement through the years first of all changed a
7 lot of the policies and procedures that gave
8 recognition and award system including promotions
9 and preferred assignments, everything that we grade
10 a police officer's performance is measured by do
11 they have a really good understanding of problem
12 solving and are they engaged in that, so that's
13 number one. From my perspective to make that
14 tighter for the police officers that are under my
15 command I've thrown out all of the old metrics that
16 so many police departments still use so outputs, I
17 tell them right out front I'm not interested nor
18 will I give you credit for bringing me 10 moving
19 violations a month unless you can tie that to a
20 high auto accident location, I'm not interested in
21 that. What I am interested in is results, what I
22 am interested in is do you understand the data that
23 I put up every day enough to deploy with a purpose
24 and are you solving problems and are you
25 interacting professionally with members of the

1 community and that includes businesses and public
2 organizations as well. So everything that is going
3 on I give great credit to problem solving but
4 there's a whole institutionalized backdrop to that
5 and they know that, like I know that I'm not going
6 to be able to be an assistant chief unless I
7 understand problem solving and a sergeant knows
8 that they're not going to be a lieutenant unless
9 they have, they can talk intelligently about
10 problem solving projects so when you go into, you
11 go into a promotional process you're sitting with a
12 panel just like this and they are asking you tell
13 me about a problem that you solved and a project
14 and that's from the lieutenant's rank up and you
15 better be very eloquent about it and you better be
16 results oriented or you're not going to get the
17 promotion.

18 So I hope that answered your
19 questions.

20 COMMISSIONER WATSON: Yeah. Just one
21 other anything is that actually on an evaluation
22 sheet where they actually get a check mark for
23 doing whatever the deed might be?

24 CAPTAIN MARIS HEROLD: Absolutely.
25 Not only is there monthly evaluation they get

1 credit for problem solving but it's on their yearly
2 performance evaluation, there's a big section
3 dedicated for problem solving activities so yes, I
4 think we covered just about everything we can cover
5 as far as performance. If I was a police chief I
6 could think of a lot more metrics but I'm not right
7 now.

8 MS. ROLEY: Maybe you will be.

9 CO-CHAIR MCCLURE: Do we still have
10 Robert?

11 Commissioner McClure has a question
12 for Robert then we'll go to Commissioner Pulliam.

13 CO-CHAIR WILSON: Robert can you hear
14 me? I know we've got a delay. Can you hear me?

15 MR. KILLINS: Yes, I'm back, I'm
16 sorry. I'm plugged in again.

17 CO-CHAIR MCCLURE: So you mentioned
18 that some of your funders dropped out a couple of
19 years and some stayed as long as six or eight in
20 this community policing problem, policing funding
21 project that had 75 percent of your funds. What
22 would have kept your funders at the table, what was
23 important to them and what would have engendered
24 more commitment?

25 MR. ROBERT KILLINS: Well, I think,

1 you know, I started as a corporate funder and
2 priorities changed a lot with business and
3 corporations so it's hard to keep that group of
4 funders at the table because I've been in many
5 collaborative and it's kind of par for the course
6 so to speak. So I don't know if there's anything
7 but I think the mind set that many brought to the
8 issue was in fact that it was a police-community
9 issue and that once things seemed to be settling
10 down a bit, once this, you know, the Collaborative
11 Agreement and some of the other things seemed to
12 have taken hold and at least were in process, you
13 know, for many it felt like a business as usual and
14 so they stepped away. But for those of us
15 especially looking at the underlying conditions,
16 the situations that caused the, you know, the issue
17 of police, where the rubber meets the road so to
18 speak, that those issues need a lot of long term
19 care and that just didn't appear to be the
20 commitment there so work on those issues. So I
21 can't say that I could give you any advice around
22 that because I saw this funder fatigue or this
23 inability of funders to maintain focus more than a
24 couple years on any particular project.

25 MR. GERHARDSTEIN: But hold on.

1 Robert, if you, if we didn't have a court order and
2 the only thing in place was better together money
3 running, you know, setting up what we had set up
4 much like this commission which has some private
5 money wouldn't the funders want, wouldn't they have
6 wanted to at least fund somebody to do assessment,
7 somebody to do review and reporting out to the
8 community as to whether all this work went down the
9 drain or whether it moved the ball? I would think
10 that funders would want to fund something like
11 that.

12 MR. ROBERT KILLINS: Absolutely. You
13 know, and I think we did because, you know, we, and
14 I say we at the time, I was at P&G, P&G and some of
15 the other funders did fund a number of things
16 outside of BTC, we tried to help with that and I
17 think that that was an interest in that but the,
18 you know, the issue of the community and trying to
19 improve the underlying conditions that were long
20 ignored, there didn't appear to be a lot of
21 interest around that and, so, you know, I agree
22 that they are interested to where we are and were
23 interested but it was really a short term deal and
24 so if there's any hope there in Ferguson around
25 anything sustainable you are going to have to have

1 partners and players that are committed for the
2 long term and, you know, I'm not here to take shots
3 at the city, you know, the city administration,
4 whatever, but throughout this process and I know it
5 had its hands full with the Collaborative and
6 boycotts and a whole range of other things but it
7 didn't put a penny against any of the community
8 police partnering center effort because, perhaps
9 because it didn't believe in it or felt that it was
10 duplicative or redundant but that was very
11 difficult for many of us who were at the table to
12 realize that there was no, not one penny put in
13 from the city to support the process that was
14 designed to try to reduce some of the problems and
15 avoid the kind of situation that led up to 2001.

16 CO-CHAIR WILSON: Thank you very
17 much.

18 I'm at a point I wanted, and I know I
19 want to call on Commissioner Pulliam here but there
20 are a couple of things I wanted to ask, perhaps
21 Iris and perhaps Reverend Lynch to clarify a little
22 bit of context here for us and perhaps even some
23 language.

24 There are a number of factors that
25 cause some accountability and sustained engagement

1 and time line. I just wanted to see if you could
2 talk a little bit about, and Iris you did some of
3 this before, the time line of when the lawsuit was
4 filed, whether there was what some have called
5 unrest, some would call an uprising in the
6 community and how those things played to one, the
7 economic boycott came into play and how those
8 things played together along with the time line for
9 this kind of accountability because for us as we're
10 thoughtful about, we're mindful that there were
11 three months before there was even a commission
12 called and that began its work four months in and
13 the community had already been engaged in what has
14 been called here rebellion or uprising, not riot
15 nor unrest. So I recognize people are careful
16 about that language and different things, but if
17 you could just talk about those different community
18 inputs and how they played out on a time line to
19 assure some sustained attention to the issue.

20 MS. ROLEY: Okay. Reverend get over
21 here so you can help me out with this.

22 So the story the Reverend told you in
23 the beginning the 2 and 24 was in November of 2000.
24 By January of 2001 we're collecting stories from
25 African-Americans throughout the city, we did a

1 month of Saturdays with five sites throughout the
2 city to make sure that we covered the city to
3 collect the stories. So that was November
4 December, two months' time and by the end of
5 January we had the 400 stories, we served those
6 over to our dream team attorneys Al Gerhardstein,
7 Scott Greenwood and Ken Lawson and by March of 2000
8 there was a Federal lawsuit filed.

9 The other part of your question was?

10 CO-CHAIR WILSON: Just a time line,
11 the boycott. You said March of 2000 or March 2001?

12 MS. ROLEY: March 2001. If I am
13 correct I believe it was March 13th?

14 MR. GERHARDSTEIN: Yeah. He wants to
15 know about the boycott too.

16 MS. ROLEY: Let me pass the mic for
17 Reverend Lynch on the economic sanctions and the
18 boycott.

19 REV. DAMON LYNCH, III: All right. I
20 Thought I was done.

21 I was president of the Cincinnati
22 Black United Front which was an organization that
23 was started in July of 2000 and the city of
24 Cincinnati, because in the city of Cincinnati we
25 have this jazz festival every year that brings

1 about 50 to 60,000 African-Americans to the city of
2 Cincinnati from Chicago, Louisville, all over.
3 July of 2013 downtown restaurants closed their
4 doors and wouldn't serve African-Americans. This
5 was not 1965, this was 2000 and I happen to be, my
6 wife and I were down there and pulling on
7 restaurant doors and they were locked and you would
8 look on there to see what time is this restaurant
9 supposed to close. So we found out that 13
10 downtown restaurants in Cincinnati colluded not to
11 serve us. We later found out that they had begun a
12 survey the year before and they concluded that
13 African-Americans don't tip, that they steal
14 silverware and they steal salt and pepper shakers
15 so in the city of Cincinnati which a lot of people
16 call up south, it's like the southern most northern
17 city so just that tremendous crazy, and that's what
18 we do, this is up south, we all claim we're the
19 most segregated, we've got the highest childhood
20 poverty rate, I'm sure you probably say you got it
21 too, Cincinnati says they got it. The stuff we
22 claim now is so ridiculous that cities fight over
23 who's the most segregated, who has the highest
24 childhood poverty rate, every city I go to says
25 that we're at the top. So that's when we got

1 formed, July. Since the Black United Front didn't
2 exist until the restaurants closed their doors so
3 we started protesting and challenging restaurants.
4 We found out the restaurant association when they
5 made that decision, we met with the restaurant
6 association, they were an all white group so
7 clearly when that decision was made there was no
8 other stream of consciousness in the room to say
9 that might not be a good idea, all right? Just a
10 whole bunch of white guys saying we're going to
11 close the restaurants, nobody in there to say maybe
12 not a good idea. Then November two black guys get
13 killed by cops and we're out there, we're the
14 radical group protest, that's the time line. As
15 they said in March, lawsuit filed, right after that
16 an economic boycott on the city of Cincinnati. We
17 said until there's justice we're asking people not
18 to come to Cincinnati, the first person to say I'm
19 not coming was Bill Cosby so whatever his
20 psychosocial sexual issues are now all we know is
21 that in 2001 Bill Cosby because we asked him not to
22 come to Cincinnati he didn't come to Cincinnati.
23 Now imagine how that did to the psyche of
24 Cincinnati, Cincinnati is no different than St.
25 Louis, we're so proud of our major league teams

1 because that's really all we got, we don't have any
2 ocean front, we got major league teams that's our
3 pride and joy, we got to build them brand new
4 stadiums, all that stuff, Bill Cosby says he's not
5 coming, then Whoopie Goldberg says she's not
6 coming, the Baptist convention says we're not
7 coming, I think it ended up like \$70 million of
8 economic pain to the city of Cincinnati. At the
9 same time we're at the table negotiating with the
10 DOJ, negotiating the Collaborative Agreement. Now
11 remember what I said, the same time we're at the
12 table I personally was at the table, Al was at the
13 table, we're at the table, not like here where the
14 DOJ and the city are secretly somewhere doing
15 something, we're at the table, matter of fact the
16 FOP was at the table because we invited them to the
17 table. So the rank and file was at the table, the
18 community was at the table, all right? The city
19 administration was at the table, they hired a high
20 powered attorney out of Washington D.C. Our
21 attorneys kicked their behind, FOP's attorney Don
22 Harden was excellent but the community was at the
23 table. All right? So we continued, the city every
24 other week as this was going on, well we're at the
25 table can you stop the boycott, no, that's the

1 pressure. The pressure continued, the protests
2 continued and yes we're at the table. Finally John
3 Ashcroft came to Cincinnati who was the attorney
4 general at that time under George Bush, sat right
5 next to me and we signed this thing, we signed this
6 agreement.

7 As you talk about funders and the
8 funder fatigue St. Louis has the same issues that
9 every other city has, United way every year in our
10 city, they get excited, \$61 million, well you did
11 60 million last year, 61 million this year and next
12 year you get another CEO to head it up, 61 million
13 and five and yet we're the second highest childhood
14 poverty rate in the nation, everything is going
15 backwards so we keep putting money in certain
16 places because it's like the thing to do. So in
17 St. Louis I'm not, I don't even have to live here
18 to know you're doing the same thing we're doing,
19 you're going to raise \$60 million for United Way,
20 give it to a whole bunch of different people and
21 the statistics are going to be worse and the next
22 year you're going to raise 61.2 and think we're
23 doing something. At some point we have to be
24 smart. At some point even if we continue to do
25 that some people have to pull away and say we're

1 going to be the group that does it a little bit
2 differently. Take some of this 61 million we keep
3 raising every year to give to the same social
4 service people to do the same thing and our numbers
5 keep getting worse. So we're going to take some of
6 this and put it in the commission because we're
7 going to be focused on building better communities,
8 strengthening communities. So that's the time
9 line. The time line goes all the way up to
10 September, what, 9th, 2015 and here we are in
11 Ferguson.

12 CO-CHAIR WILSON: Thank you very
13 much.

14 Felicia you will have the last
15 question and we will put the documents that we have
16 received on-line, that have been presented today.

17 Commissioner Pulliam.

18 COMMISSIONER PULLIAM: Thank you so
19 much. I just have a couple questions.

20 Al for you you said that the monitor
21 was there to do two things, provide technical
22 assistance, and I was wondering what that second
23 thing is, and then Pastor I'd like to know from you
24 what is the, what was and is the participation of
25 the rest of the faith community around the work for

1 the Cincinnati Black United Front and then --

2 CO-CHAIR WILSON: You said two.

3 Brittany already asked for one.

4 COMMISSIONER PULLIAM: Okay. Those
5 two.

6 MR. GERHARDSTEIN: So the other thing
7 the monitor did was grade them, were they doing
8 what they were supposed to do under the terms of
9 the Collaborative. After you were nice and said
10 this is how you could do it if having been led to
11 the well you don't drink then you get a demerit and
12 you get rated badly and if that doesn't work then I
13 hold you, you know, I filed a motion to hold you in
14 contempt so yeah, we had a stick as well and we
15 tried not to use it but we only had five years so
16 we had to really hustle. And so, and it was
17 important to monitor that role as well. This is
18 your 17th meeting, we he had 17 monitor reports
19 during the course of the Collaborative.

20 REV. DAMON LYNCH, III: We outpaced
21 the clergy. We had some clergy participation, not
22 much. We outpaced it. As president of the Black
23 United Front that scared some clergy, why do you
24 have to call it Black United Front, why can't we be
25 called anything but Black United Front? So

1 anything but Black United Front.

2 COMMISSIONER PULLIAM: All United
3 Front.

4 REV. DAMON LYNCH, III: So that
5 scared them and there's clergy now 15 years later
6 who tell me why they weren't with me, why they
7 weren't with us, they said people told them not to
8 and doesn't matter, we got the job done and so
9 that's all I can say.

10 MS. ROLEY: Let me jump in on that,
11 our former chief does have a clergy group called
12 the God Squad and they do a lot of street walk and
13 talking around initiatives that the police
14 department has going on which are really a lot, a
15 lot of things happening and then there's part of
16 our service initiative as well whether there are
17 shootings happen, crimes in our community they
18 respond, a lot of clergy will respond as well so
19 you see a evolution of people and, there was a
20 whole lot of scared black folks in the city of
21 Cincinnati told us not to do it, said we couldn't
22 get it done and what we wanted to focus on what the
23 community said focus on and that was policing so
24 what I want to say to community everybody that has
25 a focus on policing the issues that Robert talked

1 about and the reason that we had the economic
2 boycott is because we had a whole other set of
3 demands, policing was just one, education, juvenile
4 court system, housing, section 3. My second
5 meeting coming to Ferguson I asked about Section 3,
6 I asked but your MSD, what projects was going on
7 and how were black folks getting jobs throughout
8 the county.

9 COMMISSIONER PULLIAM: Yes, ma'am.

10 MS. ROLEY: So everybody doesn't have
11 to focus on this particular issue. We got to be
12 smarter, wiser and stronger and you can't do it all
13 under one umbrella so we're going to focus on
14 policing reform and transformation focus on that,
15 if you want to focus on better education focus on
16 that then come back and report it but we had a
17 whole host of demands from police reform to
18 education reform so when people talk about things,
19 yeah, that was part of our demand back in 2001. We
20 had a whole host of demands, I think we had four
21 others and many people came. We had to bring all
22 of the radical groups together because everybody
23 had different demands and that was the beauty of
24 what was going on in the city of Cincinnati.

25 CO-CHAIR WILSON: Commissioner

1 Packnett will have the last last question.

2 COMMISSIONER PACKNETT: Thank you.

3 I'm sorry I didn't think about it earlier.

4 So the President's Task Force had a
5 hearing in Cincinnati and I appreciate this
6 conversation because it's given me a lot of
7 contacts that I didn't have when we just kind of
8 flew in and flew out so there's some insight that I
9 want, a particular perception that I think does
10 inform the future here, and maybe you guys can help
11 clarify through the lengths of anything you might
12 do differently if you had it to do all over again,
13 but here's what my question is based on: So we're
14 staying at the hotel, asked where to go to dinner
15 and they told us the neighborhood Over The Rhine so
16 we went to a neighborhood that now feels very
17 analogous to what in St. Louis is the Central West
18 End, very hip, very trendy, lots of popular
19 restaurants, et cetera. It wasn't until the next
20 day after the hearing that I met up with a friend
21 that I found out that's where the riots were and
22 his comment was yeah, so they, and I'm just telling
23 you what was told to me, the comment was yeah, the
24 riots became the excuse to gentrify the
25 neighborhood and get the bad element out. And so

1 there is that continual concern of does safer
2 neighborhoods just mean fewer black people and
3 fewer low income people and as an outsider that is
4 the story that I was told by someone who lives
5 there, right, and so I'm wondering if you can offer
6 some insight, whomever can offer some insight to
7 that.

8 REV. DAMON LYNCH, III: That would be
9 me.

10 For 25 years I've pastored the first
11 25 years of my life in Over The Rhine, I spent the
12 last 25 years of my life in that community. I led
13 almost every protest, every march in that
14 community. When Kathy and her officers were facing
15 us, against us, they were trying to stop us from
16 going into downtown Cincinnati so where you were
17 downtown there's a street called Central Parkway
18 that separates downtown from Over The Rhine, Over
19 The Rhine historically is historically one of the
20 poorest communities in Ohio and yet right across
21 the double yellow line there was Proctor & Gamble,
22 Chiquita Banana, Federated Department Stores,
23 Kroger, major Fortune 500 companies who could look
24 out their window at the immense poverty in Over The
25 Rhine. Where Timothy Thomas was shot, where three

1 nights of civil unrest took place, where Iris and
2 myself and others spent every night in our church
3 and allowed people a safe place to be. What can
4 happen, and you have to, I mean I'll talk to the
5 community now, is you can win the war on policing
6 and transformation and reform and lose the larger
7 war on community and so Over The Rhine, I was there
8 for 25 years, when I got there there were 15,792
9 people living there, I know that number because the
10 community had done its own study, now there's but
11 7,000 people living there so I watched 8,000 people
12 or 9,000 people be moved out. They went to the
13 west side of town all up in these places where
14 there's a whole lot of other issues so I watched
15 8,000 people be moved out. Now where there used to
16 be local bars there's sushi bars, micro breweries,
17 all this stuff and so the community, the people
18 that I knew and loved, they lost. The Gentry has
19 moved in and it has been touted by the New York
20 Times and others as the best example of
21 neighborhood revitalization in the country but for
22 the people that I knew and loved they lost and so
23 you've got community, the police piece is one of it
24 but you can lose your very souls, lose your hole
25 community while you fight just one part of it.

1 COMMISSIONER PACKNETT: Right. So
2 thank you for that. My question then is if you had
3 it to do all over again what would you have done
4 that you think, feel like could have prevented
5 that?

6 REV. DAMON LYNCH, III: It was a
7 long, hard struggle and we're part of that. Our
8 model to the community was don't move, improve but
9 people lived in those conditions for so long and
10 what happened you had went from project based to
11 vouchers and the moment people got a voucher and a
12 chance to get out of the rat infested run down
13 community, because there was no investment coming
14 in while they lived there. Maris talked about the
15 80/20 rule and they used that for almost
16 everything, the 80/20 rule was said that for there
17 to be a viable community it had to be 80 percent
18 market rate and 20 percent subsidized. Now this is
19 a community that is like 90 percent subsidized and
20 they're saying the only way it's going to thrive is
21 to be 80 percent market and 20 percent subsidized.
22 That's a huge flip but that's really not what they
23 wanted and so every, and this goes back to the
24 United Way thing, Over The Rhine used to be the
25 most service community in this nation, every social

1 service known to human kind was in this one
2 community, the Drop In Center, Tender Mercy, City
3 Gospel Missions, soup kitchens, every social
4 service agency was in this community. Do gooders
5 would come from other cities to Over The Rhine,
6 there go church vans and get off the church van and
7 pick up paper and paint and eat pizza and get back
8 on the church van and go back to the suburbs. You
9 know what happened now, every social service agency
10 that was there has been kicked out, Drop In Center,
11 you got to go, City Gospel Mission, you have to go.
12 So I'll say this and I'll sit down, to the
13 African-American community and poor communities
14 we'll always talk about we need to take back our
15 community, I heard that for 20 years, we need to
16 take back our community, and all that they mean by
17 saying that is we need to get the dope dealers off
18 the corners, that's what they mean take back our
19 community. When the Gentry wanted it and said we
20 need to take the community they showed you how to
21 do it. We kept saying take back the community,
22 they said, and the reason they wanted Over The
23 Rhine because Cincinnati you can't go south because
24 there's Ohio River so if you're going to expand
25 downtown Cincinnati you can only go north, you

1 can't go south and so when they stayed we're going
2 to take Over The Rhine they showed you how to do
3 it. So there are lessons that could be learned.

4 MR. GERHARDSTEIN: Hold on, one of
5 those lessons, I mean Reverend Lynch said earlier
6 the face of enforcement was the police, that was
7 true in Over The Rhine as well. Our chief at the
8 time Striker was totally supportive of this
9 economic development and felt he was the arm of the
10 developer and he was running the vortex unit in
11 there which is a stop and frisk unit and we're
12 fighting him over those strategies in that
13 neighborhood so if I was to do something
14 differently it would have been to jump on this
15 earlier and to fight harder because that dragged
16 out way too long. At the some time Robert's
17 talking that he had funded the partners center with
18 a lot of private money and the partnering center
19 was supposed to lead us into doing problem solving
20 around these very type of economic issues that
21 would translate and bridge the gulf between people
22 who have different ideas of even what crime is and
23 instead the partners center which wasn't getting
24 any cooperation from this chief ended up changing
25 its mission, it wasn't doing problem solving

1 anymore, they did seize fire so they'd go to sites
2 where people got shot and they'd put on T-shirts
3 and they'd take back the streets and they'd protest
4 and they'd inspire and sing and stuff that I'm sure
5 at some level is really important but it wasn't
6 problem solving so we've wasted his money by never
7 really implementing the community arm of problem
8 solving while our chief was off muscling the poor
9 people out of Over The Rhine.

10 So yeah, I would love to do, redo
11 some of those years.

12 MS. ROLEY: So if I can jump in, I
13 was the black girl who sat for two days while you
14 were in Cincinnati and I wanted to hear exactly
15 what was going but it's sort of back to, and I
16 don't remember who made the statement but who owns
17 crime, who owns the economic development and that's
18 why I'm really cautioning the community, everyone
19 doesn't have to focus on this because if you do you
20 miss what the Reverend said. So we have part of
21 our demands was economic development but we were a
22 group trying to take on a system that was humongous
23 so it's almost, it's a fair mission but it's almost
24 unfair, especially to communities who don't know
25 what to do so that's why we go and we talk so we

1 can say look at what we didn't do sometimes so
2 maybe, maybe, I wanted to answer the question
3 because it's something that Reverend and I are
4 working on now is focusing on the economics.

5 OFFICER KATHY HARRELL: I just want
6 to say the one thing I would do differently where
7 we're at in Cincinnati right now I think is very
8 important is putting, and Iris kind of alluded to
9 this but making, institutionalizing, et cetera, is
10 somewhere, somehow, I don't know if you do it
11 through policy or procedure, we never moved forward
12 enough to think that there would be outside chiefs
13 coming in or command staff that were not engaging
14 in this problem solving and so do so much work for
15 so many years and have different changes and the
16 elected officials out of our control, et cetera,
17 but I think what we would have done differently or
18 tried to implement is making sure that whoever is
19 at the top that there is some type of control,
20 guidance, policy, whatever it may be to make sure
21 that problem solving, community policing is the
22 number one priority.

23 MS. ROLEY: Brittany there's several
24 things I would have done differently, certainly as
25 I look back I probably would have asked our

1 attorneys not to give so much power to the mayor to
2 appoint the board of the citizens complaint
3 authority because it can become political and I
4 would have tried to figure out how we can pay
5 communities to sustain and do the work. It's
6 difficult to ask people to have to go to work and
7 take care of their children when everybody else at
8 the table is getting paid and a pension so it was
9 difficult to ask people of communities to come to
10 meeting after meeting and I say it often, all the
11 time, I can't get a bus card so it's difficult and
12 so some kind of way if the commission and the
13 community have figured this out how to make sure
14 the community people get paid for the work that
15 they do is just as valuable, their time is just as
16 valuable as your time.

17 CO-CHAIR WILSON: Thank you very
18 much. Thank you.

19 COMMISSIONER ALDRIDGE: Starsky. Can
20 I quickly, I won't say.

21 CO-CHAIR WILSON: Yes, sir.

22 COMMISSIONER ALDRIDGE: I think that
23 this to Ms. Iris. Going back to that community
24 part, like I said it's going to be real quick, go
25 back to that community part, the youth group that

1 you mentioned, what was the name of that?

2 MS. ROLEY: The Youth, it was just
3 Youth, it was 1,000 and I believe five of them that
4 participated in the process of what they wanted
5 policing to be.

6 COMMISSIONER ALDRIDGE: How did you
7 get it, what different I guess tactics and tools
8 did you use to get young people that was mainly
9 most affected that hung out on the street?

