

## Campaign for a New Drug Policy

The following article touches on the debate of marijuana legalization and the benefits that legalization would bring within and outside of U.S. borders, including helping to stem the tide of violence that currently plagues Mexico.



### Would Legalizing Marijuana in Washington Put Mexican Drug Cartels Out of Business?

By [Keegan Hamilton](#) Fri., Feb. 10 2012 at 6:01 AM

The ballot initiative to legalize, tax, and sell marijuana for recreational use in Washington was the subject of a hearing before state lawmakers yesterday in Olympia, but, intriguingly, much of the debate about I-502 focused on the impact that allowing retail sales of pot might have on Mexican drug cartels.

Among those offering testimony in support of the ballot initiative were former U.S. Attorney John McKay, and Seattle's former FBI bureau chief Charles Mandigo, both affiliated with the political action committee [New Approach Washington](#). McKay called marijuana prohibition "a tremendous failure," and said the American black market for pot, "creates an enormous flow of money to international drug cartels, criminals and thugs."

McKay, an [outspoken critic of the nation's marijuana laws](#) since leaving office in 2006, estimated that "billions of dollars" worth of marijuana travels down I-5 annually from British Columbia, where the drug market is controlled by Hells Angels and Asian gangsters. He also referenced mass graves and beheadings in Mexico, and noted that more than 50,000 people have been killed since 2008 when president Felipe Calderon declared war on his country's powerful cartels.

According to official estimates, marijuana sales account for [60 percent of cartel profits](#), about \$60 billion annually. Yesterday, Mandigo posited that the money fuels the violence in Mexico, which is "spilling over into our country."

"Take away the money, you take away the criminal element," Mandigo said. "And if you take away the criminal element, you take away the turf wars, the violence, the drive-by shootings, and the ongoing killings here in the United States, Mexico, and other countries...I-502 provides the means to remove the money from the criminal groups that traffic in marijuana."

But opponents of the pot legalization push aren't buying those claims. Steve Freng of the Office of National Drug Control Policy noted at the hearing that several Mexican organized crime syndicates -- including the Sinaloa Federation, La Familia, and Los Zetas -- have a presence in Washington, and said "it's silly to think the cartels will pack up and leave the state with their tails between their legs," if voters were to approve I-502 in November.

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Opponents of I-502, including some advocates for marijuana law reform, have criticized the initiative for proposing such steep taxes on pot -- 25 percent at each point in the supply chain, from producers, to processors, to retailers, to consumers -- that might allow black market dealers to undercut the state-run dispensaries. (The tax windfall would go toward public health programs, contribute to the state's general fund, and support a variety of other projects.)

Freng suggested that the cartels would simply "adjust their price point," following the passage of I-502, and continue business as usual. Following the hearing, McKay and Mandigo responded by saying that even if state-supplied pot were slightly more expensive, consumers would likely opt to shop legally because it would be safer, and the product would be of higher quality.

So which side is right? Sadly, the issue isn't quite so black and white. This [same debate](#) took place two years ago when California was considering pot legalization, and the arguments haven't changed much. Although some experts agreed then that legalization would dilute the market for cartels' primary cash crop, the [prevailing opinion](#) was that a single state changing its laws wouldn't be the end of the narcos' transnational business. They would still reap untold billions from sales of other drugs, and from kidnapping, human trafficking, extortion, and their various other rackets.

Nevertheless, two former Mexican presidents -- Ernesto Zedillo, and Vicente Fox -- have publicly advocated drug legalization as an alternative to Calderon's strategy of armed conflict with the cartels. And, on this side of the border, McKay and Mandigo both testified that it is a commonly held belief among high-ranking U.S. law-enforcement officials that the government's war on weed has been an abject failure.

Freng and others are probably right to point out that marijuana legalization in Washington would not be the silver bullet that puts an end to the horrific bloodshed in Mexico. But maintaining the status quo clearly isn't the answer either. Ending pot prohibition would free up a significant amount of jail space, court time and law-enforcement resources, all of which could be used to arrest, prosecute and incarcerate serious criminals -- perhaps even some cartel kingpins -- rather than harmless pot smokers.

## Campaign for Black Male Achievement

The Black Male Engagement Initiative's (BME) seeks to challenge negative perceptions and stereotypes of black men and boys by recognizing, reinforcing and rewarding black males who engage in making their communities stronger. BME is the result of the collaborative relationship developed between CBMA and the John S. and James L. Knight Foundation as part of CBMA's efforts to leverage additional resources and opportunities for the field of black male achievement. Over 2,000 black males in Philadelphia, PA and Detroit, MI submitted their community service or civic engagement projects to the contest, demonstrating how CBMA's approach to grantmaking is driving change in the field of black male achievement.

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## Helping those who help their communities

February 27, 2012|PHILLIP LUCAS, Daily News Staff Writer

DURING HIS nearly five-year prison sentence, Brandon Jones thought of ways to ensure that he'd never again see the inside of a prison cell once he got out.

He also made it his life's mission to keep as many young black men in Philadelphia from meeting the same fate.

Jones was one of 10 men honored at the inaugural Black Male Engagement Leadership awards last night in West Philadelphia.

Last February, his program, God's Love at Work, constructed a replica prison cell in North Philadelphia for at-risk youth to visit, "Just letting them know, jail is for suckers - education over incarceration," he said.

The leadership awards, given by the John S. and James L. Knight Foundation, and the Open Society Foundation, provided the men with \$243,000 in grant money to fund programs aimed at improving communities.

Based on the response for entries, said Trabian Shorters, vice president of communities at the Knight Foundation, the program will solicit entries again this fall.

"It's not a program to help black men, it's a program to support the black men who are helping their communities - totally different," he said, adding that an important element to encourage black men to take control of their communities is by providing resources to help them do so.

"You can't build on your deficits," he said, "You can't build on what's not there."

Mayor Michael Nutter congratulated the group, and said solving some of the problems in the city's communities begins with recognizing those who are working to make things better.

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"We're role models sometimes, whether we realize it or not," he said, "This is about an investment, and it's long term."

Also honored were:

Greg Corbin - The Legacy Project, one-man theater performance.

Tyree Dumas - Y-Not Youth, after school homework help and dance instruction.

Russell Hicks - FLASH Mob, entrepreneurship through social media.

Reuben Jones - Frontline Dads, mentoring, intervention and conflict resolution.

Solomon Jones - Words on the Street, literacy program.

Ari Merretazon - Pointman Soldiers Heart Ministry, veteran reintegration program.

Alex Peay - Rising Sons, after-school mentoring program.

Eric D. Williams - Project Elijah Empowering Autism, after-school program for autistic kids.

