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Gender Bias in Law Enforcement

Senate Judiciary Committee on Police Officer Misconduct

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CALIFORNIA LEGISLATURE
SENATE JUDICIARY SUBCOMMITTEE ON
PEACE OFFICER CONDUCT
SENATOR ART TORRES, CHAIR

Hearing on
GENDER BIAS IN LAW ENFORCEMENT



West Hollywood Auditorium
November 6, 1991

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BEFORE THE CALIFORNIA STATE SENATE
JUDICIARY SUBCOMMITTEE ON PEACE OFFICER CONDUCT

IN THE MATTER OF:)
)
Los Angeles County Law Enforcement)
and the Gay and Lesbian Community:) Public Hearing
"Gender Bias in Law Enforcement.")
)
_____)

TRANSCRIPT OF PROCEEDINGS

November 6, 1991

ORIGINAL

West Hollywood Park Auditorium
647 San Vicente
West Hollywood, California

Reported by: Laura Gullette
Job No. 5274

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SENATOR ARTURO TORRES
ALAN GORDON, Chief Counsel

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1 SENATE JUDICIARY SUBCOMMITTEE

2 on Peace Officer Conduct

3 November 6, 1991

4 9:30 a.m.

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6

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-- P R O C E E D I N G S --

8

9

SENATOR TORRES: The Senate Judiciary Subcommittee
10 on Peace Officer Conduct will now come to order in West
11 Hollywood, California.

12

To my right is Mr. Alan Gordon who is chief
13 counsel to the subcommittee, and also our official court
14 reporter, Laura Gullette, will be taking the official record of
15 this hearing so that we may transcribe it and present it to the
16 other 39 senators who are members of the California Senate.

17

I would like to welcome everyone here to this
18 third meeting of the Senate Judiciary Subcommittee. We are
19 here today to listen to the concerns of the city's gay and
20 lesbian community's continuing complaints against the sheriff's
21 department and Los Angeles Police Department. The community
22 feels brutalized both by acts of commission and omission
23 carried out by these law enforcement agencies.

24

The charges include unnecessary brutality against
25 gay citizens as well as failure to investigate and bring to

1 justice perpetrators of attacks on gay men and lesbian women.

2 Leaders of women's groups are here to provide a
3 different perspective on law enforcement activities. They will
4 address the issues of gender bias both inside specific agencies
5 and in relations with the public.

6 Our message to law enforcement is clear. The law
7 enforcement must work for the community that they serve. Our
8 message for our communities are clear, and that is that law
9 enforcement should be here to serve us.

10 It is my hope as well as the hope of the other
11 committee members that we may begin through these hearings to
12 heal the dissention between law enforcement and communities, to
13 make clear to the various law enforcement agencies that respect
14 for a community and dignity of each individual is critical if
15 respect is to be returned.

16 Also that respect and dignity are owed to each
17 individual regardless of their race, sex, sexual orientation,
18 age, ethnicity, or economic status.

19 The agenda before us today has been chosen in
20 fairness to solicit meaningful testimony and discussion. The
21 committee itself has both Senators Presley and Davis as members
22 of this committee, with significant law enforcement experience,
23 as well as Senator Watson and myself, representing districts
24 with large minority and low income populations.

25 In addition, of course, the president of the

1 senate also serves on this subcommittee.

2 I believe that our challenge here today is to
3 cause change, to bring peace back to our streets, and to help
4 make law enforcement our protector and not our perceived enemy
5 or an invading army.

6 We have had two other hearings in Los Angeles.
7 After today we will move to San Diego and then to San Francisco
8 and then to Sacramento. It is my intent to complete the work
9 of this committee by the end of this year and to present to the
10 legislature as a whole specific recommendations for legislative
11 remedy by the beginning of January of 1992.

12 PANEL I

13 I'd like to call the first panel up, Panel I.
14 Kathy Spillar, national coordinator, Fund for a Feminist
15 Majority; Jenifer McKenna, California Women's Law Center; Carol
16 Arnett, Sojourn Battered Women's Shelter; Blanca Malpartida,
17 Battered Women's Shelter.

18 MS. SPILLAR: Senator, Blanca at the last moment
19 had an emergency and could not be here, and we were expecting
20 Jenifer but I haven't seen her yet this morning.

21 SENATOR TORRES: Let me give you my practice in
22 terms of these hearings, that if a witness is not present we
23 will accept their testimony and include it as part of the
24 official transcript as if it were delivered orally to the
25 subcommittee.

1 MS. SPILLAR: Thank you.

2 Thank you, Senator Torres, for allowing me to
3 testify today. We were concerned that these hearings might
4 proceed all the way through to their conclusion without this
5 perspective being offered, and we appreciate the opportunity to
6 do so today.

7 My name is Katherine Spillar and I testify today
8 in my capacity as the national coordinator of the Fund for the
9 Feminist Majority. We are a national organization specializing
10 in the research on the impacts of and the public policy
11 responses to the under-representation of women in
12 decision-making positions and in positions of authority in all
13 sectors of society.

14 Since the Rodney King beating here in Los Angeles
15 we have conducted extensive research into the relationship of
16 gender to excessive use of force within policing, and we
17 presented testimony at the public hearings in the executive
18 sessions of the Christopher Commission's investigation.

19 We've also been working closely since to introduce
20 a series of reform proposals to the Los Angeles City Council to
21 gender balance the Los Angeles Police Department as quickly as
22 possible, hopefully by the year 2000.

23 I brought with me here today also for the press a
24 copy of my remarks and a copy of the five motions that have
25 been introduced into the Los Angeles City Council.

1 Research both nationally and internationally and
2 substantiated by the Christopher Commission's findings shows
3 that women police officers and law enforcement officers are
4 involved in excessive use of force at rates substantially below
5 their male counterparts.

6 They tend to be less authoritarian personalities,
7 they tend to use force less often, women police officers
8 possess better communication and verbal skills, better
9 negotiation skills, and they show a tendency to be better at
10 diffusing potentially violent confrontations before they become
11 necessary to use force. They show a better -- better at
12 diffusing potentially violent confrontations than their male
13 counterparts.

14 Law enforcement agencies, if they want to deal
15 with the problem of excessive police violence and brutality and
16 in their relationship with the community, must find ways to
17 significantly and rapidly increase the numbers of women police
18 officers within their departments.

19 The absence of women in law enforcement
20 contributes to the problems of police violence, and not only
21 that, but results in violence against women being taken less
22 seriously.

23 Violence against women is a nationwide epidemic.
24 Every fifteen seconds a woman is beaten by her husband or male
25 partner, every six minutes a woman is raped. The lack of women

1 police officers means that women who are victims of rape or
2 domestic violence are often afraid to even call the police.
3 They're afraid that their complaints won't be taken seriously
4 and, even worse, they're afraid that they will receive further
5 harassment at the hands of police officers, male police
6 officers. And you're going to hear more about that this
7 morning.

8 Extensive research over the past twenty years
9 shows that women police officers are more convinced of the
10 importance of responding to family violence incidents. They
11 think it's an important part of their law enforcement duty.
12 They take the incidents more seriously. They believe more
13 strongly in the need to show sympathy and understanding to the
14 survivor of that violence and in getting her the help that she
15 needs in the community.

16 And studies show that battered women who have had
17 contact with women police officers have a better view and
18 impression of law enforcement than those who only dealt with
19 male police officers.

20 There's a myth that women do not want these jobs
21 and that's why there are not very many women police officers.
22 Statewide most law enforcement agencies have less than 10
23 percent of their ranks, women. The city of Los Angeles is only
24 at 13 percent women. And women who are on police forces tend
25 to be concentrated at the lowest ranks. Very few women make it

1 into supervisory or policy-making decisions.

2 The Christopher Commission found pervasive and
3 deep-rooted sex discrimination and sexual harassment within
4 police departments and that is the reason there aren't more
5 women police officers.

6 Women are not recruited aggressively by police
7 departments. They are discriminated against and harassed from
8 the day they join those departments, in the police academies
9 where they're receiving their training.

10 The Christopher Commission, to show the
11 pervasiveness of the harassment, sighted the computerized
12 police radio transmissions. And I just want to read a few of
13 the radio transmissions that were reported by the Christopher
14 Commission that involve sexual harassment or discrimination.

15 Quote: "You won't believe this. That female
16 called again, said the suspect has returned. I'll check it out
17 and then I'm going to stick my baton in her."

18 Quote: "No, but I left a 14-year-old girl that I
19 met yesterday handcuffed naked to my chin-up bar, wearing
20 nothing but a blindfold and salad oil. I'm going to go check
21 on her."

22 "A 415 female, huh? Well, just slap that silly
23 broad senseless."

24 Those are the kinds of comments that are regularly
25 made by male police officers towards women who are calling for

1 help, calling for help to a police department that responds
2 this way.

3 As well, constant sexual innuendo and sexually
4 harassing remarks are made by male police officers towards
5 their women police counterparts. Sex discrimination is not
6 just pervasive within the Los Angeles Police Department, we can
7 see it even with the L.A. County Sheriff's Department and the
8 recent victories of women plaintiffs in court filing sex
9 discrimination charges.

10 The Christopher Commission concluded that this
11 pervasive sexual discrimination and sexual harassment
12 aggravates the use of excessive force by police officers. It
13 is not just something that is damaging to the women police
14 officers and to women who are victims of violence calling for
15 police help, but it literally aggravates the problem of police
16 violence because it creates a disdain among the police officers
17 for the less violent form of policing that women exhibit and it
18 discourages and prevents women from joining the law enforcement
19 ranks and from achieving promotions and reaching the highest
20 ranks within the police department.

21 So, to address the problems of excessive police
22 violence you've got to increase the numbers of women on the
23 police departments and that will result in a less violent
24 police department and just as effective.

25 All the research shows that women police officers

1 are as effective, and if you take into account their less
2 violent nature and form of policing, you could even make the
3 argument that women police officers are more effective.

4 And not only will increasing women on the police
5 force reduce police brutality incidents, but it's going to make
6 the police department more responsive to women victims of
7 violence in this society.

8 We urge this committee as part of its work to
9 immediately urge law enforcement statewide to dramatically
10 increase the numbers of women in their law enforcement ranks.
11 We in fact believe that the only way to achieve equality for
12 women in policing is the goal should be gender balance on
13 police departments, at all levels and at all ranks.

14 That means that the numbers of women on the police
15 force should reflect the number of women in the work force
16 generally, and the latest census statistics show that
17 California work force is 45 percent women and yet on most
18 police departments women are less than 10 percent of the force
19 and in many police departments there is not a single woman law
20 enforcement officer.

21 We are also urging that you call for mandatory and
22 revised training policies, that gender bias and sex
23 discrimination awareness training be incorporated into law
24 enforcement training programs, and that there be greater
25 emphasis on police response to domestic violence victims and

1 sexual assault victims.

2 Further, we think that new police recruits should
3 be screened for gender bias. Just like they're screening for
4 other kinds of background checks, they should be screened for
5 their attitudes about violence towards women and about their
6 attitudes about using violence in families to gain compliance.

7 There are studies that show in fact that many law
8 enforcement officers at a very high rate use violence
9 themselves against their wives and children.

10 We appreciate this opportunity here to testify.
11 We stand ready at the Feminist Majority to help you in any of
12 your further research or deliberations. We think the evidence
13 that you heard here this morning is very persuasive, that women
14 need to be recruited in higher numbers, and that sex
15 discrimination and sexual harassment must be addressed if the
16 whole problem of police brutality is going to be effectively
17 dealt with in our time.

18 Thank you.

19 SENATOR TORRES: Ms. Spillar, I have a question
20 for you, if you will, please. Do you have numbers regarding
21 the California Highway Patrol?

22 MS. SPILLAR: I don't have them here but I could
23 get them.

24 SENATOR TORRES: Would you please send them to the
25 committee as well.

1 MS. SPILLAR: Yes. I suspect the numbers will be
2 as low as we're finding in other departments statewide.

3 SENATOR TORRES: I would presume so.

4 Now, on the issue of representation of women
5 police officers, have you looked at comparing rural and urban
6 communities as well?

7 MS. SPILLAR: Most rural communities where you have
8 very small law enforcement agencies have no women in their
9 departments at all. It is something like almost half of police
10 departments nationwide have no women at all in their ranks.

11 SENATOR TORRES: When I asked for the senate to
12 create this subcommittee, I didn't realize the extent beyond
13 Los Angeles as to where we're confronting. The reason I asked
14 for the rural comparison is that we received literally hundreds
15 of requests, both by telephone and by mail, to hold hearings
16 and committee meetings. The California Tribal Association,
17 Native American abuse is occurring outside of reservations,
18 onto reservations, and the issues that you've raised today.

19 It would be very helpful to us if we could receive
20 communications also from your counterparts in Northern
21 California and Central California. That might give us an
22 indication of the experiences that they are having in those
23 communities as well.

24 Given the budgetary restraints, we won't be able
25 to reach into every geographic area of California, and that

1 would help us a lot to include those statements as part of our
2 report.

3 MS. SPILLAR: Thank you.

4 CHIEF COUNSEL GORDON: Ms. Spillar, one of the
5 problems that we have had as we go through the testimony and
6 priorities the police place on certain types of complaints that
7 they receive, as I'm sure you're aware, domestic violence
8 complaints are not ranked particularly highly when they were
9 coming in.

10 Based on the limited amount of manpower that the
11 police -- or people power --

12 MS. SPILLAR: It's a problem.

13 CHIEF COUNSEL GORDON: -- how would you suggest we
14 address that problem other than the obvious which is hire more
15 police and put more police on the streets.

16 Do you have any recommendations as to how we go
17 about getting into that particular situation?

18 MS. SPILLAR: I think that these police
19 departments must go through a reorganization of their
20 priorities.

21 It is true that response to domestic violence and
22 sexual assault victims is ranked very low on the priority of
23 how to respond. Now we've even tried to address that through
24 state legislation to require that police departments respond to
25 domestic calls, domestic violence calls.

1 I think the city of Oakland did a study recently.
2 They went back and looked at the calls they had not responded
3 to and they determined through an internal study that 90
4 percent of the sexual assault calls they had not responded to,
5 they should have. In fact, it was negligence.

6 There are women who are being killed by their
7 husbands and being severely beaten. These are not being
8 responded to the same way other forms of violence in this
9 society are, and if women were at the highest ranks of law
10 enforcement making the policies, you would see an entirely
11 different set of priorities.

12 Over half of calls coming into 911 agencies are
13 domestic violence calls. This is probably the most pervasive
14 form of violence in our society, is family violence, and 99
15 percent of family violence is directed at women and children.

16 SENATOR TORRES: Is that a statewide figure or a
17 regional figure?

18 MS. SPILLAR: That's a nationwide figure. And
19 we've looked at the L.A. numbers and they hold up. And the
20 problem is of course that these calls are not being responded
21 to.

22 Some Central American countries where the sex
23 discrimination and sexual harassment problems are only
24 exaggerated, Central American and South American countries have
25 had to go to all-female response units for domestic violence

1 calls to make sure that they're responded to. And in many
2 cases it's the only way that women would even call to report
3 violence is that they were calling women to come to that
4 household.

5 And if we had gender-balanced teams of police
6 officers walking into a house to deal with the domestic
7 violence assault problem, I know that the situation would be
8 dealt with a lot differently.

9 SENATOR TORRES: Thank you very much.

10 Miss Carol Arnett.

11 MS. ARNETT: If I may, yeah, I'd like to add
12 something to that response. I would like to think that this
13 county has learned something from the death of Maria Navarro
14 December two years ago, in that we need to train our 911
15 dispatchers in domestic violence. They don't receive enough
16 training in how to answer domestic violence calls and determine
17 just how much danger a woman is actually in. I know that those
18 of us who work hotlines for domestic violence receive many,
19 many hours and are actually able to understand that when a
20 women says, "He's going to kill me," it needs to be taken very,
21 very seriously. Women tend to minimize the danger they're in,
22 not maximize it. And that's the kind of training our 911
23 dispatchers have to have.

24 I am Carol Arnett and I'm from Sojourn, services
25 for battered women in Los Angeles, and I'm also a member of the

1 Southern California Coalition for Battered Women.

2 The statistics show that domestic violence
3 continues at its current rate, and we have no reason to believe
4 that it's not going to. Based on the first three quarters of
5 1991, by the end of the year there will be close to 40,000
6 domestic violence incidents investigations by L.A.P.D. Almost
7 8,000 of them will be resulting in a felony arrest.

8 The figure is going to prove that violence against
9 women, especially in the home, is a major concern not just for
10 women but for all citizens of Los Angeles. Domestic violence
11 continues to be the single greatest cause of injury to women,
12 outranking auto accidents, muggings, and rape combined. We
13 must address the safety of battered women and how law
14 enforcement can best respond to domestic violence.

15 In a Madison, Wisconsin study of police response
16 done in 1986 researcher Don Sanders in interviewing victims of
17 domestic violence said that the women by and large reported
18 that female officers were more aware of the dynamics of
19 domestic violence, more sympathetic to the victim, were more
20 realistic about the dangers involved in domestic violence, and
21 generally took domestic violence more seriously.

22 The conclusion reached by the researchers was that
23 we -- "we" being the concerned community -- need to have the
24 discussion about having more women on police forces. I believe
25 the study, though it is six years old, is relevant to our cause

1 here in Los Angeles today.

2 Here in Los Angeles I spoke with a woman named
3 Gail Pinkas who is the director of the Domestic Abuse Center
4 and has been working with the Los Angeles Police Department at
5 the training academy since 1986 when we began special training
6 in domestic violence.

7 According to Ms. Pinkas female officers are
8 consistently the ones who remain behind after the training to
9 ask questions, and in general show more interest and concern
10 about domestic violence and its victims.

11 I coordinate an outreach and education program at
12 my shelter for battered women here in Los Angeles and I work
13 with an average of 50 women every week. Though I have done no
14 scientific research nor statistical surveys, I can tell you
15 what I hear women saying.

16 I can tell you that while the response to domestic
17 violence is much better than it was prior to 1986 when we began
18 trainings of police officers and sheriffs and took a pro-arrest
19 stance toward domestic violence, there is still much room for
20 improvement.

21 One improvement would be to have women officers as
22 part of teams dispatched to domestic violence calls. Women
23 victims are much more likely to feel safe and therefore willing
24 to cooperate with female officers. Female officers are more
25 likely to be sensitive to issues of violence against women.

1 Often injuries of battered women are hidden from
2 view. They are often located around the breasts and the
3 buttocks, and the woman who has just been assaulted by her male
4 partner is not likely to want to show those kinds of injuries
5 to a male officer. She needs the safety and the comfort of
6 having a female officer to speak with and show her injuries to.

7 Also, as physical violence escalates, so does
8 sexual abuse in these relationships. Very often the most
9 serious physical injuries come alongside of brutalizing sexual
10 abuse.

11 Both Angela Brown and Lenore Walker in their
12 research into battered women who have had to kill their
13 batterers in self-defense have determined that almost in every
14 single case part and parcel with physical abuse was severe
15 sexual abuse.

16 Not only do female victims feel much more at ease
17 to discuss circumstances of abuse and violence with female
18 officers when sexual abuse is involved, but female officers are
19 more likely to ask the difficult questions regarding the
20 physical and sexual abuse and will be more likely to pick up
21 the visual clues both about the women and about the scene of
22 the crime when it involves sexual abuse.

23 Secondly, intakes I do with battered women show
24 that they were very often pleased with the initial response
25 they received from law enforcement, especially when a female

1 officer is present, but often the other contacts a woman will
2 have with law enforcement are less than satisfactory.

3 Women report not being satisfied with the law
4 enforcement response when they go to police and sheriff
5 stations to file incident reports. They are treated with
6 suspicion, often asked to wait for hours, repeat their stories
7 several times over and over to various officers, often held in
8 waiting rooms, not allowing for privacy. They are asked
9 embarrassing and humiliating questions about what they did to
10 lead to the violence.

11 In short, they are treated as if they are the
12 criminal instead of the victims. This may in part account for
13 the very low reporting. We suspect that it may be the most
14 under-reported crime, is domestic violence.

15 Another area I think needs better attention by
16 police is the enforcement of restraining orders. The calls to
17 sheriffs and police for enforcement of protection are often not
18 taken seriously or given any priority. Either the car does not
19 roll at all or it is given such a low priority that by the time
20 they reach the location the perpetrator or the abuser is
21 already gone, leaving the woman feeling unprotected.

22 Restraining orders are what battered women must
23 rely on for protection. Women brave a very difficult court
24 system in order to obtain these orders, only to have them given
25 little attention by the police. This is especially frustrating

1 especially since we have now in California a stacking law which
2 allows a felony arrest and a felony filing in cases of
3 restraining order violations.

4 Another piece is the need to educate our officers
5 about lesbian battering. We offer services to battered
6 lesbians at Sojourn, and one of the things that I hear over and
7 over again is that the officers are not trained in the dynamics
8 of battering relationships where a lesbian is involved.

9 And actually about 50 percent of the cases that
10 have come to Sojourn it's actually the battered lesbian who has
11 been arrested rather than the batterer, and this is clearly due
12 to a lack of substantial training on the part of the police and
13 the sheriff's department into the very complicated dynamics of
14 battering and within lesbian relationships.

15 Officers are rolling without cameras so there are
16 no photos of victims and crime scenes. Every officer's car in
17 this county or in this state needs to have a camera. That's
18 the only way we can have officers take the crime of domestic
19 violence seriously. We must give them the tools to do their
20 jobs. They must be able to effectively collect evidence.

21 Currently either women must go to a police station
22 or a sheriff's precinct at a later date for photos -- a very
23 unpleasant experience after being battered -- or prosecutors
24 are left to prosecute without sufficient evidence. Currently
25 some officers on the force are having to purchase their own

1 cameras to carry along just in order to do their job, and I
2 find this to be an absolutely unacceptable condition.