10 MS. ROLEY: I don't know why you say
11 that young people mostly --

12 COMMISSIONER ALDRIDGE: Well the
13 young people that are more oppressed more than
14 others, the ones that live in the, in St. Louis it
15 would be north side St. Louis so those young
16 people, the ones who are being oppressed on a daily
17 basis, how did you really get them to participate
18 and for me to you in the black community that's
19 usually not something that, we usually do the step
20 but for our stuff, recently across the nation --

21 MS. ROLEY: So what strategies did we
22 use to bring the youth to the table. The first, so
23 maybe you're thinking about the survey, the
24 surveying, elements group and, I'm having a senior
25 moment but in the beginning what we did was we

1 employed an agency to work with youth to go out and
2 get the youth to bring them in so that they could
3 be part of the process, it was just as simple as
4 that. But because of how loud and visible this was
5 in Cincinnati in 2001 that everyone wanted to
6 participate and they showed up and they stood out.
7 And I don't know Al if Jessica had a hand in
8 bringing youth into the room too but we did go out
9 and get an organization that works with youth and
10 said can you make sure that their voices are heard
11 because they had a special day just like everybody
12 else.

13 The second part how did I get them, I
14 paid them. I wanted to pay them for their work
15 because their time is valuable. So we went to the
16 Andrews Foundation and got a grant, said this is
17 what we want to do. We want to make sure that the
18 people are aware we're still here, the reforms, the
19 policies, some of them are now penal codes how are
20 they supposed to behave, so we paid them for their
21 services and their time. That's how we got them.

22 CO-CHAIR WILSON: Thank you very
23 much.

24 We want to thank again our guests
25 from Cincinnati who shared with us and all of you

1 for the context that has been given so thank you
2 very much Al, Kathy, Maris, Damon and Iris and
3 Robert.

4 We do have an administrative agenda
5 to move as well, Commissioners you previously as
6 our managing director comes and positions herself
7 to turn your attention to the minutes from out 8/24
8 meeting and ask for any action on those and I
9 actually want to as we pull those if we have stuff
10 just to take a note of one edit or addition in
11 language on page 3, about halfway down it notes
12 asking that the Department of Justice report be
13 sent to the staff, be sent to the commission. I
14 wanted to add an amendment if it be possible to
15 note that that is in response to testimony during
16 the open microphone session from Mae Quinn of
17 Washington University's juvenile law clinic and
18 Reverend Beatrice Wise-Baker, chaplain at the St.
19 Louis County juvenile detention center that request
20 was made. So it we could just note that since we
21 didn't know the actual content of the open mic I
22 just want to note that we're asking for that in
23 response to that open mic period.

24 Are there any other amendments or
25 edits to our minutes?

1 If not the floor is open for a motion
2 on the minutes.

3 Been moved and properly seconded that
4 we approve as amended the Monday, August 24th, 2015
5 minutes of the Commission. All those in favor
6 police notify by saying aye.

7 All these opposed same sign.

8 Any abstentions?

9 Motion carries. We're now in the
10 hands of our managing director.

11 MANAGING DIRECTOR JOHNSON-JAVOIS:

12 Thank you Reverend Wilson. Action item 2 that will
13 be before the Commission, asking Serena Muhammad,
14 for those of you that this is your first meeting
15 Ms. Muhammad has come to us before presenting, in
16 our last meeting she talked about the function that
17 comes after the Commission so that this work can
18 indeed have success and have traction once the
19 Commission sunsets December 31st so at this time
20 Ms. Serena Muhammad is with us so she can come to
21 speak more in-depth so we can see what in fact does
22 happen as we move forward.

23 MS. MUHAMMAD: Thank you. And I
24 think there are six tie-ins from what we heard from
25 Cleveland, one being that we have to focus on the

1 process that brings community together, the second
2 being that people have to do the work actually
3 needed to be involved in crafting the solutions,
4 the third being that there needs to be a formal
5 collaborative agreement, the fourth being that
6 there needs to be a focus on transforming systems,
7 the fifth being that there needs to be a process
8 for monitoring evaluation and the sixth being that
9 enduring relationships throughout the process are
10 important. So I think when we go through these
11 slides we'll see how those six elements beam into
12 this process and we should be able to achieve these
13 things using this process.

14 So one of the things that we did was
15 looked at what the key characteristics to successes
16 have been for the Ferguson Commission to date so
17 that we can make sure that those characteristics
18 carry through into this selection process. The
19 first being that there's a transparent public
20 process so we thought that as we talk about the
21 process selecting the court intermediary that there
22 be a focus on maintaining a transparent public
23 process because our authority to do the work
24 actually comes from the public having buy-in to our
25 abilities.

1 CO-CHAIR WILSON: Ms. Muhammad, I'm
2 going to ask Bethany to confirm something, is this
3 the same deck that we saw on the 24th?

4 MS. MUHAMMAD: No.

5 CO-CHAIR WILSON: It's a different
6 desk?

7 MS. MUHAMMAD: Yes. This is just
8 about the process.

9 CO-CHAIR WILSON: Okay. Thank you.

10 MS. MUHAMMAD: The second
11 characteristic being work has to be data driven,
12 unflinching and urgent and the third being you have
13 expertise to be able to focus in on issues but also
14 enough breath to be comprehensive so we talked a
15 little bit about not focusing in on one issue by
16 itself but make coverage intimate enough that you
17 can address multiple issues throughout the process.

18 So we looked at key responsibilities
19 for a core intermediary and there are actually six
20 and they separate out pretty nicely into leadership
21 functions and support functions so the first three
22 key responsibilities around building public will,
23 guiding vision and strategy and advancing policy
24 usually happens at the leadership level and that's
25 when you're bringing people together to actually

1 own implementation of the action plan. The third
2 set of steps, its supporting aligned activities,
3 the establishing shared measurement and the
4 mobilizing funding are more support functions and
5 we thought it was important to call out the
6 distinction between the types of responsibility
7 that the court intermediary would be facilitating.

8 So this slide gives the specific
9 elements of what the core intermediary will be
10 asked to do. One thing to keep in mind is the
11 Ferguson Commission is the commissioners but it's
12 also the staff involved that has been involved in
13 this process so we looked at what are the core
14 functions and activities that are currently taking
15 place and how we would translate that into the
16 function of a core intermediary so this list is all
17 the things that a court intermediary would be
18 responsible for in order to carry out the functions
19 that were on the other slide.

20 And in the next piece I think is
21 significant to call out the core intermediary is
22 the organization or the entity that's responsible
23 for providing those support functions but there
24 also needs to be a method for engaging the
25 community and engaging stakeholders to actually

1 take leadership in moving the calls to action
2 forward so we looked at those, that leadership
3 circle where we're looking at the community
4 engagement, the institutional capacity and the
5 willingness to actually advance a shared agenda so
6 it's not up to the intermediary by themselves to
7 advance the call to action but it's up to the core
8 intermediary to organize the space, organize the
9 stakeholders and then to support those stakeholders
10 in actually moving the calls to action forward.

11 So this is how all of this looks or
12 comes together. The integration of the support
13 function and the leadership function all in the
14 racial equity lens, the core intermediary provides
15 those support functions, they're responsible for
16 accountability, they'll work with the evaluation
17 partners to make sure that performance is managed
18 and then within all of those signature calls you'll
19 have leadership that focuses in on those three key
20 areas to make sure that nothing gets lost and that
21 the effort remains comprehensive.

22 So this is the selection process.
23 Essentially you're looking for the core
24 intermediary to perform those support functions and
25 you're going to ask interested entities to describe

1 their capacity, to be able to provide those core
2 functions. There will be a request for
3 qualifications where it will have a series of
4 questions that will help to measure an
5 organization's capacity and readiness to deliver on
6 those core functions. They'll have to talk about
7 their internal mission alignment as well as others
8 of opportunity for growth and capacity building but
9 they'll be able to provide information that you can
10 use to assess their fit in moving this work forward
11 as the core intermediary.

12 You'll have staff, volunteers,
13 members of the public who have served on work
14 groups who will actually review those proposals and
15 then they will make a recommendation on the top
16 three depending on how many applications you
17 receive, or they'll at least rank those
18 applications based on a scoring criteria and then
19 the final list will be invited to actually make a
20 presentation to the Ferguson Commission with how
21 they would move the work forward and as a result
22 opportunity to vote on the finalists based on the
23 recommendations of the reviewing body.

24 The second piece is the
25 accountability piece so after you've identified the

1 core intermediary there will be a process to
2 identify an evaluation partner and they will be
3 responsible for setting up the monitoring and the
4 performance management and the request for
5 qualifications process is the same, they'll submit
6 an application, it will be reviewed by
7 commissioners and members of the public and then
8 they will do a presentation for the Commission.

9 This third piece, the leadership
10 piece is important to note that through this
11 selection process you're focusing on the core
12 intermediary and the evaluation partners and in
13 their application they will tell you or they will
14 describe what systems and processes they will put
15 in place to help elevate and support this
16 leadership function so we're not asking that you
17 have a third process to identify all of the
18 leadership for all of these areas, in fact in these
19 applications the applicants will address how that
20 will be done.

21 So this is the basic time line. The
22 request for qualifications, proposal review, for
23 intermediary selection and then that same process
24 repeated for the evaluation partners.

25 We believe that if all of these steps

1 are followed in this order you should have your
2 core intermediary selected by the November 9th
3 Ferguson Commission meeting and your evaluation
4 partners selected by the December 14th commission
5 meeting.

6 CO-CHAIR WILSON: Are there any
7 questions from Commissioners regarding the
8 selection process for the core intermediary?

9 COMMISSIONER JAMES-HATTER: I have no
10 questions, I just want to say to the staff, even
11 who put this together, I just think it's very
12 solid, responsible in alignment with everything we
13 heard tonight so just fabulous, fabulous work.

14 CO-CHAIR WILSON: Absolutely.
15 Agreeing with that accommodation and noting that
16 this requires our approval to move forward the
17 floor is open for an action.

18 Commissioner Windmiller moves the
19 approval process to select the core intermediary
20 and monitoring evaluation partners. Is there a
21 second?

22 Properly seconded. All those in
23 favor please notify by saying aye.

24 Opposed same sign.

25 Any abstentions?

1 Motion carries.

2 MANAGING DIRECTOR JOHNSON-JAVOIS:

3 Thank you very much Commissioners for the green
4 light to move those processes forward in particular
5 of what we heard tonight from our Cincinnati
6 support group.

7 I'm asking you now to go into your
8 packet for the final action item of the night, this
9 was another carry over from our last commission
10 meeting, this is the Ferguson Commission proposed
11 budget, this is the for the time frame of October
12 1st through December 31st, focusing on how we spend
13 the remaining funds from the 1.217 million that we
14 have left within this work. Just wanting to note
15 that Ferguson Commission has been given the green
16 light by the Governor to be able to extend our time
17 together through 12/31 and that this week I had
18 several conference calls with the government
19 funders to make sure that they are comfortable
20 verbally with what I'm presenting to you tonight,
21 both of them are and letters are going out as of
22 tomorrow for, to support for the private funds to
23 be able to shift in this way and we do have this
24 flexibility to do so. That in mind I'll take you
25 to the revenue at the top where the total revenue

1 streams are \$508,217 and you can see those sources
2 of remaining funds up top. From the expenses we
3 have projected independent contractors will still
4 be needed to continue our work, professional fees
5 line item, operations at 4,000, we continue to need
6 to sustain the commission final report development
7 and dissemination and I wanted to focus really
8 quickly on core intermediary planning as you've
9 just approved there will be funding that we would
10 like to set aside from our remaining funds to be
11 able to plant financial seed for the function that
12 we just approved tonight and so we have put a place
13 holder then for \$176,675 to support the
14 infrastructure that will be needed, that comes
15 beyond us. With that also as you just saw we'll
16 have at least two commission meetings with which to
17 have the public selection process so we do have
18 money that is funded for community engagement and
19 commission meetings, commission report and
20 dissemination of the platform of which we launched
21 the digital first strategy will have to be
22 maintained through our time together and that is
23 estimated a 59,000 for that and website posting at
24 1,000 over three months time frame. So I present
25 this budget to the Commission to get us through the

1 31st and what we just approved as our time line and
2 our goals for our work together.

3 CO-CHAIR MCCLURE: So you've seen the
4 budget proposal that is refined from the document
5 shared with you at our last meeting. Are there
6 questions or comments from any Commissioner?

7 COMMISSIONER PULLIAM: I just have
8 one comment regarding the posting of the web site
9 for three months and so are we anticipating in our
10 translation project with the intermediary that they
11 would assume that responsibility of having the
12 information at least available for some time and
13 hosting?

14 MANAGING DIRECTOR JOHNSON-JAVOIS:
15 Yes, we are assuming that it will be able and we
16 plan, that's why we put the intermediary first in
17 the October November selection time frame to then
18 walk with them from November to December.

19 COMMISSIONER CARR: I don't have a
20 question about the number, did I hear you say the
21 office of the Governor has in fact endorsed this
22 process in moving forward?

23 MANAGING DIRECTOR JOHNSON-JAVOIS:
24 The office of the Governor has provided to the
25 Commission a letter that acknowledges that will be

1 in commission if you will through December 31, yes.

2 Thank you.

3 CO-CHAIR MCCLURE: Other questions or
4 comments? Any Commissioner?

5 Okay. Seeing none then we'll
6 entertain a motion for approval.

7 COMMISSIONER BLACKMON: So moved.

8 CO-CHAIR MCCLURE: So moved by
9 Commissioner Blackmon, is there a second?

10 Several seconds. Any further
11 discussion?

12 All those in favor please say aye.

13 All those opposed.

14 Motion carries, the budget is done.

15 MANAGING DIRECTOR JOHNSON-JAVOIS:

16 Thank you.

17 With that we do not have other
18 business for tonight to be addressed, we do have a
19 media communications update from Nicole who is here
20 with us to provide that update.

21 CO-CHAIR MCCLURE: Okay. Our
22 director of media communications Nicole Hudson.

23 MS. HUDSON: Good evening everybody. You've
24 all received a lot of e-mails from me today. As of
25 tonight you will have a full copy of the draft of

1 the executive summary and all but one section of
2 the signature priority section and about 90 percent
3 of the area of focus documents, the rest of that
4 will be posted tonight. If you have any trouble
5 accessing those documents we are doing the comments
6 on-line so that we can keep everything in one
7 place, I've been printing them out and then putting
8 my comments in so let me know if you have any
9 access issues. We're trying to get all the
10 comments back by 9 o'clock on Friday morning, we're
11 parallel processing with both the state for the
12 layout of the printed piece the pdf and also the
13 web development company that is working on the
14 platform so they'll be placing draft content, in
15 we'll be spending the weekend making sure that all
16 the edits that come from everybody make it on to
17 the platform.

18 Other update is that there will be a
19 press conference on Monday at 2:30 in the same
20 location where we will release the report
21 officially so you'll receive further information
22 about that as it gets completed.

23 Any questions?

24 I wanted to thank everybody for
25 participating in the sprint that is this week, I

1 thank you in advance for your comments and your
2 continued patience as we move toward Monday.

3 CO-CHAIR MCCLURE: Thank you Nicole
4 and the staff for all your hard work. Any other
5 questions?

6 So I reiterate to the Commission,
7 this is a very important time for everyone to
8 engage that chooses to do so in their comments, the
9 deadlines are real deadlines, we'll be unable to
10 accept comments after our deadline in order to
11 reach our production deadline, much of this content
12 of course is work we're familiar with but read it
13 closely and carefully please and we do appreciate
14 all of that help and also to second the commentary
15 from Commissioner Aldridge appreciate the hard work
16 of many of the staff team working through this.

17 Any other business to come before the
18 Commission?

19 Our Cincinnati friends are still,
20 some of them here and I want to thank you very much
21 and to your colleagues that can still hear us,
22 Reverend Lynch I see, Al Gerhardstein, Captain
23 Herold and Officer Harrell, thank you all very
24 much, you have made an credible sacrifice.

25 They do this freely and willingly

1 because they care about their country and they care
2 about their region and they care about ours and for
3 that we are very grateful.

4 It has become our custom for all of
5 us to stand and to recenter ourselves and think and
6 contemplate the reasons that we come to this
7 journey together and the reasons we come for this
8 work so let me just ask you to grab a hand of
9 somebody close to you if you can and I would ask
10 you just as you touch someone and we pause for a
11 moment of quiet silence and centering to recall
12 what brings you here, recall what brings your level
13 of concern, recall the care and the motivation and
14 the passion and the urgency that you bring to this
15 and how you can share that with others that will
16 move our community and our region forward. So
17 let's think about that for just a moment.

18 Thank you. Amen. Travel safely.

19 Stop symptom

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21 (Whereupon, the meeting was concluded at 8:59 p.m.)

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REPORTER CERTIFICATE

I, SUZANNE BENOIST, Certified Shorthand Reporter, do hereby certify that there came before me at Ferguson Entertainment Center, 1072 Smith Ave., Ferguson, MO 63135 the above-referenced parties, that the proceeding was translated and proofread using computer-aided transcription, and the above transcript of proceedings is a true and accurate transcript of my notes as taken at the time of said event.

I further certify that I am neither attorney nor counsel for nor related nor employed by any of the parties to the action in which this examination is taken; further, that I am not a relative or employee of any attorney or counsel employed by the parties hereto or financially interested in this action.

Dated this 10th day of September, 2015.

SUZANNE BENOIST, RPR, CCR, CSR-IL

FERGUSON COMMISSION MEETING 9/9/2015

A				
	58:22 86:1 97:1	128:4	47:24	aligned (1) 132:2
abilities (1)	97:2	administrator ...	agree (8) 47:1	alignment (2)
130:25	accurate (1)	70:14	53:16 62:20	134:7 136:12
able (25) 12:5	144:11	adults (1) 43:4	63:20 76:15,17	allow (2) 12:5
14:11 35:16	achieve (1)	advance (3)	97:11 105:21	68:12
44:2 49:23 51:9	130:12	133:5,7 142:1	agreed (1) 26:22	allowed (4) 68:14
51:18,20 60:15	acknowledges ...	advancing (1)	agreeing (3)	75:19 87:4
76:21,23 78:23	139:25	131:23	46:17 47:2	119:3
83:20,22 87:5	ACLU (2) 22:2	advice (1) 104:21	136:15	allowing (2) 6:19
90:8 102:6	53:23	advisory (1)	agreement (17)	64:15
130:12 131:13	acting (1) 59:18	25:17	24:23 35:20	allows (1) 59:24
134:1,9 137:16	action (16) 8:20	affect (2) 54:5	37:8,22 40:18	alluded (1) 124:8
137:23 138:11	22:11 24:20	90:20	42:7 55:14,15	Alphonse (1) 3:5
139:15	54:15 55:15	afraid (1) 54:20	57:19 82:20	alternative (1)
above-referenc...	77:13 128:8	African (2) 46:6	90:25 94:11	38:7
144:7	129:12 132:1	53:23	101:6 104:11	ambitious (1)
absent (1) 96:15	133:1,7,10	African-Ameri...	111:10 112:6	78:18
absolutely (5)	136:17 137:8	10:7,8 17:6,13	130:5	Amen (1) 143:18
86:8 87:8	144:15,19	22:15 25:16	agreements (2)	amended (1)
102:24 105:12	actions (1) 65:25	34:3 40:8 45:15	58:17,18	129:4
136:14	activities (4)	45:16 59:13	ahead (2) 53:4	amendment (1)
abstentions (2)	62:15 103:3	60:13,22 81:6	62:8	128:14
129:8 136:25	132:2,14	83:23 121:13	Ahlbrand (9)	amendments (1)
abundantly (1)	activity (1) 56:4	African-Ameri...	2:19,22 4:21,22	128:24
8:5	actual (2) 13:18	30:5 39:9 54:1	84:24,25 86:10	America (8) 10:3
abut (1) 97:25	128:21	81:6 94:1,19	88:14 89:7	30:3,25 31:10
academy (3) 24:7	add (5) 48:18	107:25 109:1,4	aid (1) 76:9	33:21 34:7 35:1
48:17 67:12	63:4,6 90:4	109:13	aisle (1) 21:16	35:7
accept (1) 142:10	128:14	Africans (1) 30:8	Al (26) 21:25	American (8)
access (4) 83:20	addition (1)	Africans' (1)	22:1 36:20 37:7	10:4 11:15 17:7
96:12 134:10	128:10	30:12	43:8 45:6,7	24:25 30:17
141:9	additional (4)	africentric (1)	46:4 47:1,22	34:4 46:6 53:23
accessing (1)	12:9 46:6 48:19	34:8	49:17,21,23	amount (5) 16:2
141:5	50:8	age (1) 16:12	51:1 53:21	73:9 91:22
accident (1)	address (6) 7:25	agencies (5)	63:24 76:11	96:20,21
101:20	65:23 87:1	67:17 74:6	82:7 91:3 93:19	amounts (1)
accommodatio...	95:19 131:17	99:12,15,19	108:6 111:12	45:10
11:13 136:15	135:19	agency (4) 77:16	113:20 127:7	analogous (1)
accomplish (2)	addressed (1)	121:4,9 127:1	128:2 142:22	117:17
90:18 95:17	140:18	agenda (3) 9:22	Alabama (1)	analysis (6) 24:6
account (1) 49:8	addresses (2)	128:4 133:5	31:3	65:24 67:8
accountability ...	68:20,22	agents (1) 94:5	Alaskan (1) 17:8	73:18 74:19
11:9 22:12 41:6	administration...	aggravated (2)	Aldridge (8) 2:16	93:1
70:18 106:25	49:22 57:15	73:25 76:21	4:24,25 125:19	analyst (1) 76:4
107:9 133:16	79:14 106:3	aggravating (1)	125:22 126:6	analytical (1)
134:25	111:19	72:13	126:12 142:15	70:16
accountable (4)	administrative ...	ago (2) 37:19	align (1) 78:17	analyzing (1)

66:24 and/or (2) 15:18 94:5 Andrews (3) 45:15 93:17 127:16 anecdotally (1) 91:19 Angeles (2) 10:11 35:5 anniversary (1) 95:12 anonymous (1) 16:14 answer (12) 13:24,25 14:10 14:17 15:19 16:18 75:25 81:16 84:4,21 86:21 124:2 answered (1) 102:18 answering (1) 86:1 answers (2) 18:12,14 anticipating (1) 139:9 anybody (4) 32:18 62:11,11 77:19 anymore (3) 50:22 59:6 123:1 anyway (2) 18:7 41:24 apartheid (2) 30:21,21 apartment (9) 60:13 68:23 71:1,10,15 72:2 74:9,12 75:4 apartments (3) 71:14 74:21 75:6 apparatus (1) 12:19	appear (2) 104:19 105:20 APPEARANC... 2:1 applause (1) 7:3 applicants (1) 135:19 application (2) 135:6,13 applications (3) 134:16,18 135:19 apply (3) 18:9,10 18:12 appoint (1) 125:2 appointed (1) 25:2 appreciate (4) 78:3 117:5 142:13,15 approach (3) 47:6 60:21 79:13 appropriate (2) 8:23 9:21 appropriately ... 58:22 approval (3) 136:16,19 140:6 approve (1) 129:4 approved (3) 138:9,12 139:1 approximate (1) 21:3 April (2) 10:24 80:17 arbitrations (1) 51:9 area (8) 15:6,17 22:5 25:25 60:23 68:13 95:11 141:3 areas (4) 60:7 87:24 133:20 135:18	arguments (1) 51:6 arm (2) 122:9 123:7 Army (1) 22:25 arrest (3) 72:2 92:21,22 arrests (2) 86:2 92:20 arrogant (2) 36:23 43:25 Ashcroft (1) 112:3 Asian (1) 17:7 aside (2) 81:25 138:10 asked (15) 28:13 28:16 29:2,5 39:9 48:23 51:12,13 110:21 114:3 116:5,6 117:14 124:25 132:10 asking (18) 12:16 14:4 48:10 56:24 72:9 73:11 84:20 87:15 97:6 100:15,23 102:12 110:17 128:12,22 129:13 135:16 137:7 aspire (1) 59:7 assault (2) 19:12 19:16 assaults (2) 73:25 76:21 assemble (1) 55:6 assessing (2) 67:3 67:6 assessment (1) 105:6 assigned (1) 7:7 assignments (1) 101:9 assistance (2)	56:18 113:22 assistant (2) 13:1 102:6 association (3) 99:21 110:4,6 assume (1) 139:11 assuming (1) 139:15 assure (1) 107:19 attached (1) 63:17 attack (1) 46:13 attacked (1) 46:1 attempt (3) 36:10 36:13,16 attempts (1) 36:24 attendance (1) 4:13 attended (3) 17:17 34:4 48:8 attending (1) 4:5 attention (3) 54:25 107:19 128:7 attitudes (1) 98:1 attorney (17) 22:5 46:3,8,21 47:10,18 49:24 51:8,10 53:22 76:2 98:15 111:20,21 112:3 144:13 144:17 attorneys (3) 108:6 111:21 125:1 attrition (1) 90:15 audience (8) 12:15 13:6,7 38:23 39:5 42:18 63:11 65:1 audio (2) 21:22 25:22	August (2) 10:24 129:4 authority (5) 50:10 58:23 94:21 125:3 130:23 auto (1) 101:20 available (2) 75:8 139:12 Ave (1) 144:7 Avenue (2) 1:14 4:11 avoid (2) 61:23 106:15 Avondale (2) 71:19 76:6 award (1) 101:8 awards (1) 70:13 aware (2) 69:8 127:18 aye (4) 4:14 129:6 136:23 140:12
B				
B (14) 14:5 15:7 15:20 16:6,18 17:5,20 18:13 18:17 19:18 20:2,12,19 21:4 Bachelor (1) 24:15 back (38) 9:14 10:19 21:11 29:10 37:8,17 49:12 54:21 61:7 69:7 70:8 75:25 76:25 77:24 83:13 85:22 90:8 95:2 95:18,24 98:1 100:4 103:15 116:16,19 120:23 121:7,8 121:14,16,18 121:21 123:3 123:15 124:25				

