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To: Honorable Mayor, Honorable President of the City Council and
Honorable City Council Members

As all are aware, Public Safety Consultants, Inc conducted a comprehensive study of the Selma Police Department. As part of this study, PSCI met with the mayor, the city council president, members of the city council, members of the community and of course extensive meetings with various members of the Police Department. In addition to our on-site focus group meetings with all members of the Selma Police Department, PSCI conducted a formal survey of the police department members and former members of the department. The results of all of these efforts are documented in the formal report provided.

The intent of this management letter is to provide a confidential review of issues raised during our assessment that we believe should be kept confidential and are not for public consumption. Release of this information to the public could be detrimental to the City of Selma. As an example, PSCI discusses the potential negligent retention, negligent hiring, and negligent training issues that face the City of Selma. This information, if in the hands of potential litigants, could be used against the city in a legal action.

Confidential Interviews with Management and Leadership

At the onset of this project, PSCI conducted interviews with the City leaders and Management personnel. In the below subsections, PSCI provides a summary of these meetings. **PSCI cautions that the information contained below is provided by the individuals we spoke with, it is their opinion and not necessarily accurate.** It should also be known that much of the below information was used by PSCI to assess the Selma Police Department. The following is a summary of these interviews.

The Mayor

The Mayor provided a brief history of his coming to office, and issues that would be pertinent to our tasks. It was explained to PSCI that the Mayor came into office without any appointment powers and with a police chief that the Mayor felt was not a person that was manageable and easy to work with. After the Mayor won his second term there were several newly elected council members that sided with the mayor, and this allowed the Mayor to regain appointment powers. With these powers the Mayor removed the Police Chief, and appointed an interim Chief, which was replaced with the current Police Chief, Jimmy Martin. The Mayor, when speaking of the current Chief of Police, said that he is not a good administrator like the former Chief of Police, but he was a good cop, which was needed in Selma. Selma at the time had a high murder rate and crime was running rampant. The Mayor explained that he had a close relationship with the current Chief. Mayor Perkins felt he could trust him, and that he personally felt he was the man to deal with Selma's crime problem.

The Mayor recognizes that the current police chief is highly controversial within the department. The Mayor conducted several open forum meetings with police department personnel. As a result of these meetings it became clear that the current police chief was not effective because of the opposition toward his management style by the rank and file officers as well as the sergeants, lieutenants and captain. The Mayor has hired a national search firm to conduct a search for a new police chief.

Council Members

PSCI, after meeting with the Mayor of Selma, turned its attention to speaking with the City Council Members. It was part of PSCI's philosophy to allow every person to voice their opinions. We feel that it is important to allow each person to have the same opportunity to voice their opinions, which insures that no one person or groups of persons feels that they were cut out of the process. This also insures PSCI the opportunity to gather the most information, because what one person may see might be overlooked by another. In order to do this we called every Council Member in an attempt to establish a meeting with each of them individually. We were successful in establishing meetings with a majority of the Council

Members, but unfortunately we were unable to meet with two of the Council Members. This process of interviews was spread across several weeks while PSCI was doing research and conducting other interviews.

The following information was gathered from the Council Members and includes their views on the Police Department's management, and the issues that are being expressed by the citizens to them.

Some Council Members expressed a view that there was absolutely nothing wrong in the Police Department and its management had no flaws. These Council Members said that the main problem is that several people in the community have a personal agenda they are pursuing, and these people are fabricating issues about the Police Department. Some Council Members are even going as far as saying they feel that people are trying to sabotage the Police Department and the "Administration" i.e. the Mayor. PSCI also heard from the Council Members that the Police Department was understaffed, and that the staff that they did have was top heavy, and had too many young officers. Training was a resounding issue expressed by the Council Members. They feel that the Officers lack training, and that the training that the Officers do have is insufficient.