3 And we need ongoing and updated training of
4 officers on domestic violence. Since 1986 when we began
5 requiring a basic eight and now twelve hours of domestic
6 violence training for officers, we have learned a lot about
7 domestic violence and we have a much more sophisticated
8 understanding of the dynamics of the crime and we are learning
9 more every day.

10 Officers deserve to get new, updated knowledge
11 on -- that's available from the battered women's movement, law
12 enforcement, and the prosecutors have to offer. It is a known
13 fact that when cases are not followed through on or
14 consistently result in dismissed case or failure to convict,
15 police officers will start to feel the effects of the
16 frustration and be less likely to respond effectively.

17 We need to stop that cycle. We know how to
18 effectively prosecute now. We have some of the best, the very
19 best, domestic violence prosecutors right here in Los Angeles
20 in both the city attorney's and the district attorney's
21 offices, and we need to use their expertise in order to work
22 with and to provide support to our police and sheriffs. Twelve
23 hours in the academy is not enough to stay the tide of the
24 violence against women in our own community.

25 And I thank you for allowing me to share my views

1 with you today.

2 SENATOR TORRES: Your reference to twelve hours
3 means twelve hours in terms of how to deal with --

4 MS. ARNETT: Domestic violence specifically.

5 SENATOR TORRES: Domestic violence and all other
6 issues relating to women in the field.

7 MS. ARNETT: Twelve hours is for domestic
8 violence. I think there's an additional time allowed for rape.

4
9 MS. SPILLAR: But there is no general gender bias
10 training or gender discrimination training at all. It is not
11 part of the cultural training program within the Los Angeles
12 Police Department, and I'm not aware of any police department
13 in the state of California that trains on these issues,
14 gender-related issues.

15 SENATOR TORRES: We know now in terms of our
16 investigation thus far that there are tests to determine people
17 who are more prone to violent acts without asking someone
18 directly that question.

19 Are there such tests in terms of determining
20 gender bias through examinations that do not involve direct
21 oral cross-examination?

22 MS. SPILLAR: I'm sure there must be. That's
23 another thing that I can look into for the committee. It's
24 certainly easy to measure. I would assume there would be, but
25 again, they're not used.

1 SENATOR TORRES: All right. I'm very ignorant
2 about that and that's why I asked the question, because I think
3 it's important if we're going to make recommendations to the
4 legislature in terms of a statewide code of conduct, in terms
5 of a statewide attitude, and in terms of the various academies
6 that are working in California today -- the CHP, L.A.P.D., the
7 sheriffs, et cetera, that we need to be specific as to what
8 kinds of issues are there, because it's been my experience in
9 the past that we make recommendations the bureaucrats will find
10 every loophole possible not to implement.

11 And I think if we can be as specific as possible,
12 use this test to determine gender bias or use these techniques
13 to determine gender bias and make that specific, then I think
14 we're better off.

15 Okay, Thank you very much.

16 Jenifer McKenna is not here.

17 **PANEL II**

18 SENATOR TORRES: All right, our second panel.
19 Christopher Fairchild, the vice chair, Gay and Lesbian Police
20 Advisory Task Force; Mr. Bruce Boland, former Los Angeles
21 County sheriff's deputy; John Davidson, American Civil
22 Liberties Union; John Duran, counsel for Mr. Bruce Boland and
23 co-chair, Life Lobby; Tom Coleman, former Legal Services
24 Director, Gay and Lesbian Community Services Center; Roger
25 Coggan, Legal Services Director from the Gay and Lesbian

1 Community Services Center.

2 Welcome to the Committee, gentlemen. Mr.
3 Fairchild, do you want to start?

4 MR. FAIRCHILD: Thank you, yes, Senator.

5 The Los Angeles Gay and Lesbian Police Advisory
6 Task Force is a coalition of gay and lesbian organizations from
7 throughout Los Angeles County which has served for eleven years
8 as an ongoing liaison between the gay and lesbian community and
9 both the sheriff's department and the Los Angeles Police
10 Department.

11 I serve as vice chair of that task force and as
12 chair of the committee which deals specifically with issues
13 relating to the sheriff's department. We have submitted to you
14 this morning a report that summarizes the major issues between
15 the gay and lesbian community and the sheriff's department
16 specifically.

17 I noted, Senator, this morning in the Los Angeles
18 Times a discussion of the consent decree between the city of
19 Los Angeles and various minority communities, and I also noted
20 with great sadness that once again the gay and lesbian
21 community was omitted from that discussion and from that
22 consent decree.

23 While I'm happy for the minority communities
24 affected by that decree and hope that it will help to improve
25 their own relations with the departments, once again the gay

1 and lesbian community is relegated to second-class citizenship.

2 The problem of excessive force in Los Angeles
3 County clearly is related to institutionalized bias and
4 prejudice and the Committee needs look no further than the gay
5 and lesbian community to see that institutionalized bias and
6 prejudice are rampant both in the police department and in the
7 sheriff's department.

8 Gays and lesbians are excluded on a wholesale
9 basis from both agencies, notwithstanding statements from the
10 chief law enforcement officers of those agencies that they do
11 not discriminate. The mere fact that there are 8,000 officers
12 in each agency and not more than one or two or three openly gay
13 officers in either agency is proof positive of the existence of
14 that discrimination.

15 While that discrimination against our community
16 continues there can be nothing but animosity and hostility
17 between those law enforcement agencies and the gay and lesbian
18 community.

19 The remedy to those problems is clear policies of
20 non-discrimination which are actually enforced. It must come
21 from the top and it must be strictly enforced that
22 discrimination on the basis of sexual orientation in law
23 enforcement agencies will not be tolerated in this state.

24 I suspect that some members of the next panel will
25 tell you that there has been substantial progress made in

1 relations between the gay and lesbian community and law
2 enforcement in Los Angeles County, and I am here today to tell
3 you that that isn't so, that with the exception of the fact our
4 gay and lesbian bars are not raided as frequently as they used
5 to be, there has been virtually no substantial progress with
6 respect to gay and lesbian issues.

7 What you can do as a member of the state senate is
8 to look at statewide remedies, and a few of those that I would
9 suggest for you have to do with recruitment, and that is to
10 require agencies which are under-represented in the gay and
11 lesbian community to affirmatively recruit in our
12 communities -- which both of the agencies here in Los Angeles
13 County refuse to do -- and in the training practices which new
14 recruits and currently-serving officers undergo.

15 The other thing that you can do is to revise the
16 Officers Bill of Rights which creates such hurdles to review in
17 discipline procedures that it makes it effectively impossible
18 to take specific action.

19 For instance, in West Hollywood they created a
20 Public Safety Commission a few years ago to try to address some
21 of the problems but because of the hurdles imposed by the
22 Officers Bill of Rights that Commission is effectively silenced
23 and has no authority to do anything.

24 The other thing that you can do is to impose
25 statewide civilian review for all counties and agencies which

1 currently have no system of civilian review. There should be a
2 statewide civilian review board which is empowered to address
3 those problems.

4 Distrust and animosity between the police and the
5 public they serve will continue until official discrimination
6 is brought to an end. Second-class citizenship for gays and
7 lesbians is no longer tolerable.

8 We urge you to do all within your power to correct
9 this injustice which now exists in Los Angeles County, and I
10 thank you very much, Senator, for calling this hearing.

11 SENATOR TORRES: Thank you.

12 Mr. Boland.

13 MR. BOLAND: Yes, good morning. My name is Bruce
14 Boland. I'm a former deputy with the L.A. County Sheriff's
15 Department. I appreciate and welcome the opportunity in
16 speaking to you this morning.

17 I feel the facts of my particular case should and
18 must be heard. I want to make it quite clear from the onset
19 and possibly contrary to the personal opinions and views of
20 others, that I am not here to blast the sheriff's department
21 nor to speak negatively about them.

22 I was a proud member of that department as a
23 deputy sheriff for six years, with six years of outstanding
24 evaluations and numerous commendations, a position I hope at
25 some point in the future to resume. So I cannot nor will not

1 degrade a department that I enjoyed working for or bring
2 discredit to the 8,000 fellow deputies who put their lives
3 daily on the line in this violent society of ours, nor will I
4 degrade the thousands of civilian support staff who are always
5 there to help make our jobs a little easier. It is but a mere
6 handful who are responsible for the actions that have been
7 taken against me. I feel strongly that they should and must be
8 held accountable.

9 Was I wrongfully terminated from my position?
10 Without a shadow of a doubt. Absolutely, 100 percent. Was I
11 discriminated against? Again, without a shadow of a doubt,
12 absolutely, 100 percent.

13 This case has now been going on for almost two and
14 a half years. I can tell you that it's been the most
15 emotionally, mentally, and physically destructive time of my
16 life, as well as the most humiliating, degrading, and
17 financially crippling.

18 It's hard to fathom that I've spent over \$15,000
19 defending myself for arresting a felon with a syringe, and it
20 appears that figure will more than double now that the
21 department has appealed the dismissal of the charges.

22 I have lost a job and career that I charished more
23 than anything in the world, and with it six years of friendship
24 and the camaraderie of hundreds of fellow deputies, not to
25 mention over \$100,000 in lost salary.

1 The fact that a prison terms possibly looms over
2 my head due to the appeal of the dismissal of the charges, it
3 is just too great for me even to comprehend at this point in
4 time. And I tell you all of this is because I am gay.

5 The department will assert that I was terminated
6 not because of my sexual orientation -- because they say they
7 actively recruit from the gay and lesbian community, an issue I
8 am sure will be addressed later -- but because I falsely
9 arrested a suspect and then falsified the police report.

10 I cannot respond politely to that accusation so I
11 only will say that it is 100 percent false. The department
12 knows that it is not true and yet continues to force this issue
13 even after charges were dismissed by a superior court judge.

14 Some of the judge's comments in dismissing the
15 case were clear to me that there was no offense, that there was
16 no false arrest on the part of the deputy: "All he needed was
17 reasonable and probable cause to arrest and it is clear to me
18 that he had that."

19 He went on further to say on yet another of the
20 four charges filed against me, "In the wildest stretch of the
21 imagination, I can't make the charges you filed apply to this
22 set of facts, no matter how far you stretch it."

23 It continued on and on and eventually dismissed
24 all four criminal counts against me.

25 I'm going to give you now a brief summary of what

1 happened. I realize this is not a criminal or legal hearing,
2 but this you have to hear. Unfortunately I cannot go into all
3 of the details because there is still a criminal case pending
4 in this matter, as I have mentioned.

5 You should be made aware of the fact that six
6 months prior to the arrest of the suspect in this case that I
7 assisted fellow deputies in the arrest of a person outside one
8 of our local bay bars. I had met this person some ten years
9 ago when I first arrived in Los Angeles. He was inebriated and
10 when he spotted me and one of the fellow deputies, yelled: I
11 know Deputy Boland, he's gay.

12 It didn't take long for word of that to spread
13 among the rest of the personnel at West Hollywood station,
14 units rolling Code 3 back to spread that word. The phone calls
15 saying faggot were received, notes on the locker, et cetera. I
16 can handle that, as I was an excellent deputy, and ignored the
17 ridicules as well as I could and went on doing my job, and an
18 excellent one at that.

19 On April the 17th of 1989 I was doing a patrol
20 check at Hoagie Dogs Restaurant on the east side of West
21 Hollywood, a restaurant now closed by the city due to this
22 being the epicenter of crime, drugs, and prostitution in the
23 area.

24 I arrested a felon at that location for the
25 possession of a hypodermic syringe, eleven of them to be exact.

1 It is a misdemeanor to be in possession of syringes without a
2 prescription unless you are a diabetic. It is a minor, minor
3 charge but used to prevent the local druggies from injecting
4 their drugs.

5 Again, I remind you due to a pending criminal
6 trial in this matter, I can't provide you all the details;
7 however, you will have enough to draw a conclusion in this
8 matter.

9 The person I arrested had no identification on him
10 or he would have been simply given a ticket and instructed when
11 to appear in court on the charge. Again a minor misdemeanor.
12 The suspect I arrested had a 15-page rap sheet of prior
13 criminal history, had been in and out of prison for the past 25
14 years, was a known paid jail house informant. Whether or not
15 he was paid in this case I do not know. He was selling drugs
16 at the time and had absconded from parole.

17 Upon receiving a subpoena and arriving in court, I
18 asked the deputy district attorney -- who had only been on the
19 job two weeks and admitted not knowing what a police report
20 should even look like -- if I could read the report to refresh
21 my memory. I told the D.A. there was a slight discrepancy on
22 the report. He told me, I think it's still a win-able case,
23 not an overwhelming case, maybe we'll just move to dismiss.

24 That was the end result. The case was dismissed
25 and a memo was written to my operations lieutenant saying that

1 a case involving a suspect with a misdemeanor possession of a
2 syringe was dismissed due to an inconsistency in a police
3 report.

4 Quote: "I think this matter needs to be discussed
5 with Deputy Boland." Let me repeat that, please. "I think
6 this matter needs to be discussed with Deputy Boland."

7 My operations lieutenant calls me into his office,
8 hands me the memo, asks me if I'm familiar with the case. I
9 say certainly and explain the set of facts to him. Without
10 batting an eye he says, Give me your badge and your gun, I'm
11 relieving you of duty and initiating a criminal investigation.

12 I was in a state of shock and disbelief that this
13 was happening. It made absolutely no sense at all for this to
14 be happening. That was July the 6th, 1989.

15 I was assigned to the crime lab to work in a
16 civilian capacity pending a criminal investigation. My union
17 attorney sent me a letter saying not to worry, that nine out of
18 10 of these cases are usually handled by the D.A. and not filed
19 upon but dismissed.

20 On September the 25th, I received a call from the
21 union attorneys informing me the department and the D.A. is
22 charging me with two felonies and a misdemeanor. They also
23 added a second misdemeanor when we got to superior court,
24 making it a total of two felonies and two misdemeanors. All
25 this for arresting a felon with a syringe, or should I say more

1 correctly, for being gay.

2 I was told to surrender myself to the district
3 attorney's office downtown at the criminal courts building for
4 booking, fingerprinting, and a mug shot, and then to appear
5 before a magistrate for bail setting and arraignment. I
6 thought I was going to have a heart attack, that this was just
7 a bad dream and simply could not be happening.

8 Between this time of the April arrest and the
9 September filing of the criminal charges against me, the
10 suspect that I had earlier arrested, and only three weeks from
11 prison on that arrest, was re-arrested in the same location for
12 grand theft auto, burglary, receiving known stolen property,
13 possession of narcotics, and again for the possession of a
14 syringe. These facts were well-known to the sheriff and the
15 D.A.'s office, yet they still filed charges against me.

16 My criminal attorney contacted me and told me that
17 the D.A. proposed to him that if I submitted my resignation
18 they would reduce the charges to misdemeanors. I politely told
19 them where they could put that offer.

20 We went as far as superior court where a
21 distinguished superior court judge recognized this case for
22 what it truly was, and one by one dismissed all the charges.
23 You would think, wouldn't you, that the department would then
24 be satisfied that one of their own was vindicated by the
25 system, proven innocent, and the case put to rest. That was

1 not to be.

2 It was clear to me from all the writing in all the
3 department's memorandums from the day I was relieved of duty
4 that they never wanted me back. And we figured out why again.

5 The judge's decision was appealed but the
6 department was forced to reinstate me, seeing as how the
7 criminal charges were now dismissed. Was I assigned back to my
8 regular unit of assignment at West Hollywood? No. To any
9 other unit for that matter in patrol capacity or any capacity
10 as a deputy sheriff? No. I was assigned in a civilian
11 capacity, assigned to wash and wax the boats at our marina
12 sheriff's station. Makes you feel really great.

13 Here all of my friends, my academy classmates,
14 patrol buddies were all being promoted, were field training
15 officers and assigned to new and exciting new assignments, and
16 they see me washing boats along with inmates at the station
17 boat yard. I ask you simply, How would this make you feel?

18 Eight months later without even the appeal process
19 to be heard, I am terminated for incompetence and general
20 behavior. Incompetence was six years of outstanding
21 evaluations, commendation after commendation; and general
22 behavior for falsely arresting a suspect and making a false
23 statement in a police report.

24 I remind you those charges were dismissed by a
25 superior court judge who said at best the report was sloppy and

1 he wouldn't recommend that it be used at the academy as to how
2 to write a report, but there was certainly no crime committed.

3 Again, from day one I was never to return to the
4 position of deputy sheriff if the department had anything to
5 say about it.

6 There's lots more to tell but I think you get the
7 picture. The fact that the sheriff's daughter was not only my
8 patrol sergeant while assigned to West Hollywood station, but
9 then promoted to the criminal investigating unit where she was
10 responsible for the filing of these charges against me, but if
11 she had a built-in bias towards gays or towards me from having
12 worked the station just prior to her recent assignment, who can
13 say?

14 If you would like copies of my evaluations and
15 commendations I would be more than happy to make them available
16 to you.

17 For your information this case was looked into in
18 great depth and detail by the West Hollywood city council, the
19 mayor, the West Hollywood Gay and Lesbian Sheriffs Conference
20 Committee -- who should be commended for their action in this
21 regard, and the West Hollywood Public Safety Commission.

22 After meetings with me, deputy personnel, the
23 captain of West Hollywood, the commander, sergeants, deputies,
24 citizens, the sheriff and various other management personnel,
25 the decision was unanimous that something was not right and

1 that I was being discriminated against, and the punishment of
2 termination, harsh and excessive for the error on a police
3 report involving the arrest of a felon with a syringe.

4 I demanded my immediate reinstatement. Nothing
5 has been done in that regard as of this date.

6 Thank you for allowing me the opportunity to
7 speak.

8 SENATOR TORRES: Mr. Boland, you indicated that
9 the sheriff's daughter served as an investigator regarding
10 your --

11 MR. BOLAND: Yes, Senator, she did.

12 SENATOR TORRES: Secondly, where are you in terms
13 of the legal ramifications regarding your case?

14 MR. BOLAND: Well, immediately when the case was
15 dismissed the district attorney filed an appeal on that case.
16 It went to the court of appeals.

17 The superior court judge had unfortunately been on
18 the front page of the paper, he had a drinking problem, so what
19 they were saying is that he had re-weighed the evidence, not
20 casting whether I was guilty or innocent, but that he should
21 have handed it to a jury trial but he dismissed it instead.

22 They have now remanded that back to the superior
23 court where it is more than likely that it will go to a jury
24 trial. The Civil Service hearing which was scheduled for
25 November has now been scheduled for January the 31st.

1 SENATOR TORRES: If you were to recommend to the
2 full senate, what would be your recommendations to avoid these
3 kinds of situations in the future?

4 MR. BOLAND: Yeah, I don't know if that can be
5 avoided. Like I'm saying, it is not the department, per se,
6 you know, it's the personality of a mere handful.

7 And where the district attorney's office in my
8 opinion should be the buffer to prevent filings of this from
9 happening in the first place, has in fact been almost as a
10 co-conspirator, if you will, because in my personal opinion
11 that I believe from the heart, if the sheriff's daughter walks
12 over with the case and she says, Would you read this, please,
13 to see if it's a possible criminal filing? No. But if she's
14 put the hours into it and with the vengeance that she did and
15 says, I want this case filed, what is he going to do as the
16 district attorney? He's going to file that case.

17 I think, you know, it's personalities here
18 involved. This should have been handled at a station level.
19 It never should have left the station, and to allow the
20 criminal process to continue, I don't know if there is an
21 answer that the senate could provide.

22 SENATOR TORRES: In terms of a civilian board that
23 we have discussed before for Los Angeles County as well as a
24 statewide civilian board that we are considering as well, the
25 attachment of a special prosecutor, would that kind of civilian

1 review have perhaps abated this situation for you?

2 MR. BOLAND: I think most definitely. You know,
3 police departments in general are opposed to civilian
4 intervention but I think that it doesn't take a road scholar to
5 say something is wrong here.

6 And I think a civilian advisory panel could have
7 said, you know, that this is not right and offer a
8 recommendation such as to our city council and, you know,
9 that's what we thought our Public Safety Commission and our Gay
10 and Lesbian Sheriffs Conference Committee input would help
11 solve.

12 SENATOR TORRES: I want to thank you as one
13 Senator for the tremendous courage you've shown and the
14 determination, and I wish you well and anything that I can do,
15 I'll be there to support you.

16 MR. BOLAND: I appreciate that very much.

17 SENATOR TORRES: Mr. Duran, did you want to
18 respond on the legal issues, or are --

19 MR. DURAN: Sure.

20 Sorry, gentlemen, I go out of turn, I guess.

21 Thank you, Senator.

22 I do believe there's more that can be done in the
23 sheriff's department because -- and I differ from Mr. Boland on
24 this -- homophobia starts from the neck up and it proceeds down
25 to every level within the department. And like racism and like

1 sexism it must be piece-mealed away, bite by bite by bite.

2 I think we're at a place now, since the veto of AB
3 101 where the gay and lesbian community is no longer willing to
4 accept denials of discrimination. Rather, we demand
5 affirmation that we be present in the sheriff's department.

6 Sherman Block saying we don't discriminate on any
7 basis is no longer sufficient. The words that should come out
8 of his mouth is that we welcome the gay and lesbian community
9 in the sheriff's department. It may just be words but we're
10 beyond denials now. We seek affirmation.

11 And I want to thank you also, Senator, for your
12 vote on AB 101 and lining up coalitions of other senators to
13 support us in our struggle.

14 (Applause.)

15 SENATOR TORRES: I must say that I was with
16 President Salinas that evening at the L.A. County Museum of
17 Art. And he could not understand what was going on. And he
18 and I were both together at Harvard many years ago, in the late
19 '70s. And he said what -- he said, Arturo, what is going on
20 here? And I tried to explain to him why the governor was not
21 met very lovingly at that event. And he said, Why didn't he
22 sign it?