141:10 backdrop (1) 102:4 backed (2) 77:4 86:19 background (3) 24:2 44:19 81:11 backing (1) 86:20 backwards (2) 84:10 112:15 bad (8) 49:10 55:11 71:20 72:5 73:2 74:20 99:16 117:25 badge (1) 31:15 badly (1) 114:12 balance (1) 79:7 ball (1) 105:9 Baltimore (2) 32:11 98:17 Banana (1) 118:22 bang (1) 68:3 Baptist (4) 10:18 10:22 24:12 111:6 bars (2) 119:16 119:16 base (1) 26:24 based (11) 13:25 22:14 62:14,15 65:14 66:4 100:14 117:13 120:10 134:18 134:22 basic (4) 59:25 62:25 66:17 135:21 basically (5) 50:3 62:14,16 67:16 97:17 basis (3) 62:13 92:3 126:17 basketball (1) 61:1	bat (3) 71:14,19 71:20 bathroom (1) 85:3 beam (1) 130:11 beat (3) 23:2 59:6 89:15 beating (3) 35:4 35:9 84:8 Beatrice (1) 128:18 beautiful (4) 33:12,15,23 39:1 beauty (1) 116:23 Becky (4) 2:12 5:8 82:5,24 becoming (1) 45:8 began (3) 4:1 9:16 107:12 beginning (4) 70:9 75:10 107:23 126:25 begun (1) 109:11 behave (1) 127:20 behavior (1) 11:8 behaviors (1) 11:10 believe (13) 20:11 29:18 43:7 52:15 53:10,17 67:5 96:8 97:4 106:9 108:13 126:3 135:25 believed (1) 48:24 believer (1) 69:3 belong (1) 16:13 benefit (1) 53:17 Benoist (3) 1:22 144:4,23 best (7) 13:25 51:25 56:19,22	67:13,20 119:20 Bethany (6) 2:8 4:5 21:11 22:18 26:21 131:2 better (18) 42:15 43:16 55:1 58:19,20 59:8 63:7,9 73:13 77:15 80:25 83:11 100:2 102:15,15 105:2 113:7 116:15 beyond (2) 31:22 138:15 biased (2) 38:17 94:9 biased-free (1) 58:21 Bible (1) 24:15 big (6) 41:19 59:2 67:8 69:2 91:16 103:2 biggest (2) 40:5 50:11 Bill (4) 45:15 110:19,21 111:4 binders (1) 54:22 bio (3) 27:18,18 27:19 bios (1) 27:21 bit (13) 24:2 44:19 59:7 72:10 85:8 86:16 94:14 100:7 104:10 106:22 107:2 113:1 131:15 black (53) 14:5 17:6 24:10,19 25:1,6,9,12 30:25 31:23,24 32:3 33:15 34:4 34:5,6,15,16 35:3,8,19 38:4	38:15,16 41:20 42:7,10 43:15 43:21 45:25 53:22 59:22 61:6 83:17 84:6 92:5,6 93:15 94:1,12 108:22 110:1,12 114:1 114:22,24,25 115:1,20 116:7 118:2 123:13 126:18 Blackmon (6) 2:23 5:2,3 96:5 140:7,9 blah (3) 60:19,19 60:19 blame (3) 38:3,5 38:7 blind (1) 94:14 block (1) 76:7 blue (7) 12:4 14:6,23,24 46:1 54:6 55:8 board (7) 12:6 26:8,9 34:15 45:3,5 125:2 bodies (2) 54:17 98:4 body (1) 134:23 Bolden (1) 6:15 boldly (1) 96:19 bondage (1) 30:21 book (2) 10:1,9 books (1) 33:7 born (3) 22:21 34:3,7 boss (1) 54:19 bosses (1) 56:6 bottom (4) 14:19 53:10 85:5,13 bought (2) 38:3,4 bound (1) 96:7 boycott (8) 10:25 107:7 108:11 108:15,18	110:16 111:25 116:2 boycotts (1) 106:6 boyfriends (1) 39:13 branch (2) 22:4 25:19 brand (1) 111:3 break (3) 33:1 68:22 92:4 breath (1) 131:14 brevity (1) 62:7 breweries (1) 119:16 bridge (2) 31:6 122:21 briefly (2) 62:12 69:23 bring (15) 32:9 32:10 35:19,23 39:12,12,13,15 49:21 89:5,12 116:21 126:22 127:2 143:14 bringing (5) 40:13 49:5 101:18 127:8 131:25 brings (5) 62:5 108:25 130:1 143:12,12 Brittany (4) 2:14 5:17 114:3 124:23 broader (1) 79:14 broker (1) 79:4 brother (1) 9:3 brothers (1) 63:19 brought (12) 9:8 19:10,14 28:20 32:20 49:3 51:2 58:14 88:13 89:11,16 104:7 brown (1) 14:5
--	---	---	---	---

brutality (1) 35:18	buzz (1) 86:12	133:4 134:1,5,8	cautions (1) 68:9	48:10,10,14,15
BTC (1) 105:16	Byron (2) 2:15	captain (19)	CCR (1) 144:23	48:24 49:2,14
budget (6) 50:17	5:24	23:13,15,18,22	cease (1) 94:21	49:18 51:5
90:9 137:11	C	24:8 45:11	center (15) 4:9	54:11 55:17,18
138:25 139:4	C (18) 14:5 15:8	50:24 57:25	9:17 21:16,17	66:13 80:2
140:14	15:20 16:6,19	59:9 60:12	32:22 79:3 95:3	83:12 97:9,14
build (4) 40:24	17:6,20 18:13	61:11 84:25	106:8 121:2,10	100:17
42:16 61:23	18:17 19:18	85:9 87:7 88:20	122:17,18,23	changed (4)
111:3	20:2,13,19 21:4	100:6 101:4	128:19 144:6	51:19 91:11
Builder's (3)	39:25 40:4	102:24 142:22	centering (1)	101:6 104:2
76:5 77:1,3	42:17 62:5	capture (4) 14:12	143:11	changes (4) 52:5
building (23)	CA (1) 93:24	14:15 60:5 96:1	Central (3) 37:25	52:5 97:3
1:13 47:21	CABRA (1)	captured (1) 12:3	117:17 118:17	124:15
60:13,17,18	66:19	car (1) 88:19	centuries (1)	changing (4)
71:1,13,18 72:2	call (17) 4:12	card (1) 125:11	30:25	40:23 51:4
72:18,24 73:1,9	10:21,24,25	cards (1) 37:2	Century (1)	97:25 122:24
74:7,20 76:2,5	26:21 73:16	care (7) 73:4	23:11	chaplain (1)
76:24 77:2,7	79:13 86:24	104:19 125:7	CEO (1) 112:12	128:18
113:7 131:22	88:18,19	143:1,1,2,13	certain (3) 11:4	chapter (3) 10:12
134:8	106:19 107:5	career (1) 22:23	99:18 112:15	10:13 11:15
buildings (4)	109:16 114:24	careful (2) 69:11	certainly (5) 80:1	characteristic (...)
72:15 73:23	132:5,21 133:7	107:15	81:4,16 87:13	131:11
74:12,24	called (16) 30:10	carefully (1)	124:24	characteristics ...
bunch (5) 89:9	30:11,22 32:23	142:13	CERTIFICAT...	130:15,17
97:14 98:22	33:8 35:20	Carmel (1) 10:17	144:2	charge (1) 7:9
110:10 112:20	45:19 47:16	Carr (4) 2:13 5:5	Certified (1)	Charity (1) 26:10
burglaries (2)	64:2 79:2 107:4	5:6 139:19	144:4	Charles (2) 15:8
71:3 76:22	107:12,14	carried (1) 96:7	certify (2) 144:5	15:21
burglarized (1)	114:25 115:11	carries (3) 129:9	144:13	charts (1) 73:20
75:1	118:17	137:1 140:14	cetera (5) 18:19	check (2) 18:9
burglary (2) 74:1	calling (1) 4:4	carry (5) 93:2	81:11 117:19	102:22
88:18	calls (15) 8:20	100:2 130:18	124:9,16	Cheers (1) 26:11
bus (1) 125:11	54:15 55:15	132:18 137:9	chair (1) 26:9	chest (1) 51:3
Bush (1) 112:4	60:16 73:10,18	carrying (2)	chairman (1)	Chicago (1)
business (8)	73:22 86:20,21	54:21 98:10	23:8	109:2
39:23 55:19	87:14 88:23	case (2) 98:17,19	chairperson (1)	chief (19) 25:15
76:7 79:20	133:1,10,18	cases (6) 53:24	25:19	25:16,18 52:10
104:2,13	137:18	79:14 80:25	chairs (1) 9:6	58:5,7 75:19,23
140:18 142:17	cameras (1) 50:9	81:1,7 99:10	challenge (1)	85:19,20 86:6,9
businesses (1)	campus (1) 83:21	causal (1) 83:16	42:21	93:4 102:6
102:1	Canada (1) 66:18	cause (1) 106:25	challenging (2)	103:5 115:11
buttons (1) 13:21	cans (2) 72:16	caused (1)	61:17 110:3	122:7,24 123:8
buy (2) 98:20	73:4	104:16	chance (1)	chief's (1) 75:23
101:3	canvassing (1)	causes (3) 8:1,13	120:12	chiefs (3) 67:4
buy-in (1) 130:24	67:23	65:24	change (24) 11:7	99:21 124:12
buying (1) 42:12	capacity (4)	cautioning (1)	11:12 18:15	child (1) 83:23
		123:18	36:16,17 37:11	childhood (3)

109:19,24 112:13 children (3) 39:14 49:6 125:7 Chiquita (1) 118:22 choices (3) 13:24 15:19 16:18 choose (2) 17:9 87:5 chooses (1) 142:8 choosing (3) 17:2 17:14 20:10 Christians (1) 33:6 chronic (2) 64:14 76:2 chronicle (1) 11:19 chronicling (1) 10:9 church (11) 10:17,18 24:12 28:2 32:21,22 34:5 119:2 121:6,6,8 CIA (1) 97:21 Cincinnati (127) 3:3 7:5,20 10:13 11:1 21:21 22:3,21 22:22,23 23:1,3 23:14,16,17,19 24:4,10,14,15 24:19,22,23,25 25:1,6,7,9,11 25:18,23 26:12 26:13 27:2,21 28:2,20 29:19 29:20,22 31:4 31:22 32:3,12 33:3,20 35:17 36:4,6 38:14 41:10 42:14 43:13,14 44:7 44:18,20 45:22	46:7 48:16 49:11 50:5,6,17 51:20 52:2,15 53:23 54:5 55:5 55:18,21,23 56:16,20 59:9 60:12 62:2 63:15 64:7,9,12 70:1,25 71:12 72:22 78:9,11 78:15 81:4,23 82:19 84:4 85:12,17 90:7,9 92:17 94:4 108:21,24,24 109:2,10,15,21 110:16,18,22 110:22,24,24 111:8 112:3 114:1 115:21 116:24 117:5 118:16 121:23 121:25 123:14 124:7 127:5,25 137:5 142:19 Cincinnati's (3) 25:13,16 80:22 circle (1) 133:3 circling (1) 14:9 circumstance (1) 81:13 circumstances ... 31:25 cite (1) 72:3 cities (6) 32:5,6 85:17 98:19 109:22 121:5 citizen (6) 54:15 58:4 79:11 84:7 92:20,22 citizens (12) 49:13 50:9 52:1 52:7 58:23 79:6 84:16 92:2 94:20 99:20 100:23 125:2 city (49) 10:6,19	11:16 15:7,15 15:16,20 16:1 24:21,24 25:13 33:17,18,19,20 33:21 35:17,19 57:7 70:25 71:3 73:21 76:3,20 79:13 94:4 106:3,3,13 107:25 108:2,2 108:23,24 109:1,15,17,24 110:16 111:8 111:14,18,23 112:9,10 115:20 116:24 121:2,11 civil (7) 22:6 24:25 45:6,10 53:21 98:15 119:1 claim (2) 109:18 109:22 Clair (2) 15:9,22 clap (2) 4:10 6:7 clapping (1) 36:1 clarify (2) 106:21 117:11 class (12) 6:10,11 22:11 24:20 26:13 33:13 90:12 93:23,23 93:25 94:7,8 classmate (2) 6:14 7:14 classroom (1) 34:16 cleanliness (1) 72:16 clear (3) 8:5 88:7 88:9 clearly (1) 110:7 clergy (6) 114:21 114:21,23 115:5,11,18 Cleveland (3) 33:19 98:16	129:25 clients (3) 54:11 59:3,12 clinic (1) 128:17 close (8) 14:22 46:3 63:17 80:18 94:6 109:9 110:11 143:9 closed (7) 10:11 14:8,12,14 15:11 109:3 110:2 closely (1) 142:13 closer (1) 73:7 closing (1) 10:10 Club (1) 26:12 co-chair (32) 4:16,19 7:12 9:2,4 26:17 78:4 81:22 82:24 84:22 90:22 103:9,13 103:17 106:16 108:10 113:12 114:2 116:25 125:17,21 127:22 131:1,5 131:9 136:6,14 139:3 140:3,8 140:21 142:3 co-chairing (1) 9:13 co-chairs (4) 2:3 7:8,17 26:15 codes (1) 127:19 coldest (1) 39:16 collaborations ... 11:5 collaborative (...) 23:17 24:2 35:20 37:8,10 37:22 38:6 39:25 40:18 46:12 47:4,5,6 48:18,21 50:7 50:13 51:24	53:3 57:19 58:13 60:9 62:4 70:2 79:18 80:21 81:18 82:19 90:19,25 93:22 94:11,17 94:22 101:5 104:5,10 106:5 111:10 114:9 114:19 130:5 colleagues (1) 142:21 collect (4) 21:18 39:8 96:1 108:3 collected (1) 38:15 collecting (2) 15:2 107:24 college (1) 83:21 colluded (1) 109:10 color (4) 14:5,16 14:24 46:1 colors (1) 45:25 column (1) 54:16 combined (1) 6:11 come (42) 6:17 7:10 9:14 10:14 11:14 27:8 28:14,22 29:3 29:15,16,19,20 29:21 35:16 36:5 37:14 39:6 58:2 62:18 63:3 66:25 78:14 85:13,15 94:4 95:11,13,25 98:5 110:18,22 110:22 116:16 121:5 125:9 129:15,20 141:16 142:17 143:6,7 comes (8) 51:1 85:19 95:13 128:6 129:17
--	---	--	---	--

FERGUSON COMMISSION MEETING 9/9/2015

138:14 comfortable (1) 137:19 coming (14) 28:6 44:17 48:4 53:12 59:16 61:12 95:24 110:19 111:5,6 111:7 116:5 120:13 124:13 command (8) 50:19 52:4,10 53:5 89:24 90:1 101:15 124:13 commander (1) 70:24 comment (7) 12:2,9 96:6,10 117:22,23 139:8 commentary (1) 142:14 comments (10) 12:6 41:11 139:6 140:4 141:5,8,10 142:1,8,10 commission (52) 1:3 2:10 4:7,8 7:17 8:11 9:13 10:2 12:8,17 13:2 17:16 18:20 19:1 26:23 27:15 36:4 42:21 61:15 65:2 84:24 95:8,15 96:6,9 105:4 107:11 113:6 125:12 128:13 129:5,13,17,19 130:16 132:11 134:20 135:8 136:3,4 137:9 137:10,15 138:6,16,19,19 138:25 139:25	140:1 142:6,18 Commission's ... 7:24 9:20 Commissioner ... 4:22,25 5:3,6,9 5:12,15,19,22 5:25 6:3 82:5,6 82:22,25 84:25 86:10 88:14 89:7,8 90:24 96:5 100:4 102:20 103:11 103:12 106:19 113:17,18 114:4 115:2 116:9,25 117:2 120:1 125:19 125:22 126:6 126:12 136:9 136:18 139:6,7 139:19 140:4,7 140:9 142:15 commissioners... 4:13 7:5 21:20 82:1 84:23 128:5 132:11 135:7 136:7 137:3 commissions (2) 10:9 37:1 commit (2) 37:13 60:1 commitment (6) 42:10 47:9 48:2 80:4 103:24 104:20 commitments (1) 82:16 committed (3) 59:10,11 106:1 committee (3) 25:14,18,20 committing (3) 55:4 64:9 65:10 common (7) 38:10,10 40:12 40:16 41:25	48:5 50:3 communicatio... 140:19,22 communities (...) 8:16 29:25 37:12 40:5 41:1 48:6 64:11 113:7,8 118:20 121:13 123:24 125:5,9 community (15... 1:13 4:9 8:3,24 9:17,18 10:5 11:21 20:1,3 21:2,6,20 22:15 23:2,22,24 24:6 25:3 26:1 29:2 29:4,7,7,11,15 32:9,10,22 35:24 36:8,15 36:17 38:4,8,16 38:16 39:24 40:6,21,22,23 41:20 42:5,10 42:18,20,22 49:11 50:1 51:14 53:18 56:10 59:13,22 60:22 61:7 62:6 63:20 67:2,10 67:21 68:3,4,8 68:16,25 69:3,4 69:6 70:7 73:11 73:14 74:5 76:5 76:6,25 77:2,8 78:5,12 79:2,5 79:6,15 80:13 80:22 83:7,21 84:14 87:19 88:15,21 91:2,6 91:10,18 92:11 93:3,15 94:23 96:12,14,21,22 98:2,12 99:21 102:1 103:20 105:8,18 106:7 107:6,13,17	111:18,22 113:25 115:17 115:23,24 118:12,14 119:5,7,10,17 119:23,25 120:8,13,17,19 120:25 121:2,4 121:13,15,16 121:19,20,21 123:7,18 124:21 125:13 125:14,23,25 126:18 130:1 132:25 133:3 138:18 143:16 community's (3) 11:3 61:24 68:6 community-ori... 50:15 companies (1) 118:23 company (1) 141:13 compassionate ... 72:11 competence (1) 92:8 competent (1) 58:20 compilation (1) 27:18 complaint (4) 50:10 58:23 94:20 125:2 complete (1) 26:23 completed (1) 141:22 complex (2) 68:23 71:16 complicated (3) 14:1 69:20 74:4 comprehensive... 55:14 131:14 133:21 computer-aide...	144:9 concern (2) 118:1 143:13 concerned (6) 66:7,11,23 74:13,17 83:6 concerns (1) 49:4 concluded (2) 109:12 143:21 concludes (1) 21:10 condition (1) 69:2 conditions (4) 60:4 104:15 105:19 120:9 conduct (1) 12:17 conference (3) 23:9 137:18 141:19 confidence (1) 76:1 confidently (1) 45:22 configuration (1) 82:4 confirm (1) 131:2 congratulation... 83:3 connecting (1) 40:14 connection (1) 38:21 connects (1) 9:23 consciousness (...) 34:8,9,18 35:12 110:8 consent (2) 32:15 42:9 consider (1) 70:2 considered (2) 66:6,8 consistent (2) 14:25 20:7 consistently (1)
--	---	--	---	---

16:14 constantly (1) 75:1 Constitution (1) 59:4 construction (1) 9:22 contact (1) 94:4 contacts (1) 117:7 contains (1) 37:23 contemplate (1) 143:6 contempt (2) 57:8 114:14 contend (1) 75:6 content (4) 13:18 128:21 141:14 142:11 content-relate... 15:4 19:5 context (2) 106:22 128:1 continual (1) 118:1 continue (11) 36:6 42:16 50:14 52:16 53:9 89:2 91:8 92:14 112:24 138:4,5 continued (6) 28:21 57:21 111:23 112:1,2 142:2 continues (2) 8:7 80:17 continuous (2) 37:10 42:14 continuously (1) 42:4 contract (1) 91:14 contractors (1) 138:3 contribute (1)	80:11 contributing (3) 64:1,13,20 control (3) 90:21 124:16,19 convention (3) 10:23,23 111:6 conversation (4) 9:19 84:2 88:22 117:6 conversations (...) 11:5 37:2 convince (1) 65:6 cool (1) 74:3 cooperation (2) 40:25 122:24 coordinates (2) 25:24 26:4 cop (1) 23:2 coping (2) 21:2,6 coppers (1) 86:15 cops (5) 31:13 32:3 86:13 87:20 110:13 copy (1) 140:25 copycat (1) 58:16 cordless (1) 27:10 core (18) 37:25 131:19 132:9 132:13,16,21 133:7,14,23 134:1,6,11 135:1,11 136:2 136:8,19 138:8 corners (1) 121:18 corporate (2) 79:20 104:1 Corporation (3) 91:14,23 92:2 corporations (1) 104:3 correct (5) 38:22 39:4,5 43:22 108:13 correctly (1) 82:9	correspond (1) 13:23 corridor (2) 71:11,12 Cosby (3) 110:19 110:21 111:4 Cougars (1) 6:22 counsel (6) 22:2 22:10 76:6,7 144:14,17 count (1) 92:17 counties (1) 27:16 countries (1) 66:19 country (10) 30:1 30:18,22 34:19 45:14 67:14 81:2 84:5 119:21 143:1 county (21) 15:8 15:8,9,9,10,10 15:10,15,16,20 15:21,21,22,22 15:22,23 16:2 99:12,12 116:8 128:19 couple (12) 12:3 13:7 37:5 69:25 72:23 74:13,17 82:7 103:18 104:24 106:20 113:19 courage (1) 29:17 course (8) 9:24 52:23 56:12,13 91:13 104:5 114:19 142:12 court (22) 38:14 47:5 55:9,9,10 55:13,20 56:17 57:8,9 82:11,13 82:21 91:13 93:13 95:22 99:7 105:1 116:4 130:21	132:7,17 Court's (1) 38:13 courteous (1) 41:8 cover (1) 103:4 coverage (1) 131:16 covered (5) 39:23 39:24 99:17 103:4 108:2 coworker (1) 18:19 CPD (5) 22:2 23:20 24:1 25:13 41:6 crafting (1) 130:3 crazy (2) 35:2 109:17 create (4) 41:15 57:19 60:3 97:8 created (1) 39:21 creation (1) 26:3 creative (3) 56:20 70:12 87:9 creativity (1) 85:15 credible (1) 142:24 credit (7) 51:12 51:15,21 56:1 101:18 102:3 103:1 crime (31) 23:4 24:6 37:12 59:22 60:4,8,11 60:19 62:10,14 62:17,19,23,24 62:24 63:2,5 64:2,21 65:3,5 65:7 69:6,11,14 76:3 77:7 92:23 92:23 122:22 123:17 crimes (6) 37:13 60:1 64:10	65:10 75:14 115:17 criminal (4) 24:4 59:25 80:24 81:11 criminologists ... 69:10 criminology (1) 69:13 crises (1) 57:21 crisis (2) 79:15 79:16 criteria (1) 134:18 critical (5) 39:25 40:4 42:17 62:5 87:24 cross (1) 31:6 Crow (4) 30:23 30:24 31:1,2 CSR (1) 1:22 CSR-IL (1) 144:23 cultural (6) 11:12 19:11,15 26:3 66:12 92:8 culturally (1) 58:20 culture (1) 55:17 curious (1) 83:4 current (1) 47:15 currently (5) 23:6 25:8 26:9 26:11 132:14 curses (1) 44:1 custom (1) 143:4 cut (1) 76:21 cuts (1) 50:17
D				
D (12) 14:6 15:8 15:21 16:7,19 17:7,21 18:17 19:18 20:2,13 20:20 D.C (1) 111:20 dad's (1) 27:19				

87:15 126:16 Dame (1) 24:17 Damon (19) 3:8 24:9,11 25:4 27:6,12,20 36:2 36:20 46:4 47:1 47:23 57:25 108:19 114:20 115:4 118:8 120:6 128:2 dang (2) 43:2 84:9 Daniel (1) 5:11 dark (1) 97:21 dashboard (1) 95:25 data (20) 15:2,3 15:4 60:17 61:6 61:25 62:22 64:19 68:19 70:16 74:2 80:19,23,25 81:4 83:4 85:23 95:25 101:22 131:11 date (1) 130:16 Dated (1) 144:20 day (16) 50:4,6 50:22,25 52:19 52:21 59:3 65:14 76:20 87:11 97:17 98:16 101:23 117:20 127:11 144:20 days (2) 41:24 123:13 dead (1) 43:2 deadline (2) 142:10,11 deadlines (2) 142:9,9 deal (9) 8:5 66:14 80:7,8,13,15 83:17 94:7 105:23 dealers (1)	121:17 dealing (4) 35:18 35:18 57:6 81:20 death (1) 84:8 deaths (2) 25:12 35:19 decade (1) 23:20 December (8) 9:16 47:14 108:4 129:19 136:4 137:12 139:18 140:1 decide (1) 31:5 decided (1) 71:3 decision (2) 110:5,7 decisions (1) 65:14 deck (1) 131:3 decline (10) 16:7 16:17,21 17:3,9 17:14 19:18 20:2,13,20 deconstruct (1) 92:3 decree (1) 32:15 dedicate (2) 73:15 75:24 dedicated (4) 52:17 75:21 77:3 103:3 deed (1) 102:23 deep (1) 87:12 deeper (1) 71:22 deeply (3) 7:15 19:10,13 defendant (1) 50:6 defense (1) 45:19 define (1) 40:17 defined (3) 35:1 78:20 94:1 degree (2) 22:22 90:25 delay (2) 25:22 103:14	delegation (1) 21:21 deliberate (1) 36:23 delighted (1) 7:18 deliver (1) 134:5 delivered (1) 94:23 demand (1) 116:19 demands (5) 116:3,17,20,23 123:21 demerit (1) 114:11 demographic (1) 15:3 demonstrated (...) 92:19 denial (1) 25:22 department (33) 23:1,15 24:4,24 25:11 41:10,14 44:21 45:1 48:17,25 49:11 49:12 50:5 55:21 58:18 61:16,19 65:18 66:14,22 68:10 68:12,15 69:9 70:5 73:16 88:5 90:20,21 115:14 118:22 128:12 departments (9) 64:16 65:19 69:18,20,22 74:18 77:19 85:25 101:16 depending (2) 89:15 134:16 Depends (1) 83:10 deploy (3) 87:23 88:10 101:23 describe (4) 17:5	40:9 133:25 135:14 described (4) 19:9,13 37:22 41:21 description (2) 19:7 37:23 deserve (3) 7:3 32:1,1 design (1) 25:10 designed (2) 79:3 106:14 desk (1) 131:6 detail (2) 56:8,14 detailed (1) 99:6 detect (1) 91:17 detention (1) 128:19 determined (4) 26:19 36:12,22 43:25 devastating (2) 81:3,3 developer (1) 122:10 development (6) 26:2 122:9 123:17,21 138:6 141:13 dialogue (1) 99:23 dictate (1) 88:2 dictates (1) 50:19 dictatorships (1) 38:25 difference (4) 66:5 78:22 85:5 95:15 different (26) 27:16 31:24 32:18,20 38:7,8 39:7 45:21 51:19 52:24 54:3 65:15 77:20 82:2 84:3 86:5 89:19 107:16,17	110:24 112:20 116:23 122:22 124:15 126:7 131:5 differently (7) 51:11 113:2 117:12 122:14 124:6,17,24 difficult (5) 83:23 106:11 125:6,9,11 dig (1) 87:5 digital (1) 138:21 dinner (1) 117:14 direction (8) 6:12 21:11 27:10 50:15,18,20 52:10 53:4 directive (1) 52:11 directly (2) 12:7 18:5 director (32) 2:7 4:2,6,17,20,23 5:1,4,7,10,13 5:16,20,23 6:1 6:4 7:2 11:25 13:1 21:12,13 22:18 25:24 27:5 128:6 129:10,11 137:2 139:14 139:23 140:15 140:22 disability (1) 22:7 disagree (1) 86:7 disagreed (1) 52:4 disappointing (...) 18:4 78:25 disband (1) 95:9 discipline (1) 52:14 discretionary (1) 87:25 discrimination...
---	---	---	--	---