Shawn White - Phreman Audio Studio Academy, youth media training to promote antiviolence and HIV/AIDS prevention.

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## Strategic Opportunities Fund

In this piece from The Huffington Post, Gerry Smith describes the impacts of the digital divide on Native American tribal lands, where it's estimated that just one in ten households has access to broadband internet service. The article references the work of Native Public Media (a grantee of SOF and the Transparency Fund) as well as its partner the New America Foundation (also supported by the Transparency Fund and directed by USP Board Member Steve Coll). SOF has engaged a number of grantee partners in Native communities through its research and development initiative to explore the ways in which cultural practice – including Indigenous language expression – foster civic engagement and promote economic and racial equity.

THE  
HUFFINGTON  
POST

### On Tribal Lands, Digital Divide Brings New Form Of Isolation

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Sonny Clark, 59, must drive five miles up a mountain to get cellphone service connection and 40 miles to get online.

WINDOW ROCK, Ariz. -- Like many college students, Wilhelmina Tsosie must go online to complete her assignments. But unlike the vast majority of Americans, she finds that the biggest challenge in her coursework is merely getting connected.

Tsosie is a member of the Navajo Nation, the Native American community whose sprawling reservation has long been isolated from the rest of the country -- an isolation now being reinforced by the digital age.

On a recent night, she endured a 30-mile drive along a dark desert highway to reach this town, her nearest access point to the Internet. She carried her laptop into a hotel that offers wireless access. In the dim light of the lobby, she hunched over the screen and finished an online exam.

Like many Navajos, Tsosie, a petite 34-year-old with glasses and a jet-black ponytail, can't receive basic Internet service at home, because her home is too remote. She and her husband and their two young children live near the peak of a tree-covered mountain, beyond the reach of Internet service providers, forcing her to drive long distances to get online.

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This has never been easy, consuming time as well as gas money. Now, with local gas prices nearing \$4 a gallon, Tsosie can no longer afford frequent trips to reach the Internet. She worries about the effects on her grades. Last semester, she failed a class after missing too many assignments -- the result of unreliable web access, she says.

"If I passed that class, I would have been on time for graduating," Tsosie said. "I would have had one semester left and now I have two."

Her husband, Ben, said the long journeys to find an Internet connection have begun to feel "hopeless."

"Sometimes we don't have the gas money to go 30 miles to get on the Internet," he said.

Tsosie's dilemma reflects the extreme difficulties many Navajos confront in seeking to connect with the rest of the world. Some park on the side of highways, climb atop roofs, or drive to the peaks of mountains just to get within range of mobile telephone service. Others travel dozens of miles to use Wi-Fi hotspots outside hotels, restaurants and chapter houses -- the local community centers on the reservation. Some who lack electricity run their computers on gas-powered generators.

Native Americans have long experienced disconnection from the rest of the country -- their reservations are generally placed on remote lands with little economic potential, separated from modern-day markets for goods, as well as higher education and health care. The dawn of the Internet was supposed to bridge this gap, according to the promises of prominent public officials. Fiber optics cables along with satellite and wireless links would deliver the benefits of modernity to reservations, helping lift Native American communities out of isolation and poverty. But the rise of the web as an essential platform in American life has instead reinforced the distance for the simple reason that most Native Americans have little access to the online world.

[Less than 10 percent of homes](#) on tribal lands have broadband Internet service -- a rate that is lower than in some developing countries. By contrast, more than half of African Americans and Hispanics and about three-fourths of whites have high-speed access at home, [according to the Department of Commerce](#).

Without reliable access to the Internet, many Native Americans find themselves increasingly isolated, missing out on opportunities to secure jobs, gain degrees through online classes, reach health care practitioners, and even preserve native languages and rituals with new applications that exploit the advantages of the web.

Sonny Clark, 59, who lives in the remote Navajo town of Crystal, N.M., must drive five miles up the Chuska Mountains to get a cellphone connection, and 30 miles to Window Rock -- where he works for the tribal government -- to get online. He goes to these lengths just to stay in touch with his children, who live out of state, trading emails and text messages.

"I'm in no-man's land," Clark said.

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Far from an accident, this state of affairs is the result of decades of government policies and business decisions, which have combined to accelerate advanced telecommunications services in the most densely populated American communities, while largely ignoring Native American lands, experts say.

"Native Americans face an ever-increasing digital divide, because they have been purposefully discriminated against in the business models and rollouts of next-generation networks," said Sascha Meinrath, director of the Open Technology Initiative at the New America Foundation, a public policy think tank. "These are places that have been systematically forgotten by society."

### A PRESIDENT'S VISIT

In April 2000, President Bill Clinton -- who presided over the mass explosion of the web -- visited the Navajo reservation to announce a new program aimed at bringing some of the benefits here.

During his visit, Clinton [met a 13-year-old Navajo girl](#) who had won an iMac computer in a contest, but lacked phone service in her home, making it impossible to connect to the Internet. He announced a new program that promised telephone service across the nation's tribal lands for only a dollar a month, portraying the Internet as a transformative force.

"I am here because I believe the new technologies like the Internet and wireless communications can have an enormous, positive impact in the Navajo Nation," [Clinton said that day](#), addressing a crowd of some 25,000 people gathered in the Navajo town of Shiprock, N.M. "They can help you to leapfrog over some of the biggest hurdles to develop your economic and human potential."

The Internet had already leapfrogged many hurdles elsewhere, spawning new industries such as e-commerce, while disrupting traditional business models. But it had yet to emerge here.

In 1995, while the Internet was in its infancy, [a report from the federal Office of Technology Assessment](#) issued a prescient warning of the looming digital divide. "Absent some kind of policy interventions, Native Americans are unlikely to catch up with, and probably will fall further behind, the majority of society with respect to telecommunications," the report declared.

The following year, Congress passed [the Telecommunications Act](#), a major overhaul that spurred considerable innovation and an outpouring of new businesses, from fiber optics companies that buried the cable for high-speed Internet links beneath every major city, to wireless providers that delivered the web to mobile devices. But the law did not address phone or Internet service on Native American reservations, serving as a missed opportunity that has kept these communities disconnected, experts say.

Then, in 2000, Clinton was here in the name of spurring development, declaring that the benefits of the web "can be the greatest equalizers our society has ever known."

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The audience to which Clinton addressed his words was in need of equalization. The Internet was merely the latest phase of telecommunications to bypass the Navajo Nation and the broader Native American community. [Less than 70 percent](#) of Native Americans have even basic telephone service, compared with the national average of about 98 percent.