23 MR. DURAN: That's the same question we asked him.

24 Let me just say a couple more things. I think
25 Deputy Boland and women in the department, the minorities in

1 the department are all individuals who challenge the perception
2 of precedence in that out of 8,000 sheriffs, Deputy Boland was
3 the only openly gay sheriff, and look what happened to him.

4 So what is the signal to the other gay and lesbian
5 sheriffs who are there? Closet doors are not opened and
6 closed. They are exploded off their hinges. Once you are out,
7 you are out. There's no going back in.

8 And if anything, Sherman Block should be creating
9 the environment to allow those other gay and lesbian sheriffs
10 on the force to come out and be proud to be part of the greater
11 Los Angeles community.

12 Beyond Deputy Boland's case, I need to tell you
13 also, as a gay civil rights attorney here in West Hollywood,
14 there are two other areas that concern me and I'd like to throw
15 them out for the committee's consideration; and one is the
16 prosecution of lewd conduct cases statewide. It is another
17 badge of oppression.

18 It's one thing when sheriffs and police officers
19 are arresting individuals for engaging in lewd conduct, but to
20 go to the extent of wearing pink triangles in their ears and
21 blue handkerchiefs in their back pockets, and T-shirts
22 indicating that they're gay, and then to engage in cruising
23 tactics in public parks and in restrooms, and to go beyond that
24 and solicit sex from gay men, and once that offer is accepted
25 and then handcuff them and arrest them is another form of

1 oppression and should no longer be tolerated.

2 Gay men who are prosecuted for lewd conduct are
3 then generally subject to other forms of discrimination, losing
4 teaching licenses, we've seen the losing the ability to
5 practice the law, losing the ability to deal with children, and
6 all based upon false accusations from police officers caught up
7 in vice squad stings. This needs to stop, and it will stop.

8 Beyond that, just three weeks ago the Los Angeles
9 Police Department raided a local sex club here in West
10 Hollywood. I'm presently representing five of the gay men in
11 that.

12 It's one thing when they arrest for lewd conduct,
13 but to enter a private establishment and arrest gay men for
14 engaging in sex is another form of oppression. Lewd conduct
15 requires that it be in a public place, this was not. That it
16 be open to public view, this was not. And that somebody be
17 present to be offended by the conduct. Obviously that did not
18 occur. It's one thing when the discrimination is subtle but
19 when it's this blatant it must stop.

20 Those arraignments are on Thursday, and I will
21 tell you that the gay and lesbian bar is just not going to
22 tolerate this conduct any more, and we will take this to trial
23 and we will take it to a jury. The Los Angeles Police
24 Department has better things to do than act as sex police here
25 in the city and county of Los Angeles.

1 (Applause.)

2 MR. DURAN: Thank you, Senator.

3 SENATOR TORRES: Thank you, Mr. Duran.

4 Jon Davidson, A.C.L.U. Welcome.

5 MR. DAVIDSON: Thank you very much, Senator
6 Torres.

7 I'm a senior staff counsel with the A.C.L.U.
8 Foundation of Southern California and am the attorney for
9 lesbian and gay rights, working in Southern California for the
10 A.C.L.U.

11 It's now been over eight months since the savage
12 March 3rd beating by the L.A.P.D. of Rodney King, and it's been
13 almost four months since the Christopher Commission issued its
14 scathing report on the problems plaguing the L.A.P.D., and I --
15 in thinking about what I wanted to say today I started to think
16 about, well, what has really changed?

17 Has Darryl Gates stepped down or even provided any
18 assurances that he will? Has the complaint procedure been
19 improved in any way? Has the L.A. Police Commission been given
20 the resources or independence it needs to function effectively?
21 Have complaint and disciplinary action records been open to
22 public scrutiny so that we can know the full extent of police
23 misconduct and tolerance of that misconduct by police
24 management? Has anything improved?

25 And I think the answer to all those questions is a

1 very sad no. In fact, from the point of view of the lesbian
2 and gay community, I'm afraid that the problem has gotten worse
3 rather than better.

4 I was present in Century City on Wednesday,
5 October 23rd. I managed to escape the police clubs, but not so
6 for many right around me. I saw the police riot, attacking a
7 peaceful assembly. I saw the police out of control and
8 repeating the exact same savagery as occurred on March 3rd, but
9 here not against one man but rather against scores of peaceful
10 lesbians and gay men and heterosexual supporters who were doing
11 nothing but exercising their constitutional rights of free
12 speech.

13 What was Darryl Gates' response? He said he has
14 reviewed reports on the incidents and that he felt that the
15 L.A.P.D. had acted appropriately.

16 Since that time my phone at the office rings off
17 the hook with calls from lesbians and gay men who have been
18 attacked by the police at peaceful demonstrations, people who
19 have been arrested.

20 There is a marked increase in lewd conduct arrest
21 that is going on in this city, not only in private clubs but
22 police seem to be, in apparent retaliation to the
23 demonstrations that are going on, out to get lesbians and gay
24 men.

25 There is active surveillance going on of Act-Up

1 meetings with police present in the meetings noting what's
2 being said, noting who's coming and going. There have been
3 undercover officers present at numerous meetings and at all of
4 the demonstrations. And what we're seeing is the L.A.P.D.
5 stepping up their harassment and brutality against the lesbian
6 and gay community.

7 Now, I wanted to speak with you not so much about
8 the events of the last few weeks or even the lack of positive
9 action over the last eight months by the police commission or
10 the city counsel or the state legislature itself, but about
11 what I see as really the root problem within law enforcement in
12 California, particularly in Southern California and
13 particularly within the L.A.P.D. and the L.A. Sheriff's
14 Department.

15 And as several of the other individuals here have
16 alluded to, I'm in agreement that that problem is homophobia.
17 It's an irrational hatred of lesbians and gay men and a view
18 that an important part of the diversity of this state is
19 something other than fully human.

20 And I don't use that phrase as an exaggeration. I
21 and the A.C.L.U. of Southern California are currently serving
22 as co-counsel in an action, a lawsuit brought against Darryl
23 Gates and the Los Angeles Police Department and the city of Los
24 Angeles on behalf of several former and current gay and lesbian
25 L.A.P.D. officers. It's a case known as Groveson vs. the City

1 of Los Angeles.

2 As part of that litigation: an overwhelming
3 pattern of police brutality, harassment, and discrimination
4 against lesbians and gay men who have been revealed.

5 Some of the evidence uncovered in that litigation
6 is excerpted and described in a report that I prepared for the
7 Christopher Commission which I have -- I've given you a copy of
8 and would like included in the record. And I just wanted to
9 tell you a little bit about what has come out as a result of
10 that in terms of what are the attitudes within the L.A.P.D.
11 with respect to lesbians and gay men.

12 As one of the plaintiffs testified in that action,
13 there was a clear pattern of discriminatory law enforcement
14 practices in the department. When I was at Rampart division I
15 heard officers brag about releasing individuals accused of
16 assaulting gays instead of arresting them. I also heard
17 officers at Rampart state that they approved of gay bashing and
18 they even joked about engaging in gay bashing themselves. It
19 was commonly referred to practice in the department for
20 officers when called to the scene of a gay bashing incident to
21 threaten to arrest both the victim and the assailant so as to
22 deter the victim from pressing charges.

23 Another example of the department's discriminatory
24 law enforcement practices occurred in 1985 when I was assigned
25 to work the Sunset Junction Fair, which was referred to by

1 members of the department as a fruit event.

2 We had been warned that there might be gang
3 violence that year at the fair. My supervisors told me and the
4 other officers assigned to protect the fair goers that it would
5 be no great loss if violence did break out since the only
6 people that would be hurt would be gays and gang members, so
7 there would be, quote: "no humans involved." We were told
8 that if we went to the fair we would probably get AIDS and we
9 were otherwise pressured not to put in a strong appearance.

10 Those views are not just tolerated by the upper
11 level management of the L.A.P.D. but they are encouraged and
12 modeled by the highest echelons of the department.

13 Kenneth Hickman who was formally a senior
14 commander with the department has testified that shortly after
15 being appointed to work with the city's lesbian and gay
16 community, he was directly told by Chief Gates, quote: "That
17 homosexuals did evil, that they were evil." Those were his
18 terms.

19 Chief Gates further inflamed the anti-gay feelings
20 in those under his command by telling -- by calling lesbians
21 and gay men unnatural and by responding in disgust to a
22 reporter's questions about hiring gay police: "Who would want
23 to work with one?"

24 As Chief Gates himself stated to the press, quote:
25 "The realities of the situation are that if a gay came into the

1 police department and just openly displayed himself as a gay,
2 the realities are he's going to have one hell of a hard time.
3 He's going to have a tough time finding a partner who will work
4 with him. All kinds of problems." The question is, Why isn't
5 Chief Gates doing something about that?

6 Chief Gates is not alone. Assistant Chief Bob
7 Vernon, currently seeking to hide the kind of protections of
8 the First Amendment that he himself has so frequently trampled
9 upon, stated at one of the first meetings with members of the
10 lesbian and gay community and top department staff -- pointed
11 to leaders of the lesbian-gay community present and stated,
12 quote: "You are all blasphemers."

13 He prepared a memo which was circulated throughout
14 the department that said things like: The hiring of
15 homosexuals as police officers is repulsive to nearly all
16 persons; homosexuals have a corrosive influence upon their
17 fellow employees because they attempt to entice normal
18 individuals to engage in perverted sex practices. This is the
19 leadership of the L.A.P.D. L.A.P.D. is not alone.

20 But I think what my -- the reason I wanted to call
21 this to your attention is I think that any legislative package
22 that's going to be developed will not be complete unless there
23 are secure protections developed against discrimination and
24 harassment, against lesbian and gay officers and applicants,
25 against discriminatory enforcement of the laws, protections for

1 crime victims, and protections of witnesses; that none of those
2 individuals should be discriminated against on the basis of
3 sexual orientation and that there needs to be a way to hold
4 upper level management responsible for not taking action or for
5 encouraging the wrong kind of action.

6 A couple of specific proposals I'd like to mention
7 to you. The L.A.P.D. currently uses a psychological screening
8 device known as the MMPI, the Minnesota Multiphasic Inventory.
9 That test among other things asks individuals whether they are
10 strongly attracted to members of their same sex. It asks
11 questions like, I often have wished I were a girl, or if you
12 are a girl, I often wish I were a man. And that test, the
13 administration of that test was recently held by the California
14 Court of Appeal to be in violation of the California right of
15 privacy and a violation of the California Labor Code, and the
16 L.A.P.D. is continuing to use that exam.

17 SENATOR TORRES: L.A.P.D. is continuing to use
18 that exam in violation of appellate court orders?

19 MR. DAVIDSON: Well, they were not a party to that
20 action. That action was a California Court of Appeal case
21 against Dayton Hudson at Target Stores.

22 SENATOR TORRES: Where was the appellate court?

23 MR. DAVIDSON: In San Francisco.

24 The L.A.P.D. continues to require that all
25 applicants provide the name and phone number of a person of the

1 opposite sex who they are currently dating if they are not
2 married, and yet Chief Gates says that they do not
3 discriminate.

4 There needs to be mandated improvements in the
5 complaint process, the investigation process. There needs to
6 be an amendment to Penal Code Section 832.7 which is currently
7 being used to block access to records so that we can determine
8 the extent of the problem out there.

9 There needs to be set up effective means of
10 civilian oversight over claims of police misconduct. We need
11 effective prosecutions by district and city attorneys of police
12 misconduct, but we need to look into perhaps having independent
13 prosecutors on the county and state level due to the inherent
14 conflict that goes on between the police and the district
15 attorney working together, frequently not bringing actions that
16 need to be brought, or in Mr. Boland's case, bringing actions
17 that never should have been brought at all.

18 We need a system of accountability by police
19 leadership and management. We need training, and I know that
20 there was a training bill, an approved training bill that went
21 through that was vetoed, but just having mandated training I'm
22 just going to say is not going to be enough because what
23 happens at the present with respect to training, in the sworn
24 words of one L.A.P.D. officer, I remember the training that we
25 received.

1 A member of the lesbian and gay community was
2 provided to address our class as part of cultural awareness
3 training. When it was announced that a gay man was going to be
4 talking with us many of the cadets sitting near me began to
5 make such comments as "Oh shit, there's a faggot coming." When
6 he got up in front of us, many cadets laughed and nudged each
7 other.

8 Throughout his presentation cadets made rude
9 comments and otherwise tried to disturb his talk. Afterwards
10 many cadets made offensive remarks in my presence about the
11 queen, the fairy princess, the faggot who had addressed us.
12 After his speech the level of hostility directed at homosexuals
13 increased in the academy. Many of my fellow cadets expressed
14 outrage that a fruit had been allowed to come talk to us.

15 The current training, the very person who is a
16 legal liaison at the city attorney's office carries with him a
17 copy of a gay and lesbian news magazine in town, *Frontiers*,
18 which has Mitchell Groveson's picture on it. He holds this up
19 as part of his sensitivity training and allows the officers to
20 ridicule and scorn gays, lesbians, and others, and then he says
21 something to the effect that people are not supposed to do
22 that. The whole practice simply is encouraging homophobia as
23 opposed to stopping it.

24 Thank you very much.

25 SENATOR TORRES: Thank you, Mr. Davidson.

1 Mr. Coleman.

2 MR. COLEMAN: Good morning, Senator. My name is
3 Thomas J. Coleman, Jr. and I'm a civil rights attorney with the
4 law offices of Leroy S. Walker.

5 And I thank you for holding this important hearing
6 and for allowing me to testify on the long-standing problems
7 between the Los Angeles County Sheriff's Department and the
8 lesbian and gay community of this county. Hopefully this
9 reflects a new attitude by the political authorities which
10 until now have allowed the Los Angeles County Sheriff's
11 Department to degenerate to the point where it now has an
12 international reputation for corruption and brutality in the
13 form of, among other things, homophobia, racism, and sexism.

14 SENATOR TORRES: Hopefully degeneration occurs
15 with rebirth, so we'll see.

16 MR. COLEMAN: I appreciate that, Senator.

17 From 1986 to 1990 I was a legal director of the
18 Los Angeles Gay and Lesbian Community Services Center. As
19 legal director, I was responsible for providing legal
20 counseling and referrals for those in need, including many
21 victims of sheriff's department misconduct and discrimination.

22 Funding for the legal services department is
23 provided by the the State Bar of California and the city of
24 West Hollywood and other agencies. Among these is a contract
25 with the city of West Hollywood for legal services. West

1 Hollywood also contracts with the Los Angeles County Sheriff's
2 Department for law enforcement and you'll be hearing from some
3 of those officials today.

4 In this capacity as the center's legal director,
5 as vice president of the Lesbian-Gay Rights Chapter of the
6 American Civil Liberties Union of Southern California, and as
7 board member of the Gay and Lesbian Alliance Against Defamation
8 in Los Angeles, I prepared in November of 1989 a report on the
9 issues between the lesbian and gay community and the Los
10 Angeles County Sheriff's Department.

11 At that time this report was submitted to the
12 sheriff's department and to the West Hollywood city council. A
13 copy of the report was submitted to you I believe last week and
14 I would ask that it be in the record, and this report will be
15 updated for you in the next few weeks.

16 Now the reason I wrote this lengthy report, it
17 arose out of numerous incidents of misconduct and
18 discrimination by the sheriff's department against gays and
19 lesbians in West Hollywood.

20 As illustrated in the report, these became
21 especially notable in the early part of 1989 and the incidents
22 included the dumping of a West Hollywood gay bashing victim.
23 This was a gay Latino West Hollywood resident and a good friend
24 of mine, Steve Renteria who worked and lived in West Hollywood.
25 He was beaten so badly by bashers in the city of West Hollywood

1 that his jaw was locked shut for three months and he had to eat
2 soup for three months.

3 When he reported the incident the sheriff's
4 department did respond but then they dumped him in the same
5 spot where he was attacked. The sheriff's department story was
6 that the victim, Mr. Renteria, demanded that he be let off in
7 the same spot where he was attacked before the bashers were
8 caught. And the sheriff's department ruled that the deputies,
9 quote: "acted properly," unquote. Nothing was done about this.

10 There was another incident which -- as one eye
11 witness described it, which was an unprovoked and maniacal --
12 and this was his word -- maniacal, Rodney King type beating of
13 a gay Latino man by a swarm, almost a dozen sheriff's deputies
14 in the West Hollywood gay bar.

15 Now I became involved in opposing these lawless
16 activities and also the official reluctance to deal directly
17 with them. And at this time in August of 1989 representatives
18 of the city of West Hollywood threatened to cut the city's
19 funding for the gay and lesbian center's legal program, in
20 retaliation for this opposition.

21 In response to this threat I wrote the report on
22 the sheriff's department to document a record of the facts and
23 conditions as they then existed. Now we ask, What progress has
24 been made in the two years since the report? And I think when
25 you read the report it will be a very depressing report.

1 Unfortunately if there had been much -- or fortunately, we
2 wouldn't be here today. But we are here today.

3 On the issue of discrimination against lesbian and
4 gay sheriff's deputies, the sheriff's department contract with
5 West Hollywood now contains some very roundabout language
6 prohibiting such job bias. And this is accomplished only after
7 five years of very lengthy negotiations with the sheriff's
8 department and the good efforts of the city.

9 And West Hollywood has also established a Public
10 Safety Commission to help resolve the issue of discrimination,
11 and as we've heard, they've done some very hard work on this
12 issue. But the sheriff's department has by its refusal to
13 reinstate Deputy Bruce Boland made very clear its contempt for
14 both the law and discrimination and the Public Safety
15 Commission, which has strongly recommended Boland's return to
16 the sheriff's department.

17 In the face of such blatant bias and bad faith on
18 the part of the sheriff's department, it is not surprising that
19 the mayor of West Hollywood recently characterized the efforts
20 of the Public Safety Commission, despite their good work in
21 dealing with the sheriffs' discrimination, as a failure. The
22 mayor of West Hollywood said that their efforts simply did not
23 work in opposing this instance of discrimination. And that's
24 why we need action on the state level in this particular
25 matter.

1 Similarly, the West Hollywood Public Safety
2 Commission is without the power to effectively investigate and
3 remedy incidents of misconduct. Now I personally disagree with
4 that, but the West Hollywood City Council insists that under
5 state law it cannot do so. The same issue has arisen in the
6 current and long overdue scrutiny of the sheriff's department
7 by the Los Angeles County Board of Supervisors. If there is a
8 problem here then you at the state level have the power to fix
9 it.

10 In the meantime law enforcement agencies cover up
11 the nature and extent of the problem of brutality by invoking
12 state laws such as the police officers' Bill of Rights which
13 should protect officers' privacy in their personal lives, but
14 which are too often used to condone misconduct. These laws
15 also need amending to clarify their proper purpose.

16 Finally, the problems of hate crimes against
17 lesbians and gays continues to get more violent and more
18 widespread. At the center I established the anti-violence
19 hotline where we reported incidents of gay bashing, and that's
20 how Mr. Renteria came to me.

21 And Roger Cobick who is the current legal director
22 asked me to emphasize this point especially: Los Angeles
23 County has the largest lesbian-gay population in the United
24 States without a specifically-funded program to assist victims
25 of these hate crimes.

1 In all three of these areas the problems are
2 well-known and effective action is long overdue. The time for
3 legislative action is now and in my update in my report which
4 you'll get in the next few weeks, I'll have more specific
5 recommendations.

6 Thank you very much.

7 SENATOR TORRES: Thank you very much, gentlemen.

8 (A ten-minute recess was taken.)

9 PANEL III

10 SENATOR TORRES: Panel III. Mayor Paul Koretz,
11 city of West Hollywood; Jim Gordon, West Hollywood Public
12 Safety Commission; David Welch, West Hollywood Chamber of
13 Commerce; Tad Bright, Co-Chair, East End Community Action
14 Committee of West Hollywood; John Altschul, Chair, West
15 Hollywood Public Safety Commission; Mark Lehman, president,
16 West Hollywood Chamber of Commerce; and Mr. Thomas Crail,
17 executive director, West Hollywood Chamber of Commerce.

18 Welcome to the Committee, gentlemen.

19 MR. KORETZ: We would point out, Senator, that
20 neither Mr. Lehman nor Mr. Crail is here at this time.

21 SENATOR TORRES: Mr. Mayor. Welcome to the
22 Committee.

23 MR. KORETZ: Thank you, Senator Torres. I don't
24 have an extensive prepared statement so I'll wing it to some
25 degree.

1 My view of the sheriff's department is somewhat
2 mixed. Over the years I have been one of the council members
3 that's been the most critical of the sheriff's department. I
4 think there still are some problems, but I think in some areas
5 they've improved as well.

6 My goal in working with them has always been to
7 try and get them to be our police department rather than an
8 entity that says, Well you contract with us and you take us as
9 we are. That used to be their approach. I think they are
10 somewhere in between now which I think is an improvement.

11 Things have gone on over the years such as Sherman
12 Block proposing and passing Prop 96, which is a very homophobic
13 statewide initiative, without ever speaking to the city of West
14 Hollywood in doing that. That was a real slap in our face.

15 Over the years, particularly in the beginning of
16 cityhood we received frequent complaints about sheriffs
17 engaging in gay bashing of sorts, brutality against the gay
18 community. I can say that that has decreased dramatically at
19 least in the complaints that we're receiving at city hall. And
20 I hear hissing, but it's only the truth.

21 In terms of the complaints that we're receiving, I
22 was a counsel deputy at the beginning rather than a council
23 member. I did the intake and there were numerous complaints
24 and they were rarely resolved in a satisfactory way. And many
25 cases you never knew whether an individual case was really

1 valid or not, but you know by the volume of very sincere
2 testimony that some of that was happening out there, and the
3 sheriffs didn't really have a process to follow-up and
4 investigate and really get to the bottom of it very
5 effectively, nor did they seem to have the motivation.