22:7	98:21 99:19	drug (5) 23:3	123:17,21	elevate (1)
discussing (1)	100:16,18,23	45:1,1 74:25	economically (1)	135:15
82:14	102:23 111:14	89:20	81:9	elimination (1)
discussion (1)	112:18,18,23	dual (2) 34:17	economics (1)	22:13
140:11	114:7 122:19	35:11	124:4	eloquent (1)
disentangle (1)	122:25 141:5	due (4) 20:19	edit (1) 128:10	102:15
71:23	DOJ (6) 32:15	50:17,17,18	edits (2) 128:25	eloquently (1)
disorder (2) 60:9	58:17,17 99:3	dues (1) 47:9	141:16	83:15
60:11	111:10,14	dump (1) 73:2	Edmund (1) 31:6	else's (1) 39:20
disparate (1)	dollar (1) 98:24	duplicative (1)	education (10)	Emily (1) 12:12
57:20	dollars (1) 78:24	106:10	8:14 25:19 41:4	emotional (2)
disparities (1)	Don (3) 46:3	Dutch (1) 30:9	80:10,10,23	19:11,15
80:23	47:16 111:21	duty (1) 42:9	83:20 116:3,15	emotionally (1)
dispatcher (1)	doors (3) 109:4,7		116:18	63:17
88:4	110:2	E	effective (3) 63:3	emphasizes (1)
dispatchers (1)	dope (1) 121:17	E (8) 2:20 14:6	68:1,7	65:24
88:6	double (2) 68:3	15:9,21 16:20	effectiveness (1)	employed (4)
dissemination ...	118:21	17:7,21 18:18	69:2	93:16 127:1
138:7,20	doubt (1) 87:9	e-mail (2) 18:17	efficient (1) 63:2	144:14,17
distinction (1)	downtown (6)	19:2	effort (9) 22:11	employee (1)
132:6	109:3,10	e-mails (1)	38:6 41:18 65:8	144:17
distressed (1)	118:16,17,18	140:24	78:10,15 80:5	employment (4)
81:9	121:25	earlier (9) 27:16	106:8 133:21	22:8 23:9 80:23
district (4) 23:15	downturn (2)	33:12 51:2 85:3	eight (13) 17:21	95:21
70:23,25 87:24	81:2 83:19	85:4 89:16	19:22 22:11	empty (1) 9:6
disturbing (2)	Dr (1) 86:7	117:3 122:5,15	39:21 40:7,16	encompasses (1)
19:10,14	draft (2) 140:25	early (3) 8:19	41:11 76:24	68:2
diversity (1)	141:14	58:22 63:4	77:10 79:19	encounter (2)
16:24	drag (1) 69:7	ears (1) 56:24	81:19 83:8	84:7 92:13
divided (1) 35:17	dragged (1)	easier (4) 36:22	103:19	encourage (1)
doable (1) 71:8	122:15	48:18 85:23	eighth (1) 33:21	70:1
document (6)	drain (1) 105:9	86:4	either (2) 27:7	ended (3) 83:15
37:9,23 42:20	dramatic (1)	easily (1) 84:5	67:9	111:7 122:24
51:13 70:6	54:3	easy (6) 40:22	elderly (1) 29:12	endorsed (1)
139:4	draw (1) 92:14	41:1 43:7 53:7	elders (1) 29:11	139:21
documents (4)	dream (4) 29:11	57:7 66:20	elected (3) 45:3	endure (1) 58:9
70:9 113:15	83:22,22 108:6	eat (1) 121:7	47:16 124:16	enduring (1)
141:3,5	drill (2) 83:24	Eck (3) 85:11	electronically (1)	130:9
dogs (1) 31:10	84:13	86:6,7	27:3	enforcement (2...
doing (30) 51:14	drink (1) 114:11	economic (20)	element (1)	30:2,6,7,15
51:21 56:21	driven (5) 61:6	10:25 19:11,15	117:25	31:9 46:2 54:15
59:16 65:17	61:25 70:16	26:2 64:3 66:12	Elementary (7)	59:20 89:17,19
67:19 72:3	85:23 131:11	80:10 81:2,5,12	6:5,11,15,21	96:15 97:3,9,11
74:15,16 86:4	Drop (2) 121:2	83:19 107:7	7:1,13 8:8	97:12,16 99:11
88:16 89:14	121:10	108:17 110:16	elements (3)	99:15,21
90:1 93:11	dropped (1)	111:8 116:1	126:24 130:11	100:15 122:6
95:24 97:19	103:18	122:9,20	132:9	engage (6) 42:5

69:20 91:9 142:8 engaged (14) 38:2 40:6 46:14 59:17 65:19 67:18 79:7 80:21 84:14 85:18 87:10 89:13 101:12 107:13 engagement (5) 8:22 22:15 106:25 133:4 138:18 engaging (7) 8:3 8:4 61:8 85:23 124:13 132:24 132:25 engendered (1) 103:23 enhancement (1) 75:18 enjoy (4) 89:21 89:22,22 90:1 ensure (2) 41:7 70:17 enter (1) 14:10 entering (1) 14:17 entertain (1) 140:6 Entertainment... 1:13 144:6 entire (2) 34:6 71:3 entities (1) 133:25 entitled (1) 10:1 entity (1) 132:22 environmental ... 19:12,16 26:2 equitable (1) 41:7 equitably (1) 41:13 equity (1) 133:14 Eric (1) 98:18	especially (7) 30:2 79:20 81:6 86:11 100:9 104:15 123:24 Essentially (1) 133:23 establish (2) 41:16 76:13 establishing (1) 132:3 establishment (...) 24:1 50:9 estimated (1) 138:23 et (5) 18:19 81:11 117:19 124:9 124:16 ethical (1) 72:11 ethically (2) 76:18 77:14 ethnicity (1) 17:5 eurocentric (3) 34:9,19,20 European (3) 34:10,19 66:19 evaluate (2) 91:4 91:15 evaluated (2) 11:11 91:25 evaluation (17) 51:7,18 100:5,7 100:13,14 101:2 102:21 102:25 103:2 130:8 133:16 135:2,12,24 136:3,20 evaluations (1) 55:25 eve (1) 58:3 evening (11) 4:3 4:4 6:9,18 7:18 9:5,8 12:25 27:12 61:11 140:23 evening's (1) 7:9 event (2) 66:7	144:12 events (2) 8:18 65:22 eventually (1) 28:12 everybody (21) 31:25 39:23,24 41:9 54:22 62:3 65:1 70:22 72:1 72:8 74:14 76:15 96:8 115:24 116:10 116:22 125:7 127:11 140:23 141:16,24 Everybody's (1) 32:14 evidence (1) 66:4 evolution (3) 85:13 89:1 115:19 evolve (1) 89:2 exactly (1) 123:14 examination (1) 144:15 example (4) 49:16,17 63:11 119:20 excellent (4) 65:2 65:5 99:4 111:22 exceptional (1) 41:18 exceptionalism... 30:17 excited (3) 6:23 6:24 112:10 excuse (5) 18:7 18:10 19:17 20:24 117:24 excused (1) 5:17 excuses (1) 65:12 executive (1) 141:1 exist (1) 110:2 existence (1)	30:13 exists (1) 69:17 expand (2) 85:7 121:24 expect (6) 48:14 53:16 60:14 71:7,8 88:22 expectations (1) 93:10 expected (3) 52:12,25 53:15 expenses (1) 138:2 experience (11) 11:15 19:10 21:1 26:8 34:6 34:17 39:2,4,11 85:16 97:15 experienced (10) 8:17,18 19:17 19:23 20:1,4,18 23:23 69:6 90:6 experiences (5) 8:17,24 10:14 19:14 38:9 expert (1) 8:10 expertise (2) 90:4 131:13 experts (6) 8:4 29:17,20 69:13 91:25 92:6 explaining (1) 18:11 expound (1) 100:6 express (1) 12:5 extend (3) 9:19 81:22 137:16 extended (1) 11:2 extensively (1) 23:16 extra (4) 57:8,13 57:14 59:9 extremely (1) 96:5 <hr/> F <hr/>	F (7) 14:6 15:9 15:22 16:20 17:8,22 18:18 fabulous (3) 6:6 136:13,13 face (7) 30:4,5,6 31:9,14 70:21 122:6 Facebook (1) 18:17 facilitating (1) 132:7 facing (1) 118:14 fact (13) 10:3,5 48:4,9 51:3 58:2 68:18 89:13 104:8 111:15 129:21 135:18 139:21 factors (2) 22:13 106:24 faculty (1) 25:2 failed (2) 55:7 82:20 fair (3) 41:7 60:24 123:23 fairly (3) 41:9,13 59:1 faith (1) 113:25 falls (1) 100:24 familiar (2) 13:16 142:12 families (4) 49:3 49:4,4 63:18 family (4) 34:4 39:22 73:17 93:17 far (4) 48:1 83:22 83:22 103:5 farther (1) 86:16 fastly (1) 33:21 father (2) 27:19 27:23 fathers (2) 39:12 85:10 fatigue (2) 104:22 112:8
---	--	---	---	---

Faubus (1) 31:12	137:15 144:6,7	123:1	131:13 138:7	former (3) 24:10
fault (1) 38:6	festival (1)	fired (2) 58:6,8	141:3	24:18 115:11
favor (3) 129:5	108:25	firm (1) 22:3	focused (7) 64:17	formulate (1)
136:23 140:12	fewer (2) 118:2,3	first (40) 9:17	64:18 67:24,24	8:21
favorite (4) 14:5	field (1) 56:19	13:9,10,11	68:1 99:23	Fortune (1)
14:16,24 66:4	fifth (1) 130:7	17:18,20 18:2	113:7	118:23
Federal (9) 47:4	fight (6) 37:12	19:16 23:5	focuses (3) 7:24	forums (1) 92:11
48:20 50:7,13	43:25 66:8	25:16 27:7,16	65:22 133:19	forward (17)
51:24 53:3	109:22 119:25	27:17 30:8,12	focusing (4)	11:24 42:25
90:19 93:13	122:15	30:15,24,25	124:4 131:15	81:12 90:19
108:8	fighting (3)	31:5,17 33:7	135:11 137:12	92:15 95:1
Federated (1)	42:12 60:11	37:20 38:12	fold (1) 86:22	100:2 124:11
118:22	122:12	40:20 42:3	folks (6) 17:3	129:22 133:2
feedback (1) 12:9	figure (11) 31:22	49:16 56:18	18:1 36:8 83:17	133:10 134:10
feel (7) 30:20	33:3 37:12,14	72:12 90:12	115:20 116:7	134:21 136:16
38:24 59:14	42:22 43:11	91:24 101:5,6	follow (2) 52:13	137:4 139:22
61:1 82:10	44:5 74:23 92:7	110:18 118:10	100:21	143:16
88:12 120:4	93:16 125:4	126:22 129:14	followed (5)	foster (1) 41:18
feeling (1) 71:21	figured (2) 56:15	130:19 131:21	17:12 19:1 21:8	found (7) 18:25
feelings (1) 39:20	125:13	138:21 139:16	59:5 136:1	97:6,8 109:9,11
feels (1) 117:16	file (3) 86:11,18	fit (2) 65:25	following (1)	110:4 117:21
fees (1) 138:4	111:17	134:10	36:2	foundation (7)
feet (1) 74:4	filed (6) 43:17	five (13) 15:12	followup (1) 95:7	8:12 24:17
Felicia (3) 2:11	46:5 107:4	17:10,21 40:17	foment (1) 80:11	25:24 26:10
5:18 113:14	108:8 110:15	47:8,10 64:8	foot (1) 67:23	78:5,13 127:16
fell (1) 79:21	114:13	68:9 73:8 108:1	FOP (17) 23:5,7	foundations (1)
felt (7) 46:12,20	filing (1) 24:20	112:13 114:15	46:8 47:2,12,18	79:23
59:15 79:12	filling (1) 86:25	126:3	48:1 49:19 51:6	founder (1) 26:8
104:13 106:9	final (6) 47:3	Flak-Catchers ...	51:6,25 52:7	founding (1)
122:9	95:6,20 134:19	10:2	57:12,13,17	85:10
female (2) 16:6	137:8 138:6	flavor (1) 86:14	58:14 111:16	four (6) 16:11
16:10	finalists (1)	flew (2) 117:8,8	FOP's (1) 111:21	17:21 22:24
Ferguson (37)	134:22	flexibility (1)	force (8) 22:13	91:17 107:12
1:3,13,15 4:7,8	finally (3) 35:3	137:24	23:10 25:3	116:20
4:9,11 9:17	55:5 112:2	flip (1) 120:22	56:13 58:19	fourth (4) 6:11
12:8,17 13:2	financial (1)	floor (2) 129:1	66:21 74:18	33:13 41:7
17:16 18:19	138:11	136:17	117:4	130:5
19:1 27:14	financially (1)	floors (1) 74:8	forced (1) 70:15	frame (4) 32:4
28:16,19 32:10	144:18	flowers (1) 72:16	forces (2) 65:25	137:11 138:24
32:21 35:23	find (7) 10:16	focus (21) 60:7	70:5	139:17
36:3 53:12	18:24 37:7,17	79:15,17 93:22	forgive (1) 85:2	frames (1) 37:24
61:15 65:1	55:1 58:11	95:4 104:23	forgot (1) 93:23	framework (1)
95:15 99:4	97:17	115:22,23,25	form (2) 86:25	23:25
105:24 113:11	finding (1) 89:23	116:11,13,14	90:7	Franklin (2) 15:9
116:5 130:16	findings (1) 99:5	116:15,15	formal (1) 130:4	15:21
132:11 134:20	fine (1) 18:7	123:19 129:25	formed (2) 11:22	Franks (1) 14:9
136:3 137:10	fire (2) 94:21	130:6,22	110:1	fraternal (3)

FERGUSON COMMISSION MEETING 9/9/2015

22:20 24:24 25:17 Freddy (1) 98:17 freely (1) 142:25 French (1) 34:11 Friday (1) 141:10 friend (7) 6:25 9:2,12 18:18 35:12 98:14 117:20 Friendly (1) 61:3 friends (6) 7:12 8:8 34:13,14,18 142:19 frisk (2) 60:15 122:11 front (22) 12:12 24:11,19 25:1,7 25:9 38:4,15 41:21 42:7 53:22 94:12 101:17 108:22 110:1 111:2 114:1,23,24,25 115:1,3 full (3) 26:24 106:5 140:25 fun (1) 6:5 function (6) 129:16 132:16 133:13,13 135:16 138:11 functions (10) 131:21,21 132:4,14,18,23 133:15,24 134:2,6 fund (6) 78:13,19 93:17 105:6,10 105:15 funded (2) 122:17 138:18 funder (3) 104:1 104:22 112:8 funders (10) 78:12 103:18	103:22 104:4 104:23 105:5 105:10,15 112:7 137:19 funding (10) 78:17 79:18 80:6,20 81:18 91:21 93:1 103:20 132:4 138:9 funds (5) 103:21 137:13,22 138:2,10 funny (1) 33:22 further (4) 140:10 141:21 144:13,16 future (1) 117:10 <hr/> G G (8) 14:6 15:10 15:22 16:17,20 17:9,22 18:19 Gabriel (1) 2:20 Gamble (1) 118:21 gang (3) 72:22 75:4,16 garbage (1) 72:16 Garner's (1) 98:18 gathering (1) 9:18 GCS (3) 25:24 26:4,5 gender (1) 16:5 general (1) 112:4 generally (2) 92:23 97:12 gentrify (1) 117:24 Gentry (2) 119:18 121:19 geographic (3) 15:6,17 73:13 George (1) 112:4	Gerhardstein (...) 3:5 21:25 22:4 22:4,16,17 45:6 46:4 47:22 53:20,21 82:15 91:12 95:6 97:10 104:25 108:6,14 114:6 122:4 142:22 German (1) 31:16 getting (17) 45:5 51:12,15,16,24 58:2,7 63:15 64:21 74:14 76:15 100:4,22 113:5 116:7 122:23 125:8 girl (4) 72:21 75:3 76:15 123:13 girlfriends (1) 39:14 give (15) 13:24 27:11 32:23 52:11 53:5 57:4 63:11 71:20 99:25 101:18 102:3 104:21 112:20 113:3 125:1 given (5) 50:18 50:20 117:6 128:1 137:15 gives (3) 15:3 52:11 132:8 giving (2) 19:2 67:8 glad (3) 22:17 71:4 88:13 go (60) 12:6 19:4 27:6 29:25 33:18 47:17 53:3 56:20 57:8 57:13 61:13,20 62:8,12 63:20 64:25 65:13	67:21 68:16 69:24,25 70:5 71:9,25 72:8,12 74:22 75:24 77:24 78:5 81:12 83:20 85:21 88:8 89:2 89:25 90:3 94:25 95:1 98:23 102:10 102:11 103:12 109:24 117:14 121:6,8,11,11 121:23,25 122:1 123:1,25 125:6,24 127:1 127:8 130:10 137:7 goal (12) 40:20 40:24 41:4,6,7 41:15 43:20 75:9 76:14 78:18 88:7 91:6 goals (11) 38:11 40:17,17 48:5 50:21 52:3,24 53:13 82:17 91:1 139:2 God (2) 88:9 115:12 goes (10) 60:13 64:6 69:6 70:8 73:17 86:16 87:1 93:25 113:9 120:23 going (110) 6:20 10:21,23 13:23 14:2,22 15:2,5 19:4,6 21:11 26:15,17,20,22 28:17,24 29:6 29:23 32:16,17 35:15,21,23 37:8 38:20 43:6 43:9 44:15,16 46:16,23,24,25 47:13 52:22	53:14 54:19,20 58:25 61:13 64:25 65:8,9,10 65:11 67:9,11 68:16,17 69:19 69:24 71:12,25 72:1,2,3,6,7,7,8 72:19 74:15,16 74:23 75:9 78:21 80:6 84:9 86:18,22 87:17 87:18 89:11,24 90:3 92:15 93:15 95:23 97:4 98:9 100:22 102:2,5 102:8,16 105:25 110:10 111:24 112:14 112:19,21,22 113:1,5,7 115:14 116:6 116:13,24 118:16 120:20 121:24 122:1 123:15 125:23 125:24 131:2 133:25 137:21 Goldberg (1) 111:5 Goldstein (1) 85:10 good (25) 4:3 6:18 9:5,8 12:25 27:12 47:20 61:1,4,11 63:16 68:19 72:9 76:16 82:20 83:20 89:5,11,23 99:7 99:16 101:11 110:9,12 140:23 gooders (1) 121:4 Gore (1) 2:20 Gospel (2) 121:3 121:11
---	---	--	---	--

gospels (1) 33:9	greatly (1) 90:17	27:19 33:9	43:10 49:16	56:23 60:20
gotten (4) 10:21 68:19 83:11 90:7	green (4) 14:6 21:23 137:3,15	61:20 77:14	50:12,13 72:19	75:8 77:4 79:6
governance (1) 23:22	Greenwood (1) 108:7	100:13 110:10	82:3 97:13	105:16 107:21
government (1) 137:18	ground (1) 74:5	110:12 117:10	104:3 120:7	117:10 134:4
governor (6) 31:7,11,12 137:16 139:21 139:24	group (26) 16:12 24:19 28:7 40:8 41:12 55:13 58:25 67:4 70:23 72:21 75:15 81:5,5 88:23 91:24 94:8 96:14	H	142:4,15	135:15 142:14
Governor's (1) 25:3	groups (11) 8:23 38:8 39:22 40:7 40:17 41:11 57:20 65:22 100:9 116:22 134:14	H (6) 14:6 15:10 15:22 17:9,22 18:21	Harden (3) 46:3 47:16 111:22	helped (1) 8:21
grab (1) 143:8	growth (1) 134:8	half (3) 30:24 36:21 78:24	harder (2) 89:5 122:15	helpful (5) 91:23 92:5,12 96:4 99:17
grade (5) 6:10,11 33:13 101:9 114:7	guarantee (2) 68:10 87:17	halfway (1) 128:11	hardest (1) 61:16	helping (1) 55:12
graduate (2) 24:17 26:12	guaranty (1) 61:24	Hamilton (1) 99:12	Harrell (7) 22:19 23:4,12 44:9 89:10 124:5 142:23	Herald (1) 24:8
graduating (1) 24:14	guardians (1) 63:8	hammer (1) 82:10	HarrellCaptai... 3:7	hereto (1) 144:18
grandchildren ... 39:13	guess (3) 40:11 86:22 126:7	hand (7) 12:12 13:12 22:1 42:8 92:18 127:7 143:8	hate (2) 86:3 88:16	Herman (1) 85:10
grandmothers ... 39:12 63:19	guests (7) 7:5,20 11:18 27:1 81:23 82:2 127:24	handful (1) 69:13	Hawaiian (1) 17:8	Herold (18) 3:7 23:13,18,23 45:11 50:24 57:25 59:10 60:12 61:10,11 85:9 87:7 88:20 100:6 101:4 102:24 142:23
grant (5) 25:25 26:1 79:12 93:18 127:16	guidance (1) 124:20	handler (1) 63:11	head (1) 112:12	hey (6) 86:12,15 86:18,21 87:1 88:16
grass (2) 71:18 72:17	guiding (1) 131:23	handlers (3) 63:6 63:6,16	health (4) 8:11 8:12,14 22:9	high (3) 64:19 101:20 111:19
grateful (4) 7:15 7:22 27:3 143:3	guilty (1) 34:24	hands (2) 106:5 129:10	hear (9) 8:24 61:9 84:7 86:12 103:13,14 123:14 139:20 142:21	highest (4) 73:16 109:19,23 112:13
Gray (1) 98:17	gun (1) 122:21	happen (10) 10:23 11:5 58:10 68:15 97:3,4 109:5 115:17 119:4 129:22	heard (12) 8:10 8:12 27:21 44:14 48:1 83:3 100:9 121:15 127:10 129:24 136:13 137:5	highly (2) 38:17 68:5
great (19) 12:24 15:14 16:24 27:25 28:14 41:3 70:10,11 74:14 83:20 87:21 93:4,5 95:7,20 98:8 99:22 101:5 102:3	guns (1) 31:15	happened (9) 10:10 42:8 43:22 48:20 66:10 80:17 95:14 120:10 121:9	hearing (3) 49:6 117:5,20	hip (1) 117:18
greater (3) 10:17 25:23 87:10	guy (4) 31:14,15 31:15,16	happy (1) 27:11	heart (2) 53:10 77:15	hired (8) 44:20 44:22 50:17 90:10,12,16 96:16 111:19
greatest (1) 30:18	guys (9) 14:3	hard (13) 36:2,8	heavy (1) 92:18	hiring (2) 25:15 41:5
			heck (2) 62:3 89:4	Hispanic (1) 17:6
			held (9) 11:2,4,6 11:8 24:3,13 51:18 86:1 97:2	historic (1) 24:22
			hell (1) 84:1	historical (1) 83:16
			Hello (1) 25:22	historically (4) 71:1,13 118:19 118:19
			help (12) 28:14	history (11) 10:4

11:15,23 13:4,4 13:5 31:21 34:11 41:2,3 43:23 hit (1) 81:4 hits (1) 19:2 hitting (1) 100:8 hold (9) 26:22 57:7 58:21 97:1 104:12,25 114:13,13 122:4 holder (1) 138:13 holds (1) 23:6 hole (2) 100:24 119:24 home (5) 6:22 15:7 49:6 62:5 72:8 honest (1) 43:5 honor (2) 6:14,16 honored (4) 27:13,13,14,23 honoring (1) 6:24 hope (7) 54:24,24 58:10 61:19 82:21 102:18 105:24 hoped (1) 98:19 hopefully (6) 11:16 35:22 53:1,17 92:13 95:1 hopes (1) 36:14 hoses (1) 31:11 host (3) 10:22 116:17,20 hosting (1) 139:13 hot (1) 67:25 hotel (1) 117:14 hour (1) 88:17 hours (1) 88:17 house (1) 6:6 housing (2) 22:7 116:4	Hudson (2) 140:22,23 huge (3) 32:5 75:20 120:22 human (1) 121:1 humbling (1) 39:11 humongous (1) 123:22 Hundred (1) 10:2 hung (1) 126:9 hunkered (1) 56:25 hustle (1) 114:16 <hr/> I <hr/> idea (3) 92:12 110:9,12 ideas (1) 122:22 identification (1) 72:15 identified (2) 55:3 134:25 identify (4) 16:5 96:18 135:2,17 identifying (1) 66:24 ignored (2) 52:6 105:20 III (12) 3:8 24:9 24:11 25:4 27:6 27:12 36:2 108:19 114:20 115:4 118:8 120:6 imagine (2) 82:11 110:23 immense (1) 118:24 impact (5) 26:4 66:3 67:2 81:3 81:3 impacted (3) 38:17 42:23 94:9 impacting (1)	68:24 implement (2) 55:17 124:18 implementatio... 23:17 132:1 implemented (2) 54:24 56:16 implementing (...) 54:18 55:8 123:7 importance (1) 50:20 important (39) 26:7 29:24 30:1 36:9,11,15 37:16,21 44:12 44:13 46:2,10 47:20 48:3,23 54:7 58:15 61:18 62:13 63:21,23 68:24 70:4,7 71:23 85:8,20 86:11 87:4 88:15 89:12 103:23 114:17 123:5 124:8 130:10 132:5 135:10 142:7 impressed (1) 99:5 impressions (1) 80:14 improve (4) 41:4 79:5 105:19 120:8 improvements ... 23:25 improving (1) 91:20 in-car (1) 50:9 in-depth (1) 129:21 inability (1) 104:23 incarceration (1) 31:19	incident (1) 66:9 include (1) 75:13 included (1) 100:12 includes (2) 26:1 102:1 including (4) 22:6 24:4 40:7 101:8 income (1) 118:3 incorporate (1) 101:2 increase (4) 65:8 65:9 91:18,22 increasing (1) 22:14 incredibly (2) 7:14,21 independent (2) 58:24 138:3 Indian (1) 17:7 indicate (4) 15:19 16:16 18:13 21:8 indicated (5) 14:8 16:3 19:23 20:8 67:5 indicates (1) 14:20 indicating (4) 18:5 20:23,24 20:25 individual (1) 74:9 individuals (1) 81:10 industries (1) 83:19 inequities (1) 8:1 inextricably (1) 10:15 infested (1) 120:12 inform (1) 117:10 information (5) 26:25 65:24	134:9 139:12 141:21 informed (1) 8:16 infrastructure ... 138:14 initiate (1) 95:3 initiative (2) 80:22 115:16 initiatives (5) 78:14,17,19,20 115:13 injured (1) 18:6 injuries (4) 92:19 92:20,21,22 innocent (1) 59:16 innovation (1) 85:14 innovative (1) 70:12 input (2) 46:23 69:4 inputs (1) 107:18 inside (2) 72:24 73:8 insight (4) 87:21 117:8 118:6,6 inspire (2) 57:4 123:4 instance (1) 48:16 instances (2) 36:23 52:4 institution (1) 71:17 institutional (1) 133:4 institutionalize... 84:10 institutionalize... 102:4 institutionalizi... 124:9 instructive (1) 35:22 instrument (1)
---	--	--	---	---