"By virtually any measure," the Federal Communications Commission [declared in 2000](#) -- the same year that Clinton spoke -- "communities on tribal lands have historically had less access to telecommunications services than any other segment of the population."

The Navajos are particularly representative of this disconnect. The country's largest tribal reservation, the Navajo Nation is home to about 170,000 people scattered across a vast desert punctuated by sandstone cliffs and flat-topped mountains, stretching across parts of Arizona, New Mexico and Utah. Many Navajos still herd sheep and cattle, heating their homes with wood-burning furnaces. Some live in trailers or traditional eight-sided homes called "hogans," their front doors facing east to greet the rising sun. About 16,000 Navajo homes, or about 30 percent, have no electricity. Some lack running water.

Covering about 27,000 square miles, the Navajo Nation is roughly the size of West Virginia. That state -- one of the nation's poorest -- has more than 18,000 miles of paved roads, as compared to the 2,000 miles that thread Navajo country. After heavy rain or snow, the reservation's unpaved roads become impassable for days on end.

"The reservation is like 20 years behind the rest of the country," said Barry Heifner, managing editor of the *Gallup Independent*, a daily newspaper on the reservation.

Largely disconnected from the rest of the American economy, Navajos have generally been denied a share of national prosperity. About 40 percent of Navajos live in poverty, and the median household income is just \$24,000, [according to Census data](#). Almost one quarter of Navajo people are unemployed -- nearly triple the national rate. The high school graduation rate is about 30 percent. The death rate for diabetes among Navajos is three times the national average.

The Internet was supposed to lessen these problems, experts say. Navajo students could take online classes instead of having to travel long distances to attend school. Navajo patients could speak with doctors hundreds of miles away by videoconference. Navajo artisans could sell their famous handcrafted rugs online to customers around the world, bringing home income.

"The potential is staggering," Clinton told the Navajo Nation. "We have to seize it."

But more than a decade after Clinton's visit, many Navajos are still waiting for the results. Only [40 percent of Navajo homes](#) have even basic telephone service.

The resulting stories of lost opportunities abound. A Navajo man missed two chances for a kidney transplant because he lacked telephone service at home and couldn't be contacted in time, [according to a 2005 report in the Gallup Independent](#).



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In times of emergency, Navajos often have no way to summon help because of the lack of phone service. And without landlines or addresses, the reservation's 911 system can't trace the location of calls. Often, frantic callers are misrouted to faraway dispatchers who must transfer the call several times to find the closest emergency personnel, costing precious time.

"Sometimes people call 911 and they get someone in a whole different part of the state," said Tina James-Tafoya, a spokeswoman at Fort Defiance Indian Hospital, a medical facility on the reservation. "It takes time to track down where the calls come from. It is a problem."

[A 2009 report by Native Public Media and the New America Foundation](#) found "a very real digital divide between Native America and the nation as a whole in terms of access, coverage and affordability of service." Geoffrey Blackwell, head of the FCC's Office of Native Affairs and Policy, [told a Senate panel last year](#) that the lack of communication services on tribal lands was "alarming."

Nearly half of the Navajo Nation is under 25 years of age. Many young Navajos are frustrated by the slow arrival of the digital age, prompting some to leave.

Raleigh Silversmith, a 21-year-old student who attends the University of New Mexico in Gallup, complained that he is often unable to finish homework assignments on the reservation "because the Internet service around here is just so bad." The college's IT department "can't get a simple wireless access point going for more than 24 hours," he said.

Such sentiments garner little sympathy from many older Navajos, who don't understand the need to get online, he added.

"They'll say, 'Look at us. We're still here and we didn't have the Internet,'" Silversmith said. "But for the younger generation, everything is online. If you want to go to school, you have to do some sort of online work. Not having Internet around makes it so hard."

Silversmith, who has gelled black hair and black-rimmed glasses, was sitting with three friends in a booth at a Denny's restaurant in Window Rock, Ariz., the seat of the Navajo tribal government. The town was named for a 200-foot-tall sandstone formation with a massive hole punched through its center, traditionally revered by the Navajo people as a portal to the spirit world.

Today, the town feels to Silversmith like a passageway to nowhere: He plans to transfer to another school, either the University of Washington or New York University, partly to gain better access to technology. He has no plans to return to the reservation.

"I can't stay here for 10 years hoping that technology will finally come to the reservation," he said. "For a lot of the younger people here, the motivation is, 'I want to get out of here so I can experience what the rest of the world has.'"

### **DISCONNECTED CONSEQUENCES**

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By many indications, the costs of not being online have only increased in recent times.

[About 80 percent of Fortune 500 companies](#) now only accept job applications online. High school students who have broadband Internet at home have graduation rates 6 to 8 percentage points higher than students who lack such access, [according to a Federal Reserve study](#). [A 2009 report by the U.S. Department of Agriculture](#) found that rural communities with greater broadband Internet access had greater economic growth.

Native Americans face unique consequences. Some tribes without Internet service cannot apply for much-needed federal grants because the applications have moved online.

"If you don't have Internet access at a high-rate of speed compared to the rest of the country, you're taking away any hope of tapping into the source of business growth for economic development," said Tom Davis, dean of instruction at Navajo Technical College. "You're going to do what's been done for 100 years here. You're going to keep generating generational poverty."

Not all health care providers on the Navajo reservation have Internet, creating the potential for life-threatening medical errors. Some patients have been prescribed the wrong combination of medicines because doctors are unable to look up their health records online, says Walter Haase, general manager of the Navajo Tribal Utility Authority.

"It can be very dangerous to give patients two things that don't work well together," he said.

Some local health representatives drive four hours round-trip to treat patients in remote areas. If these patients had a connection at home, the consultations could be done over the Internet. Staff could spend more time helping patients and less time on the road, according to Mae-Gilene Begay, a department manager for the Navajo Division of Health.

Charlie Burns, who lives in Huerfano, a remote Navajo chapter southeast of Farmington, N.M., blames a lack of Internet at home for his continued joblessness. He has been unemployed since June, when he was laid off from his accounting job at the local chapter house because of a lack of funds. His home, which he shares with his mother and brother, looks out on rolling desert hills blanketed with knee-high sagebrush. Stray dogs with wagging tails mill about near a pile of tires lying in the dirt.

Some of Burns' neighbors receive a wireless Internet signal from a tower atop a mountain, but he lives in a valley beyond the signal's reach. So the 47-year-old Navajo man drives more than 50 miles round-trip twice a week to the library or unemployment office in Farmington, N.M., to look online for construction jobs.

Each trip costs about \$25 in gas. But his sporadic Internet access carries an even greater price: He has missed five emails from employers offering him construction work. If he doesn't respond in time, he doesn't get the job.

