



**TESTIMONY OF**

**ART ACEVEDO, CHIEF OF POLICE**

**ON BEHALF OF THE**  
**HOUSTON POLICE DEPARTMENT**

**AND THE**

**MAJOR CITIES CHIEFS ASSOCIATION**

**BEFORE THE**

**HOUSE COMMITTEE ON THE JUCIDIARY**

**SUBCOMMITTEE ON CRIME, TERRORISM, HOMELAND SECURITY, AND**  
**INVESTIGATIONS**

**UNITED STATES HOUSE OF REPRESENTATIVES**

**“Challenges Facing Law Enforcement in the 21<sup>st</sup> Century”**

**May 17, 2017**

**Chairman Gowdy, Ranking Member Jackson-Lee and Members of the Subcommittee,**

I want to thank you for inviting me to testify today. I appear before you as the Chief of Police for Houston, the 4<sup>th</sup> largest metropolitan region in our Nation. It is also my privilege to speak on behalf of the Major Cities Chiefs Association, which represents the 69 largest metropolitan law enforcement agencies in the United States.

As the police chief of two major cities over the past 12 years, with a total of 31 years of law enforcement experience, I can say with unqualified certainty that building strong bonds with communities is what makes law enforcement agencies successful. A respectful relationship with the people we serve enables police to overcome what I consider our biggest challenge today: Regaining the community's trust.

**Stopping Violent Crime**

In order to build a strong relationship with a community, police departments must engage all members of the community. Community engagement done correctly builds trust so that when something goes -wrong, which is inevitable in a mission as complicated as law enforcement, the community knows that the department and its leadership will address the problem honestly and openly and take positive action to correct any deficiencies.

One of the challenges that law enforcement is facing in building trust among the community is immigration enforcement. Local law enforcement cannot be expected to be immigration enforcement officers while at the same time build strong relationships with the immigrant community. Immigration enforcement is a federal function that cannot be delegated to city police departments. Immigrant communities, whether documented or not, begin to fear local police officers when they become too heavily involved in immigration enforcement. They then stop reporting crimes and coming forward as witnesses, which increases the victimization of immigrant communities and allows criminal conduct to go unchecked, making the entire community less safe. Community engagement must include everyone if a police department is going to be successful.

**New Efforts at Recruitment and Retention**

Another challenge law enforcement faces that would be helped by better community relations, is the ability to recruit and retain officers. Many of us were touched when former Police Chief David Brown spoke at a press conference soon after a sniper shot and killed five police officers during a peaceful protest in downtown Dallas last year. Chief Brown called on young men and women to stop complaining and start applying. In the five days following the chief's request, the number of Dallas Police Department applications jumped 344-percent. That incredibly tragic event brought police recruitment issues to the forefront of policing issues.

But large cities such as Houston are in a constant battle for staffing and resources. Maintaining the momentum of a recruitment campaign, as well as implementing new community outreach initiatives, can cost a great deal. I believe it is imperative that the federal government continue to recognize the importance of grant funding from programs like the Community Oriented Policing Services (COPS) grants, the U.S. Department of Justice JAG grants, and the High Intensity Drug Trafficking Area program, to simply name a few. These federally funded grants and programs are an investment in the largest communities in this great Nation. Without these federally-funded programs, recruitment campaigns and many of the community outreach and engagement strategies would languish.

### **New Approach to Consent Decrees**

What the community and the press call a “consent decree” can come in a variety of forms, some are effective and some are inefficient and ineffective. Over my many years of policing I have come to believe that accountability to the community is paramount, and I would like to share my views on the best ways to realize this all-important goal.

While most officers serve their community with sensitivity and respect, there are unavoidable times when police work can be violent and ugly. There are also times when police officers engage in misconduct that must be addressed. If a police agency does not have a strong partnership with all segments of the community, even a minor incident may lead to intense conflict and unrest.

When trust and confidence in the police are compromised, there must be a formal community-based process that repairs and restores support for the police. For this reason, progressive Chiefs will embrace the reform process that is termed “consent decrees”.

But Court Ordered consent decrees should be a tool last resort used rarely. Court proceedings are adversarial – and that is the opposite of what I want for the police-community relationship. Court orders require months of litigation and delay, millions of dollars in costs, and ultimately result in an appointed monitor for the City, the police and the community. For example, the City of Chicago has already expended \$6 Million of taxpayer dollars and six months of precious time as a result of their current court proceedings. This large sum of money would have been much better spent addressing training, equipment and policy shortcomings.

- Rather than spending millions on attorney fees and Court costs, City funds should instead be spent to strengthen the police-community relationship.
- Rather than the protracted delay caused by court proceedings, reforms should be initiated immediately.
- Rather than satisfying a costly Federal monitor that reforms are accomplished, the City and the Chief must satisfy their community that reforms have been fully implemented.

When strong oversight and independent enforcement is warranted, we support a formal Memorandum of Agreement with the Civil Rights Division of the U.S. Department of Justice. This was a successful model used here in Washington D.C. and I can make copies of that agreement available to you.

An MOA accomplishes the purposes of a court ordered consent decree in a manner that is more positive and less adversarial and much less costly. In the MOA process, limited budget dollars are dedicated to primarily to training and equipment and reform can be undertaken immediately. Community leaders can be fully engaged in the approved process to see exactly what has been promised and ensure the promises made are kept. At any time, if the Chief and the Police Department fail to implement a required reform or delay what has been promised, the community may call in the Department of Justice to take action against the City and the Police Department.

Rather than a Court, each City can determine with the input of their community stakeholders, employee groups and the Department of Justice how they wish to monitor the MOA and report to the Department of Justice, leaving accountability where it belongs – with the local community we are sworn to protect.