12:23 instrumental (3) 25:10 47:3 75:18 integrate (1) 11:20 integrated (1) 91:24 integration (2) 33:24 133:12 intellectualize (...) 62:21 intelligently (1) 102:9 intents (1) 93:12 interacting (1) 101:25 interaction (1) 38:21 interactive (1) 65:5 interest (4) 90:1 96:9 105:17,21 interested (12) 94:14 96:6,23 100:1 101:17 101:20,21,22 105:22,23 133:25 144:18 interesting (2) 15:25 74:7 intermediary (...) 79:4 130:21 131:19 132:7,9 132:16,17,21 133:6,8,14,24 134:11 135:1 135:12,23 136:2,8,19 138:8 139:10 139:16 internal (1) 134:7 interview (3) 87:18 91:9 94:24 interviewed (2)	49:1 91:8 interviewing (1) 95:2 intimate (1) 131:16 intractable (1) 28:11 introduce (1) 6:20 introductions (1) 21:19 invade (1) 72:6 investigation (1) 24:5 investigative (1) 67:19 investigator (1) 23:4 investment (2) 26:4 120:13 invitation (1) 6:19 invited (2) 111:16 134:19 involve (1) 77:12 involved (19) 25:14 45:2,23 50:1,12 51:24 53:2 72:22 84:14 89:17,18 89:20,20 96:12 96:14 99:10 130:3 132:12 132:12 involvement (1) 48:1 Iris (23) 3:6 25:6 25:7,20 35:15 36:18 46:4 47:1 47:22 48:3 50:2 53:25 57:25 62:3 83:2 91:2 93:2 106:21 107:2 119:1 124:8 125:23 128:2 Islander (1) 17:9	isolated (1) 66:9 Isom (3) 5:11,12 90:24 issue (9) 44:6 84:9 104:8,9,16 105:18 107:19 116:11 131:15 issued (1) 54:8 issues (23) 22:9 49:5 52:18 61:23 71:23 74:21 80:11,16 81:21 82:13 83:7,16 91:1 104:18,20 110:20 112:8 115:25 119:14 122:20 131:13 131:17 141:9 item (3) 129:12 137:8 138:5 Ito (1) 34:23	58:19,20 62:3 72:9 97:17 99:19 115:8 jobs (2) 56:17 116:7 John (3) 85:11 86:6 112:2 Johnson-Javoi... 2:8 4:2,6,17,20 4:23 5:1,4,7,10 5:13,16,20,23 6:1,4 7:2 11:25 21:12,13 22:19 27:5 129:11 137:2 139:14 139:23 140:15 join (2) 7:20 21:23 joined (1) 7:18 joining (5) 21:21 25:4,21 27:2 78:6 joins (1) 26:14 journey (3) 7:22 9:16 143:7 joy (1) 111:3 Judge (1) 34:23 July (3) 108:23 109:3 110:1 jump (4) 82:4 115:10 122:14 123:12 justice (5) 60:1 80:24 81:11 110:17 128:12 juvenile (3) 116:3 128:17 128:19	118:14 124:5 128:2 keep (13) 27:7 35:8 50:12,14 55:10 90:6 95:23 104:3 112:15 113:2,5 132:10 141:6 keeping (1) 99:19 Ken (1) 108:7 kept (2) 103:22 121:21 Kevin (3) 2:19,22 4:21 key (6) 26:13 87:25 130:15 131:18,22 133:19 keypad (5) 12:23 13:11,13,20 14:10 keys (1) 21:15 kick (2) 15:5 44:1 kicked (4) 13:17 14:18 111:21 121:10 kids (6) 33:12,14 33:15,16,23 61:4 kill (1) 59:6 killed (11) 31:23 32:2,2,3 46:7 54:11 58:4 72:21 75:3,5 110:13 Killens (2) 26:14 27:2 killing (1) 43:21 Killins (6) 3:9 25:23 78:7 103:15,25 105:12 kind (20) 11:3 28:5 32:15 60:21 61:3 66:18 71:6,7
J				
J (2) 13:22 14:7				
James-Hatter (8) 2:12 5:8,9 82:5 82:6,22,25 136:9				
Jamestown (1) 30:11				
Jamyla (3) 6:15 6:25 7:14				
January (6) 26:5 26:6 39:16 90:14 107:24 108:5				
jazz (1) 108:25				
Jefferson (2) 15:9,21				
Jerrica (1) 14:9				
Jessica (1) 127:7				
Jim (4) 30:22,24 31:1,2				
job (13) 26:3 36:10 44:23,23 49:9 56:18				
K				
Kathy (18) 3:7 22:19,21,23 23:11 36:20 41:24 43:8,8 44:9 53:20 55:25 57:23 75:13 89:10				

81:13 100:21 100:24 104:5 106:15 107:9 117:7 121:1 124:8 125:12 Kindell (2) 6:12 6:18 kindly (1) 14:9 King (1) 35:4 kitchens (1) 121:3 knew (17) 39:18 42:11 46:15,19 54:2 55:7,16 72:23,24 78:14 78:20 94:11,17 94:17,18 119:18,22 know (103) 9:25 13:6,8,12 19:7 19:18 20:2,9,13 20:17,20 26:7 28:9,17,18,24 28:25 29:5,8,9 29:9 30:14 32:7 32:25 33:7 34:14 35:1 37:6 40:1,2 42:5 44:23 52:13 56:25 61:1,4 63:24 64:5,12 67:6,7 69:10 71:24 72:18 77:3,15 78:1,11 78:24 79:3,21 81:13 85:24 87:8,17,17,18 87:22 88:5,10 88:15,21,24 89:24 92:18 93:21,21 94:15 94:19 96:2 97:21,23 98:2 102:5,5 103:14 104:1,6,10,13 104:16 105:3 105:13,13,18	105:21 106:2,3 106:4,18 108:15 110:20 112:18 113:23 114:13 119:9 121:9 123:24 124:10 126:10 127:7 128:21 141:8 knowing (2) 20:25 38:19 knowledge (1) 29:14 known (4) 57:16 96:20,22 121:1 knows (1) 102:7 Koch (7) 6:5,10 6:15,21 7:1,13 8:8 Kroger (1) 118:23 <hr/> <p style="text-align:center">L</p> <hr/> labeling (1) 60:10 lack (2) 80:10 83:19 lady (4) 29:2 39:1 40:3 75:3 laid (1) 74:8 Lance (1) 34:23 land (2) 30:13 72:25 landed (1) 30:10 landmark (1) 24:23 language (4) 32:25 106:23 107:16 128:11 large (6) 45:9 66:12 68:13,23 92:24 96:20 larger (1) 119:6 lasting (3) 78:22 80:2,14 lately (1) 69:6 lateral (1) 90:12	Latino (1) 17:6 latitude (1) 87:12 launch (1) 78:16 launched (1) 138:20 law (23) 30:2,6,7 30:15 31:9 40:7 46:1 49:15 54:15 59:19 89:17,18 96:15 97:3,9,11,12,16 99:11,15,20 100:15 128:17 lawn (1) 22:3 laws (1) 31:13 Lawson (1) 108:7 lawsuit (8) 22:2 22:11 24:21,22 43:18 107:3 108:8 110:15 lawsuits (2) 45:10 51:16 lay (1) 35:7 laying (1) 95:16 layoffs (1) 90:11 layout (1) 141:12 lead (3) 22:1,10 122:19 leader (1) 89:24 leadership (11) 26:13 98:13 131:20,24 133:1,2,13,19 135:9,16,18 leading (2) 8:14 25:15 league (3) 93:19 110:25 111:2 learn (11) 7:20 10:14 11:14,17 11:19 18:8,16 28:9 34:10,11 34:12 learned (6) 9:24 34:13 38:2 50:16 71:5	122:3 learning (1) 11:21 leave (4) 42:16 42:19 98:2,3 leaving (2) 28:18 29:1 led (6) 23:18 24:19 78:12 106:15 114:10 118:12 left (21) 14:20 15:13 16:9,23 17:11,25 18:23 19:21 20:6,14 21:6,25 28:19 29:1,10 30:13 45:16 76:9 77:1 80:8 137:14 legacy (1) 81:20 legal (3) 76:9 77:12,12 legislation (1) 77:12 legislature (2) 31:8,12 legitimacy (1) 61:23 lengths (1) 117:11 lens (3) 79:11,12 133:14 lenses (10) 33:2,4 33:6,11,14 35:11 39:7 40:14 44:2 45:21 lesson (1) 41:3 lessons (4) 11:20 71:5 122:3,5 let's (15) 6:7 14:15 18:24 49:20 57:2,3 61:1 62:12 63:4 71:9 72:9,11 76:18 95:23 143:17	letter (2) 13:22 139:25 letters (1) 137:21 level (5) 48:16 79:14 123:5 131:24 143:12 levels (1) 91:15 LGBTQ (1) 39:23 liaison (1) 75:17 Liberties (1) 24:25 lie (1) 16:15 lieutenant (1) 102:8 lieutenant's (1) 102:14 life (11) 10:5 34:5,6,16 39:11 71:18 74:17 75:17,21 118:11,12 lifetime (1) 24:13 light (4) 21:23 99:18 137:4,16 lights (1) 72:14 liked (1) 51:8 limit (1) 83:1 limits (1) 38:2 Lindsay (2) 10:1 10:8 line (17) 41:21 45:18 82:17 87:4 94:5 107:1 107:3,8,18 108:10 110:14 113:9,9 118:21 135:21 138:5 139:1 lines (2) 45:12,14 linked (1) 10:15 list (2) 132:16 134:19 listed (1) 18:21 listen (3) 46:21 63:4 84:6 listened (3) 48:11
---	---	--	---	---

49:9 83:2	64:15	56:14 60:4	M	137:2 139:14
listening (3) 8:3	long (27) 11:4,6,8	63:18 67:17	ma'am (1) 116:9	139:23 140:15
8:4 49:23	36:18 37:3 43:9	69:17 71:5,18	mad (1) 14:25	mandated (2)
literally (1) 95:23	51:17,22 53:2,6	78:2 79:15	Madison (2)	70:3 97:8
literature (1)	76:19 79:10,17	85:11 86:4	15:10,22	march (8) 43:18
62:2	80:3,4,9,15	94:11 96:22	Mae (1) 128:16	108:7,11,11,12
litigating (1)	81:14 86:19	101:7 103:6	maintain (1)	108:13 110:15
97:18	96:8 103:19	104:2,18	104:23	118:13
little (24) 17:25	104:18 105:19	105:20 109:15	maintained (1)	Maris (20) 3:7
24:2 33:23	106:2 120:7,9	115:12,14,15	138:22	23:13 24:8
44:19 47:25	122:16	115:18,20	maintaining (1)	36:20 41:23
59:7 72:10,20	look (21) 11:24	117:6 119:14	130:22	45:11 50:24
74:11 75:3	40:10,15 56:21	122:18 140:24	major (8) 23:4	57:25 59:10
76:14 78:25	58:25 62:21	lots (4) 54:6	45:2 71:11 74:1	60:12 61:9,11
79:8 80:8 81:1	64:6,18 71:16	57:23 59:21	74:2 110:25	85:9 87:7 88:20
85:3,8 86:16,25	71:22 72:11,13	117:18	111:2 118:23	97:24 101:4
100:7 106:21	74:1,7 80:6,19	loud (1) 127:4	majority (9) 16:1	102:24 120:14
107:2 113:1	92:14 109:8	Louis (18) 10:18	16:10 17:2,12	128:2
131:15	118:23 124:1	15:7,8,15,15,20	35:2,3,6,8	mark (2) 33:8
livability (1) 73:5	124:25	15:20 16:1,2	44:25	102:22
livable (1) 72:17	looked (7) 40:9	31:4 32:11	maker (1) 79:12	markers (1) 12:7
live (6) 20:1,3	41:10 73:7	110:25 112:8	making (13)	market (2)
71:21 94:2	130:15 131:18	112:17 117:17	12:11 13:4	120:18,21
112:17 126:14	132:13 133:2	126:14,15	25:25 26:1	marks (1) 4:7
lived (6) 30:18	looking (13) 18:4	128:19	31:13 44:13	mass (1) 31:19
34:5 38:24 75:4	33:14,15 35:9	Louisville (1)	49:7 60:23	materials (1)
120:9,14	35:10 37:17	109:2	63:16 86:2	26:20
lives (1) 118:4	45:20 79:10	love (1) 123:10	124:9,18	matter (3) 74:1
living (4) 72:4,22	91:5 92:20	loved (2) 119:18	141:15	111:15 115:8
119:9,11	104:15 133:3	119:22	male (2) 16:6,11	Matthew (1) 33:8
local (2) 99:20	133:23	loves (1) 39:2	man (3) 10:8	mayor (1) 125:1
119:16	looks (5) 65:23	low (1) 118:3	30:10 43:21	MBA (1) 24:16
located (1) 15:7	71:17 73:3	luck (1) 82:20	manage (1) 63:10	McClure (16) 2:5
location (5) 60:6	92:13 133:11	Luckily (1) 52:15	managed (1)	4:18,19 7:9,12
63:10 73:13	Los (2) 10:10	Luke (1) 33:8	133:17	7:16 9:12 26:17
101:20 141:20	35:4	lunch (1) 92:9	management (2)	103:9,11,17
locations (4) 60:3	lose (4) 95:8	Lupo (2) 10:1,8	63:9 135:4	139:3 140:3,8
63:25 64:13	119:6,24,24	Lynch (23) 3:8	manager (3) 25:8	140:21 142:3
73:21	losing (1) 90:15	24:9,11,18 25:2	25:14 57:24	mean (20) 40:15
lock (1) 18:12	lost (4) 95:22	25:4 27:6,12,20	managing (29)	47:18 57:22
locked (3) 14:11	119:18,22	36:7 37:7 39:7	2:7 4:2,6,17,20	59:7,23 61:4
18:14 109:7	133:20	46:4 83:13	4:23 5:1,4,7,10	66:6 82:15 84:3
Lodge (2) 22:20	lot (44) 9:15 21:4	106:21 108:17	5:13,16,20,23	86:16 88:6 89:1
23:6	21:8 28:5 46:12	108:19 114:20	6:1,4 7:2 11:25	89:3 97:10,16
lofty (1) 41:6	46:19 48:5,17	115:4 118:8	21:12,13 22:18	118:2 119:4
logic (1) 65:15	51:5,6,23 53:7	120:6 122:5	27:5 128:6	121:16,18
logical (2) 60:24	54:16,18 56:7,8	142:22	129:10,11	122:5

meaning (1) 33:2	50:23	104:7 132:10	models (1) 69:7	137:1 140:6,14
meaningful (1) 9:1	memory (1) 6:16	137:24	moment (4) 120:11 126:25	motivation (1) 143:13
means (5) 17:18 30:22 33:9 34:14 81:12	men (7) 25:12 31:23 32:3 35:19 41:23 46:7 81:7	mindful (1) 107:10	143:11,17	mouse (1) 14:10
meant (1) 55:19	Mendez (1) 45:17	mine (1) 98:14	Monday (3) 129:4 141:19 142:2	mouth (2) 18:18 18:25
measure (1) 134:4	mentioned (4) 56:1 95:10 103:17 126:1	minimizing (1) 59:2	money (11) 45:10 47:9 79:1,8 98:22 105:2,5 112:15 122:18 123:6 138:18	move (10) 31:22 42:25 120:8 128:5 129:22 134:21 136:16 137:4 142:2 143:16
measured (2) 11:11 101:10	Mercy (1) 121:2	Ministry (1) 26:10	Monique (3) 12:16,21 13:1	moved (9) 77:2 105:9 119:12 119:15,19 124:11 129:3 140:7,8
measurement (1) 132:3	met (2) 110:5 117:20	minor (1) 59:18	monitor (6) 56:16 96:16 113:20 114:7 114:17,18	moves (1) 136:18
measures (1) 11:10	method (2) 44:6 132:24	minorities (1) 30:6	monitored (1) 85:25	moving (7) 50:14 90:19 101:18 133:1,10 134:10 139:22
media (2) 140:19 140:22	methods (2) 41:15 84:1	mirrors (1) 84:4	monitoring (5) 25:10 41:5 130:8 135:3 136:20	MSD (1) 116:6
meeting (29) 4:1 4:8 9:1,17,20 11:1,24 13:10 13:10 17:15,18 17:20 18:2,9,17 51:2 96:13 114:18 116:5 125:10,10 128:8 129:14 129:16 136:3,5 137:10 139:5 143:21	metric (6) 55:25 56:3,5 95:12,16 98:1	misconduct (2) 22:8 53:24	monitors (1) 55:13	Mt (1) 10:17
meetings (9) 8:22 17:17 37:2 47:17 48:8,21 54:6 138:16,19	metrics (5) 80:24 91:5 92:25 101:15 103:6	miserably (1) 55:8	monopolize (1) 89:8	Muhammad (8) 129:13,15,20 129:23 131:1,4 131:7,10
meets (1) 104:17	mic (4) 27:11 108:16 128:21 128:23	missed (1) 41:2	Monroe (2) 15:10,23	multi-family (1) 73:21
Megan (1) 93:19	micro (1) 119:16	missing (1) 71:15	month (9) 39:16 39:16 45:6,9,9 58:3 86:14 101:19 108:1	multi-stakehol... 61:8
member (7) 22:25 23:10 26:9 38:23 39:5 72:22 75:5	microphone (1) 128:16	mission (4) 121:11 122:25 123:23 134:7	monthly (1) 102:25	multiple (3) 18:12 54:17 131:17
member's (1) 45:10	microphones (1) 82:2	Missionary (1) 10:18	months (8) 75:20 76:24 77:10 95:13 107:11 107:12 138:24 139:9	muscling (1) 123:8
members (9) 2:10 9:18 40:21 42:18 47:7 72:22 101:25 134:13 135:7	middle (2) 17:3 66:15	Missions (1) 121:3	months' (1) 108:4	named (1) 25:13
membership (1)	midnight (1) 60:25	Mississippi (1) 31:3	morning (1) 141:10	
	military (2) 22:24 100:21	MO (2) 1:15 144:7	motion (6) 114:13 129:1,9	
	million (15) 26:4 78:19,24 79:8 98:15,18,19 111:7 112:10 112:11,11,12 112:19 113:2 137:13	mobilizing (1) 132:4		
	mind (6) 46:16 71:16 90:6	model (14) 23:23 66:18,18 67:17 67:19 68:7 70:6 72:6 77:16 85:8 93:6,11 99:7 120:8		
		modeled (1) 100:14		
				N

<p>naming (1) 55:3 nation (6) 11:22 54:25 98:11 112:14 120:25 126:20 national (4) 10:22 23:7,8 67:12 native (3) 17:8,8 25:7 natural (4) 69:18 69:21 77:18 85:21 naturally (1) 76:16 nature (1) 79:16 nearly (3) 17:19 18:3 19:22 necessary (3) 44:13 49:2 69:1 need (25) 12:10 28:4 29:14 34:20 43:17 46:8,9,21 47:7 48:15 83:12 88:11,21,25 93:8 97:2 98:13 98:21 99:8 104:18 121:14 121:15,17,20 138:5 needed (11) 11:7 46:20 48:24 55:9,17,18 82:21 97:7 130:3 138:4,14 needs (4) 130:4,6 130:7 132:24 negative (7) 39:3 41:22,22 42:24 81:21 93:14 94:9 negatively (3) 38:17 67:2 68:25 negotiated (1) 55:14</p>	<p>negotiating (2) 111:9,10 negotiations (1) 76:25 negotiator (1) 23:21 Negwer (3) 2:18 5:14,15 neighborhood ... 44:24 67:22 68:14,17 75:16 77:25 89:22 117:15,16,25 119:21 122:13 neighborhoods... 44:24 83:5 118:2 neither (1) 144:13 nerve (1) 28:22 never (10) 13:13 29:10 36:21 42:16 47:12,23 66:9 68:14 123:6 124:11 new (20) 13:21 18:1 23:24 24:12 25:15 33:7 37:11 47:24 50:8 51:1 52:22 56:2 83:16 89:4 93:10,11,18 98:18 111:3 119:19 newspaper (1) 18:18 nice (3) 31:13 41:23 114:9 nicely (2) 96:7 131:20 Nicole (3) 140:19 140:22 142:3 night (6) 28:7 29:10 31:16 40:4 119:2 137:8</p>	<p>nights (1) 119:1 nine (3) 10:4 17:22 19:3 nonprofit (2) 26:8 79:23 nonprofits (1) 39:23 normally (2) 76:11,11 north (4) 10:18 71:12 121:25 126:15 northern (1) 109:16 notch (1) 76:3 note (8) 12:2 14:7 128:10,15 128:20,22 135:10 137:14 notebooks (1) 98:10 noted (1) 13:3 notes (3) 26:13 128:11 144:11 noticeably (1) 96:15 noticed (1) 96:10 notify (2) 129:6 136:23 noting (1) 136:15 Notre (1) 24:17 November (7) 44:22 107:23 108:3 110:12 136:2 139:17 139:18 Nowadays (1) 32:5 nuisance (2) 64:14 76:2 number (14) 13:8,21 18:1 32:4 86:22 88:7 92:24 98:11 101:13 105:15 106:24 119:9 124:22 139:20</p>	<p>numbers (4) 72:14 80:25 98:24 113:4 numerous (2) 24:3 49:17</p> <hr/> <p style="text-align: center;">O</p> <hr/> <p>o'clock (1) 141:10 obstacle (1) 38:3 obviously (2) 76:3 100:16 occasions (1) 49:18 occupational (1) 8:15 occupied (1) 59:14 occur (3) 8:7 62:17,25 occurs (1) 52:9 ocean (1) 111:2 October (2) 137:11 139:17 offender (4) 45:2 62:17 63:12,17 offenders (7) 63:5,24,25 65:7 65:12,12,16 offer (3) 80:1 118:5,6 office (3) 75:23 139:21,24 officer (24) 3:7 10:7 22:12,24 23:19 44:9,17 44:25 45:16 46:19 52:11 58:3 61:3 63:13 63:14 73:12 87:11 88:18 89:10,24 92:19 92:21 124:5 142:23 officer's (3) 85:21 87:3 101:10</p>	<p>officer-involve... 57:23 officers (54) 40:20 45:5,23 46:2,13,20 48:9 48:13,22,22 49:5,7,13,25 50:5,19 51:8,11 51:20 52:1,12 52:17,22 55:23 56:9 58:1 75:12 75:21,23 85:15 86:12,23 87:4,8 87:10,16,22 88:1 89:13,18 89:25 90:12,13 90:16,17 92:4,5 96:21 97:18 100:10,17,20 101:14 118:14 officially (1) 141:21 officials (1) 124:16 oh (3) 33:16 56:10 88:8 Ohio (9) 3:3 25:3 28:3 39:17 42:14 53:24 99:12 118:20 121:24 OJ (2) 34:22 35:13 okay (31) 13:15 14:2,15 15:5,25 16:10,17,24 17:12,15,17,18 18:1,14,24 19:8 57:2 59:3,25 62:25 63:10,21 70:20 73:18 74:3 101:4 107:20 114:4 131:9 140:5,21 old (11) 16:25 17:1 23:23 27:22 34:21</p>
---	---	--	---	--