6 As I said, the cases that we're hearing are fewer
7 in number. I believe part of that is because of some extensive
8 sensitivity trainings that we've been doing with the department
9 so that we are able to get new deputies that may come in with
10 homophobic attitudes and work with them and improve it to some
11 degree. I'm sure it still happens, but it happens less.

12 In terms of following up investigations, I don't
13 know that that has improved at all. Most investigations are
14 found to be unfounded. And we have tried again to deal with
15 that in some way.

16 Steve Schulte and I pushed for a Public Safety
17 Commission which was created in 1988, and part of that
18 intention was to create a forum for airing of complaints so
19 that they wouldn't just go into the sheriff's department never
20 to be heard from again.

21 That hasn't proven to be an effective forum. I
22 think it's partly because there's a perception that the members
23 of the commission may not intend to be as tough on the
24 department, although I think part of that is also that the
25 community is not coming and using it.

1 There was one recent case that I'm aware of
2 relating -- although I'm not well aware of it, relating to the
3 Gold Coast and some gay bashing outside of that, and that was
4 mishandled by the sheriff's department. Apparently they let a
5 carload of people with baseball bats get away very late at
6 night when they had stopped them, by saying that they were
7 going to a baseball practice; obviously not a very sensitive
8 response on the part of whichever sheriffs were involved.

9 But we've worked out a mediation process that was
10 initiated by the Public Safety Commission where the people at
11 the Gold Coast and the department are working together to try
12 to prevent that from happening in the future. It's some
13 improvement.

14 I think the difference between the L.A.P.D. and
15 the West Hollywood Sheriff's Department in handling our
16 demonstrations was a very pleasant occurrence to me. And I
17 won't say it's a pleasant surprise because I expected them to
18 be responsive, but it was a difficult task and I didn't expect
19 them to handle it as well as they did.

20 And in the L.A.P.D. the word that's been out from
21 the top down is that they wanted to get tough. I think the
22 response at the Century Plaza was exactly what was desired by
23 the top management of the L.A.P.D.

24 I think what's been happening in those
25 demonstrations here has been quite different. We've worked

1 extensively with the sheriff's department. They've tried to
2 keep the peace. They've tried to have as little interaction
3 between vehicles and demonstrators taking the streets as
4 possible but they've also worked very hard to avoid violent
5 confrontations. And in West Hollywood we have avoided those
6 confrontations to a large degree.

7 There were some incidents where demonstrators were
8 hit by cars in a couple cases and at least in one case it
9 appears that the sheriffs didn't respond aggressively enough in
10 following up after that, although again, I haven't looked at
11 the details.

12 Those problems occur but they're more on a
13 sporadic basis as I see it, individual deputies that may not
14 respond as well and need to be worked with, but it's not as
15 widespread as it used to be. I mean I'm still not an advocate
16 for the sheriff's department, I don't love the way that they
17 handle the city, but when there is some improvement I think it
18 needs to be at least acknowledged.

19 Probably the incident where they mishandled
20 something the most egregiously was not in dealing with the gay
21 and lesbian community, it was actually in dealing with a
22 shooting of a dog owned by a homeless person in West Hollywood
23 Park. That was mishandled and I don't think the city handled
24 that particularly aggressively either. I think we mishandled
25 that all the way around. But that was probably the most overt

1 problem that we've had.

2 They're still not enlightened in terms of hiring
3 but I had a recent meeting with Sherman Block and he's moved a
4 little bit.

5 In our last attempt at recruitment they refused to
6 allow any advertising in gay and lesbian publications like
7 Frontiers, which they considered pornographic, which we think
8 is ridiculous. And they refused to allow recruitment that
9 specifically mentions openly gay and lesbian deputies.

10 They have moved an inch at least in that regard.
11 They are not willing to pay for that, but they now are willing
12 to allow West Hollywood, if we have a West Hollywood
13 recruitment, to insert our own ads into those publications and
14 to specifically seek gay and lesbian deputies. It's not enough
15 progress but it's some and you should be aware of that.

16 Sherman Block also for years has made the
17 statement that he would be fearful for any of his officers to
18 become open about being gay or lesbian. He has told me that
19 that is a feeling that he no longer possesses although he has
20 publicly addressed it, because he's aware of some deputies that
21 are either openly gay or open to their fellow officers in their
22 station.

23 And he is now willing to say that none of those
24 people have failed to get backup, that it is a safe thing in
25 his view to become open on the department and he does not

1 discourage that any longer, but on the other hand he's not
2 willing to recruit specifically for openly gay and lesbian
3 deputies, which we certainly would if we had our own police
4 department here.

5 SENATOR TORRES: Are you planning to do that?

6 MR. KORETZ: I wouldn't say that we're planning
7 it. It's an issue that's being discussed currently in the
8 community. I think it's going to get some scrutiny. I don't
9 know what we'll ultimately do.

10 I would have to say based on the views of the rest
11 of the council, which is even less likely to look at that than
12 myself, I would be surprised if it happens but it's not an
13 impossibility. We clearly would gain some things from that,
14 particularly the ability to recruit openly gay and lesbian
15 deputies for our own force, where we currently do not have any
16 openly-gay deputies.

17 The other thing in dealing with Block that would
18 be a problem in terms of West Hollywood getting openly gay and
19 lesbian deputies, is even if he did recruit them in his overall
20 grouping in the whole county, he is not willing to bump them
21 ahead of the group of people that want to transfer to West
22 Hollywood.

23 West Hollywood is a very interesting place to be
24 an officer. There's quite a demand for that. He says it's
25 because union contracts would prevent that. I don't know that

1 I give that a lot of credibility. I think he didn't express
2 any anxiousness to try to change that.

3 So if someone were to be open and get into the
4 department, it could take a number of years before they'd be
5 able to get to West Hollywood, and we'd like to see that
6 changed in some form.

7 To the extent that there is homophobia in the
8 department in West Hollywood, we think that would be corrected
9 to a greater degree by having openly-gay officers that the
10 other officers were working with and they could see as they
11 have with Bruce Boland, that there is nothing for them to be
12 homophobic about, that these are just fellow officers that are
13 just as effective as anyone else and that there was nothing for
14 them to "fear," quote, unquote.

15 We think that's true with the whole sheriff's
16 department, if there were more openly-gay deputies and there
17 were more exposure, that clearly there would be less homophobia
18 in the department. And I think recruitment is probably one of
19 the areas that's the weakest.

20 Response to gay bashing has been sporadic. I'd
21 say some deputies are very sensitive, some other deputies have
22 not taken it as seriously as they should, and I'd like to see
23 more sensitivity training with the department, specifically
24 targeted towards gay bashing. And that I think is the weakest
25 area.

1 Let me see if there's anything I'm missing. I
2 should note again that we do have some oversight functions here
3 with the Public Safety Commission and with the Gay and Lesbian
4 Sheriffs Conference Committee, but it's not enough to handle
5 things adequately.

6 I would like to see us have the ability to do a
7 civilian review board, although we've been told by our legal
8 advisors that legally we don't have the ability to do further
9 investigations. If we do not, and that's the advice we're
10 getting, maybe that could be one thing that you could look at
11 to make that easier for communities to set up that kind of an
12 investigatory process.

13 SENATOR TORRES: Thank you very much, Mr. Mayor.

14 MR. KORETZ: Thank you.

15 SENATOR TORRES: Mr. Jim Gordon.

16 MR. GORDON: Thank you for allowing us to address
17 the committee. I feel like I'm in a odd spot partly today, you
18 know, on one side and on the other side. I certainly, having
19 lived in Ventura County, have had my problems with deputy
20 sheriffs out there and so I can understand, being on both
21 sides, having a deputy refuse to take a robbery report because
22 he was afraid he'd catch AIDS in my house because we had gay
23 people living there.

24 However, since being involved here in West
25 Hollywood on the Sheriffs Conference Committee, on the Public

1 Safety Committee, and as a West Hollywood resident, and also
2 being a shrink or a therapist, I have some different
3 understanding I think sometimes of what's going on and feel I
4 need to speak from that standpoint for today.

5 I feel that in West Hollywood we've made a great
6 start, but we're certainly not done and I think people need to
7 be reminded of that over and over. Nobody's saying that we're
8 resting on any laurels but we have made a start.

9 Timing is very important. I think a good example
10 is what happened with Bruce Boland, you know, wrong time, wrong
11 place. Had his issue happened after the people came out -- the
12 deputies and officers came out at the Gay Pride Festival, you
13 know, things would have gone very differently, and I feel that
14 had a lot to do with it.

15 And I also feel that again with the Rodney King
16 incident there's a lot of openness and things coming to light
17 now that would not have come to light before.

18 Interestingly, in speaking with people on the
19 L.A.P.D. Advisory Board, some friends of mine on there, I'm
20 very glad to have the West Hollywood group instead. We have a
21 very different group to work with. Working with Darryl Gates
22 is much more difficult I'm sure.

23 Plus I think you also need to realize we're
24 working on a community level. A lot of what I say and feel has
25 to do with how things are going here at our station and doesn't

1 really reflect things on the way up to Sherman Block. I think
2 it's very important. We have had a commander in the past for
3 two years and our present commander, Clarence Chapman, who are
4 willing to listen and willing to talk, and that's very
5 important, so we can go from both ends.

6 We need a lot more work in the middle. We need a
7 lot more ride-alongs with community people with the sheriffs,
8 we need a lot more ride-alongs with our own people working on
9 the committees with the sheriffs, we need a lot more awareness
10 going on in ways like that. It is nice to be able to sit down
11 with the commander and with some of the deputies and be able to
12 talk.

13 And as Paul referred, that there have been
14 situations that have happened such as during the rallies when
15 there was a deputy car that was really pushing from the back.
16 It was wrong. It was inappropriate. It was discussed with the
17 commander, and those people weren't there the next time. So
18 things do happen. As I say, things will go wrong but at least
19 they're open to some of it.

20 I think we have to remember in West Hollywood that
21 we have a unique situation because while we make up
22 approximately 20 percent to 25 percent of the population here
23 during the week, on the weekends we can be equal to the general
24 population. On a weekend or an evening like Halloween when we
25 have 30- to 50,000 people, we exceed the entire population of

1 West Hollywood. Or the Gay Pride Festival was 250,000.

2 It's been unique in doing sensitivity training. I
3 am one of the leaders of the sensitivity training for the
4 sheriff's department that we do at our site here. And as we
5 refer to the national records and the national ideas of 10
6 percent of the population being gay and lesbian, et cetera,
7 that isn't true here. We have a higher population.

8 We also have many people in West Hollywood who are
9 not local. They don't have an investment. They come here for
10 the weekend and they come to have a good time. And many of
11 them come in from a very suppressed area, whether it be Saugus,
12 Valencia, or Clovis, I don't care. And then they come to West
13 Hollywood and they can let go.

14 So the sheriff has to deal with a different
15 situation again. They're not going to have -- they're going to
16 have people that are coming in that are frustrated, that, you
17 know, have been suppressed all week. They've been the bank
18 teller all week long, as I say, in Saugus, and then they come
19 down here and they can unwind.

20 It also is an issue too that with gay and lesbian
21 people we're also dealing with the frustration when we deal
22 with authority, such as the police. If a deputy stops
23 somebody, you know, he's also getting all the anger and
24 frustration I've ever had when I was a high school student and
25 called a faggot, queer, or fairy by my high school gym coach or

1 anybody else in authority in the past. So we carry that with
2 us and it takes a long time to work that out.

3 SENATOR TORRES: You are by training a
4 psychiatrist?

5 MR. GORDON: Psychotherapist, yeah.

6 SENATOR TORRES: And in that capacity what kind of
7 recommendations would you have for the committee in terms of
8 are there tests to be able to clear out those people who might
9 be gender biased or gay biased or --

10 MR. GORDON: Well, okay. There have been -- to
11 approach this, yes there would be ways of screening more people
12 out. I think we also have to acknowledge -- and not to step on
13 toes and make a professional statement that's going to hang
14 myself -- however, when we go into fields we do things often
15 for our needs. I'm a caretaker and I ended up in a field where
16 I take care of people. I also need my reality checks though,
17 to know when to stop caretaking when it gets too involved. I
18 think this is a very generalized statement, but a lot of people
19 that do different jobs such as police work or whatever, there
20 are needs that they have to get into such a field.

21 SENATOR TORRES: The question was, What kind of
22 testing would you recommend?

23 MR. GORDON: There are some, and I wouldn't give
24 you specific names right now, but there are tests that give
25 some clues as to where people are coming from.

1 SENATOR TORRES: Could you be in contact with Mr.
2 Gordon so we have that?

3 MR. GORDON: Sure. We talked yesterday.

4 SENATOR TORRES: Oh, you did. Very good.

5 MR. GORDON: And I think that that's -- they say
6 that is an issue because you have people -- we have a lot of
7 people inside the deputies and the L.A.P.D. right now who are
8 not sensitive and probably training them to a lot of
9 sensitivity is going to be very difficult. They come from a
10 different place.

11 SENATOR TORRES: I think it's a matter of
12 exposure, and I think that's the issue that we're trying to get
13 here, is education.

14 MR. GORDON: Very much.

15 SENATOR TORRES: I know from our last hearing we
16 had some revelations and I'm proud to say that we have some CHP
17 officers in the audience now, and I want them to give my best
18 to the commissioner because I believe the CHP commissioner has
19 responded as quickly as possible once charges are made and once
20 issues are raised to try to get that education going.

21 And what I want to make sure of is that this
22 hearing is not a bashing of any institution, but a learning
23 process to avoid the situation like Officer Boland has had to
24 endure and continues to endure. No one should have to go
25 through that when exemplary service has been the M.O. of that

1 individual and yet has had to undergo that kind of experience.

2 So what we're trying to get at here is specific
3 recommendations in terms that I can take back to the
4 legislature to put together an anonymous bill that that can
5 happen. I believe that some -- many members of the committee
6 are sensitive to that. I spoke with them yesterday in
7 Sacramento. Some of them could not be here today. Senator
8 Davis recently had surgery. He's still recuperating. And
9 Senator Presley had to chair the appropriations committee today
10 in Sacramento.

11 So I think that what we're trying to reach out is
12 how best to deal with the training issue, how best to deal with
13 community interaction, how best to deal with sensitivity
14 issues, and how best to go about creating an environment where
15 people feel safe and are not going to be judged by who and what
16 they are but other than another human being who is in need of
17 services.

18 And I think that's the issue that we're out there,
19 and it's been my experience that the majority of law
20 enforcement officers that I've met in the field over the years
21 have been that kind of sensitive, caring person.

22 But there are many of them who are not and those
23 are the people that we need to weed out or correct in terms of
24 behavior because it's just going to be repetitive in terms of
25 from generation to generation to generation.

1 And the reason I say that is because in the
2 instances that we've been receiving up and down the state it's
3 clear some of the data that we've been getting is this is not a
4 problem unique to the L.A. County Sheriffs or the L.A.P.D. or
5 the CHP. It's a problem that is pervasive in this state and
6 we're going to have to nip it in the bud.

7 So I appreciate your being here today.

8 (Applause.)

9 CHIEF COUNSEL GORDON: Mr. Gordon, we've heard
10 testimony that the Minnesota Multiphasic has been ruled against
11 in one particular case in San Francisco.

12 In your professional opinion is there a better job
13 exam that exists? I mean, that has been used as far as I know
14 for many, many years. It's almost like an I.Q. test that
15 employers use.

16 Is there something that we should be looking at
17 that has been developed that is a better indication or is it
18 possible with the MMPI just to pull a couple of the offensive
19 questions and make it an effective exam?

20 MR. GORDON: That's something we'd have to talk
21 about further, separately. There's been some issues coming up
22 around the MMPI that make it perhaps dated, out of place with
23 the world, et cetera, right now, and there would be other ways.

24 But I think as a comment along that line, one of
25 the things that's been very helpful, and suggest spending the

1 time getting to know -- you know, tacky phrase, but get to know
2 your deputy.

3 And that has been probably the most effective
4 thing around here for some of us is getting to know some of
5 these people. Because when there's a fear -- when we don't
6 know something, such as happened with AIDS when you are not
7 aware of how to get AIDS or what to do with AIDS, people
8 shunned anybody that had to do with AIDS. As people started to
9 get some knowledge it was more acceptable to start to deal with
10 this.

11 SENATOR TORRES: One response to that has been the
12 San Jose Police Department. It's issued trading cards with
13 officers' names. Children collect now every kind of cards. My
14 son collects football cards or baseball cards. Now the San
15 Jose Police Department has started issuing bubble gum-type
16 cards with pictures of police officers on the force, so the
17 children can get to know their officers better. I don't know
18 about their agility as athletes, but --

19 (Laughter.)

20 MR. GORDON: It's, it's -- well, that could get
21 into some other issues here. But it has been good in that we
22 recently have done some -- pass out gay bashing brochures at
23 some of the bars and clubs.

24 When we first walk in with -- and we have some
25 very good deputies on the committee who are willing to walk

1 with us and we walked into some of the clubs. And of course
2 when you walk in with three or four uniformed people, you know,
3 they weren't sure whether they were being routed out or riled.

4 As they walked around and visited with people and
5 handed out brochures and said hello, there were a lot of bar
6 patrons that followed us out to the street and said, you know,
7 we really appreciate this. And if nothing else it also meant
8 that some people had one-to-one contact with a deputy. If they
9 ever saw that person again, you know, they might feel
10 comfortable talking to him. So awareness and --

11 SENATOR TORRES: But we know what happened to
12 Officer Boland when they saw his face again, though, too.

13 MR. GORDON: As I say, and that was prior to lots
14 of things that are happening now, and I really don't think that
15 would happen today or would be allowed to happen.

16 SENATOR TORRES: That was not that long ago.

17 MR. GORDON: It was before the Gay Pride Festival
18 which had a big -- I mean, there were a lot of things that
19 happened and a lot of awareness.

20 SENATOR TORRES: Mr. Welch, West Hollywood Chamber
21 of Commerce.

22 MR. WELCH: Thank you, Senator. And let me
23 explain exactly my involvement with the Chamber. I sat as
24 chair of the Santa Monica Boulevard Association which has a
25 high priority and numbers of gay businesses, nighttime

1 businesses, businesses that occasionally need to call a sheriff
2 for altercations outside. We have problems on our streets with
3 panhandling, with other street problems down towards the East
4 End, and so certainly we interface with the sheriff's
5 department here.

6 And I have to say ever since Rachel Burgess and
7 the new cabinet has come in, their door has always been open to
8 us. And to kind of coattail on what Jim was saying, it's easy
9 for us to get a relationship going because we're sitting there
10 talking with them over coffee, in a calm atmosphere, and we're
11 getting to know them. However, in the heat of the moment out
12 there when you're really not thinking clearly, things can
13 happen.

14 And what I've seen in the last two to three years
15 since the Sheriffs Conference Committee, the Lesbian and Gay
16 Advisory Council has been talking to the sheriffs here in West
17 Hollywood. We've seen more of an opening door, the sheriffs
18 knowing a little more who the community is. And so if I were
19 to give you one suggestion, it's to continue this type of
20 education within the sheriff's department.

21 I know Jim and others that I know on the Sheriffs
22 Conference Committee go over and talk to a group of the
23 sheriffs to let them know who we are as gay people, that the
24 majority of gay people are professionals. We're people that
25 live here in West Hollywood that want a nice, quiet

1 neighborhood. We want a safe walking environment.

2 And that is what the sheriffs are not really
3 seeing. They're seeing the person that has run the red light,
4 that has the D.U.I., that's committing a crime, and then all of
5 the sudden that becomes their whole thinking of who the gay and
6 lesbian population is.

7 So if I were to give you and the senate one
8 suggestion, I would say whatever you could do with this
9 committee is more education within the sheriff's department,
10 sensitivity training.

11 I don't have a lot of experience, thank God,
12 dealing with L.A.P.D. as I've heard testimony here today, but I
13 can tell you that there is insensitivity here in the West
14 Hollywood Sheriff's Station and maybe it can be an example for
15 the rest of the state of what is happening right now, and to
16 take that program the next step further, giving it more
17 impetus, whether it might be funding to get more counselors
18 that can come in. I know these people come in on their own
19 time, they're donating their time.

20 And so maybe it's something that the state would
21 look into for some sort of education program on a regular basis
22 that not only goes here to West Hollywood, but goes to Compton,
23 that goes to the other areas that the sheriffs and other peace
24 officers are in, because I firmly believe it's through
25 education that we're going to end this homophobia.

1 SENATOR TORRES: Thank you very much.

2 Mr. Bright, Co-Chair, East End Community Action
3 Committee.

4 MR. BRIGHT: Thank you, Senator. I do a bunch of
5 things in this town. I'm co-chair of the East End Crime Task
6 Force. This was a citizens group set up by city council that
7 deals with crime on the East End where I live. A sheriff's
8 deputy meets with us. We meet once a month.

9 I'm also co-chair of East End Community Action.
10 That's a neighborhood from Fairfax to the city limits. Our
11 issues are quality of life issues, just what you would expect.
12 But because of where we live what's on our plate now, and has
13 been for years, has been crime in our neighborhood. East End
14 Community Action just produced a study of part-one crimes in
15 the city of West Hollywood. It came out of the printer's
16 yesterday. I delivered ten to your office and my own city is
17 getting them today.

18 What I wanted to do with this particular study was
19 to put some figures out for the people in West Hollywood to
20 look at so that we wouldn't be talking anecdotally all the
21 time.

22 I note for instance from the statistics that the
23 incidents of rape in West Hollywood is half again as high as it
24 is in California, that robbery is almost two and a half times
25 as high, that burglary is almost three times as high, that

1 grand theft auto is almost twice as high. I know, for
2 instance, that 50 percent of the rapes during the first seven
3 months of this year occurred in the small area up around Sunset
4 Strip. I know that the people who live in West Hollywood
5 between Gardner and Fairfax are losing fifteen cars a month to
6 car thieves.