Council Members also vociferously expressed the issue of the lack of leadership present in the Police Department. They felt specifically that the Police Chief was inexperienced and had no business being put in that position. These Council Members went further than the Mayor in explaining how the current Chief of Police, Jimmy Martin, rose to the rank of Police Chief. Those Council Members feel that the manner in which Chief Martin became Police Chief proves that he did not warrant the rank of Police Chief. Several of these Council Members feel that the Police Chief is the sole reason for the problems being experienced in the Police Department, because his selection to Police Chief, skipping two ranks, caused several upper level officers to leave the department, and has caused a great amount of dissent throughout the ranks.

The issue of recruitment and hiring was also a major issue with the Council Members, because of several recent officers that were hired and should have never been allowed to

work on the department. These officers consisted of a person who forged a high school diploma, another officer with an outstanding warrant, and several other officers that were kicked off of other departments. The Officers that were fired or asked to leave other Departments are still employed by Selma Police Department. PSCI also heard from several of the Council Members that the officers lacked things as simple as cars to perform their duties. Many of the Council Members also raised the issue of the Police Department's building being in decay with mold in several of the rooms so bad that employees are getting sick, and floors that have no air conditioning.

Along with these issues, the Council Members voiced their regret on having a lack of communication between the Council, and the Department, and a lack of communication between the citizens and the Department. Many Council Members said that they felt the Department was not responsive to issues that the Community viewed as a problem like noise violations. Through several discussions PSCI gathered that the Council does not view the Selma Police Department to be a "Community Oriented" Police Department. Many of the Council Members were adamant about having newly hired Officers introduced in the Council meetings and the local newspapers. The Council Members felt this would start bridging a gap between the community and the Police Officers that currently is quite large. In order to illuminate how severe the break is between the Department and the Community; many Council Members mentioned a local radio station telling citizens to resist arrest, and a website that expresses dissent about the Police Department. Several of the Council Members also made known their concerns of outstanding investigations that the Police Department has over excessive use of force, and the Departments use of the Alabama Bureau of Investigation to look into the allegations.

This process of speaking to the Council Members was very useful in PSCI's evaluation of the Selma Police Department. The Council Members gave insight to many issues that are facing the Department. These issues are obviously so large that it is being brought to the attention of the observant citizens in the Community of Selma. This unique feature of interviewing Council Members allows PSCI to obtain a perspective of people that are highly attentive to issues in the City, but not directly involved in the Department itself. Another

important factor of involving the Council Members is it gives them a voice in the process, and successfully made them a part of what PSCI is trying to do for the City of Selma.

Police Chief

PSCI first met with the Police Chief in our interviewing process of the sworn officers. This meeting was to give the Police Chief an opportunity to voice his opinion on problems that the Selma Police Department is facing. At the beginning of the meeting PSCI once again voiced strongly its intent to produce an unbiased, non-sugar coated, report. The Chief, during PSCI's meeting with him, raised several issues that he saw plaguing the Selma Police Department. One major issue is that several of the higher ranking officers in the department are not willing to work with him, and some are even deliberately trying to sabotage the department. When asked why he feels this is, the Chief said it is because many in the Department are angry that he was named Chief of Police and not them.

Police Chief Martin explained to us that he feels that he is more than qualified for the position of Chief with his past experiences on the Department, and with the fact that he is one of sixteen certified Police Chiefs in the State of Alabama and certified to the highest capability. Chief Martin informed us that he is currently trying to involve the others in the running of the Department through weekly round table discussions. The Chief also addressed the issue of recruitment and hiring. Police Chief Martin acknowledged that there are flaws in the recruitment system, and that the process needs to be reworked.

The issue of the dilapidated building also arose during our conversation, and PSCI was informed that a professional was hired to test the building for mold and moisture. This study produced results, according to the Chief, that said the building was within legal health limits. Chief Martin also expressed regret that he was unable to do more for the issue of the building, but said much of it was out of his hands due to roughly one million dollars that was supposed to be used to repair the building and do other things was used inappropriately before he became Police Chief.