71:24 72:21 75:3 76:14 89:2 101:15 older (1) 86:15 on-line (2) 113:16 141:6 once (3) 104:9,10 129:18 one-fifth (1) 97:23 ones (6) 43:5,5 70:11 99:16 126:14,16 ongoing (2) 19:9 19:13 open (21) 9:20 14:13,19 15:12 15:24 16:8,22 17:10,24 18:22 19:20 20:5,14 20:21 21:5 96:13 128:16 128:21,23 129:1 136:17 opened (1) 99:23 opening (1) 6:9 operate (1) 82:12 operated (2) 55:19 81:19 operations (1) 138:5 opportunity (5) 18:11 40:8 98:8 134:8,22 opposed (3) 129:7 136:24 140:13 opposing (1) 76:12 opposite (1) 97:7 oppressed (2) 126:13,16 oppression (1) 30:4 ops (1) 97:22 optic (1) 33:2 option (1) 16:17	orange (2) 14:6 74:11 order (25) 4:4 6:8 12:13 22:20 24:24 26:18,21 38:14 54:4 55:9 55:10,10,13,20 56:17 57:3 82:11,13,21 95:22 99:7 105:1 132:18 136:1 142:10 orders (1) 100:21 organization (5) 67:14 77:17 108:22 127:9 132:22 organization's ... 134:5 organizations (4) 23:22 24:20 66:2 102:2 organize (2) 133:8,8 organizing (1) 82:17 orientation (2) 22:7 38:1 oriented (2) 62:1 102:16 origin (1) 17:7 other's (1) 35:11 ought (1) 95:16 outbursts (1) 94:21 outcome (3) 47:4 53:16 81:14 outcomes (1) 8:15 outdated (1) 51:7 outpaced (2) 114:20,22 outputs (1) 101:16 outside (7) 29:16 74:24 75:2 96:16,17	105:16 124:12 outsider (1) 118:3 outsiders (1) 29:16 overall (4) 37:22 37:24 38:6 64:21 overbearing (1) 67:10 overseas (1) 38:25 oversight (1) 41:5 overwhelming ... 66:13 owner (1) 76:4 owners (2) 76:7 77:13 ownership (3) 42:13 72:25 77:6 owns (3) 77:7 123:16,17	panels (2) 37:1 54:6 paper (2) 99:14 121:7 par (1) 104:5 paragraph (3) 92:1 94:16,16 parallel (1) 141:11 paramilitary (1) 77:17 parents (1) 39:14 parking (1) 9:15 Parkway (1) 118:17 part (24) 13:2,4,5 46:9,12,17,24 47:2 48:7 79:22 80:20 87:13 92:23 98:12 108:9 115:15 116:19 119:25 120:7 123:20 125:24,25 127:3,13 participate (3) 13:13 126:17 127:6 participated (1) 126:4 participating (2) 96:21 141:25 participation (2) 113:24 114:21 particular (9) 26:18 41:20 83:2,17 92:24 104:24 116:11 117:9 137:4 particularly (4) 7:19 8:25 42:23 82:8 parties (3) 144:8 144:15,18 partner (10) 22:3 45:15 57:12 60:22 66:1 68:4	69:12,14 76:13 135:2 partnered (3) 76:4,5,8 partnering (5) 70:6 79:2 95:3 106:8 122:18 partners (18) 40:21 70:17 75:11 76:16 79:19,21,23,24 93:19 97:11 106:1 122:17 122:23 133:17 135:12,24 136:4,20 partnership (1) 80:3 parts (1) 73:14 party (2) 57:14 61:2 pass (2) 21:17 108:16 passed (1) 47:11 passion (1) 143:14 passive (1) 59:16 pastor (16) 10:17 10:20,22 24:9 24:11,12,18 25:2,4 27:20,22 40:13 41:21 43:17 44:2 113:23 pastored (1) 118:10 pastoring (2) 28:1,2 Pat (1) 5:21 path (2) 37:4 52:16 patience (1) 142:2 Patrick (1) 2:21 patrol (2) 64:16 75:12 patrols (1) 67:23
P				
		P&G (3) 26:6 105:14,14 p.m (2) 4:1 143:21 Pacific (1) 17:8 packet (1) 137:8 Packnett (5) 2:14 5:17 117:1,2 120:1 page (3) 56:6 70:22 128:11 paid (6) 55:1 95:20 125:8,14 127:14,20 pain (1) 111:8 paint (1) 121:7 panel (4) 26:16 26:18 55:8 102:12 PANELISTS (1) 3:3		

FERGUSON COMMISSION MEETING 9/9/2015

patterns (1) 65:23	122:21 123:2,9 125:6,9,14	34:15,16 36:15 36:18 64:15 110:18	141:14	22:8,20,24 23:1 23:14,21 24:4,7
pause (1) 143:10	126:8,11,13,16	46:13	plague (1) 80:18	24:23,24 25:3
pay (3) 47:10 125:4 127:14	127:18 130:2 131:25	personal (1)	plaintiff (1) 22:1	25:11,15,16,18
paying (1) 84:16	pepper (1)	46:13	plaintiffs (1)	31:24 32:7,8
PD (1) 23:16	109:14	personally (1)	22:10	35:18 37:11
pdf (1) 141:12	perceive (2) 69:5	111:12	plan (3) 97:5	38:21 39:22
penal (1) 127:19	95:4	perspective (2)	132:1 139:16	40:20 41:1,10
penalized (1)	perceived (1)	86:8 101:13	planning (1)	41:13,16,19,23
100:18	94:2	perspectives (1)	138:8	43:1,15,20
penny (2) 106:7	percent (37)	38:9	plant (1) 138:11	44:17,21,25
106:12	14:24 15:15,16	pertaining (1)	30:14	45:22 46:18
pension (2) 23:7	16:3,10,11,11	15:4	platform (3)	48:13,16,22,25
125:8	16:25 18:25	Pettus (1) 31:6	138:20 141:14	49:11,12 50:5,6
people (108) 9:7	19:2,3 20:8,15	phase (3) 38:12	141:17	52:10 53:24
11:7,9 13:9	20:24,24,25	42:3 93:12	play (1) 107:7	54:5,16 55:18
16:3,14 18:24	21:8,9 38:20	philosophies (1)	played (3) 107:6	55:21,23 56:9
21:1,6 28:6,16	39:2 64:2,8,13	85:5	107:8,18	56:17,20 58:18
28:19,20 30:19	73:20,22 76:22	philosophy (2)	players (1) 106:1	59:14,15,15
30:25 31:13	76:22 79:1 80:6	37:25 56:2	playing (1) 61:4	60:23 61:16,18
32:1,2 33:3	97:24 103:21	phone (3) 10:21	please (16) 4:13	61:23 63:13
35:2,3,7,8 36:9	120:17,18,19	10:24,25	6:16 7:6,9	64:16,23 65:18
36:13 39:17	120:21,21	physical (2)	12:10,20 14:7	65:18 66:1,14
43:15 48:12	141:2	19:11,15	16:6,13 23:11	66:21 67:4,15
51:16,23 53:11	percentage (1)	pick (1) 121:7	24:7 65:2 68:12	67:17 68:10,12
54:7,17 55:2,11	64:20	picnic (1) 61:2	136:23 140:12	68:15,16,17
55:12 56:1,6,10	perception (1)	piece (7) 119:23	142:13	69:8,18,20,21
56:11,19,24	117:9	132:20 134:24	pleased (3) 9:11	70:5 73:11,15
57:9 59:17,17	perceptions (1)	134:25 135:9	9:13 11:18	74:6,18 75:22
60:1,8 63:3,19	91:10	135:10 141:12	pleasure (4) 4:3	76:12 77:1,16
72:4,5,24 73:2	perform (1)	pieces (1) 96:25	21:19 78:8	77:17,18,21,21
73:8 76:16 91:7	133:24	pilot (1) 93:12	100:10	77:22 79:2,4,6
91:9 93:21 94:1	performance (8)	piss (1) 72:7	plugged (1)	80:12 84:7,15
94:8,11,14,16	7:1 55:25 56:3	pizza (1) 121:7	103:16	85:15,21,25
94:24 95:2,4	101:10 103:2,5	place (16) 11:9	plus (1) 81:19	86:3,8 87:11,16
96:23 97:13	133:17 135:4	16:15 30:10	PO (1) 52:22	87:22 88:1,4,5
98:13,23,25	performed (1)	37:3 44:4 61:2	podium (3) 9:2	88:22,24 90:10
100:1,3 107:15	6:10	62:18 77:23	27:8,9	90:20,21 91:10
109:15 110:17	period (6) 11:2	97:1 105:2	point (13) 12:1	91:19 92:18
112:20,25	32:6 55:16	119:1,3 132:15	12:13 47:19	93:9 94:4,18
113:4 115:7,19	91:17,20	135:15 138:12	64:8 77:8,23	97:24,25 98:16
116:18,21	128:23	141:7	83:13 89:12,14	100:20 101:10
118:2,3 119:3,9	perpetrators (1)	places (8) 7:6	90:13 106:18	101:14,16
119:11,11,12	60:7	25:25 26:1 63:8	112:23,24	103:5 104:17
119:15,17,22	persisted (1) 29:1	69:17 82:3	pointed (1) 10:1	106:8 115:13
120:9,11	person (7) 10:7	112:16 119:13	points (1) 89:5	116:17 119:23
		placing (1)	police (141) 10:6	122:6 129:6

<p>police-commu... 80:7 104:8 policed (4) 39:10 46:14 59:17 84:18 policies (8) 45:20 55:22 96:24 99:13,16,16 101:7 127:19 policing (59) 22:14 23:11,25 37:24 38:18,19 39:21 40:9,10 49:14 50:15,16 51:11,19 56:2 56:10 58:21 59:1 61:6,22 62:2,6 64:10,18 65:20,21 66:6 67:17,21,22,25 68:3,8,11 69:7 71:6,8,25 77:16 77:24 84:1,15 85:13,22 88:2 89:1,22 92:17 93:14 95:11 103:20,20 115:23,25 116:3,14 119:5 124:21 126:5 policy (10) 7:25 48:14 49:15,18 51:4 52:8 55:20 124:11,20 131:23 political (2) 66:13 125:3 Politics (1) 10:3 poll (1) 13:14 polling (24) 12:15,18,23 13:6,11 14:8,13 14:14,19 15:11 15:12,24 16:8 16:22 17:10,24 18:22 19:20 20:5,14,21 21:5</p>	<p>21:10,15 poor (4) 8:14 80:10 121:13 123:8 poorest (1) 118:20 popular (1) 117:18 population (1) 64:9 portion (1) 86:23 POs (1) 53:1 position (2) 23:7 24:13 positions (3) 24:3 52:23 128:6 positive (3) 38:22 42:25 81:21 possibilities (1) 74:21 possibility (1) 82:12 possible (1) 128:14 possibly (1) 97:20 posted (1) 141:4 posting (2) 138:23 139:8 potential (1) 52:14 poverty (4) 109:20,24 112:14 118:24 power (2) 58:24 125:1 powered (1) 111:20 PowerPoint (1) 61:14 practice (2) 22:5 56:22 practices (3) 37:25 41:5,17 pray (1) 11:19 prayerfully (1) 11:16</p>	<p>precious (1) 80:8 predominantly... 34:5 preferred (1) 101:9 prepare (2) 6:20 8:19 prepared (2) 6:14 81:16 presence (2) 8:7 27:4 present (13) 3:1 4:14,16,19,25 5:3,9,12,15,19 5:22 6:3 138:24 presentation (7) 26:20,24 27:9 47:24 83:15 134:20 135:8 presented (1) 113:16 presenting (2) 129:15 137:20 president (15) 22:19 23:5 24:10,18 26:11 44:17 45:8 47:12,14,14,15 49:10 51:10 108:21 114:22 President's (2) 23:10 117:4 press (6) 21:22 95:13 98:6 99:17,25 141:19 pressure (2) 112:1,1 pretty (1) 131:20 prevalent (1) 81:14 prevented (1) 120:4 prevention (5) 65:4,5,7 69:11 69:14 preview (1)</p>	<p>54:14 previous (2) 17:16 48:3 previously (1) 128:5 pride (1) 111:3 primary (3) 15:6 15:18 60:11 principal (1) 6:21 principle (1) 64:3 printed (1) 141:12 printing (1) 141:7 prior (4) 45:8 78:16 80:16 81:17 priorities (1) 104:2 priority (2) 124:22 141:2 prison (1) 22:8 private (4) 66:2 105:4 122:18 137:22 pro (1) 100:21 proactive (1) 40:21 probably (19) 32:13 38:21 39:3 44:16 45:13 50:23 63:22 67:13 69:16 70:24 72:4,23 77:12 80:2 84:3 85:1 88:5 109:20 124:25 Probation (1) 63:13 probed (1) 10:15 problem (98) 22:16 23:24 24:6 28:11,12 28:15,21 29:1 29:21 32:12,19</p>	<p>33:4 38:1 40:5 40:22 43:11 44:6,6 50:16 51:12 52:24 57:15,16 59:10 59:12,24 60:10 60:20,25 61:8 61:24 62:1,8,13 62:20,22 63:23 64:2,21 65:25 66:5,10,17,23 66:24,25 67:3 67:25 68:2,13 68:18 69:16,19 70:3,9,14,17,20 72:23,25 74:1,2 74:10,11,22 75:12,21 84:11 84:11 85:18,20 86:4,24 87:9,10 87:12 88:11 89:1 90:2,5 95:5,19 98:20 98:23 101:11 102:3,7,10,13 103:1,3,20 122:19,25 123:6,7 124:14 124:21 problem-orient... 37:24 62:6 65:21 problems (14) 30:3 38:1,11 52:18 54:1 64:14 66:3 67:8 68:6 69:17 80:9 80:12 101:24 106:14 procedure (4) 49:15 51:5 52:8 124:11 procedures (5) 41:17 48:14 55:21,22 101:7 proceed (1) 58:10</p>
---	---	--	---	---

proceeding (1) 144:8	101:25	property (1) 72:6	pull (2) 112:25 128:9	19:8,16,25 20:7 20:11,18 29:5
proceedings (2) 1:5 144:10	profiling (4) 24:21 31:19 46:14 58:21	proposal (2) 135:22 139:4	Pulliam (11) 2:11 5:18,19 103:12 106:19 113:17 113:18 114:4 115:2 116:9 139:7	82:23 84:12,20 85:1 90:23 93:4 93:5 95:7 101:1 101:5 103:11 108:9 113:15 117:1,13 120:2 124:2 139:20
process (70) 11:21 12:1 32:20,20 37:9 37:10,11,14 38:12 39:19 42:2,13,14,22 43:9 44:12,12 45:24 46:24 47:3 48:8,20 49:25 50:1,12 51:22 53:6 66:20 69:18 74:23 78:12 79:7,25 91:8 95:5 96:11,13 96:22 100:5,7 100:13 101:2 102:11 104:12 106:4,13 126:4 127:3 130:1,7,9 130:12,13,18 130:20,21,23 131:8,17 132:13 133:22 135:1,5,11,17 135:23 136:8 136:19 138:17 139:22	profound (1) 54:9	proposals (1) 134:14	pulling (1) 109:6 purely (1) 34:18 purple (1) 14:6 purpose (5) 6:13 79:5 87:23 88:10 101:23 purposes (2) 62:7 93:12 push (3) 44:1 86:6 87:22 pushback (1) 86:17 put (22) 11:9 17:17 21:11 31:8 34:22 35:4 70:17,21 73:4 93:20 97:1 99:18 101:23 106:7,12 113:6 113:15 123:2 135:14 136:11 138:12 139:16 putting (4) 70:14 112:15 124:8 141:7	93:5 95:7 101:1 101:5 103:11 108:9 113:15 117:1,13 120:2 124:2 139:20
processes (2) 135:14 137:4	program (4) 25:24 26:5 80:3 96:25	proposed (1) 137:10	pulling (1) 109:6 purely (1) 34:18 purple (1) 14:6 purpose (5) 6:13 79:5 87:23 88:10 101:23 purposes (2) 62:7 93:12 push (3) 44:1 86:6 87:22 pushback (1) 86:17 put (22) 11:9 17:17 21:11 31:8 34:22 35:4 70:17,21 73:4 93:20 97:1 99:18 101:23 106:7,12 113:6 113:15 123:2 135:14 136:11 138:12 139:16 putting (4) 70:14 112:15 124:8 141:7	questions (21) 19:6 26:23 48:23 50:11,22 61:21 70:15 81:16 82:1,7 84:22 89:9 102:19 113:19 134:4 136:7,10 139:6 140:3 141:23 142:5 quick (1) 125:24 quickly (4) 28:5 61:14 125:20 138:8 quiet (2) 11:13 143:11 Quinn (1) 128:16 quite (1) 94:13 quo (1) 97:13
processing (1) 141:11	programmatically (1) 96:25	protection (1) 96:17	pulling (1) 109:6 purely (1) 34:18 purple (1) 14:6 purpose (5) 6:13 79:5 87:23 88:10 101:23 purposes (2) 62:7 93:12 push (3) 44:1 86:6 87:22 pushback (1) 86:17 put (22) 11:9 17:17 21:11 31:8 34:22 35:4 70:17,21 73:4 93:20 97:1 99:18 101:23 106:7,12 113:6 113:15 123:2 135:14 136:11 138:12 139:16 putting (4) 70:14 112:15 124:8 141:7	questions (21) 19:6 26:23 48:23 50:11,22 61:21 70:15 81:16 82:1,7 84:22 89:9 102:19 113:19 134:4 136:7,10 139:6 140:3 141:23 142:5 quick (1) 125:24 quickly (4) 28:5 61:14 125:20 138:8 quiet (2) 11:13 143:11 Quinn (1) 128:16 quite (1) 94:13 quo (1) 97:13
Proctor (1) 118:21	programs (1) 79:9	protest (3) 110:14 118:13 123:3	pulling (1) 109:6 purely (1) 34:18 purple (1) 14:6 purpose (5) 6:13 79:5 87:23 88:10 101:23 purposes (2) 62:7 93:12 push (3) 44:1 86:6 87:22 pushback (1) 86:17 put (22) 11:9 17:17 21:11 31:8 34:22 35:4 70:17,21 73:4 93:20 97:1 99:18 101:23 106:7,12 113:6 113:15 123:2 135:14 136:11 138:12 139:16 putting (4) 70:14 112:15 124:8 141:7	questions (21) 19:6 26:23 48:23 50:11,22 61:21 70:15 81:16 82:1,7 84:22 89:9 102:19 113:19 134:4 136:7,10 139:6 140:3 141:23 142:5 quick (1) 125:24 quickly (4) 28:5 61:14 125:20 138:8 quiet (2) 11:13 143:11 Quinn (1) 128:16 quite (1) 94:13 quo (1) 97:13
product (4) 32:13,14,16,19	progress (5) 38:3 91:4,15 92:25 96:1	protesting (1) 110:3	pulling (1) 109:6 purely (1) 34:18 purple (1) 14:6 purpose (5) 6:13 79:5 87:23 88:10 101:23 purposes (2) 62:7 93:12 push (3) 44:1 86:6 87:22 pushback (1) 86:17 put (22) 11:9 17:17 21:11 31:8 34:22 35:4 70:17,21 73:4 93:20 97:1 99:18 101:23 106:7,12 113:6 113:15 123:2 135:14 136:11 138:12 139:16 putting (4) 70:14 112:15 124:8 141:7	questions (21) 19:6 26:23 48:23 50:11,22 61:21 70:15 81:16 82:1,7 84:22 89:9 102:19 113:19 134:4 136:7,10 139:6 140:3 141:23 142:5 quick (1) 125:24 quickly (4) 28:5 61:14 125:20 138:8 quiet (2) 11:13 143:11 Quinn (1) 128:16 quite (1) 94:13 quo (1) 97:13
production (1) 142:11	progressing (1) 91:6	protests (1) 112:1	pulling (1) 109:6 purely (1) 34:18 purple (1) 14:6 purpose (5) 6:13 79:5 87:23 88:10 101:23 purposes (2) 62:7 93:12 push (3) 44:1 86:6 87:22 pushback (1) 86:17 put (22) 11:9 17:17 21:11 31:8 34:22 35:4 70:17,21 73:4 93:20 97:1 99:18 101:23 106:7,12 113:6 113:15 123:2 135:14 136:11 138:12 139:16 putting (4) 70:14 112:15 124:8 141:7	questions (21) 19:6 26:23 48:23 50:11,22 61:21 70:15 81:16 82:1,7 84:22 89:9 102:19 113:19 134:4 136:7,10 139:6 140:3 141:23 142:5 quick (1) 125:24 quickly (4) 28:5 61:14 125:20 138:8 quiet (2) 11:13 143:11 Quinn (1) 128:16 quite (1) 94:13 quo (1) 97:13
productive (1) 11:24	project (18) 25:8 68:21 70:15,21 70:23 71:4 72:19 75:8,22 76:10 86:25,25 90:4 102:13 103:21 104:24 120:10 139:10	proud (3) 76:8 76:20 110:25	pulling (1) 109:6 purely (1) 34:18 purple (1) 14:6 purpose (5) 6:13 79:5 87:23 88:10 101:23 purposes (2) 62:7 93:12 push (3) 44:1 86:6 87:22 pushback (1) 86:17 put (22) 11:9 17:17 21:11 31:8 34:22 35:4 70:17,21 73:4 93:20 97:1 99:18 101:23 106:7,12 113:6 113:15 123:2 135:14 136:11 138:12 139:16 putting (4) 70:14 112:15 124:8 141:7	questions (21) 19:6 26:23 48:23 50:11,22 61:21 70:15 81:16 82:1,7 84:22 89:9 102:19 113:19 134:4 136:7,10 139:6 140:3 141:23 142:5 quick (1) 125:24 quickly (4) 28:5 61:14 125:20 138:8 quiet (2) 11:13 143:11 Quinn (1) 128:16 quite (1) 94:13 quo (1) 97:13
professional (2) 24:5 138:4	projected (1) 138:3	provided (1) 139:24	pulling (1) 109:6 purely (1) 34:18 purple (1) 14:6 purpose (5) 6:13 79:5 87:23 88:10 101:23 purposes (2) 62:7 93:12 push (3) 44:1 86:6 87:22 pushback (1) 86:17 put (22) 11:9 17:17 21:11 31:8 34:22 35:4 70:17,21 73:4 93:20 97:1 99:18 101:23 106:7,12 113:6 113:15 123:2 135:14 136:11 138:12 139:16 putting (4) 70:14 112:15 124:8 141:7	questions (21) 19:6 26:23 48:23 50:11,22 61:21 70:15 81:16 82:1,7 84:22 89:9 102:19 113:19 134:4 136:7,10 139:6 140:3 141:23 142:5 quick (1) 125:24 quickly (4) 28:5 61:14 125:20 138:8 quiet (2) 11:13 143:11 Quinn (1) 128:16 quite (1) 94:13 quo (1) 97:13
professionally ...	projects (5) 70:10 87:13 90:3 102:10 116:6	provides (1) 133:14	pulling (1) 109:6 purely (1) 34:18 purple (1) 14:6 purpose (5) 6:13 79:5 87:23 88:10 101:23 purposes (2) 62:7 93:12 push (3) 44:1 86:6 87:22 pushback (1) 86:17 put (22) 11:9 17:17 21:11 31:8 34:22 35:4 70:17,21 73:4 93:20 97:1 99:18 101:23 106:7,12 113:6 113:15 123:2 135:14 136:11 138:12 139:16 putting (4) 70:14 112:15 124:8 141:7	questions (21) 19:6 26:23 48:23 50:11,22 61:21 70:15 81:16 82:1,7 84:22 89:9 102:19 113:19 134:4 136:7,10 139:6 140:3 141:23 142:5 quick (1) 125:24 quickly (4) 28:5 61:14 125:20 138:8 quiet (2) 11:13 143:11 Quinn (1) 128:16 quite (1) 94:13 quo (1) 97:13
	promoted (1) 56:5	providing (1) 132:23	pulling (1) 109:6 purely (1) 34:18 purple (1) 14:6 purpose (5) 6:13 79:5 87:23 88:10 101:23 purposes (2) 62:7 93:12 push (3) 44:1 86:6 87:22 pushback (1) 86:17 put (22) 11:9 17:17 21:11 31:8 34:22 35:4 70:17,21 73:4 93:20 97:1 99:18 101:23 106:7,12 113:6 113:15 123:2 135:14 136:11 138:12 139:16 putting (4) 70:14 112:15 124:8 141:7	questions (21) 19:6 26:23 48:23 50:11,22 61:21 70:15 81:16 82:1,7 84:22 89:9 102:19 113:19 134:4 136:7,10 139:6 140:3 141:23 142:5 quick (1) 125:24 quickly (4) 28:5 61:14 125:20 138:8 quiet (2) 11:13 143:11 Quinn (1) 128:16 quite (1) 94:13 quo (1) 97:13
	promotion (1) 102:17	provocations (1) 65:11	pulling (1) 109:6 purely (1) 34:18 purple (1) 14:6 purpose (5) 6:13 79:5 87:23 88:10 101:23 purposes (2) 62:7 93:12 push (3) 44:1 86:6 87:22 pushback (1) 86:17 put (22) 11:9 17:17 21:11 31:8 34:22 35:4 70:17,21 73:4 93:20 97:1 99:18 101:23 106:7,12 113:6 113:15 123:2 135:14 136:11 138:12 139:16 putting (4) 70:14 112:15 124:8 141:7	questions (21) 19:6 26:23 48:23 50:11,22 61:21 70:15 81:16 82:1,7 84:22 89:9 102:19 113:19 134:4 136:7,10 139:6 140:3 141:23 142:5 quick (1) 125:24 quickly (4) 28:5 61:14 125:20 138:8 quiet (2) 11:13 143:11 Quinn (1) 128:16 quite (1) 94:13 quo (1) 97:13
	promotional (1) 102:11	proximate (1) 65:23	pulling (1) 109:6 purely (1) 34:18 purple (1) 14:6 purpose (5) 6:13 79:5 87:23 88:10 101:23 purposes (2) 62:7 93:12 push (3) 44:1 86:6 87:22 pushback (1) 86:17 put (22) 11:9 17:17 21:11 31:8 34:22 35:4 70:17,21 73:4 93:20 97:1 99:18 101:23 106:7,12 113:6 113:15 123:2 135:14 136:11 138:12 139:16 putting (4) 70:14 112:15 124:8 141:7	questions (21) 19:6 26:23 48:23 50:11,22 61:21 70:15 81:16 82:1,7 84:22 89:9 102:19 113:19 134:4 136:7,10 139:6 140:3 141:23 142:5 quick (1) 125:24 quickly (4) 28:5 61:14 125:20 138:8 quiet (2) 11:13 143:11 Quinn (1) 128:16 quite (1) 94:13 quo (1) 97:13
	promotions (2) 52:22 101:8	psyche (1) 110:23	pulling (1) 109:6 purely (1) 34:18 purple (1) 14:6 purpose (5) 6:13 79:5 87:23 88:10 101:23 purposes (2) 62:7 93:12 push (3) 44:1 86:6 87:22 pushback (1) 86:17 put (22) 11:9 17:17 21:11 31:8 34:22 35:4 70:17,21 73:4 93:20 97:1 99:18 101:23 106:7,12 113:6 113:15 123:2 135:14 136:11 138:12 139:16 putting (4) 70:14 112:15 124:8 141:7	questions (21) 19:6 26:23 48:23 50:11,22 61:21 70:15 81:16 82:1,7 84:22 89:9 102:19 113:19 134:4 136:7,10 139:6 140:3 141:23 142:5 quick (1) 125:24 quickly (4) 28:5 61:14 125:20 138:8 quiet (2) 11:13 143:11 Quinn (1) 128:16 quite (1) 94:13 quo (1) 97:13
	proofread (1) 144:9	psychosocial (1) 110:20	pulling (1) 109:6 purely (1) 34:18 purple (1) 14:6 purpose (5) 6:13 79:5 87:23 88:10 101:23 purposes (2) 62:7 93:12 push (3) 44:1 86:6 87:22 pushback (1) 86:17 put (22) 11:9 17:17 21:11 31:8 34:22 35:4 70:17,21 73:4 93:20 97:1 99:18 101:23 106:7,12 113:6 113:15 123:2 135:14 136:11 138:12 139:16 putting (4) 70:14 112:15 124:8 141:7	questions (21) 19:6 26:23 48:23 50:11,22 61:21 70:15 81:16 82:1,7 84:22 89:9 102:19 113:19 134:4 136:7,10 139:6 140:3 141:23 142:5 quick (1) 125:24 quickly (4) 28:5 61:14 125:20 138:8 quiet (2) 11:13 143:11 Quinn (1) 128:16 quite (1) 94:13 quo (1) 97:13
	properly (3) 66:24 129:3 136:22	public (17) 12:2 13:14 23:9 34:10 66:1,2 69:1 99:11 100:19 102:1 130:19,22,24 131:22 134:13 135:7 138:17	pulling (1) 109:6 purely (1) 34:18 purple (1) 14:6 purpose (5) 6:13 79:5 87:23 88:10 101:23 purposes (2) 62:7 93:12 push (3) 44:1 86:6 87:22 pushback (1) 86:17 put (22) 11:9 17:17 21:11 31:8 34:22 35:4 70:17,21 73:4 93:20 97:1 99:18 101:23 106:7,12 113:6 113:15 123:2 135:14 136:11 138:12 139:16 putting (4) 70:14 112:15 124:8 141:7	questions (21) 19:6 26:23 48:23 50:11,22 61:21 70:15 81:16 82:1,7 84:22 89:9 102:19 113:19 134:4 136:7,10 139:6 140:3 141:23 142:5 quick (1) 125:24 quickly (4) 28:5 61:14 125:20 138:8 quiet (2) 11:13 143:11 Quinn (1) 128:16 quite (1) 94:13 quo (1) 97:13
		public's (1) 41:16	pulling (1) 109:6 purely (1) 34:18 purple (1) 14:6 purpose (5) 6:13 79:5 87:23 88:10 101:23 purposes (2) 62:7 93:12 push (3) 44:1 86:6 87:22 pushback (1) 86:17 put (22) 11:9 17:17 21:11 31:8 34:22 35:4 70:17,21 73:4 93:20 97:1 99:18 101:23 106:7,12 113:6 113:15 123:2 135:14 136:11 138:12 139:16 putting (4) 70:14 112:15 124:8 141:7	questions (21) 19:6 26:23 48:23 50:11,22 61:21 70:15 81:16 82:1,7 84:22 89:9 102:19 113:19 134:4 136:7,10 139:6 140:3 141:23 142:5 quick (1) 125:24 quickly (4) 28:5 61:14 125:20 138:8 quiet (2) 11:13 143:11 Quinn (1) 128:16 quite (1) 94:13 quo (1) 97:13