7 Now my issues are crime issues but the fact of the
8 matter is, is that I'm a gay man. I have a 31-year-old son
9 that I raised myself, that I raised here in West Hollywood from
10 when he was nine years old.

11 The fact of the matter is, is that I know some
12 parents who have moved away from West Hollywood because they
13 don't want to raise their children in this atmosphere. I know
14 that if my son were small again and I had to make the decision
15 to where to live, I don't know that I'd want to raise him here.

16 The fact is that the deputies, the sheriff's
17 department has been wonderfully responsive to the things that
18 we wanted to do here. We got the Crime Watch for the year
19 award specifically for shutting down Hoagie Dogs. We used to
20 go out in the middle of the night, two or three o'clock in the
21 morning into Plummer Park when Plummer Park was the drug market
22 in this area. I mean, if you wanted to see someone shoot up,
23 you could go out there during the day and do it. But we took
24 our park back.

25 We ran the national night out in 1990 and it was

1 the biggest one of those things in the entire country just
 2 here, right here in West Hollywood. The sheriff's deputies --
 3 and I want you to know that I'm saying this because I believe I
 4 know the temper of my city -- I believe that the sheriff's
 5 deputies are the most well-liked and best respected group of
 6 people in the city of West Hollywood, and I assert that that is
 7 true of the gay and lesbian community just as well. What they
 8 have done for us in terms of being responsive -- I want you to
 9 know that I captain my Neighborhood Watch and one of the things
 10 that I do is I take the time, two or three times a week, to go
 11 out and talk to the deputies that are patrolling my own
 12 neighborhood so I know who they are.

13 They started a substation in my neighborhood for
 14 outreach to the residents. I happen to know that when a young
 15 Latino guy over on Hermosa was killed, he was crushed under his
 16 car, that it was the deputies that took up the collection to
 17 help out his widow. They do thing for seniors. For the gay
 18 people, I've been with them when we've gone into the bars to
 19 give out the gay bashing things. I know that my city was the
 20 city that got the non-discrimination clause into the sheriff's
 21 contract.

22 It might be that what we're talking about, Senator
 23 Torres, is whether or not we're trying to decide whether this
 24 glass is half full or half empty. It may be that it's not even
 25 a quarter full, but the fact is, is that we are working on all

1 these things, as a gay man and as an -- in a community
2 organization with an awful lot of gay people who are getting
3 along great with the sheriffs.

4 What we want you to do when you go back there and
5 make these changes, we don't want you to hurt the sheriff's
6 department. The fact of the matter is, is that people who are
7 standing between us and the muggers isn't state senators, it's
8 sheriff's deputies. So if the sheriff's department is going
9 through a hard time -- and they are right now, what we want you
10 to know is that we want to be listed as being on the sheriff's
11 side.

12 SENATOR TORRES: Welcome to the committee.

13 MR. ALTSCHUL: Thank you. I'm John Altschul. I'm
14 the chair of the West Hollywood Public Safety Commission and
15 have been such since its inception in January of 1990. I am a
16 30-year resident of the city of West Hollywood and a 30-year
17 member of its gay and lesbian community, and I came to the
18 Public Safety Commission with somewhat of a heavy heart having
19 Tom Coleman's report on the sheriff's activities in past years
20 with respect to the gay and lesbian community.

21 The first thing we did with Chris Fairchild as a
22 member of our Public Safety Commission was to institute a
23 complaint and an intake procedure for complaints by members of
24 the entire community, including but not limited to the gay and
25 lesbian community, complaints with respect to activities, to

16
1 bashing, to any incidents involving deputies and members of the
2 sheriff's department.

3 That was practically two years ago. The complaint
4 procedure was fairly well publicized. It was disseminated
5 throughout the community, and to this date there has not been
6 one complaint or one hearing as a result of these procedures.
7 To this we are very, very proud of our West Hollywood Sheriff's
8 Station.

9 I too am very concerned about the excesses of the
10 Los Angeles Police Department, the excesses of the Los Angeles
11 County Sheriff's Department, and the upper echelon
12 administration with respect to the issues, specifically the
13 issue involving Bruce Boland.

14 However, I think we must separate the Los Angeles
15 County Sheriff's Department administrative facility with the
16 West Hollywood Sheriff's Station. I have found in these two
17 years that working with Captain Rachel Burgess and Captain
18 Clarence Thomas --

19 SENATOR TORRES: You mean Chapman.

20 (Laughter.)

21 MR. ALTSCHUL: I've been watching too much
22 television. -- Captain Clarence Chapman, has been a
23 wonderfully edifying experience and an eye opener to me as to
24 how willing these administrators are to be sensitive, to be
25 aware of the needs of all of the minority communities in the

1 city of West Hollywood, including specifically the gay and
2 lesbian community. They are concerned. They come to meetings.
3 They participate. They listen to community input. They are
4 involved.

5 Now yes, we have a long, long way to go. There is
6 gay bashing in the city that is intolerable. The sheriff's
7 response time to crime in general and specifically gay bashing
8 needs to be increased dramatically. And we are working on
9 that. We're going to have a forum next month and we will
10 eliminate gay bashing in the city of West Hollywood. We will
11 do that with the support, with the assistance, and with the
12 tremendous aid of our West Hollywood Sheriff's Department. And
13 for this the entire citizenry will be very grateful.

14 I think that as in any organization communications
15 with the citizenry can be improved, and we're working on all of
16 that. And I'm proud to say that the sheriff's department of
17 this city is working hand in hand with those of us that do
18 community work and is working hand in hand with our city
19 council and our community leaders.

20 Thank you for this opportunity, Senator Torres.

21 SENATOR TORRES: Thank you.

22 We'd like to welcome Captain Chapman. He's in the
23 audience and we'd like to thank him for coming. We do not have
24 him in our agenda, but I think you have all spoken well for him
25 already. Thank you very much.

1 MR. ALTSCHUL: May I make one more note. With
2 respect to communications, Senator Torres, a lot of us who were
3 telephoned by your office a couple of weeks ago were told we
4 would be informed as to whether or not our appearance here
5 would be necessary and would be requested. Those of us, at
6 least I know on this panel, did not get those telephone calls
7 and I don't know how many others didn't, and I think that's why
8 some of the people are not here.

9 SENATOR TORRES: Well, I must apologize for that.
10 But those of you that voted for Proposition 140 cut my staff by
11 70 percent.

12 (Applause.)

13 SENATOR TORRES: Bless you all, but we're
14 struggling. I have one staff person to this very important
15 committee, and that's it. That is it in Sacramento. So we're
16 doing the best we can, and my apologies again for communication
17 problems in getting back to you. I mean, I think I even talked
18 to Mr. Bright on the phone directly, so I've been doing some of
19 the staff work as well.

20 But thank you again, gentlemen.

21 MR. ALTSCHUL: Senator, it's about what you could
22 do for us, could I just mention one thing specifically? You
23 know that the state Bureau of Criminal Statistics is not
24 keeping statistics on gay bashing because you didn't fund it.

25 SENATOR TORRES: Because what?

1 MR. ALTSCHUL: Because they didn't get funded for
2 it. You've got to get the money over there. It's too hard to
3 argue these questions without hard data.

4 SENATOR TORRES: I hear you. Thank you very much.

5 PANEL IV

6 SENATOR TORRES: Panel IV. Mr. Steve Martin,
7 President of the Stonewall Democratic Club; Morris Kight, Los
8 Angeles County Human Relations Commissioner; Connie Norman,
9 AIDS Activist. Welcome, gentlemen.

10 Commissioner, always good to see you.

11 MR. KIGHT: Thank you, Senator.

12 SENATOR TORRES: I'm proud of your good works.
13 Welcome to the Committee.

14 MR. MARTIN: Well, Senator Torres, I want to thank
15 you once again for coming here to West Hollywood. We
16 appreciate your time to come out here and address these issues
17 that are really key and important to our community.

18 As a resident of West Hollywood and a Rent
19 Stabilization Commissioner, I could probably back up a lot of
20 things that some of the prior speakers like John Altschul said.
21 I think that an overwhelming majority in West Hollywood view
22 the sheriff's department -- at least their various deputies, as
23 being professional and efficient, adds some credit to any law
24 enforcement agency. As a matter of fact, the sheriff's
25 department is probably one of the few institutions that may

1 have even some sort of overall respect within this particular
2 community.

3 As a gay man and as a community activist, I do
4 have firsthand experience that homophobia is still rampant in
5 the department and that the department still has problems with
6 sexism as that relates to female deputies in regard to violence
7 and lack of emotions, and there's a rampant problem of
8 violence towards communities of color.

9 And as a resident I may appreciate having an
10 efficient law enforcement agency, but that doesn't mean that we
11 should have to tolerate sexism, violence, and homophobia, and I
12 don't believe that there's anybody here that's testifying today
13 that feels that that would be appropriate.

14 Two years ago a number of gay and lesbian
15 activists met with Sheriff Block at the Belosh Hotel and
16 Sheriff Block was asked what he would do if a sheriff's deputy
17 came up to him and told him he was gay and wanted to be open
18 and come out of the closet.

19 And Sheriff Block's response was that he would
20 recommend that that deputy not come out of the closet because
21 he felt that he could not protect him.

22 Now, I mean, that's an absurd answer. An answer
23 of a leader or a person who is really committed toward equality
24 would have said, I would support that deputy to the hilt and I
25 would fire anyone who harassed you, anyone who threatened you.

1 But that wasn't his attitude. His attitude was
2 very cavalier and I don't think his attitude has changed. His
3 attitude is reflected in his support of Prop 96 and the fact
4 that the city of West Hollywood activists here, along with
5 Mayor Paul Koretz, had to lobby for five years before the
6 sheriff's department would even condescend to put a
7 non-discrimination clause based on sexual orientation into the
8 contract of the city of West Hollywood.

9 We were told for years that it was a matter of
10 inconvenience, that they would have to change every contract of
11 every city that they do business with within this county and
12 that that might not be appropriate. Apparently the sheriff's
13 position was that they would agree not to discriminate against
14 gays and lesbians in West Hollywood but they felt that maybe it
15 was appropriate for them to continue to do so in Lancaster,
16 Acton, or Rolling Hills.

17 And we've really had to put up with a lot of foot
18 dragging and half-hearted measures. The history of what we've
19 seen with the Gay and Lesbian Sheriffs Conference Committee and
20 the Public Safety Commission here in West Hollywood is very
21 often the rhetoric is very satisfying and very gratifying. But
22 out on the street people don't necessarily see any difference
23 and that's creating a lot of disrespect for the institutions
24 and commissions that the city is trying to establish.

25 In the wake of Governor Wilson's veto of Senator

1 Roberti's bill that would expand sensitivity training for law
2 enforcement agencies throughout the state, I think it's really
3 important that at least in regard to L.A. Sheriff's Department
4 that we expand on sensitivity training, not just in West
5 Hollywood but on the academy level.

6 I was told by Judge Ranshrader that because of the
7 fact that the county cut his time so substantially, he just
8 stopped doing it. I think it's very important that not just
9 for the gay and lesbian community but for all communities that
10 sensitivity training be expanded. We can't afford to have
11 deputies who, as you saw in Time's poll, feel it's okay to be
12 racist or sexist or homophobic. I mean, people's lives are at
13 stake and those types of attitudes, they're allowed to persist
14 just because it's viewed upon as being inconvenient for law
15 enforcement agencies to have those types of information
16 hearings. That's inexcusable.

17 We need some sort of civilian review or at least
18 some sort of countywide commission where people feel that they
19 can take their grievances to. Los Angeles, L.A.P.D. has the
20 Police Commission. That may not always be the most efficient
21 or appropriate way for a citizen to take a complaint, but it's
22 viewed as having a legitimate body to where you can take your
23 complaint to.

24 We do have the Public Safety Commission here in
25 West Hollywood and I don't mean to disparage them or degrade

1 their services at all, but quite frankly a lot of people don't
2 feel that taking their complaints to a West Hollywood
3 institution gets you anywhere beyond the city of West Hollywood
4 and that your complaint simply gets put in the round file.

5 It's important that all people in this county,
6 especially who are the contract cities, feel that they've got a
7 forum where they can go and express both their gratitude and
8 their complaints about the level of services here.

9 The fact that the sheriff doesn't necessarily have
10 to -- they're not accountable to a single city, they're
11 accountable to 40 or 50 municipalities, makes it very difficult
12 for us to initiate any types of constructive changes.

13 And I realize that you weren't at the hearings
14 that were held at the Board of Supervisors, but it's very easy
15 for Sheriff Block as a politician to stack the deck. Those of
16 us who did go to testify and did go to relate our experiences,
17 we had to sit through almost three hours of small town
18 politicians who were simply coming up saying how wonderful the
19 sheriffs were, that they've never seen an experience of
20 violence and disparaging those of us who did.

21 Now, most of those communities were WASP-ey
22 bedroom suburban communities and the types of crimes and the
23 types of problems that they would have with the sheriff would
24 not have been the types of problems at West Hollywood and other
25 communities that were experiencing these problems would have.

1 And it was -- I felt it was very unfair. Most
2 people in the audience felt it was very unfair that Sheriff
3 Block was allowed to manipulate the media to make it look like
4 these hearings were in fact some sort of sheriffs' booster
5 rally.

6 This whole issue of Bruce Boland just sort of
7 demonstrates the kind rank hypocrisy that we in the gay and
8 lesbian community have to deal with. We've got Sheriff Block
9 who was defending deputies who have been charged with
10 corruption, violence, even murder, and here you've got someone
11 who may have made a mistake on a police report and they're now
12 trying to crucify him.

13 And, you know, what are we supposed to tell
14 members of our community? I mean, it just doesn't hold water,
15 and people understand -- you know, people look at the bottom
16 lines and they know exactly what's going on here.

17 The whole issue of rotation I understand is very
18 important as far as advancement within the ranks, but it's very
19 difficult to have community-based policing and for us to be
20 able to know our various sheriff's deputies when there's a
21 constant flux, and in many ways there may be some value into
22 the fact that sheriffs that would otherwise be stuck out in
23 Lancaster at least get some gay and lesbian sensitivity
24 training when they come here to West Hollywood, but it does
25 make it difficult for those cities to develop personal

1 relationships with a lot of individual deputies.

2 The night of Wilson's veto when the sheriff's
3 department was out when we were demonstrating, it was very nice
4 that they did let us demonstrate, but I will say the very first
5 night out they were -- they tended to be confrontational and
6 there were video cameras literally within inches of our faces.
7 And up until the time Joseph Vantaggert was hit by a --
8 assaulted by a motorist and run over and the city manager Paul
9 Brotsman showed up on the scene, I didn't feel they were
10 particularly sympathetic or cooperative at all. Afterwards
11 their attitudes seemed to change markedly and subsequent nights
12 I wouldn't really have any complaints.

13 The other issue would be Sherman Block's response
14 to instituting some of the recommendations of the Christopher
15 Commission. It was very disheartening to see that a lot of
16 political cronies and people who obviously feel that there
17 wasn't much need for improvement were appointed to that
18 commission, that Block named.

19 There was only, I think, two or three women
20 appointed to that commission, among them being Gloria Alrick
21 who I personally didn't have much faith in after she came out
22 so much in favor of Darryl Gates during the previous
23 controversy. And I realize that that group has been expanded
24 somewhat, but I still don't see any openly gay or lesbian on
25 that Commission.

1 Thank you.

2 SENATOR TORRES: All right. Thank you very much,
3 Mr. Martin.

4 Mr. Kight.

5 MR. KIGHT: Senator Torres, let me join with Steve
6 Martin and John Duran, associates of mine, in praising you for
7 your sense of justice, for your promotion of equity, for your
8 compassion for the people, and far more, for your creativity in
9 taking those excellent motivations and pursuing them. I don't
10 know what we'd do without you.

11 (Applause.)

12 MR. KIGHT: I am pleased that there are many
13 citizens here who are speaking out, sometimes with different
14 voices, but out of a variety of voices can come popular
15 opinion.

16 I'm also very sad that what I fought against so
17 long ago in the city is still going on. In 1969 the law
18 enforcement officers in this county, in this state, and the
19 whole nation, caused the gay and lesbian community to respond
20 in blind terror. They were a military occupying force. They
21 simply felt of themselves as the last batch to the decency and
22 that they should control our behavior in the most negative
23 kinds of ways.

24 Let me dedicate my testimony today to the memory
25 of a man by the name of Howard E. Mr. E was a heterosexually

1 married man with three children. He felt greatly responsible
2 for his family, yet he had mistakenly married because he was a
3 closeted gay.

4 And so on the 9th of June, 1969 he checked into
5 the Dover Hotel in downtown Los Angeles at 55 South Main
6 Street. Gay men had liberated the hotel as a residential
7 facility on the weekend. It was frankly a place for the
8 seeking and fulfillment of love. Howard E, registering under
9 the name of Jim McCann -- not unusual in those faraway days.
10 Many of us had a variety of names, our legal name, our social
11 name, and that was his cruising name.

12 He registered and went to the room and disrobed,
13 and five Los Angeles police officers came into the room with
14 truncheons and started beating on him. And he screamed, Stop
15 it, stop it, stop it.

16 Finally they pulled him from the bed and dragged
17 him down the very long hall and from the fifth floor started
18 dragging him down the stairs, feet first, his head bouncing
19 hard on each metal step, screaming all the while, leave me
20 alone.

21 And finally they dragged him down the alley and
22 again down the steps and into the alley and threw him nude into
23 the rear seat of their police car. Happily for him, his
24 powerful heart gave out. He didn't have to suffer the torture
25 anymore. He was dead.

1 That same year I founded the Gay Liberation for
2 Los Angeles. Not particularly because of his terror and
3 torture but because that was commonplace. We had in those
4 faraway days a long-since dead language. Part of our language
5 was bull horrors meant something to gay and lesbian people.
6 Bull was a slum, barrio, ghetto word describing police
7 officers. And the site of them could strike terror into the
8 heart of a lesbian-gay person.

9 I rode in another car with a number of gay men and
10 at the sight of police cars some would scream and they would
11 start nervously moving about. There was that kind of concern.
12 There were 25,000 arrests a year of gay men and lesbian women
13 in 1969. It's been reduced now to 2,000, a distinct
14 improvement. However, these were not crimes against property,
15 they were simply crimes of the seeking out love.

16 Assembly Bill 47, the Robin Sconi bill permitting
17 consensual sex among adults in private, would long since have
18 ruled that unlawful behavior. Nonetheless lives were lost,
19 reputations were lost, and people became cowards, refusing to
20 engage in society's apparatus lest they fear that their arrest
21 be revealed.

22 John Duran gave a testimony about enticement and
23 entrapment, major, major malpractices on the part of police
24 officers and the law enforcement officers throughout California
25 and for the entire country. Even though many people are doing

1 the work for Gay Liberation now and that I have many
2 associates, I still do much advocacy and counseling.

3 And recently I've advocated for a number of gay
4 men arrested on Santa Monica Boulevard for prostitution. None
5 of them were hustlers. They all had jobs. They simply were on
6 the boulevard and a police officer would come up dressed in
7 attractive, gay-oriented attire, in a sexy car for pickup, and
8 pick them up and ask them what they were into. And they'll
9 tell him and he says, You're under arret. This simply must be
10 halted.

11 I would hope that your committee would recommend
12 that the malpractice of the police departments in enticing and
13 entrapping gay men halt.

14 Kathy Spillar gave for you testimony about the
15 inclusion of women in police forces. I believe that it would
16 be an exceeding important advance of sociology to have women
17 and lesbian and gay persons in equivalent numbers in police
18 departments.

19 And thus I would hope that your committee would
20 recommend that the personnel procedures of all these
21 departments be rewritten to include an appropriate number,
22 whatever that might be, of women and an appropriate number of
23 gay and lesbian persons. That's called affirmative action.
24 Affirmative action is not a harshness of the law, it's a
25 quality of life. It's how you respond to other people; that

1 you say come, come with me and we'll try to make a better
2 society and we'll do that together, and that you can bring your
3 sensitivity.

4 I would hope also that on the other side of law
5 enforcement, those who enforce the law in the court system, the
6 city attorneys, district attorneys in the courts, become more
7 sophisticated. They must learn that police officers often
8 deceive them. They're authority figures, well dressed. They
9 seem plausible. And they come in and give testimony which is
10 clearly perjury.

11 I don't think your committee can do anything about
12 that, but society can do something about that in asking that
13 the law enforcement side, the court side, become sophisticated
14 in how they respond.

15 Here in Los Angeles I would hope that the
16 citizenry would hold Chief Gates personally responsible for the
17 police riot at the Century Plaza Hotel on the 23rd of October
18 of 1991.

19 (Applause.)

20 MR. KIGHT: And since the corruption in the case
21 of the Los Angeles Police Department starts at the top -- not
22 the bottom, it starts at the top -- I would hope that we would
23 hold Police Chief Gates responsible for his plans to retire.
24 The sooner the better.

25 (Applause.)

1 MR. KIGHT: I've heard some very complimentary
2 things about the city of West Hollywood Sheriff's Department.
3 I share those praiseworthy things. However, liking them as
4 much as we can, I would really urge the city of West Hollywood
5 to have its own police force because starting afresh they could
6 start with a new map rather than the old map and write into
7 their personnel procedures the hiring of women and lesbian and
8 gays and have peers.

9 Peer really means something. Peer is your
10 neighbor, your neighbor who cares about you. Rather than the
11 total strangers hired just to get in 8:00 to 5:00, they would
12 have peers serving the people of West Hollywood.

13 I would hope the city would pursue with great
14 vigor creating its own police department, if no other reason,
15 it would be a demonstration project of how much better the
16 world could be.

17 And let me make my last recommendation, one that
18 your committee can do nothing about, but I can recommend it to
19 Californians, that we get another governor.

20 (Applause.)

21 MR. KIGHT: This one hears voices. He hears the
22 voices of the radical right. He's hearing voices: Governor,
23 punish those people. He's not hearing the voice of the people.