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"I can't check email every day so I'm missing out on employers contacting me right away," he said.

A combination of financial and geographic factors have conspired to render web access on tribal lands a particularly difficult proposition. Simply getting the infrastructure in place often proves expensive and complex. In 2000, when an Internet provider brought service to the Havasupai tribe, [it reportedly used a caravan of pack mules](#) to carry satellite dishes down eight miles of rocky trail to the bottom of the Grand Canyon.

Telecommunications companies are prone to eschew tribal lands because wiring them comes at a high cost and lesser return, given the relatively small numbers of potential customers. Many Internet providers avoid rural areas altogether. As a result, about 18 million rural Americans currently have no access to high-speed Internet, [according to the FCC](#). Tribal lands are among the most sparsely populated places in America. On the Navajo reservation, there are only [six people per square mile](#), as compared to [27,000 people per square mile](#) in New York City.

To encourage investment, the federal government has subsidized telecom companies that serve tribal lands with grants and loans. Some tribes have become their own Internet providers. Experts say they should be given greater access to the so-called "wireless spectrum" -- the radio waves that deliver cell and wireless Internet signals -- to help increase broadband on their reservations.

But others see another impediment to the deployment of telecommunications on reservations. Native tribes are sovereign nations with their own set of laws. To install Internet infrastructure, companies must get "right of way" approval from the Bureau of Indian Affairs, a federal agency that manages tribal land. That process -- which entails environmental and archaeological reviews -- typically takes at least two years to complete.

Sacred Wind Communications, a small telecom firm based in Albuquerque, has brought telephone and Internet service to about 3,600 Navajo households in New Mexico with loans from the federal government. But the company has waited several years to gain approval for about a dozen projects to bring Internet and phone service to more than 1,000 unserved Navajos.

"We have the will, the ability and the means," says John Badal, chief executive of Sacred Wind. "But we don't have the permission."

The Obama administration's stimulus spending package included \$7.2 billion to expand high-speed Internet access in underserved areas, including tribal lands. One stimulus-funded project is aimed at delivering broadband to 8,900 members of 15 Native American tribes in rural San Diego County, Calif. Another is intended to provide computer centers and teach digital literacy to members of the Saint Regis Mohawk Tribe in upstate New York.

About \$32 million in stimulus money was set aside for the Navajo Tribal Utility Authority, which is laying cables and building towers to deliver high-speed Internet to 15,000 square miles - - or more than half -- of the reservation. The project, which is slated for completion next spring, is supposed to serve 30,000 households, 1,000 businesses and 1,100 institutions.

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But even after that project is completed, other obstacles remain. Some Navajos are still wary of the Internet. Many lack the equipment needed to get connected.

"If we get Internet, who's going to buy me a computer?" asks Jennifer Begay, 27, who lives in Red Mesa, Ariz., a remote Navajo community near the Four Corners region. "A lot of people out here don't have computers or laptops. They can't afford them."

Experts and lawmakers say the stimulus funding -- though a good start -- falls short of the investment needed to rebuild a telecommunications infrastructure on reservations that is decades behind the rest of the country.

"Given the magnitude of the needs, this can only be considered a small down payment," Sen. Daniel Inouye, a Democrat from Hawaii, said at a Senate hearing last year, before adding: "The worst thing we can do is provide for an empty promise. Too much of that has gone on over these many years."

### **REALIZING THE POTENTIAL**

Even as worries intensify about the consequences of the digital divide besetting Native American communities, the potential benefits of the web appear to be growing as well, amplifying hopes that its ultimate spread could yet prove redeeming.

In Native American communities, modernity itself has often been seen as a threat to traditional heritage -- not least to language and religious custom. But some now embrace the web as a means of preserving culture, pointing to examples such as [RezKast, a widely-watched Native American YouTube channel](#) launched in 2008 that includes, among other things, videos of Native American religious and cultural ceremonies.

Both the Navajo and Cherokee nations -- the country's two largest tribes -- have developed apps for Apple mobile devices that promote their native languages. In an interview in his wood-paneled office in Window Rock, Navajo Nation President Ben Shelly proudly showed a visitor the application on his iPad.

He tapped his finger on the screen, prompting a woman's voice to say the Navajo term for "arm." Shelly repeated it, and then smiled.

"That's Navajo," Shelly said. "That's education right there."

For 16 years, Everett Baldwin, a 73-year-old Navajo medicine man who makes ceremonial teepees, tried unsuccessfully to get a telephone. The local service provider told him it would cost \$4,200 to connect his remote home near the top of a small mountain outside of Gallup, N.M.

Then, about two years ago, Sacred Wind installed a wireless tower on his property. Now, with telephone and Internet service at home, Baldwin sells his teepees online for \$800 and responds to emails from potential customers as far away as Japan and Australia.

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Baldwin, who wears rose-tinted glasses, blue jeans, and keeps his gray hair pulled back into a ponytail, makes his teepees using canvas, thread and an industrial sewing machine. Inside his three-bedroom house, a laptop sits on his desk and finished teepees are rolled up and stacked in the corner. Freshly-peeled teepee poles made of douglas fir lean against a tree outside.

"To be able to afford Internet makes me feel like a millionaire," Baldwin said.

Many rural health clinics on the reservation also now have Internet. Navajo patients who live near them don't need to drive hundreds of miles to see a doctor. With broadband, psychiatrists in Albuquerque treat patients by teleconference, and radiologists in Oklahoma City read their X-rays.

In December, doctors at Flagstaff Medical Center, located just west of the reservation, began a year-long pilot project that uses wireless technology to remotely monitor several Navajos at risk of congestive heart failure. The patients were given health-monitoring devices and Android smartphones to send readings of their blood pressure, oxygen levels, weight, and heart activity to nurses in Flagstaff.

One Navajo patient without electricity or cell service was given a solar-powered phone charger, said Gigi Sorenson, director of telemedicine services at Flagstaff Medical Center. To send his health updates, the patient drives about a mile until he finds wireless reception.

Sorenson said a "huge spike" in diabetes among Navajos is not being treated properly. About 36 percent of Navajos die from diabetes, compared with the national average of 13 percent, she said. But she held out hopes that the web could diminish the threat considerably.

"If we can monitor them at home, we can keep them from going back to the hospital," she said. "We just have to be creative."

### **STRUGGLING TO CONNECT**

Wilhelmina Tsosie is still hoping that she and her family will wind up among the beneficiaries of expanded web access on the Navajo reservation. For now, the Internet remains far away.

