



**CITY OF ROGERS  
301 WEST CHESTNUT STREET  
ROGERS, ARKANSAS**



To Mr. Steven Wise and All Protest Participants:

Thank you for inquiring about current policies and procedures in place in an effort to ensure equality, justice and inclusion of all persons in Rogers. The City of Rogers and Rogers Police Department (RPD) officials, officers, administration and staff stand with you as we mourn the unjust murder of George Floyd, and we are encouraged to see our community exercising their First Amendment rights.

We would like to start by addressing the seven specific questions that you provided in your email, then we would like to elaborate on the following: our current CALEA accreditation process, our department's Professional Standards Unit, public requests to implement Campaign Zero (recently referred to as 8cantwait), and statistics of use of force for RPD.

- 1. Is there an ordinance to prevent the use of choke holds by the Rogers Police Department?** There is no City Ordinance banning the use of choke holds by officers of the Rogers Police Department. Most issues like this are covered in police department policies and procedures, which are reviewed annually and approved by the City Council. While there is no outright ban on choke holds, the Rogers Police Department does not, and has never, approved the use of choke holds in the event of an arrest. Law enforcement encounters are fluid, and no two are ever the same. Trying to legislate the potential for all behavior by the police is problematic because of this. However, should a Rogers police officer use a choke hold in a situation where deadly force would not otherwise be authorized, they would be in violation of our use of force policy and dealt with according to our policy concerning the administration of discipline.
- 2. Is there a Community Oversight Committee that is in dialogue with the Rogers Police Department?** No, and I, the Police Chief, oppose one. The Rogers Police Department community outreach is an active part of our daily routine. From hosting various talks on a variety of subjects to hosting minority community forums and working with the Youth Police Advisory Council (YPAC), RPD has worked diligently to build relationships with all citizens of Rogers with an emphasis on the minority community. In addition, RPD is a CALEA-certified agency, which holds our administration, officers and staff to the highest of standards and exposes us to consistent inspections. I will expand on this further later on in this letter. Also, the Rogers Police Department is a Civil Service agency. The Civil Service Commission is a five-member panel of Rogers residents appointed by the Mayor. Civil Service rules and regulations are embedded in Arkansas State law and adopted locally. The Rogers Civil Service Commission sets hiring and promotional guidelines and standards for Rogers police officers allowing citizen input for the makeup and operation of their police department. They also have the authority to review disciplinary action administered by the Department with the ability to change the outcome if they disagree with the action.

3. **What specifically has the City done to prevent the outbreak of COVID-19 in the poultry industry?** Officials at the City of Rogers have been and still are following the guidelines and directives of Governor Asa Hutchinson and the Arkansas Department of Health. The City does not have the authority to close or reopen businesses, including those in the poultry industry; however, we have been very strategic about the facilities and services that we can control. Though businesses are reopening and directives are becoming more lenient, Rogers, along with the rest of Northwest Arkansas, is currently experiencing a significant uptick in COVID-19 cases. As a result, we have not resumed most of in-person City operations and the following public facilities and amenities will remain closed until we see an improvement in the number of cases: Rogers City Hall, Rogers Historical Museum, Rogers Public Library, Rogers Aquatics Center, Adult Wellness Center, Rogers Animal Services, and park amenities including park pavilions, sports fields and courts, and public restrooms.
4. **What are the statistics for the use of force by officers in daily reports by the Rogers Police Department?** RPD's use of force policy requires the reporting of ALL uses of force by police officers. Following the use of force, an officer completes a special reporting form. This form, and the reports from the incident, are then reviewed by the officer's entire chain of command, up to and including the Chief of Police. Any policy violations or failures are addressed at that time. For the four-year period of 2016 to 2019, RPD made 19,830 arrests. During that same time frame, use of force was reported 228 times. This equates to a use of force rate of 1.15%. During this time frame, no officers used deadly force.
5. **What percentage of police officers are members of a minority group?** RPD is funded for 120 officer positions in the 2020 budget. As of June 9, 2020, RPD has employed 113 officers. Of those, 12 are female and 101 are male. The racial breakdown of RPD officers is as follows: three American Indian/Alaskan Native, one Asian, two Black, 11 Hispanic, and 96 White.
6. **What programs are in place to connect City officials with minority groups in our city? How well funded are these programs?** The City of Rogers takes pride in its diverse community. Although we do not have specific City programs directed at specific minority groups, ALL of our City programs and activities are inclusive of all citizens of Rogers, regardless of color, race, natural origin, sex, religion or age. The City, in partnership with the Chamber, has employed a staff member that serves as the Vice President of Community Engagement and Inclusion. A huge role of this position is making sure we are being inclusive of areas that may not be heard as loudly in our City. In addition, there are numerous minority groups within Northwest Arkansas that the Mayor and Police Chief will willingly meet with as requested, some being the NWA LULAC Council, NWA NAACP, NWA African American Heritage Association, Hispanic Women's Organization of Arkansas, etc.