24 Before he vetoed Assembly Bill 101, a carefully,
25 scientifically thought out survey was done to determine how Mr.

1 and Ms. California respond to AB 101, and a majority of them
2 wanted it. The governor, thinking he would get the praise of
3 the radical right, vetoed AB 101, and how did they pay him off?
4 They held a news conference to condemn him for his liberal
5 proclivities. He didn't make a single friend and he made a
6 really credible group of enemies.

7 Sir, I thank you very much for being here. Thank
8 you.

9 (Applause.)

10 MR. MARTIN: Not that I want to necessarily
11 disagree with what -- some of the things that Morris says, but
12 there is some divergence within the community on a couple of
13 issues.

14 Martin Luther King used to always tell us: Keep
15 your eye on the prize. I think the gay and lesbian agenda
16 demands change and change today of the sheriff's department.

17 If the city of West Hollywood was not one of the
18 cities contracting with the sheriff's department, you wouldn't
19 see San Dimas or Agoura Hills demanding non-discrimination,
20 demanding openly gay and lesbian officers on the force. That
21 wouldn't be happening. It's only because the city of West
22 Hollywood is here. The only reason that you're here today and
23 the only reason that these people are here today -- we wouldn't
24 be at this hearing if it was in Pomona or in the Valley. And I
25 think it's important to keep our eye on the prize.

1 It would be nice on a lot of levels to have a
2 small police force here in West Hollywood, but what happens in
3 1.9 square miles is not anywhere near as important as the
4 changes that we can effect, the people who are here today can
5 effect, on a county that is the size of more states. We want
6 to see those gay and lesbian officers. We want to see change.
7 We want to keep our eye on the prize.

8 I for one am not going to get Sheriff Block off
9 the hook that easy. Sheriff Block could care less if there
10 were a hundred less police officers here in West Hollywood. If
11 he could say adios and get the gay and lesbian community out of
12 his hair he'd be more than happy to do it. I'm not going to
13 let Sheriff Block off the hook and I appreciate your not
14 letting him off either.

15 Thank you.

16 SENATOR TORRES: Well, Commissioner Kight, in the
17 twenty years that I've known you, you've never bored me.
18 Unbelievable. And I again thank you for all the education
19 you've given me over those twenty years.

20 PANEL V

21 SENATOR TORRES: Our last panel is Donna Wade, Gay
22 and Lesbian Police Advisory Task Force; John Ferry, Gay and
23 Lesbian Police Advisory Task Force; Sheila Kuehl, Citizen's
24 Advisory Committee to the L.A.P.D.; and Dean Licitra, Sheriffs
25 and Citizens Conference Committee. And I'm sorry, also Carol

1 Anderson.

2 We're going to try to have some other testimony
3 from some gentlemen who are in the front row that have
4 expressed an interest to testify as well, so we will continue
5 the hearing until they are given that opportunity.

6 Who wants to start off?

7 MS. ANDERSON: Well, I'm first on the list,
8 Senator, so I guess I get to.

9 I would like to point out for your awareness that
10 you have listened to approximately eighteen people speak, all
11 of whom were white males. That is not the representation of
12 the gay and lesbian community. We are also women. We are also
13 people of color. I would like to bring that to your attention
14 so that you are aware that there are a number of voices should
15 be heard in these kinds of hearings.

16 SENATOR TORRES: Well I'd question a debate with
17 you the number of women that we've had testify today, but we'll
18 do that later.

19 MS. ANDERSON: Well the women, Kathy Spillar
20 certainly spoke for the women's movement as such, but I'm
21 speaking specifically relating to the gay and lesbian
22 community. There have been none up to this time. I know, I've
23 sat here and watched.

24 I would like to point out a couple of things.

25 SENATOR TORRES: We'll improve on that.

1 MS. ANDERSON: Thank you.

2 One of the things -- there are a couple of areas
3 that I'd like to address and I'd like to tell you just a little
4 bit about my background so that you can understand my
5 perspective.

6 My grandfather was an under-sheriff, Eugene
7 Bislows, at the time of his death in 1950 in Los Angeles
8 County. My great uncle was a Los Angeles Police Department
9 motor officer who retired on disability after laying under his
10 motorcycle for a number of hours back when Harley Davidsons
11 were shifted by hand on the side and not by foot. So I grew up
12 with a awareness of the police that's very different and a
13 respect for police and a assumption of the good intent of
14 police officers.

15 In my experience as an openly lesbian person I
16 have lost most of that, and I think that's a tragedy. And I
17 think it's a tragedy that needs to be addressed. It needs to
18 be changed in Los Angeles city and in Los Angeles County and in
19 the state of California.

20 I was present at the October 23rd demonstration.
21 I went. And I was very tired and I really didn't want to be in
22 the streets one more night, but I went particularly because of
23 the comments of our erstwhile police chief, Chief Gates,
24 stating that there would be a change in attitude in policing.
25 And because I happened to have been appointed to the Citizens

1 Advisory Committee for the L.A. Police Department, I wanted the
2 personal experience of being there to say I saw what happened,
3 I know personally what was there.

4 As a result of my being there I was pushed, I was
5 shoved, I was struck with a baton for the crime of standing on
6 the street -- on the sidewalk actually, in what must have been
7 perceived as a lesbian manner.

8 I find that unacceptable.

9 What we were told was that we were not allowed to
10 be in places where we were simply using our First Amendment
11 rights and peacefully demonstrating. I was one of those people
12 who is, quote: "Perceived as a leader in this community," and
13 as you can see I'm a radical person who is certainly going to
14 throw her body at the Century Plaza Hotel and attempt to storm
15 the building.

16 It's nonsense, Senator. It wasn't going to
17 happen. It wasn't talked about. It was simply a peaceful
18 demonstration. The response to it was not in relationship to
19 what happened in that demonstration. It was clearly an attempt
20 by the part of the Los Angeles Police Department to establish
21 that they could get tough and that they could win back the
22 support of the right wing by being tough on gays and lesbians.
23 That's not acceptable.

24 (Applause.)

25 MS. ANDERSON: Since the veto of AB 101 I've also

1 become co-chair of a group that I helped found called the Ad
2 Hoc Committee for Lesbian and Gay Equality, along with Steve
3 Martin who just spoke.

4 We have seen at our meetings undercover police
5 officers sitting in those meetings for God knows what reason.
6 I can't imagine that they could be anything but bored to death
7 unless they were there to learn about gay and lesbian process,
8 because we've been doing that forever.

9 But it seems to me to be an amazing allocation of
10 resources to send undercover police officers to gay and lesbian
11 meetings to sit in the back and listen to what we have to say
12 when we're talking about political reactions to a political act
13 on the part of our governor. It is a waste of my tax money and
14 certainly of the tax money of the state of California and city
15 of Los Angeles, and that is also not acceptable.

16 Finally I would like to talk, address a little bit
17 a different issue, and that's the effect of homophobia within
18 police departments.

19 What we see routinely is that the tops of police
20 departments are incredibly homophobic. That homophobia
21 permeates the entire police department. I am not saying that
22 Chief Gates' attitude can control every attitude of every
23 officer on the streets in Los Angeles, but it can make a
24 definite difference.

25 If there is a clear statement that homophobia is

1 not acceptable, will not be tolerated anywhere in the state of
2 California in the police departments, we will see a change.

3 And I'm happy that the West Hollywood Sheriff's
4 Department has sensitivity trainings, but it's not enough. We
5 don't just live in West Hollywood. I live in Highland Park.
6 Many people in this room live in Silver Lake, live in the
7 Valley, live in the South Bay, live all over Los Angeles
8 County. Having one sheriff's station that is sensitive is not
9 enough. We need to have a change in attitude from the top.

10 An example of what occurs because of this
11 homophobia at the highest levels in the police department is
12 the use that homophobia is given by certain officers -- and I
13 do not mean to imply all officers or even all male officers in
14 the L.A.P.D., but I have had lesbians and ex-lesbian -- well,
15 current lesbians but ex-officers tell me of their experiences
16 in being members of the Los Angeles Police Department where
17 they have had homophobia used as a tool of sexual harassment.

18 A direct statement made to officers: Well, if you
19 don't want to sleep with me it must be because you're a dyke.
20 And they are then left with the choice of either being
21 identified as a lesbian or being identified as easy, which will
22 also spread through the department, either one of which is
23 destructive to their career. They are put in a no-win
24 circumstance that is totally unacceptable.

25 And one can stop it. You cannot control the

1 average officer in all circumstances, but if the top levels of
2 the police department say this is not okay, not just we will
3 tolerate gays and lesbians -- Senator Torres, we're not here to
4 ask for tolerance. We don't need tolerance. We need to be
5 accepted as full human beings and full citizens of this society
6 and this city and this state.

7 (Applause.)

8 MS. ANDERSON: What we need is an awareness on the
9 part of the top ranking officers in every police department in
10 the state of California, not just the Los Angeles County
11 Sheriff's Department, not just the Los Angeles Police
12 Department, but the Glendale Police Department, San Fernando
13 Police Department, the Bakersfield Police Department, the
14 Fresno Police Department, that all citizens of the state of
15 California deserve equal treatment and that nothing less will
16 be tolerated by the people of this state.

17 Thank you.

18 (Applause.)

19 MS. WADE: Good afternoon now, I suppose, Senator.
20 How do you follow Carol Anderson? I was the co-chair of the
21 Los Angeles Gay and Lesbian Police Advisory Task Force for some
22 time, and so there are a few areas that I would like to
23 address, specifically those of training since I am one of the
24 people who conducts the cultural awareness training for the Los
25 Angeles Police Academy and also for the Ventura County

1 Sheriff's Department, and the issue of recruitment which has
2 been a long -- the scourge of our community in terms of dealing
3 with the Los Angeles Police Department.

4 First of all, in terms of recruitment and just in
5 continuation of some of the remarks that Carol made, we had a
6 rather historic event at the Gay Pride Festival this year in
7 which several very brave officers came out to the department
8 and to our community.

9 And since that time I think that at least in my
10 dealings with the individual officers on the street I have
11 noticed a difference in how people relate to me and to other
12 officers because of their existence and their visibility.

13 I think that you will find that as more and more
14 officers find this courage to come out, which as yet there's
15 only -- aside from Deputy Boland there's only one other openly
16 gay sheriff's deputy on the Los Angeles County Sheriff's
17 Department. But as we become more visible in the ranks I think
18 that you will, at least at the grassroots level among the
19 street officers, find the attitudes beginning somewhat to
20 change. It's a type of scenario where I believe that if
21 possible the state should mandate the open recruitment of the
22 gay and lesbian officers in every department in the state.
23 Clearly we are --

24 SENATOR TORRES: Excuse me.

25 Sergeant, would you curtail the noise out in

1 front. It's very difficult to hear and I don't want the
2 witness to be interrupted by outside noises.

3 Pleased continue, Ms. Wade.

4 MS. WADE: Thank you.

5 Just as the statistics have shown that the
6 presence of more and more women in law enforcement has a
7 tendency to create better police in those communities, that can
8 only be further enhanced with openly gay and lesbian officers
9 in law enforcement, partly because you remove from these
10 officers -- you know, obviously we cannot change our
11 orientation but you can remove the extra stress that is
12 involved in living a double life where you have to be one thing
13 professionally but yet you're something in your private life.

14 This is something that the highest levels of the
15 command staff in the Los Angeles Police Department have fought
16 violently against. I'm starting to see now among some of these
17 command personnel the actual willingness to create change but I
18 feel like they are being hindered by the top management at the
19 department. The lower level commanders and stuff are very,
20 very receptive to our suggestions and are willing to work with
21 us, but then again you always run up against the brick wall
22 that is Darryl Gates and Chief Vernon.

23 In the areas of training --

24 SENATOR TORRES: What happens in that classroom
25 where you are -- you've stated in your testimony that you are

1 one of the teachers at the Ventura Sheriff's Department as well
2 as the L.A.P.D.

3 MS. WADE: Yes, sir. It's primarily in-service
4 training for the Ventura Sheriff's Department, but it's recruit
5 training as well as in-service and supervisor training for the
6 Los Angeles Police Department.

7 SENATOR TORRES: You come into a classroom.

8 MS. WADE: Yes, sir.

9 SENATOR TORRES: What happens?

10 MS. WADE: We begin by giving personal histories
11 on various instructors. We talk about the demographics of the
12 gay and lesbian community in terms of attempting to give them
13 an appreciation of the diversity of our community. We do some
14 exercises primarily about stereotypes wherein we have the
15 officers give us stereotypes of gay men, lesbians, and police
16 officers to show how we can all be somewhat victimized by
17 stereotypical images. We give as best --

18 SENATOR TORRES: So you trade stereotypes with
19 each other.

20 MS. WADE: Right. We -- and point out how the
21 stereotypes of the police are not necessarily, you know,
22 germane to all police officers as the stereotypes are not
23 germane to the gays and lesbians.

24 SENATOR TORRES: Well in the L.A.P.D. and in
25 Ventura, what are the number of hours that are spent on that

1 kind of instruction?

2 MS. WADE: Basically each recruit class gets us
3 for an hour and a half, and our time at Ventura is about an
4 hour and twenty minutes I think.

5 SENATOR TORRES: You're also a teacher then?

6 MR. FERRY: That's right.

7 SENATOR TORRES: Would you identify yourself for
8 the --

9 MR. FERRY: Oh, I'm sorry. John Ferry of the Gay
10 and Lesbian Police Advisory Task Force. We have a copy of the
11 curriculum for you.

12 SENATOR TORRES: Okay, great. So you're in the
13 classroom. You share dialogue with the recruits or the
14 in-service training. How do you feel after you've completed
15 that work? Do you feel you've made an impact?

16 MS. WADE: Sometimes. And sometimes I feel like
17 I've been talking to a brick wall. It sort of depends. I get
18 the brick wall feeling more in Ventura than I do at L.A.P.D.
19 and there's a difference between recruit classes and in-service
20 classes. Recruits have a tendency to be more receptive mainly
21 because I think they're scared within an inch of their lives
22 that if they act out in class that something detrimental will
23 happen to them.

24 But oftentimes you can identify people that have a
25 really, really big problem with gays and lesbians. And

1 oftentimes after class we will call those people aside and
2 attempt to, you know, address those types of issues at a later
3 time.

4 The problem is also that sometimes -- the few
5 times that we have had people that really exhibited homophobic
6 tendencies, once they're in the academy and within the Civil
7 Service protection and all that kind of stuff there's not
8 anything you can do until they actually act on those feelings
9 when they're in the streets. So there's no intervention that's
10 possible prior to them being set loose on the public, I
11 suppose.

12 SENATOR TORRES: It's very difficult to deal with
13 prejudice and discrimination. It's very difficult to legislate
14 against it. And you just don't realize it until you've
15 experienced it, because it is real. It is out there.

16 I've lived most of my life in Los Angeles and I
17 never really experienced discrimination until I was working for
18 the Farm Workers Union and going to rural communities. And
19 then I realized, my God, they don't like Mexicans here.

20 So how you begin to impact that is very important.
21 I mean it just doesn't -- I don't see how we can do that other
22 than just a consistent vigilance in terms of education and in
23 terms of role models that can be out there and the doors can be
24 opened to allow those role models to take shape and to provide
25 leadership.

1 Is that your feeling too?

2 MS. WADE: I find the most important thing that we
3 do is provide a human body that is willing to share our human
4 experience. Because you can say the words gay and lesbian but
5 unless you really know one of us or have someone in your family
6 or whatever, you know, it's very easy to just pigeonhole us.
7 But once you're talking to a living, breathing person that is
8 describing this experience, oftentimes attitudes can be
9 changed.

10 And there are those gratifying moments where you
11 actually practically see a light come on in somebody's head
12 when they realize that the things that they had thought were
13 not exactly as they truly are.

14 But then again there are those people who for
15 religious-belief reasons or any number of other types of
16 reasons just really refuse to let go of those old beliefs. So
17 if nothing else, the best thing that we do is provide a
18 presence. And we also let them know that we do watch how they
19 interact with our community. And I think the department and
20 particularly L.A.P.D. is getting very clearly the idea that we
21 do monitor their interactions with our community. Part of the
22 problem is that the command staff really doesn't care that we
23 are watching.

24 SENATOR TORRES: Okay. You did great.

25 (Applause.)

1 SENATOR TORRES: John Ferry.

2 MR. FERRY: Good afternoon, Senator.

3 I am the representative to the task force from the
4 L.A. Business Alliance which is a group of several hundred gay
5 and lesbian professionals in the San Fernando Valley.

6 Donna kind of stold half my speech. I was
7 actually going to talk only about attitudes within the classes
8 themselves and there's a few more points I can bring up.

9 Very few of the recruits will actually express in
10 the classes that they find gay and lesbian behavior or gay and
11 lesbian persons completely unacceptable. Most of them keep
12 that under wraps.

13 We do find that a significant minority of those
14 individuals, now that this is the '90s, actually have some
15 experience with a relative or a friend who is gay and lesbian
16 and there does seem to be a significant minority of the
17 recruits that are not going to be acting out just because of
18 their own life experience.

19 The in-service classes are very different,
20 however. Generally speaking, the experienced officers do not
21 want to be there. They are told this is something that they
22 are going to do. They resent having to be there. Many of them
23 view what we say to them as propoganda. Many of them believe
24 that there is only a small number of gays and lesbians in the
25 world. They don't believe the generally-accepted figure of 10

1 percent. They don't believe that we are 60 percent college
2 educated, three times the national average, or that half of us
3 are managers and professionals.

4 They really prefer to believe that we are
5 perverts, which is -- one of the only ways that an experienced
6 officer is ever going to meet someone who is gay and lesbian is
7 in some kind of an arrest, which is a very tiny portion of our
8 community. It is very hard to get through.

9 In Ventura County, I've done two classes out
10 there, and the first class was very well received. The news
11 media was there. During the second class we were attacked by
12 one man in the audience who basically told us we were perverts,
13 and we were cursed by another man as he exited the room,
14 another police officer.

15 Attitudes up there are very different and if they
16 are a bellwhether of the attitudes across the state, we really
17 do have a long way to go as a culture. They don't believe,
18 many of them, that there are lots of gays and lesbians around.
19 They think that very few live up there. They have no sympathy.
20 They think that we are immoral, that we are destroying their
21 particular culture. It's very disheartening to go up there
22 sometimes and have to put up with this. It's going to take a
23 very long time for police departments in non-metropolitan areas
24 to get to the point where there's going to be some level of
25 sensitivity.

1 I would like to offer a suggestion to the
2 subcommittee on how we can resolve the problem across the
3 state. I worked for ten years for General Telephone
4 Corporation. We had a very strong equal opportunity program.
5 There were men, women, minorities, gays and lesbians at every
6 level of both hourly and salary positions, and it took about
7 ten years to complete that transition.

8 We also had a very strong policy on discrimination
9 and sexual harassment. Now I don't believe that it is possible
10 that when someone has lived half of their life span that you're
11 going to change their attitudes. And we really don't want to
12 change the way people think; however, we do have to stop people
13 from acting on their own personal bias under color of law. And
14 I believe the only answer is to attack the problem from an
15 economic standpoint.

16 At General Telephone if you were -- if it was
17 proved that you had engaged in sexual harassment you were
18 immediately transferred and demoted. On the second offense you
19 were fired. And there is no economic incentive to have that
20 kind of a policy in force in a department like L.A.P.D. where
21 we have the upper management not really believing that we're --
22 you know, that we have rights. And I do believe that we need a
23 statewide policy that is enforced that fires people that act
24 out on their own personal bias under color of law and I don't
25 think that those individuals should be able to be rehired by

1 other agencies.

2 If only that they would act professionally while
3 they're in uniform, that is really all we want. Certainly none
4 of us want someone of another philosophical belief forcing
5 their own views on us and forcing us to think a different way,
6 and certainly we're not going to expect it of anybody else;
7 however, I don't believe that we should employ people that act
8 their own personal bias to the detriment of anybody other than
9 their own particular social group.

10 With regards to hate crimes, which have not been
11 mentioned here today, there is a reporting system at the Gay
12 and Lesbian Community Services Center. The number of reports
13 that are taken for greater Los Angeles there, we are told by
14 the legal department is actually greater than the total number
15 of hate crime reports taken by all agencies in Southern
16 California combined. One out of six of those reports are
17 directed against police officers. Very few of those reports
18 are actually reports of the police department.

19 We feel that the number of reports that are
20 reported to both police agencies and to the senate really does
21 represent the tip of the iceberg, and we believe that it is
22 because there has been such a publicly-expressed attitude by
23 management of various police agencies regarding gays and
24 lesbians in general.

25 Thank you.

1 MS. WADE: I have just one thing to add.

2 SENATOR TORRES: Yes, Ms. Wade.

3 MS. WADE: I would like to say that in the
4 classroom setting and stuff we're finding that -- or at least I
5 feel that the more women that there are in the classes, the
6 easier the classes are to teach and the more receptive the
7 group is to the information that we have.

8 I rarely recall meeting with the types of
9 hostility that we have somewhat become accustomed to being as
10 prevalent in classes that have a higher percentage of women in
11 the class.

12 I would also like to say that one of the
13 co-directors of Pride Behind the Badge which is a support
14 organization for gay and lesbian police officers is here today,
15 I encourage you to hear testimony from her.

16 SENATOR TORRES: Mr. Licitra.

17 MR. LICITRA: Good morning, Senator Torres. My
18 name is Dean Licitra, and I'm the Co-Chair of the city of West
19 Hollywood's Gay and Lesbian Sheriffs Conference Committee.

20 I would like to give you a little background about
21 the committee first so you understand the workings. The
22 committee was founded in June of 1989 prior to the founding of
23 the Public Safety Commission. It was founded upon the
24 recommendation of a special task force which reported to the
25 city council on the needs and manners to address the concerns

1 of the gay and lesbian community in West Hollywood.