R

race (4) 17:5
22:6 35:17
45:24
racial (5) 24:21
45:17 46:14
58:21 133:14
racially (1) 22:14
racism (4) 20:12
20:19 30:5
31:10
racist (1) 46:15
radar (1) 47:13
radar's (1) 72:18
radical (2)
110:14 116:22
radio (8) 18:18
51:17,17 75:25

84:6 86:1 88:2 94:13 radio's (1) 86:19 raise (5) 13:12 78:18,23 112:19,22 raised (3) 22:21 34:4,7 raising (2) 12:11 113:3 Rand (4) 91:14 91:23 92:2,16 random (1) 92:3 randomly (2) 64:10,16 range (1) 106:6 rank (5) 86:11,17 102:14 111:17 134:17 rapid (1) 67:20 Rasheen (2) 2:16 4:24 rat (1) 120:12 rate (5) 81:8 109:20,24 112:14 120:18 rated (1) 114:12 rating (1) 99:14 rational (1) 65:13 reach (1) 142:11 reached (1) 53:14 react (1) 69:22 reacting (1) 67:18 reaction (1) 58:7 reactive (2) 77:24 85:22 read (13) 16:18 27:18 37:5,15 37:16,21 40:18 83:3 93:23 94:13,15,16 142:12 readiness (1) 134:5	Reading (1) 71:11 reads (1) 34:23 ready (2) 14:3 29:4 real (6) 8:6 29:13 29:13 97:25 125:24 142:9 realize (5) 30:7 48:12 52:7 86:23 106:12 realized (1) 52:2 really (55) 6:23 6:24,24 9:13 30:20 34:20 41:19 54:9,19 56:22 59:8 61:6 61:21 62:5 63:16 64:6 67:7 68:19 69:15 70:4,11 71:16 74:3,6 76:1,20 79:15,17 84:2 85:12 87:2,5,22 88:12,15,25 89:5 92:9 95:4 97:13,21 98:6 98:24 99:3 101:11 105:23 111:1 114:16 115:14 120:22 123:5,7,18 126:17 138:7 reason (4) 30:19 59:11 116:1 121:22 reasons (3) 89:19 143:6,7 rebellion (1) 107:14 rebuttal (1) 99:22 recall (3) 143:11 143:12,13 receive (2) 134:17 141:21 received (5)	22:22 24:16 93:18 113:16 140:24 recenter (1) 143:5 recognition (4) 41:17 100:11 100:22 101:8 recognize (2) 8:6 107:15 recognized (1) 11:7 recognizing (1) 100:17 recommend (1) 96:24 recommendati... 134:15 recommendati... 7:25 95:10 98:3 99:6,24 134:23 RECORD (1) 1:5 records (1) 99:11 recovered (1) 81:7 rectangle (1) 14:9 red (3) 14:6,8 74:10 redevelopment... 76:6 redlining (1) 31:19 redo (1) 123:10 reduce (4) 65:9 65:11,11 106:14 reduction (1) 83:4 redundant (1) 106:10 refer (1) 62:7 reference (1) 83:16 referred (1) 62:1 refined (1) 139:4 reform (13)	25:11 32:8 36:24 46:23 54:5,16 56:13 58:18 98:21 116:14,17,18 119:6 reforming (1) 43:3 reforms (4) 23:18 56:17 99:8 127:18 regarding (2) 136:7 139:8 region (8) 8:2,7 8:18 36:5 55:1 99:9 143:2,16 regional (2) 8:6 8:11 regular (1) 92:17 reiterate (1) 142:6 related (4) 19:6,8 22:14 144:14 relations (4) 24:6 79:6 80:7 91:10 relationship (1) 45:7 relationships (5) 25:4 40:24 47:22 58:9 130:9 relative (3) 18:19 75:4 144:16 release (3) 8:19 9:20 141:20 relies (1) 67:22 religious (1) 39:22 remaining (3) 137:13 138:2 138:10 remains (1) 133:21 remember (4) 34:22 77:16 111:11 123:16 reminder (1) 8:9	reminding (1) 16:14 reoccur (1) 62:19 repeat (6) 60:5,6 60:6 64:20,22 66:22 repeated (2) 66:11 135:24 repeatedly (1) 63:9 report (10) 8:19 9:21 99:4,15,22 116:16 128:12 138:6,19 141:20 reported (2) 1:22 92:10 Reporter (2) 144:2,5 reporting (1) 105:7 reports (8) 54:8 54:8,10,23 55:8 56:4 96:7 114:18 representation ... 15:14 17:13 representative ... 78:5 represented (1) 53:22 reproductive (1) 22:9 request (5) 99:11 128:19 134:2 135:4,22 requested (1) 52:5 require (1) 87:24 requires (2) 74:4 136:16 research (3) 8:12 67:14 80:22 resegregated (1) 33:25 Reserves (1) 22:25
---	--	---	--	---

residence (1) 15:7	restaurants (6) 109:3,10 110:2	rewards (1) 65:10	23:20 117:21	104:17
resident (1) 24:14	110:3,11	Rhine (12) 117:15 118:11	117:24	rule (2) 120:15
residents (7) 27:15 53:23	117:19	118:18,19,25	risk (1) 65:9	120:16
72:15 73:4 76:1	result (1) 134:21	119:7 120:24	risky (1) 65:17	run (5) 68:11
83:8 87:19	resulted (2) 22:12 24:22	121:5,23 122:2	River (1) 121:24	85:3 88:4 89:15
resources (1) 73:15	results (4) 14:23	122:7 123:9	road (4) 36:18,19	120:12
respect (4) 40:25	65:22 101:21	ribbon (2) 54:6	71:11 104:17	running (3) 47:13 105:3
61:7,7 92:2	102:16	55:8	roam (1) 94:3	122:10
respectful (2) 92:7,13	retired (2) 15:18	Rich (6) 2:5 4:18	Robert (16) 3:9	runs (3) 51:17
respective (1) 82:1	26:6	7:8,16 9:4,12	25:23 26:3,12	71:10 75:25
respects (1) 83:12	retirees (1) 16:4	ride (1) 94:2	26:14 78:7	Russ (1) 45:17
respond (12) 13:25 19:19	Retirement (1) 23:9	ridiculous (1) 109:22	83:14,18	Ruth (1) 18:5
20:2,10,13,20	Rev (8) 2:23 3:8	right (62) 12:24	103:10,12,13	
73:16 87:1	27:12 108:19	13:19 14:11,12	103:25 105:1	S
88:18,23	114:20 115:4	24:10 33:16	105:12 115:25	s (1) 43:8
115:18,18	118:8 120:6	38:18,25 39:21	128:3	S-Y-N (1) 33:1
responding (3) 63:8 73:12	reveal (1) 97:22	40:2 41:25	Robert's (1) 122:16	S-Y-N-O-P-T-I... 32:25
87:14	revenue (2) 137:25,25	42:15 45:4,15	Rodney (1) 35:4	sacrifice (1) 142:24
response (5) 59:21 67:1,20	Reverend (23) 2:4 4:15 7:8 9:3	47:15 52:16	role (3) 53:1	sacrificed (1) 7:23
128:15,23	13:3 27:6 36:2	60:22 61:22	84:17 114:17	safe (6) 16:15,17
responses (1) 67:9	36:7 37:7 39:7	62:10,12,20	Roley (26) 3:6	60:23 75:14
responsibilities... 9:12 131:18,22	41:1 83:13 91:3	65:13 66:15	25:6,7,9,17,20	99:20 119:3
responsibility (4) 66:3 84:17	106:21 107:20	67:22 70:24	35:15 36:1,18	safely (1) 143:18
132:6 139:11	107:22 108:17	71:11,14,19,19	38:24 39:6	safer (1) 118:1
responsible (10) 54:17 60:8 71:2	122:5 123:20	71:20,21 72:5,6	42:19 47:22	salt (1) 109:14
98:4,5 132:18	124:3 128:18	72:18 74:9,13	83:10 93:4	sanctions (1) 108:17
132:22 133:15	129:12 142:22	74:17,18,24	103:8 107:20	SARA (3) 66:20
135:3 136:12	review (5) 13:16	75:2,13 76:11	108:12,16	70:6 95:5
rest (4) 20:15	21:24 105:7	77:6 84:16 87:8	115:10 116:10	sat (6) 9:7 29:22
84:4 113:25	134:14 135:22	88:8 91:12	123:12 124:23	48:9 54:10
141:3	reviewed (1) 135:6	95:22,24 96:3	126:2,10,21	112:4 123:13
restaurant (4) 109:7,8 110:4,5	reviewing (1) 134:23	101:17 103:6	roll (3) 4:12 43:6	Saturdays (1) 108:1
	revitalization (1) 119:21	108:19 110:9	97:5	save (1) 18:14
	Revolution (1) 34:12	110:15 111:18	room (9) 15:3	saw (9) 27:16
	reward (1) 100:22	111:23 112:4	16:4 33:6 34:15	33:11,12 45:25
	rewarded (2) 100:25 101:1	118:5,20 120:1	34:24 35:5	91:21 94:10
		124:7	100:1 110:8	104:22 131:3
		rights (7) 22:6,8	127:8	138:15
		22:9 42:5 45:7	root (1) 8:1	saying (14) 4:14
		53:21 98:15	Rose (2) 2:17 6:2	20:9 21:9 31:13
		ring (1) 54:22	round (2) 7:3	31:25 46:18
		riot (4) 10:2,9	50:8	
		43:19 107:14	routine (1) 62:15	
		riots (4) 10:11	RPR (2) 1:22	
			144:23	
			rubber (1)	

FERGUSON COMMISSION MEETING 9/9/2015

86:21 99:15 110:10 120:20 121:17,21 129:6 136:23 says (14) 14:13 28:10 51:10 60:14,21 62:15 62:16,20 91:5 109:21,24 111:4,5,6 scale (1) 66:12 scared (3) 114:23 115:5,20 school (7) 6:5,21 7:1 15:18 34:10 39:15 74:16 science (3) 24:16 61:25 69:3 Sciences (1) 67:13 scientifically (1) 73:19 scoring (1) 134:18 Scott (3) 2:18 5:14 108:7 scream (1) 44:1 screen (3) 34:22 88:7,9 seat (1) 27:7 seating (1) 7:7 seats (1) 7:6 second (13) 23:8 40:24 82:23 112:13 113:22 116:4 127:13 130:1 131:10 134:24 136:21 140:9 142:14 seconded (2) 129:3 136:22 seconds (15) 14:20,21 15:13 16:9,23 17:11 17:25 18:23 19:21 20:6,14 20:21,22 21:5	140:10 secret (1) 97:19 secretly (1) 111:14 section (6) 24:5 103:2 116:4,5 141:1,2 see (39) 9:14 12:4 12:10 13:20 33:4,5,5,10,10 35:12,13,14,14 35:15,15 36:13 36:14 41:8 44:3 45:24,25 54:19 54:19 60:4,21 81:8 82:3 83:9 84:5,11 91:9 95:4 107:1 109:8 115:19 129:21 130:11 138:1 142:22 seed (1) 138:11 seeing (4) 36:14 87:16 90:15 140:5 seek (2) 7:25 8:15 seen (4) 23:25 62:11,11 139:3 sees (1) 35:13 segregated (7) 33:18,19,20,21 33:22 109:19 109:23 segregation (4) 30:22,24 31:1,2 seize (3) 98:6,8 123:1 select (4) 16:6,13 18:9 136:19 selected (3) 23:5 136:2,4 selecting (1) 130:21 selection (8) 25:14 130:18 133:22 135:11	135:23 136:8 138:17 139:17 selects (1) 65:25 self (1) 43:25 sell (2) 46:11 49:10 Seminary (1) 24:15 senior (2) 24:12 126:24 sense (2) 60:24 73:5 sent (2) 128:13 128:13 separate (1) 131:20 separated (1) 48:22 separates (1) 118:18 September (5) 1:7 4:8 44:22 113:10 144:20 Serena (2) 129:13,20 sergeant (1) 102:7 sergeant's (1) 86:20 series (2) 70:15 134:3 serious (1) 98:25 seriously (2) 98:25 99:1 serve (2) 109:4 109:11 served (6) 22:24 23:2,21 57:10 108:5 134:13 serves (2) 23:7 25:8 service (15) 41:18 73:10,19 73:22 74:5 86:19 87:15 88:24 94:21 113:4 115:16	120:25 121:1,4 121:9 services (2) 64:22 127:21 serving (2) 23:19 26:9 session (1) 128:16 set (12) 6:9 26:15 27:6 48:21 78:4 81:25 91:1 104:7 105:3 116:2 132:2 138:10 sets (3) 15:2 57:5 86:5 setting (2) 105:3 135:3 settled (2) 98:17 98:18 settling (1) 104:9 seven (2) 17:21 20:8 sex (1) 22:6 sexual (2) 22:6 110:20 Sgt (1) 2:19 shakers (1) 109:14 shame (1) 41:2 share (13) 9:11 10:16 27:14,24 28:4,6 29:3,21 35:21 38:9 42:1 94:25 143:15 shared (8) 28:7 82:16,16 92:12 127:25 132:3 133:5 139:5 shares (1) 96:9 sharing (1) 81:24 she'll (1) 60:15 sheet (1) 102:22 sheets (1) 12:4 shelves (1) 54:10 shepherd (1) 31:16	shift (1) 137:23 shining (2) 92:8 99:18 ship (1) 30:9 shocked (1) 51:23 shooting (2) 10:7 98:16 shootings (3) 57:23 71:2 115:17 shores (1) 30:8 short (7) 55:16 73:9 76:19 79:16 91:16,20 105:23 Shorthand (1) 144:4 shot (8) 54:2 58:2 58:4,4 73:8 76:15 118:25 123:2 shots (2) 51:3 106:2 show (3) 35:16 68:20 96:1 showed (3) 121:20 122:2 127:6 showing (1) 54:22 shows (2) 16:4 81:4 sic (1) 66:19 side (7) 23:3 29:6 29:7 62:24 76:9 119:13 126:15 sides (2) 63:2 76:12 sign (3) 9:23 129:7 136:24 signature (2) 133:18 141:2 signed (3) 94:22 112:5,5 significance (1) 13:3
---	---	--	---	--

significant (6) 13:6 15:14 16:2 17:2 26:7 132:21	129:24 130:11 131:19	61:8,25 62:8,13 62:20 63:23 66:5,17 67:25 68:2,13,18 69:16,17,19 70:3,10,14,18 70:21 74:22 75:22 85:18,20 86:4,24 87:9,11 87:13 89:2 90:3 90:5 95:5 101:12,24 102:3,7,10 103:1,3 122:19 122:25 123:6,8 124:14,21	18:3 speak (6) 26:18 26:22 27:10 104:6,18 129:21	13:2 52:4,11 89:24 95:8 124:13 128:13 132:12 134:12 136:10 142:4 142:16
signifies (2) 74:10,11	sixth (1) 130:8		speaking (3) 53:11,12 100:6	staff's (1) 95:20
signing (1) 47:2	skill (2) 57:4 86:5		special (3) 93:24 97:22 127:11	stage (2) 6:9 9:1
silence (1) 143:11	skirts (1) 54:7		specialists (3) 48:23 52:23 53:2	stakeholder (4) 39:21 40:7,17 41:11
silverware (1) 109:14	slave (1) 30:9		specific (2) 90:2 132:8	stakeholders (3) 132:25 133:9,9
similar (2) 8:18 40:11	slavery (3) 30:13 30:16 31:1		specifically (2) 17:1 94:7	stand (2) 12:8 143:5
simple (2) 84:20 127:3	sleeps (1) 43:6		specifics (1) 81:17	standard (1) 67:16
simply (6) 43:1 80:19 83:25 84:12 86:24 93:21	slice (1) 74:2	somebody (10) 38:5 63:10,11 63:16 69:15 82:17 87:2 105:6,7 143:9	spend (1) 137:12	standards (3) 24:5 55:24 96:2
sing (3) 6:13 33:13 123:4	slide (2) 132:8,19	somebody's (1) 38:6	spending (2) 45:9 141:15	Starsky (6) 2:4 4:15 7:8 9:3,11 125:19
single (6) 50:22 52:19 66:7 68:20,21,23	slides (1) 130:11	song (2) 6:9,13	spent (3) 30:16 118:11 119:2	start (10) 28:8 54:12 56:9 62:9 78:23 79:1 89:20 95:1,16 100:16
sir (1) 125:21	slight (1) 30:19	sons (1) 39:12	split (2) 20:16,23	started (12) 13:17 27:23 28:1 47:21 55:6 78:15,16 83:14 91:7 104:1 108:23 110:3
sisters (2) 26:10 63:19	slurs (1) 45:17	soon (1) 77:1	spoke (2) 47:23 49:3	starting (1) 81:18
sit (4) 29:22 47:10 87:20 121:12	Sly (3) 2:21 5:21 5:22	sorry (6) 43:3 54:12 89:7,8 103:16 117:3	spot (1) 67:25	starts (1) 39:25
site (1) 139:8	small (3) 73:13 87:24 96:20	sort (3) 80:18 91:5 123:15	spouses (1) 49:6	state (4) 4:14 48:15 49:15 141:11
sites (2) 108:1 123:1	smaller (1) 75:15	souls (1) 119:24	sprint (1) 141:25	stated (2) 46:5 51:1
sits (2) 25:17 74:24	smart (4) 32:17 63:3 64:23 112:24	Sounds (1) 14:1	squad (2) 75:14 115:12	statement (4) 37:21 48:3 96:19 123:16
sitting (6) 39:1 45:5,9 54:7 86:7 102:11	smarter (1) 116:12	soup (1) 121:3	St (22) 10:18 15:7,8,8,9,15 15:15,20,20,20 15:22 16:1,1 31:4 32:11 110:24 112:8 112:17 117:17 126:14,15 128:18	statements (1) 40:12
situation (2) 43:12 106:15	Smith (3) 1:14 4:10 144:6	sources (1) 138:1	stabilize (2) 76:24 77:4	statistics (1) 112:21
situational (1) 65:3	sneak (1) 54:14	south (5) 71:12 109:16,18 121:23 122:1	stabilized (2) 77:9,10	
situations (1) 104:16	social (6) 66:13 74:5 113:3 120:25 121:3,9	southern (1) 109:16	stadiums (1) 111:4	
six (10) 17:21 20:25 50:23 75:19 78:23 95:13 103:19	sold (1) 47:7	space (4) 6:20 9:15 62:19 133:8	staff (14) 12:8,11	
	solid (1) 136:12	Spanish (1) 17:7		
	solutions (1) 130:3	spanking (1) 55:11		
	solve (8) 28:12 38:11 43:11 44:6 60:20 66:10 75:12 88:11	spattering (1)		
	solved (1) 102:13			
	solving (59) 22:16 23:24 24:7 38:1 40:22 44:6 51:13 52:25 59:11,12 59:24 60:10,25			

<p>status (1) 97:13 stay (2) 57:11 75:19 stayed (5) 75:25 79:18,24 103:19 122:1 staying (2) 96:2 117:14 steal (2) 109:13 109:14 stemming (1) 25:11 step (2) 59:9 126:19 stepped (1) 104:14 steps (2) 132:2 135:25 stewardship (1) 26:2 stick (2) 31:16 114:14 stlpositivechan... 18:20 stolen (1) 88:19 stood (1) 127:6 stop (12) 31:7,8 31:14 43:20 60:15 76:17 92:8,15 111:25 118:15 122:11 143:19 stops (2) 91:25 92:3 Stores (1) 118:22 stories (8) 10:15 38:15 39:8 53:25 55:6 107:24 108:3,5 story (11) 28:8,8 28:10 38:19 39:18 56:9 76:23 84:7 95:12 107:22 118:4 strategies (5) 65:7 67:15</p>	<p>85:23 122:12 126:21 strategy (7) 60:11 61:25 64:3 77:23 89:3 131:23 138:21 stream (5) 34:8,9 34:17 35:11 110:8 streams (1) 138:1 street (3) 115:12 118:17 126:9 streets (3) 75:15 94:3 123:3 strengthening ... 113:8 stress (7) 8:13 19:7,13,18,23 21:3,7 strictly (1) 85:25 Striker (1) 122:8 strive (1) 53:9 strong (1) 23:25 stronger (1) 116:12 strongholds (1) 96:25 strongly (1) 82:10 structural (4) 8:1 31:9 80:9,16 struggle (1) 120:7 stuck (1) 97:12 studied (2) 60:17 67:15 studies (1) 67:14 study (2) 93:14 119:10 stuff (16) 56:23 57:18 58:1,9,10 59:1,2 61:3 97:21 98:7 109:21 111:4 119:17 123:4 126:20 128:9 style (1) 88:2</p>	<p>submit (1) 135:5 subordinates (1) 52:12 subpoena (1) 58:24 subsidized (3) 120:18,19,21 substantial (1) 78:21 suburbs (1) 121:8 success (2) 63:18 129:18 successes (3) 67:7 82:13 130:15 sudden (1) 10:19 sue (1) 97:15 sued (1) 45:6 suffer (1) 80:13 suffered (1) 83:6 sufficient (1) 69:2 Sufi (2) 28:8,8 suggests (1) 38:7 suit (1) 46:5 summary (1) 141:1 Sunday (1) 94:13 sunsets (1) 129:19 super (1) 97:19 Superficial (1) 69:16 supervision (2) 57:9 91:13 supervisor (1) 52:23 supervisors (7) 49:1 56:5 88:3 88:8 92:14 100:16 101:3 supervisory (1) 52:25 support (15) 41:18 69:1 78:17 106:13</p>	<p>131:21 132:4 132:23 133:9 133:12,15,24 135:15 137:6 137:22 138:13 supporting (1) 132:2 supportive (1) 122:8 supports (1) 85:20 supposed (7) 11:1 47:17 58:2 109:9 114:8 122:19 127:20 sure (28) 13:5 35:13 42:10,15 44:13 47:5 49:7 53:4 55:2 59:4 59:5 69:14 82:15,24 85:9 108:2 109:20 123:4 124:18 124:20 125:13 127:10,17 130:17 133:17 133:20 137:19 141:15 surprised (2) 47:25 49:17 surprises (1) 53:14 surprising (3) 44:16 45:13 48:7 survey (5) 42:4 93:6 95:3 109:12 126:23 surveying (1) 126:24 sushi (1) 119:16 suspect (1) 59:24 suspense (1) 14:15 sustain (3) 77:9 125:5 138:6 sustainability (1)</p>	<p>77:5 sustainable (4) 78:22 79:17 80:3 105:25 sustained (2) 106:25 107:19 Suzanne (3) 1:22 144:4,23 sweep (1) 60:15 symptom (1) 143:19 syn (1) 33:1 synoptic (5) 32:23,25 33:9 34:1,2 system (14) 34:10 36:14,16 36:24 51:7 58:23 69:22 70:4,8,18 72:16 101:8 116:4 123:22 systematic (1) 22:13 systemic (1) 8:1 systemically (1) 71:24 systems (6) 23:9 37:11 40:23 43:3 130:6 135:14</p> <hr/> <p style="text-align: center;">T</p> <hr/> <p>T-shirts (1) 123:2 T.R (2) 2:13 5:5 table (32) 12:4 42:6 46:9,22,22 47:8,10 48:9 57:17 58:14 81:17,19 95:16 103:22 104:4 106:11 111:9 111:12,12,13 111:13,15,16 111:17,17,18 111:19,23,25</p>
---	---	---	---	---