During the meeting with Police Chief Martin, PSCI heard the Chief's perspective pertaining to the Department's automobile problem. PSCI was informed that Selma Police Department recently received eleven new cars, and when Police Chief Martin took over almost all the cars were in an unsatisfactory condition. This brought out a prevalent theme in PSCI's discussion with the Police Chief, which is that the Chief feels he is blamed for many problems that were pre-existing his tenure in office. He also informed us that when he took control nothing was left in the office for him, it was completely emptied out, so he started from scratch. In our conversation with Chief Martin he did acknowledge that being the head administrator of the Department, he did bear a great amount of responsibility for the problems that the Department faces; for instance, Police Chief Martin acknowledged that at times he puts too much trust in others around him and the job does not get done in the manner in which it should.

Chief Martin raised the issues of having too many young officers who are not community oriented, because many officers were leaving due to Selma not competing pay wise with other Law Enforcement Departments in the surrounding area. He also explained that it is impossible for the Department to move in a "Community Oriented" direction, because the older Officers are not willing to mentor the younger Officers. Police Chief Martin also explained to PSCI that in regards to the Officers performing their duties, they are fearful to do so, and morale is extremely low. The Chief qualified this statement by explaining that it is, in his opinion, because the City Council does not back the Department. To paint a vivid image of this situation the Chief explained to us the matters of the ABI investigation regarding alleged police brutality and the Community's and Council's call for suspension of the Officers before the investigation was complete.

The Chief also mentioned the local radio station 105.3 who encourages resisting arrest. Chief Martin explained that he will welcome anything that the report has to offer, and that his only interest is in the betterment of the department. Police Chief Martin even went further to say that if he felt the Community, and the Department would be better off if he were to step down as Police Chief, he would gladly do so.

| POSITIVE | NEGATIVE |
|--|--|
| Council Persons PSCI spoke with and the Mayor demonstrated what PSCI believes to be genuine concern for the improvement of the police department | Review of the Department Policy and Procedure manual is significantly outdated and requires a major re-write |
| Council Persons and the Mayor recognize the police department requires significant changes | Council feels there is a lack of communications between the police department and the council. They believe this needs to be improved. |
| Council Persons and the Mayor recognize that in order to resolve the police department problems significant funding is necessary | Several Councilpersons do not have confidence in the current Chief of Police and do not believe he is capable of effectively leading the police department. |
| Council Persons recognize the need for the Mayor to have appointment authority of the various department heads, including the police chief | Some Councilpersons felt that there is nothing wrong with the police department or the Police Chief and that there were certain individuals that were actually trying to sabotage the Chief and the Police Department. |
| | Councilpersons are concerned that the department is understaffed and that the department is top heavy, with too many young officers being left un or under supervised. |
| | Several Councilpersons strongly believe that there is a significant gap between the citizens of Selma and the Police Department. |
| | Most of the Council people we spoke with do not believe that the police department is a Community Oriented Police Department. |

Figure 1: Fact Finding Results

Overview of Focus Group Meeting

In the next step of the evaluation process, PSCI turned to the sworn Police Officers to obtain their perspective of what is occurring in the Department. In examining a Police Department it is absolutely essential to speak with the Officers themselves. The Officers can offer insights to what is occurring in the Department that no one else can provide. In order to receive the best results from discussions with the officers Public Safety Consultants Inc. saw it as imperative to isolate the officers into focus groups by rank. Separating the Officers by rank theoretically removes fear of retaliation from higher ranking Officers, in turn allowing the Officers to speak their views, and concerns openly. PSCI, in order to isolate the sworn Police Officers, had them divided into the following groups; Police Chief, Patrol Officers and

Detectives, Lieutenants, Sergeants, and the Captain. In these divided groups the Officers were encouraged to speak freely about anything that they viewed as a problem with the Department. These groups were moderated by Dr. Ralph Ioino who occasionally asked questions to further draw out information about things that he saw as possible issues, and to keep the group focused on the purpose of the meeting.

