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**Panelists: Young black people not treated fairly**

**Committee hearing centers on criminal justice system**

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During the second day of a joint committee hearing in the state Senate on accountability and equality in the criminal justice system, Sen. Jim Brewster mused regretfully Thursday about the trust that has been lost between communities and the police that serve them, suggesting that if officers walked the beat again, children would once more see them as familiar and comforting role models.

Several panelists of color described a far different current reality for young black people, whose encounters with police tend to be far from reassuring.

They talked about *“overpolicing”* in neighborhoods, charges filed for jaywalking, loitering and other minor offenses, police in schools, criminalization of misbehavior by grade-schoolers, introduction of kids to the justice system and the inevitable hardening.

One girl, an excellent high school student, got in trouble for carrying a weapon — the mace canister she needed for safety because she had to board the subway early in the morning to get to school, said former Philadelphia District Attorney Kelley Hodge.

Similarly, a Philadelphia student in the early grades who jabbed another student with a pencil had that pencil designated *“a weapon,”* said Sen. Anthony Williams.

In various areas of the country, black kids doing ordinary things like mowing a lawn or selling bottles of water have had the police called on them, said Hodge, referring to articles available online that have been written about such incidents.

*“Maybe in your experience children want to become police officers,”* said Riya Saha Shah, managing director of the Juvenile Law Center. *“Many in the black and brown communities don’t feel that way.”*

The statistics tell a story.

Of 15,000 youth arrests for loitering, jaywalking and curfew violations in three years in Philadelphia, 85% were black, said Malik Pickett, staff attorney for the Juvenile Law Center.

*“Loitering is something we do as teens,”* Shah said. *“Police are not coming to my suburban community”* to make similar arrests, she said.

In Pennsylvania as a whole, statistics show that black youths are adjudicated delinquent and placed in secure facilities at much higher rates than whites.

Those are *“systemic failures,”* and the disparities increase at each stage of the system, she said.

*“The reasonable black child feels justifiable fear when stopped by the police,”* she said.

Response to death

Held by the Judiciary and the Law & Justice committees, the hearings are a response to the recent death in Minneapolis of George Floyd under the knee of an officer.

*“I can assure you (that incident) is on the lips and in the ears of every (trooper),”* State Police Lt. Col. Christopher Paris, a panelist, said of the Floyd death.

It’s an incident his agency repudiates: *“We are not about employing or utilizing any force (that is even a) scintilla (more than) necessary,”* he said.

*“The vast majority of officers are good men and women of conscience,”* said Sen. Pat Stefano. *“How do we implement laws for police procedures to root out the bad actors without changing the behavior of reputable officers?”*

The state police screen applicants for psychological issues, including racial bias, do thorough background checks on them and administer polygraph tests, Paris said. Anything that causes concern is checked out, he said.

Candidates receive 300 hours of basic training specifically on the appropriate application of force, Paris said.

Requests have *“just been pouring in”* from municipal departments for additional training, which is free, said Lt. William Slaton, commander of the Equality and Inclusion Office.

State police receive routine in-service training as well, including lessons that involve simulations for de-escalation, shooting at vehicles, shooting from vehicles and custody positions, officials said.

The state police have conducted training to recognize implicit bias for years and has increasingly emphasized communication and de-escalation, along with empathy and listening, Paris indicated.

*“We tend to be highly proactive,”* said state police Cpl. Kevin Selverian. *“We try not to wait for a tragedy to occur.”*

The state police would like to have body cameras, but, as with many municipal departments, *“it’s a fiscal issue,”* not just because of the initial cost, but because of the data storage cost, Paris said.

Any fatal shooting by an officer leads to a large-scale criminal homicide investigation that involves 20 to 25 participants *“at the low end,”* with cooperation from officials of the county where it occurred, Paris said, in answer to a question from a senator about the department investigating itself.

*“It’s not a closed silo,”* he said.

After a prosecutorial decision is made, there is a full administrative investigation that results in discipline if the officer is found to have *“fallen short,”* he said.

Police departments have the *“wherewithal”* to get rid of officers that deserve to be fired, according to Scott Bohn, executive director of the Pennsylvania Chiefs of Police Association, answering a question from Sen. Mike Regan, who spoke of *“rogue”* officers and cited the one charged in Floyd’s death, who had many prior complaints.

*“I believe we have those tools,”* Bohn said, although there can be issues connected with Act 111, which allows for collective bargaining between police and municipalities and calls for arbitration to settle disputes, he indicated.

Arbitration isn’t the bugaboo that some make it out to be, said Sean Welby, attorney for the Pennsylvania State Trooper’s Association, saying there are plenty of arbitration cases that go against troopers.

About 7% of troopers are people of color, according to Paris, answering a question from Sen. Williams.

About 9% of the upcoming cadet class are people of color, according Paris.

The numbers are getting better, Paris said. But recruiting can be difficult.

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