Tsosie spent three years in San Diego while serving in the Navy before returning to the reservation in 2001 to be closer to her family. She got married and had two kids. She works as a part-time home-care provider, while her husband, Ben, sells firewood in parking lots on the reservation. Together, they bring home about \$400 a week. They also tend a flock of 10 sheep.

Tsosie aims to become a nurse. To stay close to home, she enrolled in online classes last year and signed up for satellite Internet service -- the only kind available at her remote home. At \$70 per month, it was a stretch, but it was the only way to avail themselves of connectivity.

Just after they got Internet, however, their car broke down. They couldn't afford to fix it and began paying neighbors to drive them places. They dropped their satellite Internet service to cut costs. Disconnected, Tsosie failed her online classes.

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A few months later, she began attending classes at Diné College, a Navajo school on the reservation, in person. Now, she makes the 120-mile round-trip four days a week from her home in Sawmill, Ariz., to the campus in Tsaile, Ariz.

There is Internet at her local chapter house a few miles from her house, but there are rarely available computers, the websites she needs for class are blocked, and the chapter house is often closed by the time she gets off work. On weekends, she drives to Window Rock to piggyback off the free Wi-Fi network and do research or email assignments to her professors.

For months, she was one of a dozen Navajos sitting in their cars with laptops in the parking lot of the Navajoland Inn and Suites in Window Rock to use the hotel's wireless signal. Recently, the hotel protected the wireless network with a password and started charging users \$3 a day for access. Many left and have started using the free wireless at the McDonald's down the road to avoid paying the fee, Tsosie said.

"If you really need Internet, you'll find a way to get to it," Tsosie said. "Whether it's a half hour away or an hour away, if it needs to be done, it will be done."

Yet with gas prices rising, Tsosie now spends half her salary driving to and from school or to Window Rock to get online. To save money for gas, she and her family have deferred replacing worn-out clothing. They are eating more Ramen noodles and homemade tortilla bread for dinner. They are spacing out trips to the laundromat.

Her husband, Ben, frets that getting connected is coming at too high a cost.

"It's not worth having Internet if we have to starve," he said.

## OSI-Baltimore

Walter Lomax is the executive director of the Maryland Restorative Justice Initiative, an Open Society Institute-Baltimore grantee. Through grassroots organizing and advocacy, the Institute successfully urged policy makers to limit the ability of Maryland's governor to deny the parole of people serving parole-eligible life sentences.

**The Washington Post**

### **When 'life means life' doesn't mean justice**

By Walter Lomax  
March 23, 2012

That [Maryland Gov. Martin O'Malley \(D\) is considering](#) commuting the prison sentences of two people serving parole-eligible life sentences in Maryland suggests that grass-roots efforts to reform the laws governing these sentences are having an impact. But the release of Tamara Settles and Mark Farley Grant would do nothing to address the larger issue that keeps behind bars the other 50-plus "lifers" who have been recommended for release. From a public safety standpoint, or as a matter of fairness, it makes no sense to require a figure as political as a governor to give his stamp of approval to Maryland Parole Commission decisions.

With this recent announcement, O'Malley is acting on two clear cases of injustice. [Having been imprisoned for close to 40 years](#) for a crime I did not commit, I understand the importance of addressing such injustices and know how much it means to the people being considered and to their families. Grant was only 14 when he was convicted of a crime that the only witness later said he did not carry out. Settles has already served three times as long as the person who actually pulled the trigger in her case. Both should have been released years ago.

O'Malley might still act to address other examples of overly harsh sentences or even outright innocence. But all of the Marylanders given life sentences with the possibility of parole were told, and believed, that they would have a meaningful chance to return home one day if they behaved well, made serious efforts to rehabilitate themselves and accepted responsibility for the harm they caused. O'Malley, however, has turned down all those recommended for release since last March, demonstrating that this won't happen under the current system.

It's time to take the governor out of the process. That only 53 out of 2,500 people serving such parole-eligible life sentences have been recommended for release shows that the members of the parole commission are being conservative and thoughtful in their decision-making. Clearly, they take seriously their responsibility to recommend release for only those whom they believe will not jeopardize public safety and will be successful when they reenter the community. Their decisions should stand.

This year, two modest fixes have been proposed in the Maryland Senate. These bills would exempt from gubernatorial review the two categories of life-term cases

## OSI-Baltimore

represented by Grant and Settles: those who were juveniles at the time of their offense, and those who were accessories, not principals, in the crime. Many people who have received life sentences made a bad decision to be involved in a felony but never killed or intended to kill anyone; to keep them locked up forever without any hope of release is not right. And virtually all countries have rejected life-without-parole sentences — which these sentences have effectively become in Maryland — for those who were children when they were sent to prison. In fact, the constitutionality of such sentences is currently being [reviewed by the U.S. Supreme Court](#).

I have been working on this issue since my release in 2006 because there are many who have been in prison for decades who would be an asset to their families and communities if released. As it is, what hope they have had, what incentive that the possibility of parole has provided them to better themselves, has all but been stripped from them.

It was one year ago, during a rally at the Capitol, that O'Malley echoed the words of one of his predecessors and told TV cameras that "life means life." [Former governor Parris Glendening has since taken those words back](#), stating that he no longer supported policies that did not allow parole consideration for people serving eligible life sentences. That the governor is willing to consider approving the parole commission's decision in two cases of clear injustice is a step in the right direction. Now the General Assembly needs to go further.

The writer is the executive director of the Maryland Restorative Justice Initiative.

**\*OSI and FPOS do not disburse or earmark any grant funds to support lobbying on legislation.**



## Transparency Fund

The wave of suppressive voting laws enacted in 2011 is beginning to meet resistance at the polls and in the courts. Writing in *The New York Times*, grantee Brennan Center president Michael Waldman said the best way to curb contentious laws and avoid more legal battles is to modernize our out-of-date registration system.”

*The New York Times*

### Campaign Stops

STRONG OPINIONS ON THE 2012 ELECTION

MAY 1, 2012, 12:05 AM

### Between Voting Rights and Voting Wrongs

By [MICHAEL WALDMAN](#)

Meggan Haller for The New York Times

Since the beginning of 2011, lawmakers around the country abruptly enacted laws to curb voting rights and tighten registration rules. These measures are fiercely controversial. But lately the debate has taken a surprising turn. Suppressive voting laws have met resistance at the polls and in the courts. This surprisingly emphatic twist is good for our democracy. If the restriction of voting rights can be blocked or blunted, it will give us an opportunity to move forward with [bipartisan reforms](#) to our ramshackle registration system.

Consider the recent backlash.

In Maine, [voters reversed](#) a new law, passed in June 2011, that ended same-day registration. Now voters will be able to register on Election Day in 2012.