In the following subsections, PSCI reports on our discussions with the focus groups. We present the information as it was presented to us, without judgment as to its validity. From these meetings, we did look at many of the issues raised to determine if there was any validity to the concern. In other sections of this report, PSCI addresses many of the concerns raised by police department personnel during these Focus Group Meetings. **It is important for the reader to understand that these are the opinions and comments of individuals, which may or may not have any validity.**

Officer and Detective Focus Group Meetings

PSCI conducted focus group meetings with the sworn Patrol Officers and the Detectives. This group provided insight into the Selma Police Department that no other group could have. The Officers showed obvious signs of having extremely low morale. While there were several officers and detectives that said nothing during our meetings, those that did speak were very negative about the department and how it operates. They expressed their feelings that they lack true leadership in the Department, and have very little support from the Community and the Police Chief's administration. An issue that seems to weigh very heavily on the Officers is they feel the Police Chief does not understand them, because he never truly served as a patrolman. Another very alarming issue that the Officers raised is the lack of trust in the Department on all levels. There seems to be competing factions. The Patrol Officers and Detectives said they cannot trust anyone in the Department, not even one another. We were informed by the Officers that many of them go to the Chief with things the other Officers are saying, and the Police Chief is using this information and punishing the Officers. This then develops into the issue of equity in the disciplinary procedures being employed by the Chief, which the Officers feel is not fair and ethical. We have even heard of a memo, which PSCI

has not seen, that outlines how the officers are not allowed to speak to one another in a group larger than three. This issue even goes as far as the Police Chief supposedly secretly recording conversations with the officers. PSCI was unable to verify any of these accusations.

The issues of not trusting one another, compounded with Supervisors and higher ranking Officers being resentful of the Chief, make the Patrol Officers feel that there is no communication throughout the Selma Police Department. There was some dissenting opinion within the group about the issues and their origination. Some of the Patrol Officers feel that the reason problems exist in the Department is because people under the Chief have their own personal agendas and are still angry about being passed up for Chief. Many of the Patrol Officers say that too many in the Department want to be the Police Chief. They also cite people not addressing problems, but simply passing them on to the next person to deal with them. They also say that many of the issues facing the Department today have been present in the Department for several Police Chief's terms. The one thing the Officers did express as something they enjoyed about the Department was the twelve hour shifts. They felt this was a true benefit that could be used to recruit new officers.

Along with the abstract and moral issues there are also several tangible issues facing the Department in the eyes of the Patrol Officers and Detectives. In listening to them one of the leading issues was the lack of pay that the Officers were receiving. Officers also raised the issue of lack of training after the academy. The Officers informed us that they receive the Alabama State minimum in service training per year of 12 hours and nothing more. Many Officers were very passionate on this topic repeating the fact that they can receive training for basically no cost but cannot get approval, and they also have basically no funding for additional training. This issue raised another topic of not having enough sworn Officers on Patrol and in the Department in general.

PSCI was informed that the Officers have to run from one call to the other, and have no time for "free patrol." This means that it is impossible to send an Officer away for training, because it will leave the shift without enough Officers, especially on the night shift. The Officers were also extremely disgruntled about the vehicles that they are forced to drive. We

were given accounts by Officers that they had to piece cars together, and others have to put oil in them with their own money to keep them running on their shift. Most of the cars we were informed are running all day and all night without a break. The Officers elaborated on the issue saying that the Department did get eleven new cars, but most of these vehicles went to Lieutenants and Sergeants who did not need the cars.

Another issue that arose was about uniforms. The Officers feel that they need to have a uniform allowance that allows them to better take care of their uniforms. They also are angry about how the Department is switching uniform styles for the second time in three years. The Officers feel that the Department is focusing on petty uniform issues, like putting a hat on when getting out of a vehicle rather than issues that truly matter. Officers also elaborated on the issue that they have no equipment like shotguns in the cars, or cameras in the cars, which they feel are essential to their protection on the street.

Lieutenants and Captain Focus Group Meeting

Lieutenants and the Captain was the next focus group that PSCI held. In this focus group PSCI heard many more issues on administrative problems, and also heard issues that had already been expressed by the Patrol Officers. In this focus group we learned more specific details about the events leading up to the appointment of Chief Martin to his current position, and the positions that Chief Martin had held before his appointment to Chief. The group expressed its belief that Chief Martin does not have the knowledge or experience to perform even his basic duties. Many of the people in the group openly expressed their agitation over the fact that Chief Martin had supposedly only been a Sergeant for six months before being promoted to Chief. Many in the group went on from this topic to discuss how they feel that the Police Chief is not defending the Department on any aspects, and to qualify this they explained how the budget is being surpassed for the Mayor's social policies and the Chief says nothing about it. Going on to other issues, the focus group also discussed the fact that morale is extremely low in the Department with Officers fearful of performing their duties, because they are afraid of the Community out cries and getting no support from the Department or Mayor. Expanding on this issue they explained how there is no unity or trust

within the Department itself, because Officers are being encouraged to speak out against one another. They feel there is no support from the City Council, the Community, the Mayor, or the Chief.