The Commission for Accreditation for Law Enforcement Agencies (CALEA) sets best practice standards for law enforcement agencies across the country. CALEA was created in 1979 as a credentialing authority through the joint efforts of law enforcement's major executive

associations including the International Association of Chiefs of Police, the National Organization of Black Law Enforcement Executives, the National Sheriff's Association, and the Police Executive Research Forum. CALEA sets standards for law enforcement that must be met on an annual basis to maintain accreditation. Each accredited agency has their "proof" of meeting each standard reviewed by outside assessors annually with an in-depth, on-site inspection every four years. Policies adopted by CALEA agencies must be approved by CALEA and adhere to the standards set forth by the organization.

The Rogers Police Department is one of eight law enforcement agencies with CALEA accreditation in the State of Arkansas. RPD's initial accreditation was awarded in 2010 and has been maintained ever since. Our strict adherence to nationwide best practices has been reviewed by outside assessors for 10 years with passing scores each year. We rely on these assessors to hold us accountable to the policies adopted by the Rogers Police Department and the Rogers City Council and meet the high standards set by CALEA.

The Rogers Police Department policies are drafted to hold our officers to these high standards. Our department's Professional Standards Unit is a full-time unit that investigates complaints against officers. Complaints can be generated from outside the department or inside. A departmental administrative review is one type of "complaint" generated by supervisors. These reviews are initiated by supervisors when certain incidents happen involving officers such as a use of force, a traffic accident, or any other potential policy violation. From 2016 to 2019, the Professional Standards Unit and other supervisors conducted reviews/investigations 423 times. During the same time period, the Professional Standards Unit conducted 28 investigations on complaints from members of the public. These complaints included subjects such as officers being rude, not delivering the appropriate level of service, and many other issues common to law enforcement agencies. Outcomes of these reviews and investigations are determined by the involved officer's chain of command, and when officers are found to be in violation, disciplinary actions from verbal counseling, written reprimands, suspensions, or terminations are issued. We believe in holding ourselves accountable to our oath of office, the Law Enforcement Code of Ethics, and our policies and procedures.

Use of force is an obvious area of contention in law enforcement and an issue RPD officers take seriously. Over the course of the last several days, Chief Minor has received several emails from residents asking about an initiative found at [www.8cantwait.org](http://www.8cantwait.org) and commonly referred to as Campaign Zero. This campaign promotes eight policies/practices law enforcement agencies can adopt to lower the rates of use of force used by officers. The eight are listed below with RPD's policy/practice noted for each one:

- **Require De-escalation Prior to the Use of Force.** RPD officers receive training on de-escalation tactics and use them daily. Officers use these tactics to address a wide range of issues they are called to deal with from people wishing themselves harm, threatening to hurt someone else, or taking a person into custody. Additionally, almost 30 officers have advanced training in this area and are part of the department's Crisis Intervention Team.
- **Require Use of Force Continuum.** Rogers Police Department utilizes a force continuum which defines resistance by suspects and the corresponding level of force

used by officers in response. Types of resistance defined by our policy range from psychological intimidation to deadly force assaults. Officer response to these types of resistance range from officer presence to a lethal force response. The policy defines each level of force and when it can be used. Officers receive training on the policy in a variety of ways whether it's class room lectures, scenario-based training, and weapon proficiency training through our in-house training staff and outside instructors.