In Ohio, more than [300,000 citizens](#) signed petitions, enough to temporarily suspend the state’s new law that curbed early voting and force a statewide referendum in November. Now nervous Republicans are [close to a deal](#) with Democrats that would repeal the law and restore early voting for the three days before the election.

[Florida](#), meanwhile, imposed onerous penalties and paperwork burdens on volunteers who sign up voters. Helping your neighbors participate in our democracy is not something we should restrict, which is why the Brennan Center is [leading the fight](#) to challenge this law. We represent the League of Women Voters, Rock the Vote, and other civic groups that have shut down registration drives. The league has won similar lawsuits twice before and now awaits a judge’s ruling, which is expected soon.

Even on the contentious issue of requiring government-issued photo identification to vote, the strictest new laws have slammed into legal barriers.

## Transparency Fund

In March a state judge **struck down Wisconsin's new law**, which required showing a government-issued photo ID with a current address to vote, on the grounds that it violated the state's Constitution. In Missouri, a judge **blocked a ballot measure** to pass a similar law.

### Who Votes?

A series about the complexities of voters and voting.

This month, the Ninth Circuit Court of Appeals **struck down** an Arizona law that required voters to show proof of citizenship when registering.

Other states have run afoul of the federal Voting Rights Act. The Justice Department must “pre-clear” laws in **South Carolina** and **Texas**, and has refused to do so. Both states have already admitted that hundreds of thousands of voters lack the necessary documents required by new voter ID laws — and minority voters would be most affected. “Even using the data most favorable to the state, Hispanics disproportionately lack either a driver's license or a personal identification card,” wrote Thomas Perez, a Justice Department official, in a **letter denying pre-clearance**.

Conservatives respond by insisting that the Voting Rights Act is itself unconstitutional and that it is no longer necessary. They are challenging the act not only in Texas, but also in Alabama and Florida. They would have a slightly easier time making that argument if these states, and others like South Carolina and Mississippi, did not keep passing laws that made it harder for blacks and other minority groups to vote.

No one is saying that people should be able to vote without proving who they are. But these laws have been devised in a way that leaves out large segments of the electorate. Around **one in 10 eligible voters** do not have a driver's license. As courts are beginning to rule, the problem is not requiring identification — it is requiring identification that lots of voters just do not have.

We do not know for sure how these fights will end. Other states are continuing to move forward with suppressive measures. Pennsylvania **just enacted** a strict new law requiring documents, principally a driver's license, to vote. Mississippi voters **passed a harsh voter ID referendum**, and Minnesotans will **consider a more restrictive referendum** in November. No doubt many eligible citizens **will find it far harder to cast ballots** this year.

## Transparency Fund

But the push to curb rights, so successful in 2011, has prompted a considerable response in 2012. This brawl will continue all the way to November. After all, it is wrong to push through partisan laws that hit minorities, young people and the elderly the hardest, especially in the middle of an election season. After two centuries in which we have (**mostly**) expanded the right to vote, now is hardly the time to start marching backward.

Whatever the outcome, let's avoid another season of assaults on voting rights.

The best solution is to fix our paper-based voter registration system. As the **Pew Center on the States notes**, millions of names are out of date or duplicated. Some deceased voters even remain on the rolls. **Voter registration modernization** could unite the combatants in the "voting wars."

With a modern voting system, state governments could use computer records to assure that every eligible citizen had the opportunity to register. Election officials could get information from databases — like those of the D.M.V., public assistance agencies, the Selective Service, and more — to make corrections and automate registration. A complete, up-to-date voter file could be at the polls so if any eligible voter was not already in the system, he or she could register and vote on Election Day. **Such a plan** would add up to 65 million people to the rolls, permanently.

In recent years, 17 states have quietly moved forward to automate voter registration, supported by officials from both parties. These states have enjoyed increased turnout and cost savings. In Maricopa County, Ariz., for example, modernized registration has saved \$450,000.

Automatic registration would also curb the potential for fraud. We can assure that only those eligible are registered and that all those eligible can vote. We started in the states, but we should take the next step and make such moves universal.

So yes, we should repel the push to make voting harder for millions of Americans. If lawmakers really want to protect the integrity of our elections, modernizing our registration system is the answer.

*Michael Waldman is president of the Brennan Center for Justice at New York University School of Law.*

This article describes the recent report published by EOF grantee the National Fair Housing Alliance (NFHA), which finds significant disparities in how banks maintain foreclosed properties. Properties held in minority communities are allowed to deteriorate while properties held in predominately white neighborhoods are relatively well-maintained. After releasing the report, NFHA filed fair housing complaints with HUD against two of the worst offenders: Wells Fargo and U.S. Bancorp. The report and suit have generated significant media attention.

HUFF  
POST **LATINO VOICES**

THE INTERNET NEWSPAPER: NEWS BLOGS VIDEO COMMUNITY

## Homeowners Can't Afford Another Missed Opportunity

By JANIS BOWDLER<sup>1</sup>

Director of the Wealth-Building Policy Project, National Council of La Raza

Posted: April 17, 2012

When the housing bubble burst more than four years ago, many banks and federal regulators argued that the impact would be limited and the damage contained to the subprime market.

Famous last words.

Now we know the full story: unregulated finance companies and malfeasant brokers peddled toxic loans designed to earn originators a quick buck at the expense of unsuspecting homeowners, investors, and taxpayers. The damage has spread well beyond the subprime market and helped usher in the worst recession of our generation. The majority of financial trickery was carried out at the hands of lenders that operated outside the scope of federal oversight. The Federal Reserve could have reined them in, but reacted too late. This trend persisted under Bush and Obama when both administrations missed opportunities to get ahead of the market crash and the ensuing tidal wave of foreclosures.

Last week, the National Fair Housing Alliance (NFHA) released a report on the treatment of REOs--real estate owned properties, meaning foreclosed properties owned by banks--in nine cities. Their research found that REOs in predominately minority neighborhoods were scarred with the signs of neglect and blight while those in predominately White neighborhoods were well maintained even though they are serviced by the same company. The impact goes beyond the aesthetic. Abandoned properties are estimated to reduce neighboring home values by an average

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<sup>1</sup> Janis Bowdler is also a member of the U.S. Programs Race and Marginalized Populations Working Group.

## Equality and Opportunity Fund

of \$7,200 and cost cities millions in maintenance and lost tax revenue. The disparate treatment by servicers comes on the heels of unfair targeting of these same communities by deceptive lenders. Black and Hispanic families were more than twice as likely to be sold subprime loans, even though they had the credit to qualify for regular prime loans. The foreclosures that followed have wiped out 58 percent of Black and 66 percent of Hispanic wealth. Now neglected REOs are threatening to set our neighborhoods and families back even further.