Along with these issues this focus group mentioned several other problems they saw in the Department. One major issue was the lack of pay, which they believe prevents them from retaining and hiring quality officers. The Lieutenants and Captain were also extremely concerned with the lack of training occurring in the Department. They also feel there is no uniformed hiring process which allows unqualified people to be hired. PSCI was informed the Chief hires whomever he wants even without background checks. Another issue that came up during the focus group was being severely understaffed and having a high absentee rate. They also feel there is no communication between senior officers and the administration, and no communication between senior officers and new officers. It was also brought to PSCI's attention that there is a severe lack of technology in the Selma Police Department, with no mobile computing, many offices without internet, no system upgrades of the AS 400 record management system, computers still running Windows 95, and many more problems. Along with technology they feel that Uniformed Crime Reports (UCRs) reporting is being manipulated and not reported accurately, and this is possible through the lack of technology present in the Department.

Sergeants Focus Group Meeting

The final focus group for the sworn Officers was that of the Sergeants. The Sergeants were very candid in saying that the issues that are found in Selma's Police Department are not completely because of Chief Martin. They did go on to say though that Chief Martin in many of their opinions does not know how to address the issues present so they have accelerated under his watch. One of these issues that they have either extremely young officers or extremely old Officers, and there is no formalized training of the young officers so young Officers are training even younger Officers. They also feel a major issue in getting new Officers is the low pay present in Selma for Police Officers, which means they are hiring low quality officers to fill spots. They go on further to express a deep concern in the faulty hiring

process present in the Selma Police Department. This brings about another issue of not trusting the officers. They explained to PSCI that they not only do not trust the officers because they may go to the Chief with information, but also because they claim to have arrested several of the current Officers in the past. They also acknowledged the fact that they have become complacent in their jobs as Sergeants as many others in the Department have, and this is partially due to anger over Chief Martin being named Chief above them. The Sergeants went on from there to explain that they have no respect for a Chief who, after an Officer is shot at and the man standing next to him killed, does not come out to the scene and does not check on the officer. These people also addressed the issue of the lack of cars, and brought out another issue that had not been heard before, problems with radios and the fact that the Officers patrol a police jurisdiction not just city limits. It was explained to us that many of the calls that the Officers have to answer are outside the City limits but in the police jurisdiction, which causes a great strain on the officers.

Civilian Employee Focus Group Meeting

After Public Safety Consultants Inc. went through the focus groups with the sworn officers we gave the civilian staff an opportunity to voice their opinions. The civilian staff included records entry personnel, evidence technicians, secretaries, jailors, the magistrate's office, and ground maintenance personnel. In talking to this diverse group of people, PSCI heard many new issues being raised. One of the biggest issues raised during the meeting is the civilians having to wear uniforms that look very similar to the sworn Officers' uniforms. The Civilians said that these uniforms are not safe, because when out in public they are being confused with sworn Officers. Along the lines of safety, the civilians said they feel insecure because the building has no form of security other than a few cameras. We were also told that the building is a public facility and open to everyone at all times. The focus group was also very concerned about the building's condition. Public Safety Consultants were again informed that the building has mold throughout it, there are leaks in the ceilings, and there are rooms that have no air conditioning. The problems with the building, according to the civilian staff, are having a profound effect on their health, especially with respiratory infections. Another complaint that was resounding and pertained to all of the different people was the fact that