- **Restrict Chokeholds.** RPD does not have an explicit ban on chokeholds. However, RPD has never authorized or trained in the use of such unauthorized holds. An officer using a chokehold outside of a lethal force situation would be in violation of our use of force policy and subject to discipline up to and including termination.
- **Require Officers to Give Verbal Warnings, When Possible, Before Using Deadly Force.** In the lethal force section of our policy, the following language is copied directly: "Officers shall issue a clear and loud verbal warning, if practical."
- **Prohibit Officers from Shooting at People in Moving Vehicles Unless the Person Poses a Deadly Threat by Means Other than the Vehicle (for example, shooting at people from the vehicle.).** RPD's policy statement regarding this is as follows: "Firearms shall not be discharged at a stationary or moving vehicle, the occupants of a vehicle, or the tires of a vehicle unless a person in the vehicle is imminently threatening the officer or another person present with deadly force and all other reasonable means of defense have failed, including moving out of the path of the vehicle. The presence of bystanders or other occupants of a vehicle must be considered before firing at a moving vehicle."
- **Require Officers to Exhaust All Other Reasonable Alternatives Before Resorting to the Use of Lethal Force.** RPD's use of force continuum has clearly identified steps for the escalation of force. There are times when officers could be faced with an immediate lethal threat and use deadly force immediately. Each situation has to be reviewed in its totality as every situation is different.
- **Require Officers to Intervene to Stop Another Officer from Using Excessive Force.** RPD's policy language is as follows: "Any officer present and observing another officer using force that is clearly beyond that which is objectively reasonable under the circumstances shall, when in a position to do so, safely intercede to prevent the use of such excessive force. The intervening officer shall promptly report his/her observations to a supervisor."
- **Require Comprehensive Reporting on Uses of Force.** By policy, all uses of force by RPD officers must be reported to supervisors as soon as practical. Officers are required to file a report and complete a special form for review by the officer's chain of command. An administrative review is then conducted by every supervisor in the officer's chain of command up to and including the Chief of Police.

Because of our comprehensive reporting on use of force, RPD is able to compile statistics to amplify the low percentage of Use of Force Incidents. From 2016 to 2019, RPD officers arrested 19,830 individuals and used force 228 times (1.15%). Adding these arrests to the tens of thousands of other interactions our officers have had during this same time span (traffic stops,

calls for service, etc.) the likelihood of a Rogers police officer using force is very, very low. We also track our use of force as it pertains to the racial identity of those it is used against. In all racial categories, use of force was used between .98% and 2% of encounters involving arrests. Two racial categories, Native American and Pacific Islander, saw incidents of use of force at the 2% level however between the two races, force was used a total of four times out of the 228 reported. Breaking down the other races, use of force was used on Whites 142 times (1.03% of all arrests), on Hispanics 68 times (1.6% of all arrests), on Blacks 11 times (.98% of all arrests), and on Asians three times (1.2% of all arrests).

The Rogers Police Department has not used deadly force since 2011. There were two other incidents of officers firing their weapons, one in 2012 and one in 2013, but neither incident resulted in injury to the suspect. Both the 2012 and 2013 incident ended in the suspect committing suicide.

To sum it all up, the current protests, in response to the murder of George Floyd, have given the City of Rogers and the Rogers Police Department an opportunity to reevaluate current policies and procedures, along with searching for future opportunities in order to assure that we continue to provide an inclusive community for all residents and visitors to live, work, and play.

We are fortunate to call Rogers home, a home that provides an opportunity for everyone to become successful in their respective talents, careers and hobbies. Rogers is a place “*Where Possible Lives*,” and our City and Police Department are committed to ensuring that this is inclusive of all persons.

Sincerely,

A handwritten signature in blue ink, appearing to read "H. Minor".

Chief Hayes Minor, Rogers Police Department

A handwritten signature in blue ink, appearing to read "G. Hines".

Mayor Greg Hines, City of Rogers