The slide show below shows the contrast between in Miami between two REOs in two different communities. See if you can tell which one is in which community.

When done right, REOs can be a neighborhood asset. Creative reuse of REO properties can fuel community revival and expand housing opportunities for a broad range of families. Because many bank-owned properties are in neighborhoods close to good schools, jobs, transportation, recreation, healthy foods, and other amenities, they provide a unique avenue for expanding access to opportunity for all families while also breaking down barriers of segregation and isolation. Banks should work with mission-driven local partners like [Chicanos Por La Causa](#) in Phoenix, which is acquiring REO properties and converting them into ownership opportunities for families who have completed their housing counseling program. Another NCLR Affiliate in Stockton, Calif., [Visionary Homebuilders of California](#), has established a lease-purchase program for reclaimed REO homes where renters partner with a financial coach to work their way toward an opportunity to buy the home. NCLR is exploring ways to expand these kinds of programs to other cities throughout the country.

In a recent speech, Federal Reserve Chairman Ben Bernanke stated that over the next couple of years an [additional one million foreclosed properties](#) per year could be added to the REOs held by banks, guarantors, and servicers. Beyond the fact that mortgage servicers are legally required to maintain the properties they own, it would go a long way to healing their relationship with those communities if servicers also participated in and supported those innovative programs to repurpose properties with the community's social goals in mind. To get there, regulators--starting with the Federal Housing Finance Agency--must set and enforce strong standards to make sure that servicers treat all borrowers and all communities fairly, including standards for maintaining and marketing foreclosed homes. The Department of Housing and Urban Development and the Department of Justice should fully investigate the disparities uncovered in the NFHA report.

If no action is taken, abandoned and vacant properties will continue to drag down home prices and infect neighborhoods with crime and blight. But with a little creativity and cooperation, REOs can become a driving force in neighborhood stabilization. Homeowners cannot afford for banks and regulators to miss another opportunity like this.

## National Security and Human Rights Program

On April 3, 2012, in response to a Freedom of Information Act request filed by the **National Security Archive Fund**, a grantee of the **National Security and Human Rights Campaign**, the State Department released a declassified version of a controversial memo that the Bush White House had unsuccessfully attempted to retrieve all copies of and destroy. Written on February 15, 2006 by Philip D. Zelikow, then Counselor to Secretary of State Condoleezza Rice, the memo denounces the Justice Department's legal justification for authorizing U.S. personnel to use "enhanced interrogation techniques." Additional information on this important victory in the fight to impose accountability for torture committed in connection with the "war on terror" is available on the National Security Archive Fund's Torture Archive website: <http://www.gwu.edu/~nsarchiv/news/20120403/>.

The New York Times

### The Loyal Opposition

FROM THE DESK OF ANDREW ROSENTHAL



April 9, 2012, 3:47 pm

## Bush-Era Torture: A Dissenting View

By ANDREW ROSENTHAL

We know that President George W. Bush, Vice President Dick Cheney and their lieutenants did not like dissenting viewpoints. The justification for the invasion of Iraq depended on the muzzling of anyone who doubted the existence of weapons of mass destruction, and for the most part political appointees fell into line after that point. Jack Goldsmith, who withdrew the Bybee memo justifying torture before resigning from the Office of Legal Counsel, was a notable exception.

Now there's evidence that another important voice in the Bush administration resisted certain, shall we say, constitutional excesses. Philip Zelikow, a high-ranking State Department lawyer, argued in a Feb. 15, 2006 memo that international law prohibited waterboarding and other so-called "enhanced interrogation techniques" by any American official – whether he was a military interrogator at the Guantanamo Bay detention camp, or a C.I.A. operative at a "black prison" hidden in some foreign country.

The memo was classified "top secret" until it was released last week, thanks to a Freedom of Information Act request by the National Security Archives, a non-profit organization.

Here's the background: For years the Bush administration argued that the president could authorize abuse of prisoners as long as it did not happen on U.S. territory.

But Senator John McCain, who was tortured as a prisoner in North Vietnam, sponsored an amendment to forbid torture and also apply the Convention Against Torture's prohibition of "cruel, inhuman or degrading treatment or punishment" to American officials anywhere in the world.

## National Security and Human Rights Program

Mr. Cheney tried to get Mr. McCain to change his legislation to exempt C.I.A. officials, partly because the administration wanted to go on torturing prisoners, and partly because it wanted to avoid accountability for its actions. Mr. McCain refused.

The Justice Department's Office of Legal Counsel, the go-to place for trumped-up legal arguments, assured Mr. Bush and Mr. Cheney in secret that the McCain amendment did not apply to C.I.A. officials.

The department's chief, Steven Bradbury, wrote several memos arguing that waterboarding, prolonged isolation and sleep deprivation were not really torture, so the Convention Against Torture did not apply.

But Mr. Zelikow said: "The prohibitions of Article 16 of the CAT now do apply to the enhanced interrogation techniques authorized for employment by the C.I.A." Citing a whole string of rulings by U.S. courts, he said that even if you buy the notion that waterboarding is not torture, it and other "enhanced techniques" are indeed cruel and degrading, and are therefore not permissible.

Mr. Zelikow said the State Department was "unaware of any precedent in World War 2, the Korean War, the Vietnam War, or any subsequent conflict for authorized, systematic interrogation practices similar to those in question here, even where the prisoners were presumed to be unlawful combatants."

The Bush administration ignored Mr. Zelikow. It also tried to collect all the copies of his memo and destroy them, but the State Department hung onto one. And it is now in the public record.

It provides us more insight into just how cynical the Bush administration really was, and it's a reminder that those who authorized torture and illegal detention and other inhuman policies have never been held accountable.

## Democracy Fund

Democracy Fund grantee **United States Student Association** is featured in this article.\*

March 26, 2012

### **The New York Times** **Government's Not Dead Yet**

By **JOE NOCERA**

Washington

I met up recently with my old mentor, Charlie Peters, the founder, editor and driving force behind *The Washington Monthly*, where I worked in the late-1970s. Charlie is a supreme idealist who believes deeply in the good that government can do. He saw it growing up with Roosevelt's New Deal and then again as a member of Sargent Shriver's Peace Corps, where he served as the agency's first director of evaluation.

Now 85, Charlie still believes that that government can make a difference in people's lives. Knowing that many Americans have turned against this idea, he is writing a book "to give evidence that it has happened — and to show it can happen again," he told me. The New Deal and [the Great Society](#) were eras when "money was not the driving force in choosing a career," he said. "Passion was. People wanted to be able to do something about the country's most pressing problems — and government was the place to do that."