they felt Officers did not treat them with respect, and that the Officers lacked training, which causes the civilian staff to deal with their mistakes. The ladies that have to enter reports given to them by the Officers told PSCI that they are having to edit Officer reports, return reports because they are not able to enter them due to errors, or at times not able to enter the reports period. The magistrate's office furthered this issue telling us that cases are being dismissed due to faulty reporting. Another issue that came up during the focus group was that of the lack of technology in the Department. Many people do not have internet in their office, all reports are written and entered manually, due to not being able to fix a printer to the digital finger printing machine all finger prints are taken manually, evidence is not electronically tracked efficiently, and most computers are running on outdated systems. Civilians also feel that they are underpaid and that there are discrepancies in the pay, because there are people with fewer years in the Department making more money. The civilian staff also expressed concerns about the Police Chief and his policies. They were extremely disgruntled that they are not permitted to go to lunch with one another, they cannot converse with each other, and they are also angry that the Chief has four secretaries when the Department could use the manpower somewhere else.

During the focus group, civilian staff also raised several issues that were job specific. The jailors for instance explained to PSCI that they have received no training, and are not allowed to carry mace or Tasers due to the lack of training. The jailors went on to explain to us that they have only one holding cell; so if the Officers bring in a male and a female, the jailors have to sit with the female outside of the holding cell. To make this issue even worse during some nights there is only one jailor on duty. The evidence technicians were concerned that they have to fight in order to receive basic supplies to perform their duties. The data entry personnel are concerned over the lack of technology in the Department, which would greatly aid them in performing their tasks. The maintenance personnel says that there needs to be more personnel taking care of the Department, and that there needs to be a better supply of needed materials to perform their tasks. The secretaries were concerned that they are having to perform tasks that are outside of their job titles, and even at times have nothing to do with the Department.

Citizen Complaints Against Officers

Based upon the number of complaints received by the Selma Police Department, PSCI is concerned of the potential liability it faces. Negligent retention and negligent training is one of the most common lawsuits police departments face. Negligent retention occurs when courts determine that the department should have known that they have an officer on staff that is not qualified for the job and they do nothing about it. As an example, if Selma has an officer that continuously violates citizen rights and the police department does not take sufficient action, a citizen could sue the department for negligent retention. Likewise, if the department receives numerous complaints against an officer for excessive use of force and the department does nothing to correct this problem, the department could be held liable because it knew or should have known that an officer has a propensity for violence.

PSCI reviewed the number of complaints against both sworn officers and civilian employees for 2006 and this year to date. We were unable to review previous information because the department did not track this information previously. The following is a summary of these complaints:

| EMPLOYEE CLASSIFICATION | 2006 COMPLAINTS | 2007 COMPLAINTS |
|-------------------------|-----------------|-----------------|
| Sworn Officers | 24 | 40 |
| Civilian Personnel | 5 | 1 |

Table 1: Citizen Complaints by Sworn and Non-Sworn Personnel

The above numbers are significant and the increase in complaints from 2006 through September 2007 is alarming. These numbers represent 22 different officers, which is also concerning. This makes it appear that the problem is prevalent throughout the department. Of most concern are those officers that have multiple complaints. One of the officers logged one complaint in 2006 and seven thus far in 2007. One officer logged five complaints in 2006 and has three complaints thus far in 2007. Another officer has one complaint in 2006 but is up to five thus far in 2007. Multiple officers have two complaints in both 2006 and 2007. While

others one complaint in either or both years. The officers with multiple complaints in both years require further scrutiny in an effort to determine the cause of these multiple complaints and remedial course of action be developed and if the problem persists, termination might be necessary.

The lack of training is of significant concern to PSCI because it places the City and the Police Department at considerable risk for negligent training and negligent retention lawsuits.

Summary and Conclusion

The above information is provided in addition to the final report on the assessment of the Selma Police Department. This information is provided in confidence to the City of Selma and PSCI strongly recommends that this information be kept in confidence.

It has been a pleasure serving the City of Selma and PSCI looks forward to a continued relationship with the City of Selma.

If you have any questions, please feel free to contact me at (334) 514-8363 or on my cell phone (253) 709-5079.

Sincerely,

Ralph E. Ioimo, DPA

Dr. Ralph E. Ioimo, DPA
President