2 And I have to also add that its realization was
3 achieved with a very pro-active stance from then Captain Rachel
4 Burgess of the West Hollywood Station. She wisely saw the
5 potential benefit to both sides in forming this committee.

6 The committee is a voluntary body comprised of
7 five gay and lesbian community representatives, as well as five
8 representatives of the Los Angeles County Sheriff's Department,
9 West Hollywood Station, including its captain.

10 We meet once each month in private to discuss
11 issues of mutual concern to the community and the department.
12 We meet in private on purpose. The reason for that is so that
13 sensitive issues can be dealt with with candor, and we do that,
14 and we have that kind of rapport after over two years with the
15 deputies that we serve with.

16 We hold at least one public forum per year so that
17 we can ensure that we as community representatives are in touch
18 with community concerns. The conference committee, however,
19 has no statutory authority either through the city of West
20 Hollywood or the sheriff's department, as no civilian review of
21 the department is currently allowed by contract, as you're well
22 aware.

23 I would like to read to you from testimony that I
24 recently provided to the L.A. County Board of Supervisors
25 during their hearing on the sheriff's department. I quote:

1 "At the time the conference committee was
2 formed the sheriff's department's image was at an
3 all time low in the gay and lesbian community.
4 Allegations and incidents of police abuse abounded
5 and there was little respect for law enforcement
6 among many gays and lesbians.

7 "In the two years that followed, the
8 conference committee has dealt and successfully
9 impacted a number of issues in West Hollywood."

10 To illustrate this I have brought and provided you
11 a copy of our most recent progress report for testimony. I'd
12 like to add that this report is dated February 1991 and since
13 that time there has even been additional progress, specifically
14 the implementation of the sensitivity training which you've
15 heard about that takes place currently at the West Hollywood
16 station.

17 We've conducted two trainings thus far, primarily
18 geared toward new recruits or people transferring to the
19 station. As you will see, we have had positive results. The
20 incidents of complaints against law enforcement gays and
21 lesbians in West Hollywood has decreased significantly and
22 that's a statistical fact.

23 SENATOR TORRES: Why?

24 MR. LICITRA: I think there's a number of reasons
25 why. I think that we have been fairly successful in changing

1 some attitudes at the station level. The fact that the captain
2 of the station does sit on our committee, I feel it has had
3 repercussions at the administrative level to some extent at the
4 station. We are relatively high profile. A number of our
5 department committee members are field training officers, watch
6 sergeants, and are in a position to influence other deputies at
7 the station.

8 That's one reason. Further along I think you'll
9 see some additional ones.

10 SENATOR TORRES: Okay. Thanks.

11 MR. LICITRA: I think there are three keys to the
12 success that we've had so far. The first is -- and I'm not
13 necessarily saying that all these are in place now, but in
14 order to implement this format in other jurisdictions or on a
15 countywide, hopefully, basis, these are the three things that
16 would be needed: support from elected and appointed officials
17 in the city or jurisdiction of operation, including the
18 willingness to adequately utilize the body by referring
19 appropriate matters to them and allowing them access to the
20 tools and personnel necessary to achieve mutual goals.

21 Number two is support and participation, and I'd
22 have to emphasize participation, from the local law enforcement
23 precinct, including the willingness of its commanding officer
24 to participate and back up the work of the body with local
25 administrative procedures and departmental policy

1 recommendations.

2 SENATOR TORRES: That's Mr. Chapman who's been
3 working with you?

4 MR. LICITRA: Yes, sir.

5 And finally, the willingness of the command of the
6 law enforcement agency to embrace the needs for resolutions and
7 strategies of the body in shaping departmental policy.

8 While I do believe that we have had some success,
9 it is clear to at least our civilian members that there is
10 still much to do. We have yet to impact departmental policy on
11 recruitment, although we did have a deputy at last year's gay
12 rodeo and we did have deputies at the C.S.W. Gay and Lesbian
13 Pride Festival.

14 What we do not have yet is the participation and
15 evidence of the department's own recruiting office behind these
16 efforts. Currently all recruitment requests we have are manned
17 by locally-based deputies instead of the special recruitment
18 officers which participate in all other departmental
19 recruitment effort.

20 And not to diminish from the work and the
21 volunteer time, for the most part, of these deputies, but the
22 reality is that it's not going through official channels.

23 Another area of concern is the reporting of hate
24 crimes. And there seems to be a reluctance or a resistance on
25 the part of what I feel are too many deputies and patrol to

1 flag incidents as hate crimes where appropriate, and there
2 seems to be a resistance to follow through with that at the
3 higher levels.

4 And I'm not necessarily sure where that comes from
5 but even in West Hollywood where we're to promote the ideal
6 that gays and lesbians can in fact report hate crimes and feel
7 that their concerns will be met with sincerity at the
8 department level, we have a tough time with this when I get
9 calls on a regular basis saying they have not flagged this as a
10 hate crime, it was not treated with the import that it
11 deserved.

12 We also have yet to feel secure that the
13 department does not discriminate among its rank and file for
14 sexual orientation. We do acknowledge, however, that this is a
15 difficult area to access -- assess, excuse me.

16 We do have it on good authority that there are gay
17 and lesbian deputies on the force, but there is only one who is
18 open about his orientation at this time. Whether this means
19 others are afraid to come out or simply that they choose not
20 to, I really don't know.

21 There are, I believe -- and this is personal --
22 legitimate reasons not to come out as a law enforcement officer
23 especially if you happen to live in the jurisdiction that you
24 work in. I think those reasons extend to -- at this point
25 anyway, the potential for departmental discrimination, coworker

1 harassment, and/or reaction of the community at large, but
2 within our own community the scrutiny and high expectations
3 placed upon an officer living where he worked are considerable.

4 On the positive side we have impacted law
5 enforcement techniques at least locally. The recent series of
6 demonstrations to Governor Wilson's veto of AB 101, most of
7 which took place in West Hollywood, show that the department
8 can be sensitive to our community, and more importantly,
9 translate that sensitivity into enforcement strategy.

10 At this time I wish to publicly thank Commander
11 Mark Squires and Captain Clarence Chapman for meeting every
12 single night during those two weeks with conference committee
13 members and other community representatives to discuss that
14 evening's agendas and strategies, a tactic which kept violence
15 and arrest to an amazing low in West Hollywood in light of both
16 the heated emotions of the demonstrators and the comparatively
17 violent response the Los Angeles Police Department had to the
18 same demonstrations.

19 You've heard some calls today by some people for
20 West Hollywood to consider its own police department. This is
21 not a new concept, it's been looked into before. Personally, I
22 don't put any credence into this idea for a city of 1.9 square
23 miles. It is just not feasible that this city can absorb those
24 kinds of costs.

25 And the truth is that we really do not have

1 problems with the department sufficient enough to even consider
2 this as a viable option in my estimation. We can and have been
3 working with the sheriff's department and through the
4 conference committee format we've developed a good rapport.

5 But what would make this process better and more
6 effective is, number one, to institutionalize this format at
7 the command level, that is, make it countywide and install as
8 its participants personnel of sufficient rank to analyze and
9 effectively recommend changes to departmental policy as needed
10 to correct current imbalances and inadequacies.

11 SENATOR TORRES: Are you about done?

12 MR. LICITRA: Yes. Just a little more, if I may.

13 SENATOR TORRES: Very quickly because we're
14 running out of time.

15 MR. LICITRA: Okay.

16 Secondly, we'd like Sheriff Sherman Block to
17 publicly acknowledge and demonstrate a real interest in the
18 work of this model body. This would serve a dual purpose. It
19 would underscore the department's commitment to these issues in
20 the eyes of the rank and file, and secondly, signal a sincerity
21 to the community that the department is indeed interested in
22 working with all of its constituents.

23 Third, to reinstitute sensitivity training at the
24 academy level, at least as it is currently being done at the
25 West Hollywood station. We've had very positive reaction in

1 evaluations that deputies have given us to the training that
2 we're currently conducting.

3 The question of civilian review has come up.
4 Personally, I don't necessarily believe that the existence of
5 the Los Angeles Police Commission has really impacted to any
6 great level relations between the department and the gay and
7 lesbian community, as evidenced by the recent actions in
8 Century City.

9 I was arrested in Century City myself on the first
10 night of protest there, and I can tell you that the treatment
11 we received and the way the entire incident was handled was
12 unorganized and clearly biased and vindictive.

13 I would just like to make one final point on
14 civilian review. We've had some success and we have had
15 personnel removed from the station. Working with the format
16 that we've had, within a period of days we've had action on
17 certain incidents.

18 If we had a civilian commission in place with the
19 administrative remedies that that would involve, I don't
20 necessarily know that we would have the same kind of
21 cooperation. I think we would have even more resistance than
22 currently exists.

23 There is other testimony referring to the
24 sheriff's department's response to the Christopher Commission
25 report, but I will submit that in writing to you in the

1 interest of time at this point in time.

2 And thank you again.

3 MS. ANDERSON: Senator Torres, could I add one
4 thing?

5 SENATOR TORRES: Yes.

6 MS. ANDERSON: We would like to think that the
7 anti-discrimination and the acceptance of gays and lesbians
8 that we request on an equal basis in this society would be
9 caused purely by fairness and justice, but we know better than
10 that.

11 I would like to point out to you particularly,
12 Senator, so that this could be brought to the state senate,
13 that there is a very real financial benefit to the people of
14 the state of California in implementing the kinds of things
15 that we have talked about here today.

16 It is very expensive to train a police officer.
17 Every community spends large amounts of money on it. The
18 impact we all know what a stressful position being a police
19 officer is. If you add to that the stress of homophobia, the
20 fear of being out of the closet, or the fear of being denounced
21 as being gay and lesbian and living with that, adds to an
22 incredible burden of stress that gay and lesbian officers
23 carry. As a result they tend to leave the department. We're
24 talking about top performing officers who go through the
25 training, who are doing a fine job, who cannot deal with the

1 day-to-day stress of that additional unnecessary level of bias
2 and prejudice.

3 As a result it's coming out of the pockets of the
4 people of the state of California that we cannot get the
5 understanding and the support for gay and lesbian rights from
6 the top levels of law enforcement.

7 MR. LICITRA: For your information, I have taken
8 all the written and psychological tests required for
9 recruitment into the sheriff's department. If that would be of
10 any benefit for future review, I would be more than --

11 SENATOR TORRES: You've taken the test?

12 MR. LICITRA: Yes, sir.

13 SENATOR TORRES: Thank you.

14 PUBLIC SPEAKERS

15 SENATOR TORRES: All right, we'll call the people
16 to come forward now, and we will get you on as long as we have
17 time.

18 Would you please identify yourself? And that's
19 all I need is your name for the record so we can identify you
20 as part of our testimony.

21 Whoever wants to start --

22 MR. ROTHSCHILD: I'd like to start.

23 My name is Joel Rothschild. I'm a documentary
24 film producer and I'm not a good public speaker, but I want to
25 tell you a story about something that happened to me with the

1 L.A.P.D.

2 Before I begin, I want to help bridge the gap of
3 understanding on your part about gay and lesbian people. We
4 don't choose this life. I believe that we don't choose this
5 life and I believe that it is something that we're born. I
6 don't think anybody would choose a lifestyle or life in a
7 community that it's a pandemic of gay bashing, there's a
8 holocaust of AIDS, and we are being beat with a political
9 whipping boy just like in the McCarthy era where communism was
10 the whipping target.

11 I was bashed with my domestic partner. We were
12 out filming the second protest and we were bashed by a man that
13 had an arrest warrant out at the time. I was almost killed.
14 The bone under my eye, the orbital, was broke, broken ribs,
15 hundreds of stitches in my head, I had stitches in my eye.
16 It's a miracle that I wasn't blinded or killed. And I am HIV
17 positive. My domestic partner is HIV negative, and there was
18 blood transfer. And my story is not only an indictment of the
19 criminal that did this to us, it's an indictment in a sense of
20 the D.A. and of the police department.

21 And the reason why I wanted to talk to you today
22 is because the homophobia on the part of the police department
23 it could cost the city a lot of money if I chose to file a
24 civil suit against the police department.

25 My attorney -- my family is in the entertainment

1 business and my attorney is one of the most powerful litigators
2 in the state. And I don't choose to litigate against the state
3 or county or city that I live in, and that's my choice. But we
4 feel we have a pretty strong case and I want to tell you a
5 little bit about the situation.

6 As we got -- we were walking on Sunset Boulevard
7 filming and this man who had attacked gays about two hours
8 before -- and there's ten witnesses to the previous attack with
9 the deadly weapon, and he had already been reported from the
10 previous attack as threatening to kill or beat up gays.

11 He was driving a taxicab. You might have heard
12 about the case, the celebrity cab driver. He was inching his
13 car through the crowd. It was obviously gridlocked at that
14 point and he hit my domestic partner in the leg with the cab.

15 And Kevin's natural reaction was to turn on the
16 camera. There were police all around at this point. Kevin's
17 natural reaction was to turn on the camera and capture on film
18 the person who was -- seemed to be running over people. The
19 guy saw the camera and went bananas. He came out with a leaded
20 pipe and he hit Kevin across the face.

21 Kevin had stitches on the face and severe
22 injuries, smashed with the camera, and I jumped in the middle,
23 in between them. It was a natural reaction. I jumped in
24 facing Kevin and the guy hit me on the back of the head and I
25 went unconscious, and while I was unconscious he continued to

1 beat on me. And that's where I had broken -- I had a broken
2 rib and very serious injuries.

3 Well, at that time you would think police on the
4 scene who I'm sure saw the beating -- I personally believe
5 after the first attack on Kevin they could have intervened and
6 stopped the beating of me. Because I was a little bit distance
7 away, not far from cops, and I had to jump over to see if Kevin
8 was okay. The cops could have intervened at that time. They
9 didn't. This is L.A.P.D.

10 The second thing that happened is that after I was
11 down they certainly could have helped break up the fight --
12 there was no fight, get this man off of me. I was unconscious,
13 he was still beating me. The crowd, which the natural reaction
14 of a crowd is to stand back. This guy is six foot, three, 3-
15 or 400 pounds, with a deadly weapon. Nobody wanted to jump in.
16 Kevin who was injured is the only person who got his composure
17 to pull the guy off me.

18 After Kevin got on the guy's back and pulled him
19 off me, the guy sort of gained whatever semblance of composure
20 that this lunatic had and went back into his car to drive away.

21 Well there are some witnesses, and this is in the
22 police reports, there are witnesses that the police said, Oh,
23 you hit those guys over there? Get in your car and drive away.

24 Don't forget he had a warrant out at the time for
25 his arrest. There are several witnesses, and I believe on

1 videotape as well, the police said, Just get in your car and
2 drive away.

3 So my feeling is that a) they could have prevented
4 the second attack from happening. There's no way they could
5 have prevented Kevin from being hit. It happened very quick.
6 There was a time period in between where I got hit and they
7 could have prevented that. Also they could have prevented --
8 they could have stopped him and arrested him.

9 What happened is the crowd intervened. Thirty or
10 forty people surrounded the cab and started, Arrest this man,
11 arrest this man. And finally they arrested him.

12 After the case got sent to the D.A. the next
13 day -- we were in the hospital all night until 5:00 o'clock in
14 the morning and we got home about 6:30 and we had slept for
15 about an hour. At 7:30 in the morning a detective called us
16 from the hate crimes division. He was very, very nice. His
17 name was Detective Bouchet. He filled out the report. He felt
18 that this should have been taken as a hate crime and as a
19 felony attack. He saw the injuries, he heard what was going
20 on.

21 Boy, I really feel like I have an indictment
22 against the D.A. It's well maybe they're just too busy to do a
23 good job. But they had the injuries down. At that point in
24 time there were twenty or thirty eyewitnesses, videotape, still
25 photographs. The D.A. passed on the case as a misdemeanor.

1 After a number of people started calling, they
2 seemed to say that well they didn't realize the serious extent
3 of the injuries. But the injuries were in the original police
4 report.

5 In addition, there was a few witnesses in the
6 original police report that stated they saw him attack people.
7 It was just like a really weird coincidence that we had these
8 witnesses that were at the -- earlier were walking on Santa
9 Monica Boulevard. They were protesting and when we were
10 attacked, happened to be protesting at the same time we were
11 attacked, so they saw both attacks, which made it a hate crime.
12 And it was in the file. The D.A.'s representative who I spoke
13 to didn't even know that information was there.

14 Anyway, when I go out in public -- and I'm not
15 wearing an Act-Up T-shirt, nobody knows I'm gay. I don't think
16 you would know that I'm gay. And we have the -- I guess -- I
17 think it's a bad thing, we have the ability to assimilate as
18 gay people. It's part of what keeps us repressed, because
19 we're basically invisible.

20 But when we're out together as a couple, Kevin and
21 I, or I'm wearing something that makes me obviously gay, or I'm
22 at a gay event, I become victimized by gay bashers and the
23 police.

24 And even -- one more thing, Mr. Torres, I think
25 this is very important. Even our own families don't understand

1 us. We're the only minority that's born into enemy camp. When
2 you're a little black child and someone calls you a nigger, you
3 go home and you are black with your parents. And you have,
4 even in the most dysfunctional family, some love and support.
5 And when you are Spanish and someone calls you a spic, you go
6 home and you have the love and support of your parents.

7 When we are gay and we are children and we are
8 called faggot or we're called bull dike, we go home and our
9 parents -- our heterosexual parents didn't set out to have gay
10 children, but we were born that way. We don't have the love
11 and support of our parents. What I'm trying to say is even our
12 own families don't understand us. And I can understand how
13 straight policemen and policewomen don't understand as well.
14 It's going to take a lot of work to create understanding.

15 Last comment. Yesterday I saw a police sergeant
16 or a police lieutenant in San Francisco that's instituted this
17 new program in San Francisco, and it's a wonderful program and
18 it's going great and everybody thinks wonderful things about
19 it. But even the most understanding lieutenant, who started
20 this program and was working on it said, We do not discriminate
21 based on lifestyle. It's not a lifestyle. It's sexual
22 orientation. We're 10 percent of the population. We've been
23 here from the beginning of time, through the middle ages, and
24 we'll be here forever. It's a question of whether our
25 government wants to protect the 10 percent of the population

1 the way they do in the Netherlands and Denmark and in France
2 and in other countries.

3 I really do have a case, a lawsuit, and I'm not
4 filing the suit. So if you want to look into it in more
5 details --

6 SENATOR TORRES: We would. We'd like to get your
7 name and phone number.

8 MR. ROTHSCHILD: Thanks.

9 MR. LARIVIERE: Hi. My name is Chris Lariviere.
10 I'm here to speak to you on several issues.

11 First of all, I also, such as Joel, am the victim
12 of a gay bashing. Unfortunately for me my life now forever has
13 been impaired. Due to the head trauma I suffered, I have a
14 lifetime seizure disorder which my doctor does not feel I will
15 ever overcome. I'll never drive again. I'll never have my
16 life, and I'm only 19.

17 I have several beefs with the L.A.P.D. I have a
18 list of them. I guess I'll start off with number one. My
19 biggest one problem is with the undercover police and
20 infiltrating our organizations, but not only our organizations,
21 but our demonstrations, causing havoc and potentially violent
22 situations, such as in Santa Monica when we did our march on
23 the pier.

24 We had an undercover individual with the gun in a
25 paper bag, waving it through the crowd. Helene I believe

1 caught it on videotape. These individuals refused to identify
2 themselves as police officers even though we knew they were.
3 They said they were media.

4 And it wasn't until near the end -- which I'm sure
5 Helene could get your office a video, a copy of that
6 videotape -- it wasn't until the end whenever they were piling
7 into their car that they said things such as, Well we can't
8 disclose anything due to intelligence reasons. And then all of
9 a sudden before they take off, there's three or four cars that
10 are filled with riot police. But they're not cops, okay?

11 I have a problem with that. I have a problem with
12 them infiltrating -- the L.A.P.D. infiltrating our Act-Up and
13 coronation meetings when that's not even their jurisdiction.
14 When the West Hollywood City Council asked the West Hollywood
15 Sheriff's Department if they had been contacted of the L.A.P.D.
16 coming onto their jurisdiction, they said no. West Hollywood
17 City Council said no. Why are they infiltrating our side?
18 Okay. It's a clear case of discrimination.

19 The next thing I have which is kind of like a
20 touchy situation -- I mean, I don't per se support these
21 organizations, but in a way I do because it is a violation of
22 our rights -- the sex clubs that are being raided. It's a
23 private property, okay? And these people by L.A.P.D. are being
24 raided because these people are gays and lesbians. They are
25 consenting adults in the privacy of a private building. I

1 would like to know why they're, you know, violating our rights.
2 That's another case.

3 Next thing is that dealing with gay and lesbian
4 uniformed officers going out and recruiting other officers.
5 Police Chief Gates refused to allow his officers, the gay and
6 lesbian officers, to recruit at the Sunset Junction Festival.
7 It was not until being ordered by our Police Commission that he
8 allowed them to, that he consented to them doing this. That's
9 another case of the bias and the discrimination from the
10 L.A.P.D. And as you can see, it's in the higher ranks. Such
11 as my next statement of Deputy Chief Vernon:

12 A few days before the Century City incident on
13 October 23rd, several members of our community met with him and
14 other members of the police department. And before saying the
15 statement, he said, "We have had enough of the gay activists
16 taking the streets. There will be blood on the streets,"
17 quote. That is from Deputy Chief Vernon. And look what
18 happened two days later at the Century City hotel. Which is
19 another one of my issues.

20 Being a seizure patient, I feared for my life. I
21 now fear any form of police officer. I fear that my life is in
22 danger. Whenever an officer starts swinging a baton, okay, for
23 no reason at all, that makes me fear for my life because if I
24 was just hit once, I could have died right there.

25 And they didn't take into consideration that

1 Captain -- or whatever his rank is -- Levan, who was in charge
2 that evening, his excuse for charging us was he thought we were
3 going to storm the hotel. What was his excuse once we got into
4 a mall filled with shoppers.