112:2 125:8 126:22 tables (1) 54:7 tactics (3) 59:16 59:23 126:7 tailored (1) 66:25 take (38) 7:6 8:20 34:2 35:17 39:14 46:9,11 46:17 55:19 59:9 63:1 71:4 71:22 72:1,7 77:6,15,25 87:2 88:17 91:16 93:15 95:2 106:2 113:2,5 121:14,16,18 121:20,21 122:2 123:3,22 125:7 128:10 133:1 137:24 taken (5) 49:8 99:1 104:12 144:11,16 takes (1) 86:5 talk (25) 28:5 30:17 36:5,9 45:20 57:3 65:3 68:22 69:23 78:9,13 84:6,17 85:3,7 102:9 107:2,17 112:7 116:18 119:4 121:14 123:25 130:20 134:6 talked (16) 39:7 40:13 44:2 50:24 57:24,24 58:1 83:18 85:2 85:4 86:14 99:3 115:25 120:14 129:16 131:14 talking (17) 36:8 40:23 56:2 58:6 58:8 61:5,5 64:7,8 68:20,21 73:23 89:3	97:24 100:12 115:13 122:17 tapes (1) 92:15 target (2) 62:18 62:23 targets (1) 63:7 taser (2) 99:10 99:13 tasers (3) 50:8 51:3,4 Task (3) 23:10 25:3 117:4 tax (1) 84:16 teach (1) 42:5 teachers (1) 6:6 team (7) 27:14 36:4 56:16 75:18,19 108:6 142:16 teams (2) 110:25 111:2 technical (2) 56:18 113:21 techniques (1) 65:3 technology (1) 78:6 tell (35) 28:17,24 29:6,8,13 36:10 40:2,3 42:24 43:1,9,24 45:11 47:1 53:9 55:4 56:8,9 59:10 61:14 68:15 69:19 73:19 76:13 77:19,21 77:22 88:1,4 93:2 98:24 101:17 102:12 115:6 135:13 telling (1) 117:22 tendency (1) 85:21 Tender (1) 121:2 tension (3) 11:3,6 11:8 Teresa (1) 6:12	term (10) 79:16 79:17 80:3,4,9 80:15 81:14 104:18 105:23 106:2 terms (3) 100:11 100:14 114:8 terrible (1) 99:19 test (4) 13:17 14:2,16 15:1 Testament (1) 33:8 testimony (2) 8:10 128:15 thank (43) 4:4 6:19 7:11,15 9:10 11:23 12:1 12:13,21 19:1 21:14 27:2 35:25 36:3 44:8 44:10 53:19,20 61:12 89:5 93:5 106:16 113:12 113:18 117:2 120:2 125:17 125:18 127:22 127:24 128:1 129:12,23 131:9 137:3 140:2,16 141:24 142:1,3 142:20,23 143:18 thanks (3) 9:4 78:2 81:23 Theological (1) 24:17 theory (1) 62:16 they'd (5) 123:1 123:2,3,3,4 thing (38) 33:5 33:10 34:25 35:6,9 36:12 37:20 42:1 48:2 48:6 49:20 50:3 52:19 55:7 58:12 61:16	63:23 64:19 66:4 70:1,2 72:12 74:15 79:25 86:13 92:16 97:15 99:2 105:2 112:5,16,18 113:4,23 114:6 120:24 124:6 132:10 things (42) 37:6 37:15 44:15 49:21 51:25 52:3 53:15 55:12 69:5 73:14 77:5 79:10 80:20 83:11,12 84:5 84:11 91:22 93:8,11 94:20 96:10 98:9 100:11,15,18 100:23 104:9 104:11 105:15 106:6,20 107:6 107:8,16 113:21 115:15 116:18 124:24 130:13,14 132:17 think (69) 4:10 7:3 8:23 19:25 20:3 29:24 30:1 32:22 38:19 47:25 48:7 49:17 50:10 61:21 62:3 64:23 65:16 67:6 68:18 69:24 72:10 74:19 80:4 82:7 83:12 85:1,4,10 86:10,17 87:3,7 91:19 93:8,16 96:4 97:11,18 98:23 99:1 100:3,5,8,8,19	101:5 103:4,6 103:25 104:7 105:9,13,17 111:7 112:22 116:20 117:3,9 120:4 124:7,12 124:17 125:22 129:24 130:10 132:20 136:11 143:5,17 thinking (3) 37:18 67:20 126:23 third (6) 41:4 130:4 131:12 132:1 135:9,17 Thomas (4) 12:16,22 13:1 118:25 thorough (1) 54:9 thoroughfares ... 94:3 thought (10) 29:4 32:4 47:12,20 49:2,9 96:3 108:20 130:20 132:5 thoughtful (4) 7:19 54:9 93:7 107:10 thoughts (1) 39:20 threatened (1) 90:11 three (16) 6:6 17:21 30:24 33:7,9 54:22 64:12 79:22 83:1 107:11 118:25 131:21 133:19 134:16 138:24 139:9 thrive (1) 120:20 throw (1) 98:22 thrown (2) 45:18 101:15
---	--	--	---	---

<p>tickets (1) 86:2 tie (1) 101:19 tie-ins (1) 129:24 tight (2) 98:6 99:24 tighter (1) 101:14 time (84) 6:8 7:4 7:23 11:2,11 12:15,17 13:11 19:9,13 21:18 21:23 26:16 27:6,17 28:15 28:22,24 29:2,3 32:4,6 34:25 35:6,10,25 36:16 37:17 41:22 44:4,11 47:12 54:4 55:16 56:8 60:3 62:18 66:22 69:25 73:9 76:10 78:2 81:25 82:17 87:3,23 88:1 91:11,20 96:8 97:16 98:13 105:14 107:1,3 107:8,18 108:4 108:10 109:8 110:14 111:9 111:11 112:4 113:8,9 122:8 122:16 125:11 125:15,16 127:15,21 129:19 135:21 137:11,16 138:22,24 139:1,12,17 142:7 144:12 times (4) 13:8 43:1 73:12 119:20 Timothy (1) 118:25 tip (1) 109:13</p>	<p>tires (1) 73:3 title (1) 28:8 tizzy (1) 10:20 Toastmaster's ... 26:11 today (18) 4:8 6:23 9:8,19 10:14 33:12 51:2 53:11,12 53:12 58:5 67:3 71:7 83:18 85:4 89:16 113:16 140:24 today's (2) 18:8 18:16 told (8) 18:19 77:18 107:22 115:7,21 117:15,23 118:4 tolerance (1) 77:25 tomorrow (1) 137:22 Toms (1) 45:19 ton (1) 69:3 tonight (28) 4:7 4:12 6:13 7:4 7:19 8:23 9:14 9:22 11:14,23 12:2,9,10,14 21:20 29:24 44:11 54:12 62:7 78:2,8 136:13 137:5 137:20 138:12 140:18,25 141:4 tool (4) 12:23 61:22 65:5 70:19 tools (4) 63:9 64:24 99:25 126:7 top (7) 76:3 85:6 109:25 124:19 134:15 137:25</p>	<p>138:2 topic (1) 19:8 total (2) 48:18 137:25 totally (4) 59:18 90:20 99:4 122:8 touch (1) 143:10 touched (1) 7:15 touted (1) 119:19 town (2) 56:21 119:13 toxic (7) 8:13 19:6,12,17,23 21:3,7 Traci (2) 2:23 5:2 track (3) 55:10 80:22 96:3 tracking (3) 70:3 70:8,18 traction (1) 129:18 traditional (6) 58:17,17 66:5 68:7 69:7 72:5 traffic (5) 89:23 91:25 92:3,7,15 traffickers (1) 74:25 tragic (1) 11:22 training (11) 48:13,19 49:15 50:8 51:1 52:9 55:23,24 56:7 56:11 99:13 transcript (2) 144:10,11 transcription (1) 144:9 transform (1) 36:24 transformatio... 32:8 36:13,14 36:25 44:3 116:14 119:6 transforming (1)</p>	<p>130:6 transgressions ... 59:18 translate (3) 55:20 122:21 132:15 translated (1) 144:8 translation (1) 139:10 transparency (1) 52:20 transparent (2) 130:19,22 trash (1) 73:4 trauma (12) 8:6 8:13 15:5 19:6 19:12,17,23 20:1,4,19 21:2 21:7 traumatized (2) 20:12,16 travel (2) 33:17 143:18 treat (1) 59:23 treated (2) 41:9 41:13 treatment (1) 41:8 treats (1) 61:6 tremendous (3) 91:21 96:12 109:17 trendy (1) 117:18 trial (1) 34:23 triangle (5) 62:10 62:14,24 63:2,5 tribute (1) 7:13 tried (8) 30:14 59:8 82:18 93:2 105:16 114:15 124:18 125:4 tries (1) 65:6 trigger (1) 60:2 triggered (1) 72:20 triggering (1)</p>	<p>60:18 trip (1) 58:3 trouble (1) 141:4 troubles (1) 73:17 true (4) 46:19 97:23 122:7 144:10 trust (5) 40:25 49:12 52:20 61:24 91:18 truth (2) 16:16 69:12 try (8) 46:10 57:2 60:20 63:1 68:11 92:6,12 106:14 trying (12) 29:12 30:16 76:17 78:16,18 79:5 90:18 95:19 105:18 118:15 123:22 141:9 turn (5) 9:2 21:15 27:9 59:20 128:7 turned (3) 11:3 31:10 44:21 Twitter (1) 18:17 two (29) 15:2 17:20 20:16 25:12 33:1 34:2 46:6 47:20,23 56:17 63:1 66:8 67:9 74:21 75:5 75:23 78:15 79:21 83:1 86:22 88:17 98:9 108:4 110:12 113:21 114:2,5 123:13 138:16 type (8) 52:24 65:20 74:19 85:18 90:2 93:1 122:20 124:19 types (1) 132:6</p>
---	---	--	---	--

typical (1) 59:21	67:16	11:3 107:5,14	62:18 64:18	walk (3) 83:25
<hr/> U <hr/>	unfolding (1)	Urban (1) 93:19	victimized (1)	115:12 139:18
U.S (1) 22:25	45:4	urge (3) 42:20	60:2	walked (1) 83:5
umbrella (1)	unfortunate (2)	64:25 65:1	victims (5) 60:2	walking (2)
116:13	9:21,23	urgency (1)	63:7 64:1,20,22	36:17,19
unable (1) 142:9	unfortunately ...	143:14	video (1) 78:9	Wallace (1)
unarmed (2)	43:21 77:11	urgent (1) 131:12	vies (1) 33:17	31:11
25:12 43:21	85:16	use (17) 22:13	view (1) 63:24	wander (1) 33:11
Uncle (1) 45:19	union (10) 23:5	37:12 44:2,5	vigilant (1) 57:11	wane (1) 42:13
undercover (2)	24:25 44:17	47:9 56:10,11	village (2) 28:11	want (39) 12:7
23:3 45:1	45:3 46:8,10	56:12 59:23	28:13	31:5 32:24 36:3
undereducated...	49:9 51:9 52:6	62:8 64:25	violations (2)	36:11 37:20
81:10	52:8	66:18 101:16	45:7 101:19	40:10,18 43:14
underlying (4)	unique (2) 58:13	114:15 126:8	violence (3) 64:6	43:24 46:11
8:13 80:9	58:15	126:22 134:10	64:7 75:16	48:15 49:19,19
104:15 105:19	unit (5) 45:2 75:2	uses (1) 66:18	violent (5) 64:10	50:2 71:5,21
underscore (1)	75:17 122:10	usual (1) 104:13	70:25 71:2,13	73:11 76:14
93:9	122:11	usually (10) 10:6	75:14	84:18 95:12,25
understand (19)	United (21)	10:8 62:1 66:15	Virginia (1)	97:22 98:2,7
29:12,24 30:2	24:11,19 25:1,7	69:22 76:12	30:11	105:5,10
31:2,21 40:15	25:9 38:4,15	77:24 126:19	visible (2) 68:5	106:19 115:24
48:12 49:13	42:7 53:22	126:19 131:24	127:4	116:15 117:9
60:5,18 61:20	94:12 108:22	utopia (1) 43:15	vision (2) 34:1,2	124:5 127:17
62:22,23 68:6	110:1 112:9,19	<hr/> V <hr/>	visited (1) 85:17	127:17,24
69:13 73:18	114:1,23,24,25	valuable (5)	visual (3) 21:22	128:9,22
97:20 101:22	115:1,2 120:24	61:22 71:5	25:22 131:23	136:10 142:20
102:7	units (3) 24:7	125:15,16	vivid (2) 8:9,9	wanted (44) 12:2
understanding...	68:23 74:9	127:15	voice (1) 52:1	19:7 31:21 32:7
41:16 50:2 82:9	University (3)	value (1) 37:21	voices (1) 127:10	32:8,9,19 37:5
101:11	22:23 80:21	van (2) 121:6,8	volume (1) 9:7	37:15 38:5
understands (3)	85:12	vans (1) 121:6	volunteer (1)	41:12 42:1 43:1
69:15 75:16	University's (1)	variety (1) 79:8	26:8	43:22 48:10
89:18	128:17	varying (1) 31:25	volunteers (1)	49:14,18 52:5
understood (2)	unrealistic (1)	verbally (1)	134:12	55:9 70:21
42:11 57:6	93:10	137:20	vortex (1) 122:10	77:14 80:1
undertake (1)	unrest (13) 43:18	verdict (3) 34:23	vote (4) 46:11,16	83:13 85:12
61:17	43:19 44:18	34:24 98:15	47:11 134:22	93:21,22 94:6
undesirable (1)	45:4,12,20,23	veterans (1) 13:7	voted (1) 46:17	94:15 105:6
8:14	45:24 46:6,7	viable (2) 81:12	voting (1) 22:9	106:18,20
unemployment...	107:5,15 119:1	120:17	voucher (1)	107:1 115:22
81:8	unscientific (2)	vibrancy (1) 26:3	120:11	120:23 121:19
unfair (2) 59:19	93:7 94:10	Vibrant (2)	vouchers (1)	121:22 123:14
123:24	update (3)	25:25 26:1	120:11	124:2 126:4
unflinching (1)	140:19,20	vice-president ...	<hr/> W <hr/>	127:5,14
131:12	141:18	23:8	waive (1) 22:1	128:14 138:7
unfocused (1)	upper (1) 50:18	victim (3) 60:6	wake (1) 84:6	141:24
	uprising (4) 10:5			wanting (2)

100:19 137:14 wants (1) 108:14 war (3) 30:10 119:5,7 warmed (1) 13:18 warning (2) 54:25 58:23 Washington (2) 111:20 128:17 wasn't (9) 46:19 47:13 55:11 57:7 58:16 117:19 122:23 122:25 123:5 wasted (1) 123:6 watched (4) 33:22 39:11 119:11,14 watching (3) 34:25 35:5 98:11 water (1) 31:11 Watson (5) 2:15 5:24,25 100:4 102:20 way (33) 12:11 18:21 28:20 30:20 33:13 41:22 42:24,25 46:20 53:15 55:2,18 57:2 60:12 64:23 67:20 70:8 72:11 77:18 85:16 91:4 93:11 94:9,10 98:20 112:9,19 113:9 120:20 120:24 122:16 125:12 137:23 ways (4) 12:3 65:23 80:5 97:14 we'll (9) 13:16 78:4 103:12 121:14 130:11	138:15 140:5 141:15 142:9 we're (106) 4:9 12:16 14:2,22 15:2,5 19:4,6 26:17,20,22 29:20 32:15,17 32:21 33:18,19 33:20,24 34:21 34:24 35:5,9 40:22 43:10,12 50:21 51:11 52:16 55:4 56:21 58:6,8 60:14,19 63:8 63:15 64:8 65:9 65:10,11 66:16 67:6 68:16,17 69:24 70:22 71:25 72:1,2,3 72:6,7,7,8 76:17 84:9 88:16 89:3 90:13,14,15,17 90:18 93:7,12 96:2 98:13 100:22 107:9 107:10,24 109:18,25 110:10,13,13 110:17,25 111:6,9,11,13 111:15,24 112:2,13,18,22 112:25 113:5,6 116:13 117:13 120:7 122:1,11 124:7 127:18 128:22 129:9 133:3 135:16 141:9,10 142:12 we've (20) 8:10 8:12,18,25 26:24 30:3 43:10 53:2 57:25 60:16,17	63:18 68:18 70:12 90:6,7,16 103:14 109:19 123:6 weapons (1) 37:12 web (2) 139:8 141:13 website (4) 18:20 19:1 65:2 138:23 week (4) 8:20 111:24 137:17 141:25 weekend (1) 141:15 weekly (1) 75:12 weeks (1) 95:20 welcome (11) 6:16 7:10 16:4 17:3 18:2 22:16 23:11 24:7 25:20 27:1 44:9 well-known (1) 67:13 went (20) 33:19 34:9 47:4,11,21 57:20 79:1,8 86:12 92:21,22 92:22,23,24 93:13 105:8 117:16 119:12 120:10 127:15 weren't (6) 48:11 57:15 75:20 98:10 115:6,7 west (3) 23:2 117:17 119:13 white (19) 14:7 17:5,12 32:3 33:14,16 34:12 34:14,14,18 35:2,6,12 45:25 92:5,6 99:14 110:6,10 Whoopie (1) 111:5	wife (1) 109:6 wiggle (1) 56:24 willing (1) 94:25 willingly (1) 142:25 willingness (1) 133:5 Wilson (28) 2:4 4:15,16 7:8 9:3 9:4,11 13:3 78:4 81:22 82:24 84:22 90:22 103:13 106:16 108:10 113:12 114:2 116:25 125:17 125:21 127:22 129:12 131:1,5 131:9 136:6,14 win (2) 51:9 119:5 Windmiller (4) 2:17 6:2,3 136:18 window (1) 118:24 wins (1) 14:23 wisdom (3) 28:14 29:3,13 Wise-Baker (1) 128:18 wiser (1) 116:12 wish (2) 53:18 92:25 woman (5) 23:5 28:10,13,15 29:12 women (1) 41:23 won (2) 35:3 70:12 wonderful (1) 7:13 wondering (2) 113:22 118:5 word (8) 18:18 18:25 32:23 47:5 49:10	56:10,11,12 words (2) 33:1 86:12 work (86) 7:24 8:2 10:11 15:18 33:14 35:22 36:5,6 38:10 40:6 43:6 44:25 45:1,1 49:24 51:14,21 52:18 53:7 54:16,18 55:2,6 56:7 58:11 59:4,5 60:7,20 61:18 67:1,11 74:4,16 75:22 76:10,12 77:13,19 79:16 85:15 87:25 89:15,21 90:2 93:20 94:25 95:20 96:14 97:24,25 98:7 98:12,21,22 99:1,23 100:2,9 104:20 105:8 107:12 113:25 114:12 124:14 125:5,6,14 127:1,14 129:17 130:2 130:23 131:11 133:16 134:10 134:13,21 136:13 137:14 138:4 139:2 142:4,12,15 143:8 worked (11) 23:16 44:24 45:12 46:3 52:21 56:15 57:18 58:5 62:4 70:23 92:9 working (15) 8:22 23:23 43:10,10 50:7 50:21 52:2
---	---	--	---	--

FERGUSON COMMISSION MEETING 9/9/2015

66:16 79:24	98:18 108:25	<hr/> 0 <hr/>	17 (1) 114:18	110:21 116:19
91:2 92:6	109:12 112:9	09 (1) 26:6	176,675 (1)	127:5
100:10 124:4	112:11,11,12	<hr/> 1 <hr/>	138:13	2002 (1) 10:19
141:13 142:16	112:22 113:3	1 (1) 13:22	17th (3) 4:7	2005 (2) 45:8
works (7) 18:10	yearly (1) 103:1	1,000 (2) 126:3	17:15 114:18	47:14
23:14 34:2 64:4	years (51) 10:2,4	138:24	1863 (3) 30:12,20	2008 (1) 90:10
65:20 85:24	11:17 16:19,19	1.217 (1) 137:13	30:23	2009 (1) 90:14
127:9	16:20,20,25	10 (18) 10:4	188 (1) 90:13	2010 (1) 26:5
worried (1)	17:1 22:5,24	11:17 16:8,22	1917 (1) 10:10	2011 (2) 93:6,16
54:13	26:6 27:22 28:2	17:22,24 19:20	1929 (1) 10:10	2013 (1) 109:3
worse (4) 81:1,8	30:12,12,16,23	19:22 20:8,14	1946 (1) 31:20	2014 (3) 9:16
112:21 113:5	31:1,5,17,20	20:21,22 26:4	1963 (1) 30:21	90:13,16
worth (1) 53:8	36:21 37:19	27:22 45:5	1964 (2) 30:21,23	2015 (7) 1:7 25:2
wouldn't (5)	43:7 47:11,20	73:22 90:11	1965 (1) 109:5	71:7 83:24
75:24 97:22	47:24 50:24	101:18	1970 (4) 24:13	113:10 129:4
105:5,5 109:4	57:22 75:3	101 (1) 30:23	27:22,23,23	144:20
wow (3) 37:18	78:16 79:19,22	1027 (1) 1:14	1979 (1) 89:4	21 (3) 16:18
41:19 65:16	81:19 82:18	1072 (2) 4:10	1987 (2) 23:1	44:21 90:12
write (5) 12:5,7	83:8 91:17	144:6	44:21	21st (1) 23:10
32:24,24 51:13	93:15 101:6	10th (1) 144:20	1990 (2) 28:1	22 (2) 16:19 17:1
writing (2) 37:2	103:19 104:24	11 (2) 17:22	54:21	23 (1) 26:13
86:2	114:15 115:5	90:11	1997 (1) 31:24	24 (2) 26:6
written (2) 10:12	118:10,11,12	117 (1) 90:17	1999 (1) 45:3	107:23
10:13	119:8 121:15	12 (3) 17:22 45:5	1st (2) 9:16	244 (3) 30:12,12
wrong (5) 14:17	123:11 124:15	90:11	137:12	30:16
43:2,2 54:24	yelled (1) 86:18	12/31 (1) 137:17	<hr/> 2 <hr/>	24th (2) 129:4
69:5	yelling (1) 51:16	13 (3) 17:22	2 (3) 79:8 107:23	131:3
wrote (3) 10:9	yellow (2) 14:7	95:17 109:9	129:12	25 (7) 28:2 37:19
93:20 99:22	118:21	13th (1) 108:13	2:30 (1) 141:19	65:3 118:10,11
www.popcente...	yesterday (2)	14 (8) 17:22	20 (12) 16:25	118:12 119:8
65:4	37:18 98:14	36:21 37:19	19:2 30:8 78:18	<hr/> 3 <hr/>
<hr/> X <hr/>	York (4) 47:24	43:7 57:22	80:17 82:18	3 (3) 116:4,5
<hr/> Y <hr/>	93:18 98:18	72:20 75:3	86:20 93:17	128:11
yeah (9) 86:15	119:19	76:14	95:18 120:18	30 (3) 16:3 93:13
88:17 102:20	young (5) 83:23	14th (1) 136:4	120:21 121:15	93:15
108:14 114:14	126:8,11,13,15	15 (15) 14:21	2000 (6) 90:14	300 (3) 73:10,12
116:19 117:22	youth (13) 10:17	17:18,22 18:4	107:23 108:7	73:18
117:23 123:10	39:22 93:17,20	18:22 20:5,8	108:11,23	31 (1) 140:1
year (25) 9:25	94:24 125:25	21:5,9 31:23	109:5	31st (3) 129:19
22:11 32:7	126:2,3,22	32:4 35:19 54:1	2001 (18) 23:18	137:12 139:1
39:16 44:4 47:8	127:1,2,8,9	61:12 115:5	23:19 25:9	32 (1) 15:16
57:9,13,14	<hr/> Z <hr/>	15,792 (1) 119:8	31:24 37:17	33 (1) 15:25
72:21 73:10,12	zero (5) 13:23	150 (1) 94:24	43:16,18 44:18	34 (3) 16:19,25
73:19 76:14	64:8 73:21,22	16 (1) 98:3	45:3 46:6 80:17	17:1
93:14 95:14	77:25	1619 (5) 30:4,9	106:15 107:24	35 (1) 16:19
		30:11,11,20	108:11,12	350 (3) 31:1,5,17

FERGUSON COMMISSION MEETING 9/9/2015

<p>36 (1) 16:11 37 (1) 22:5 38 (1) 18:25</p> <hr/> <p align="center">4</p> <hr/> <p>4 (2) 23:15 70:24 4,000 (1) 138:5 400 (7) 38:15 39:8,17 53:25 55:6 91:7 108:5 44 (2) 16:19 71:14 45 (1) 16:19 46 (1) 20:24 47 (1) 99:11 48 (1) 20:24 4th (1) 6:10</p> <hr/> <p align="center">5</p> <hr/> <p>5.5 (1) 98:15 5.9 (1) 98:19 5:40 (1) 4:1 50 (10) 14:24 54:15 55:15 76:22,22 95:10 95:17,18 98:3 109:1 500 (1) 118:23 508,217 (1) 138:1 51 (1) 31:20 54 (1) 16:19 55 (3) 15:15 16:20 17:2 56 (1) 21:8 59 (1) 92:1 59,000 (1) 138:23</p> <hr/> <p align="center">6</p> <hr/> <p>6.5 (1) 98:17 60 (3) 16:10 112:11,19 60,000 (1) 109:1 61 (4) 112:10,11 112:12 113:2 61.2 (1) 112:22 63135 (3) 1:15 4:11 144:7</p>	<p>64 (1) 16:20 65 (1) 16:20 69 (2) 22:20 23:6</p> <hr/> <p align="center">7</p> <hr/> <p>7,000 (1) 119:11 70 (1) 111:7 73 (1) 24:16 75 (3) 79:1 80:6 103:21</p> <hr/> <p align="center">8</p> <hr/> <p>8,000 (2) 119:11 119:15 8/24 (1) 128:7 8:59 (1) 143:21 80 (4) 64:1 73:20 120:17,21 80/20 (3) 64:3 120:15,16 80s (2) 63:4 86:13 87 (2) 86:25,25</p> <hr/> <p align="center">9</p> <hr/> <p>9 (4) 1:7 13:22 90:11 141:10 9,000 (1) 119:12 90 (2) 120:19 141:2 91 (1) 24:16 911 (1) 69:22 93 (1) 90:16 96 (1) 20:15 98 (2) 38:20 39:2 9th (3) 4:9 113:10 136:2 9those (1) 122:5</p>			
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