5 Okay. It wasn't only our lives that were at stake
6 but it was those shoppers' lives, and they chased us through
7 that entire mall until we were out into Little Santa Monica,
8 okay, in a very small narrow area, which put many, many lives
9 at danger. They could not come up with an excuse for that.

10 I urge you, urge you to highly investigate the
11 happenings of October 23rd and make these people accountable
12 for their actions, okay, before someone ends up getting killed
13 instead of just, you know, very injured.

14 SENATOR TORRES: Thank you very much.

15 Next?

16 MS. CROGAN: My name is Cyndy Crogan. I'm with
17 Act-Up L.A. And since October 23rd when the incident occurred
18 in Century City, I have had -- I put my name out as an Act-Up
19 member, that people would hopefully call me that were injured
20 that night. The L.A. Times stated that there were two injured
21 that night. In the past two weeks I've gotten over forty names
22 of injured people.

23 Darryl Gates made some very I think threatening
24 comments before that incident occurred. One that's been going
25 around is that he said that he wanted blood in the streets --

1 or somebody wanted. I'm not really sure if that's accurate or
2 not in all truth, but it was said that -- I think he stated
3 that the tactics of the L.A.P.D. were going to change. And
4 indeed they did on October 23rd.

5 Since then people have been going to the Police
6 Commission. I feel -- I have gone in the past before the
7 Police Commission and I feel that they have not been effective.
8 I think what frightens me as a citizen is to experience the
9 fact that people in our community feel alienated because of the
10 ineffectiveness of these commissions. They feel that they're
11 confronting a type of denial or dismissal in either a direct or
12 an indirect manner.

13 I have spoken with approximately forty people at
14 least this week. I have about a hundred in total, forty being
15 injured people and about sixty others that were witnesses that
16 night.

17 SENATOR TORRES: What I would like for you to do
18 is if you can keep in touch with us as to the number of calls
19 you've received and the nature of the injuries. That would be
20 very helpful to me.

21 MS. CROGAN: How do I -- I'll find out.

22 SENATOR TORRES: We'll get in contact with you
23 before you leave.

24 MR. GILBERT: Hi. My name is Greg Gilbert and I'm
25 not with any organization, I'm not a politician, and I don't

1 wear a suit. I'm just a citizen and I'm one of those --

2 SENATOR TORRES: Sometimes I don't want to wear a
3 suit either.

4 (Laughter.)

5 MR. GILBERT: It's California. I wear shorts.
6 And usually I'm very non-political and this is the first time
7 in my life that I've really gotten political and came out and
8 tried to do something.

9 And I'll read -- I'd like to read this testimony
10 because I was there on October 23rd -- and I'll try and be as
11 quick as I can but --

12 SENATOR TORRES: Why don't you summarize your
13 testimony and we'll get the written testimony and put it in the
14 record, and that way -- I just have a few minutes left and I
15 want to make sure everybody has an opportunity to speak.

16 MR. GILBERT: All right.

17 Well basically I was there on October 23rd, and I
18 think it was on October 17 at the senior center I attended a
19 meeting set up by the Police Commission, and basically the
20 meeting was called off because they would not let the press in
21 with their cameras. So everybody left, but ten of us decided
22 to stay. And we did tape record it. And Deputy Chief Ron
23 Frankle and Commander Bob Taylor promised if we were on the
24 median or the sidewalk no harm would come to us and we would
25 not need a permit. He told that to my face.

1 So I went to this demonstration on October 23rd.
2 He lied to us. Why do you think he didn't want the news there?
3 He didn't want it televised. He didn't want people to know
4 what he said. Well, I felt my life was in danger.

5 Basically they surrounded us and they told us to
6 leave. I ask you, How are we supposed to leave when they
7 surround us in a circle like animals and they're telling us to
8 leave and they charge us with horses?

9 And what they did do was they pushed us into the
10 other cops so they could hit us and bash us. Well, I consider
11 that a hate crime and I consider that mass gay bashing by the
12 L.A.P.D. and I think something should be done. But Darryl
13 Gates protects his own. And the government I'm sure will
14 condone it because they protect their own. And they're trying
15 to silence us, but let me tell you, we're not going to be
16 silenced.

17 We are gay. And it wasn't my choice but I'm gay.
18 And it shouldn't be any big deal that I'm attracted to a man.
19 Who cares? It's my life. And basically I'm pissed off. And I
20 think maybe the only thing that we could do is maybe we should
21 sue L.A.P.D. and hit them in the pockets and maybe it won't
22 happen again, because they don't want to lose money.

23 (Applause.)

24 SENATOR TORRES: The problem is that we all have
25 to pay for that "hit them in the pockets." Eleven million in

1 the last three years in L.A. County alone with settlements and
2 cases brought.

3 We're going to have to do more than just hit them
4 in the pocket. We're going to have to start reforming the
5 process. And there are many of us in government that don't
6 condone what happened.

7 MR. GILBERT: Well I think we should start sooner
8 because the next demonstration I don't think they're going to
9 be too kind.

10 SENATOR TORRES: Thank you very much.

11 MR. DILLON: Senator Torres, my name is George
12 Dillon. I'm from Santa Barbara. And I was at Century Plaza.
13 And I notice on the vehicles of the L.A.P.D. it says to protect
14 and serve. It should be changed to harass and intimidate and
15 to bash.

16 I was in favor of more money for police and
17 supporting our police until that night. And it's not just a
18 few cops, it starts at the head and the head is rotten. And
19 his name is Chief Gates. Those officers were projecting what
20 he wanted. He wanted blood in the streets, he got blood in the
21 streets. I saw straight women in their sixties beaten, struck
22 with a baton. It is a felony for an officer to take a baton to
23 a head. And I saw officers call people faggots, queers, kikes,
24 niggers, and hit on the head repeatedly that evening.

25 We were pushed into the ivy in front of the

1 Shubert Theater. And my lover was right in front of me, with
2 another friend. A person in front of him tripped, was hit on
3 the head repeatedly, my lover went to help him, and I grabbed
4 my lover at the nick of time because a lieutenant who is a
5 motorcycle cop swung his baton at the right time, and I pulled
6 my lover at the nick of time and it went down. It would have
7 hit him on the temple. He swung that baton so hard it hit the
8 ground. And this man is about six foot two, this officer. And
9 I could recognize him quite easily.

10 I'd been told earlier that day on the day when we
11 were at the Biltmore, from a lieutenant, his badge number 1969,
12 that if a officer walks up to you, you have to give your name,
13 address, or else. And I said, Supreme Court in the mid-'70s
14 said I didn't have to do that, because of a black man that went
15 to the supreme court who was walking in a white neighborhood
16 and had that right. And I had that right. He walked off in
17 disgust.

18 I was harassed. I was forbidden to walk from one
19 corner of that hotel to the other on the outside. I had to
20 either continue walking or be arrested. Protect and to serve?
21 Only a select few people: white, rich republicans and those
22 that can pass.

23 I have heard on many occasions of police
24 brutality. I understand why the Watts riots happened now. I
25 finally got it. The black community has done everything in the

1 '60s, talked to their senators, their representatives, trying
2 to get a resolve to the problems. And finally it came out in
3 violence. And I understand violence. I do not recommend
4 violence but I understand the frustration, because I don't
5 think your committee can do anything. I think you can hire 30
6 percent more women. I think you can hire 20 percent more
7 blacks, and it's not going to do a damn difference until you
8 change the head, because it reflects down.

9 I saw an officer of one of the first
10 demonstrations I was here at, who was about to pull her gun on
11 us until we circled her and said, Shame, shame, no violence.
12 She had no call to pull that gun.

13 I have seen black officers hit gay men, gay women.
14 They're following orders. That's beyond homophobia. They're
15 trained to follow orders and when you have leadership tell
16 their people that gays are less than, it's going to continue.
17 You have to pass some rules and regulations of behavior for the
18 chiefs of police, from the commanders, and I think that's the
19 only solution. Chief Gates and the sheriff has to go.

20 (Applause.)

21 MR. JONES: Senator Torres, my name is Mark Jones.
22 I'm a resident of West Hollywood. I'm an eighteen-year
23 California resident, a former business owner, and person with
24 AIDS related complex.

25 I've experienced -- I've had some very good

1 experiences with the sheriff's department when I was a manager
2 of a restaurant here in West Hollywood when it was a very
3 popular after-bar restaurant, and that was under circumstances
4 where I was perceived to be heterosexual. As a gay man my
5 experiences have been extremely different.

6 Regarding some incidents -- and I'm going to try
7 to make this very, very brief. And please, what I will do is I
8 will write this all up formally and submit it to your office --
9 but fundamentally there are three people here who are witnesses
10 to a hit-and-run incident on Santa Monica Boulevard the night
11 of the Century City. When the word got to West Hollywood, of
12 course people took to the streets. A car ran through the
13 crowd, knocked a girl to the ground, and was stopped at a
14 police barricade up the street.

15 This gentleman -- this man was put under a
16 citizens arrest by the woman who was hit, and eighteen --
17 roughly eighteen attempted to give testimony or to give
18 evidence at the scene.

19 They put the man -- they put the suspect into the
20 front seat of the sheriff's car, unhandcuffed. Another
21 sheriff's deputy sent the tow truck away that came to impound
22 the vehicle, and another sheriff got into this man's Cadillac,
23 drove it to the station, at which point three of us who are
24 present in this room went down to file a complaint.

25 Let me also say that these deputies would not give

1 us their badge numbers nor their names. We had to get the
2 license plates of the cars. When we got to the station we were
3 kept waiting. We were told that we would be seen by the
4 lieutenant and/or the sergeant on duty. We waited for fifteen
5 minutes and then were told that these individuals were in the
6 field.

7 Let me just state a point on California Civil Code
8 that says that if an officer with authority to arrest refuses
9 to accept a legal arrest by a private person, the officer can
10 be charged with a felony. I just want that in the record
11 because apparently this has been judged as an illegal citizens
12 arrest.

13 You've heard the anger and the frustration of the
14 community here. As I said, I've had good experiences when it
15 was perceived that I was heterosexual. I was arrested the
16 following day, the day after I made this complaint, after a
17 flyer that I'd printed was found on my scooter.

18 I was having an argument with a prostitute who
19 hangs out on the corner. There was no resentment towards me at
20 all by police officers who apparently saw the argument
21 happening, until this was found in what I believe to be an
22 illegal search and seizure in the trunk of my scooter. These
23 were confiscated. They have not been returned to me. They
24 were not booked as part of my property.

25 When I went down to the West Hollywood Sheriff's

1 Station I was recognized as a person who had filed this
2 complaint. Four charges were brought against me, three of
3 which have been dropped by the D.A.

4 This is my experience as a gay man with the
5 sheriff's department recently. It is my opinion that, yes,
6 that the powers that be have informed the rank and file that
7 they must not provoke us in our protest. I doubt there is
8 anyone here who's been involved who will say that this has not
9 been done except grudgingly. It is not difficult to detect an
10 attitude from a sheriff's deputy.

11 Let me also say that when I was arrested I
12 informed -- my entire incarceration which was a total of seven
13 days -- or eight days was handled by the sheriff's department
14 through L.A. County Jail. I was transferred to L.A. County
15 Jail because of my medical condition. I informed everyone
16 along the way, everyone with an ear, every sheriff's deputy,
17 everyone through the entire booking process, that I was a
18 person with ARC, that I had AIDS-related complex.

19 I did not receive medication. I did not receive
20 medical treatment for seven days. According to the A.C.L.U.
21 Prisoner's Rights Handbook, this is a violation of the Eighth
22 Amendment. And I am certainly going to pursue this to the
23 absolute extreme extent of the law.

24 My rights have been trampled on, and tell me that
25 this doesn't have something to do with being gay and I will

1 prove that you're wrong. I will certainly forward all
2 documents and findings of the jury to your office regarding
3 this incident because it is a gross case of discrimination.

4 Thank you.

5 SENATOR TORRES: Thank you.

6 MR. ZAMARRIPA: Actually, good afternoon now,
7 Senator Torres. I can probably be one of the only people here
8 to say that I was very, very happy to say that I did vote for
9 you. I did live in your district. Fortunately now I live in
10 West Hollywood, but I see you as probably one of better
11 candidates that we had to have run this year. As you know,
12 people are not too favorable about politicians in general.

13 SENATOR TORRES: Yes, I know that.

14 (Laughter.)

15 MR. ZAMARRIPA: I really think, you know, I just
16 wanted to state the fact that I do appreciate your work and I
17 did vote for you and plan to vote for you when you run for
18 governor.

19 A couple things that I wanted to deal with, sir,
20 is that as you know, being a Hispanic male, you have run up
21 across a lot of differing opinions in your background and in
22 your political status. I as a gay man have grown up as a
23 Hispanic male as well, and there's a lot of bias, not only
24 within the community but within our own situation as gay and
25 lesbian people.

1 One of the things that I wanted to bring to your
2 attention which I hope you do deal with, is the fact that, you
3 know, I'm tired of fighting to get heard. I'm tired of going
4 to the Police Commission when I'm told to go, doing what I'm
5 told to do, and then being told to shut up, sit down, you've
6 got two minutes. We can't come in here because the fire
7 department says there's not enough people, but yet five minutes
8 before that they put in 80 people, including media? Excuse me.
9 You know, it's kind of hard to believe, sir.

10 And also again with the Police Commission, we have
11 been there. I have gone two weeks in a row, continually told
12 what is going to happen, and it changes that day. Not a day
13 before, not a week before, that hour before. It's been going
14 continuously, let's say at 2:30. Last week it was 1:30.
15 Yesterday it was 12:30. Pretty soon it's going to be 6:30 in
16 the morning.

17 I mean, you know, the whole idea is that as a
18 concerned citizen -- and not so much as a gay man, even though
19 I happen to be that -- I'm not any different than you are, sir.
20 I was brought up a Hispanic male. I just happen to be gay and
21 I'm very proud and that fact, both being Hispanic and being
22 gay.

23 Also, another perspective, sir, is where do people
24 go to file complaints? What happens when you do try to file a
25 complaint and they tell you to shut up, or you're a fag or

1 you're a queer or you're a dyke or you're obnoxious or you're
2 just too loud or you just have too many problems.

3 For whatever reason they seem to try -- I had an
4 experience in West Hollywood. I was on a street corner, sir,
5 walking, and a officer of the sheriff's department here in West
6 Hollywood told me to stop. And no other reason than I was
7 walking.

8 He said, You look too lewd. I said, How do you
9 look lewd? And he said, Well, you look lewd to me and I don't
10 give a fuck what you say or do. And he said those words, sir.

11 And I immediately called his lieutenant and he
12 said, Oh well, those -- you know those boys will be boys. And
13 I'm like, excuse me? He's an officer of the law, to protect
14 and to serve, not to harass and intimidate.

15 There's a lot of political as well as police
16 intimidation within the department, sir, and we do need to look
17 at it, and those are things you need to cover.

18 And as far as, you know, the two main points I
19 brought up, sir, is the fighting just to get heard. Where do
20 people go? The Police Commission in itself is a joke. It's
21 just that I hope that your committee is not such a joke,
22 because they don't listen. I mean, all of the sudden now
23 you're allowed two minutes to tell your whole story? October
24 23rd was a three hour beat and hit and run.

25 Because I spoke to Deputy Chief Ron Frankel, sir,

1 before it happened. We also talked to Captain Penell at the
2 west division. Chief Levan also talked to the West Hollywood
3 City Hall a day before the event.

4 How could he say that we were causing a rush to
5 the hotel when he knew three different people, and three
6 different heads of the department knew nothing like that was
7 going to happen. The day before, sir, they knew that the
8 traffic was not going to be stopped. They were out and out
9 violence on their part.

10 And finally, sir, the whole idea is that I'm a
11 very strong member of the democratic party and I hope and pray
12 that no matter what political party gets in there, that you,
13 sir, as a Hispanic male and someone that is concerned with the
14 rights of individuals, as you've seen them, to please act on
15 these things and find out, Where do people go?

16 Thank you.

17 MR. ARMISTEAD: Good afternoon, Senator Torres.
18 My name is Howard Armistead. I'm Co-Chair of West Hollywood
19 Citizens for Better Police Protection. I am also one of the
20 founders of the city of West Hollywood. I'm the founder of the
21 West Hollywood Democratic Club. I am formally on the
22 Democratic State Central Committee, the Democratic Party of
23 California, and I was formerly chair of Californians Against
24 Proposition 96, the Block initiative.

25 Before I talk briefly about the need for our own

1 police department in West Hollywood, I want to relate my
2 initial experience with L.A.P.D. when I moved to the West
3 Coast.

4 I moved to the West Coast to work for the
5 Department of Defense. I had a graduate degree from the
6 University of Virginia. The first month I was here I went out
7 on Halloween night in West Hollywood. I had two or three
8 beers. Then I drove to a club that did not serve alcohol.

9 As I was walking up to the club in order to have a
10 coke and go dancing, two rookie L.A.P.D. officers said to me,
11 You're too drunk to go into that club. Go to your car and
12 drive home.

13 I walked to the end of the block and considered
14 that for a moment. It sounded like an attempt to entrap me.
15 It didn't make sense to my East Coast sense of logic, so I
16 turned around to go back to the club because, I mean, I just
17 didn't understand that.

18 Whereupon, the two rookie officers threw handcuffs
19 on me, threw me in the car. Then they jumped up and down with
20 glee and said, Let's get some more. Within five minutes they
21 had one arrestee sitting to my right and one arrestee sitting
22 to my left, and drove off to the Hollywood Police Station. It
23 was obviously -- this was 1977, Halloween night, and it was
24 obviously harassment of a gay business establishment.

25 I've been trying to submit a complaint, which I

1 had to take the day off from work to come up to Hollywood to
2 submit a complaint. They would not accept any kind of
3 complaint from me. They said, There's nobody here to receive
4 your complaint, even after I had called in advance to make sure
5 somebody was there and that they would take a complaint from
6 me.

7 Homophobia starts at the top of the police
8 departments in Southern California, specifically Los Angeles
9 Police Department and the sheriff's department. Other police
10 departments around the state, including San Francisco, San
11 Diego, and San Jose, the other three larger cities in the state
12 have an openly gay and lesbian police officers association,
13 they have chiefs of police and sheriffs who are supportive of
14 their gay and lesbian police officers. This is absolutely to
15 the contrary in Los Angeles County.

16 Not only does the sheriff's department
17 discriminate in hiring, it obviously discriminates in the
18 services provided to the lesbian and gay community. I have
19 heard since beginning the initiative movement for our own
20 police department in West Hollywood dozens of stories similar
21 to the ones that you have heard today, particularly from this
22 panel.

23 I think that there's no way that the sheriff's
24 department can be as sensitive to the needs of the lesbian and
25 gay community in West Hollywood as our own police department

1 can.

2 Thank you very much.

3 MR. PITMAN: I'll be very brief.

4 My name is Alex Pittman. And one thing that
5 hasn't been mentioned tonight is not only the homophobia in the
6 police department, but the AIDS phobia. It irritated me to
7 death when a friend of mine was arrested at Century City. When
8 a female officer was asked to tie his handcuffs, she put on
9 gloves up to her wrists to turn a key, throw the gloves down at
10 the feet of the man that was arrested, and they continue to
11 wash her hands up to her elbows. Someone has to tell this lady
12 that you have to get laid to get AIDS.

13 (Laughter.)

14 MR. PITTMAN: Every time there is a demonstration
15 with gay people involved, gloves are worn by all the police
16 officers. And they don't match the shoes either.

17 It's not only the homophobia. The AIDS phobia is
18 so rampant that a little education would be very nice, and
19 thank you for coming today.

20 SENATOR TORRES: Our last witness.

21 MS. KOS: Hello Senator. I'm a little embarrassed
22 to be up here actually right about now. I'm Officer Karen Kos
23 of the Los Angeles Police Department.

24 I'm the vice president of Pride Behind the Badge
25 for the Southern California chapter of the Gay Officers Action

1 League and I'm here in that capacity today and not representing
2 the department.

3 Mostly I wanted to speak to you today and let you
4 become aware of the attitudes of the gay and lesbian officers
5 within the departments throughout Southern California,
6 specifically L.A.P.D. and the sheriff's department are who I
7 know personally most and who I hear from most within the
8 departments.

9 Though there are a great number of us on those two
10 departments and also within law enforcement throughout
11 California, a great many of them are very closeted and there is
12 the tremendous fear around not so much obtaining backup or that
13 sort of thing, but promotions, career moves, the stress that's
14 involved once you do come out if you hear something -- or I
15 don't think that you need to come out to be able to initiate
16 personnel complaints, but the responsibility for initiating
17 personnel complaints against other officers or commanders, the
18 stress is tremendous, the isolation both from our community
19 because we're viewed as police and the enemy, and the isolation
20 from police officers because we are gay and lesbians.

21 Mostly I wanted to make you aware of that. I
22 could answer any questions you have about training within the
23 department. Also I want to offer my services to you.

24 SENATOR TORRES: We'd like to get your card and
25 follow up on that. It sure was a nice surprise to have you

1 here.

2 Anyone else who wanted to testify today, we hold
3 the record open for two weeks in Sacramento, and if you can
4 supply us your written testimony you'll be included as part of
5 the official record as if you would have testified orally.
6 Sometimes people prefer the time to take the time to write out
7 their thoughts, and I want to be sensitive to that and will
8 hold the record open until two weeks.

9 This subcommittee is recessed until San Diego,
10 California.

11 (Whereupon the proceedings adjourned.)

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CERTIFICATION

STATE OF CALIFORNIA)
) SS.
COUNTY OF VENTURA)

I, LAURA GULLETTE, hereby certify that the foregoing pages 1 through 151, inclusive, are a true and correct verbatim transcript of the proceedings as reported by me.

WITNESS my hand this 17th day of November, 1991, at Ventura, California.



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