As Charlie spoke, it occurred to me that there is one agency in today's government where you can still see that passion: [the Consumer Financial Protection Bureau](#). Last week, I went to Washington to spend some time with some of the bureau's new employees.

The brainchild of Elizabeth Warren, the consumer bureau was part of the Dodd-Frank financial reform law, and it has been charged with looking out for the interests of financial consumers. Warren initially brought it to life, and her charisma and rock-star status was a powerful early draw. "I saw her on TV, and then read her book '[The Two-Income Trap](#),'" said Sean O'Mealia, 25, who joined the bureau from a consulting company. "I really believed in what she was saying about helping consumers. That was my motivating force."

Warren, alas, left after Senate Republicans made clear that they would never confirm her as director, and President Obama named [Richard Cordray](#), the former attorney general of Ohio, to be the agency's first director. He has been trying to instill a culture that can best take advantage of the young talent flocking to its door. "To corral their sense of idealism and put it in the service of improving life for the average consumer,



## Democracy Fund

that is a tremendous thing,” he said. In thinking about how to instill that culture, Cordray kept reflecting on Charlie’s old boss, Sargent Shriver. “He built on the awareness that there is tremendous talent and energy in young people.” That is what Cordray was trying to do.

To judge by the people I spent the day talking to, he’s done it well. Angela Peoples, 25, had been the legislative director at the United States Student Association, which had pushed hard to ensure that the new bureau would have authority over student loans. In her still-young career, she had met many students who felt trapped by their loans, and it is the issue she most cared about. Her boss, Rohit Chopra, 30, a former consultant, said, “A whole generation of people are overleveraged with student loans. They won’t be able to get a mortgage or save for retirement. They won’t be able to do the things that are profitable for the banks.”

I met a designer, Audrey Chen, 33, who had worked at Comedy Central and was thrilled to be designing documents that would allow consumers to understand and compare financial offerings. O’Mealia told me how much he admired Cordray’s commitment to consumers and how he and other young staff members had become concerned that Cordray was working so hard that he wasn’t eating enough. (They took to getting him fruit every night to make sure that he had something to eat.) I met Garry Reeder, 36, who had gone from “a trailer park in North Carolina” to an M.B.A. student at Columbia University. “You can’t do that without credit,” he said. “But credit also makes a lot of people’s lives more difficult.” He wanted to make sure that people fully understood what they were getting into when they made a financial transaction. “You can’t have a system where the only way an institution does well is if the other party doesn’t fully understand the transaction.”

When I reported back to Charlie about my inspiring day at the new consumer bureau, he wasn’t surprised. “The beautiful thing about a new agency is that everyone is very driven to accomplish the mission. As they mature,” he added, “that’s when people become more concerned with self protection, and maneuvering for the next promotion.” True enough, but a problem for another day.

The last person I spoke to at the Consumer Financial Protection Bureau was [Holly Petraeus](#), the wife of David Petraeus who leads the agency’s office for the military and their families. “I think there are still idealists in Washington,” she said. “And they work in this building.”

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*This article has been revised to reflect the following correction:*

An earlier version of this column gave the wrong age for Garry Reeder, one of the staff members at the Consumer Financial Protection Bureau. He is 36, not 26.

**\*OSI and FPOS do not disburse or earmark any grant funds to support lobbying on legislation.**

## Criminal Justice Fund

Chris Smith examines the issue of New York City police accountability under Commissioner Ray Kelly, providing insider accounts of the misconduct and failed policies that have become synonymous with the NYPD. Police accountability in New York City, namely the discriminatory use of “stop-and-frisk” practices, are central to the Criminal Justice Fund’s efforts to secure a fair justice system that is free of racial disparities.

*NEW YORK*

### What’s Eating the NYPD?

**Ray Kelly has built the best police force in the country. Now it is turning on him.**

By Chris Smith Published Apr 8, 2012



The officers pictured here were photographed at random in public places in the city. None of them were interviewed by *New York Magazine* or have any connection to the officers quoted in this article.

(Photo: Christopher Anderson)

**T**he kids are finally asleep. Charlotte Hill\* looks like she could use a good nap, too. She wearily blows a strand of auburn hair off her face. The toddler-induced fatigue, the small-liberal-arts-college degree—Hill could be an early-thirties Anymom. Until she starts talking about work. “My first shooting—some kid got shot. I think he died. Did he die?” Hill pauses, thinks. So many bullets, so many bodies in eight years as a city cop. “It was winter, but no snow. It was like ten at night, he got shot in the arm, and then the shooter had run back into the projects. The lieutenant just went crazy on us: ‘You guys fucked up the crime scene!’ Apparently we were all stepping on the shell casings. But the thing is, nobody had trained us!”

The blood didn’t bother her, and she gradually figured out the procedural stuff. But that first shooting was an introduction to dysfunction. “It’s just such a highly punitive and numbers-driven job, and it’s gotten infinitely worse over eight years,” Hill says. “You’re giving me a psychological test and sending me through an academy so I can learn how to have good judgment—and now you don’t want us to have any judgment. Every message is that the department doesn’t trust us. When a cop is out sick, we have to call in if we’re going to the doctor during our shift hours. I’m not kidding. And then they want to know why cops act like children.”

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Hill wasn't naïve when she joined the force: She'd grown up in a major city and understood that Police Department culture is about rank, discipline, and rules, and that the job often means dealing with nasty, even evil people. But as she's become a skilled foot soldier, part of the rank and file that has strung together an extraordinary decade of declining crime statistics while foiling terrorist plots, Hill has grown uneasy about the dehumanizing cost of keeping the city safe. "You don't realize how much everyone is going to hate you," she says. "At least where I work now, people look at you and go, 'I fucking hate you.' And I go, 'I fucking hate you, too.' And then we move on. I have a harder time with overeducated, moneyed people. When I work on the Upper East Side, or in Downtown Brooklyn, people just talk down to you. We don't feel supported by the courts, we don't feel supported by the department. I think everyone would say they love being a cop"—she laughs ruefully—"and they hate being in the NYPD."

Last year ended with a spate of unpleasant Police Department headlines. On Staten Island, an officer was caught on tape bragging he'd "fried another nigger," then pleaded guilty to extortion and civil-rights charges. In Brooklyn, eight current and former cops were arrested by the FBI for smuggling guns, among other charges. The nasty run continued: In March, a Washington Heights cop was convicted of a gunpoint sexual assault.

The NYPD was also increasingly under attack for the tactics it has used to drive crime down to historical lows and to head off terrorist strikes. City Council members, prospective mayoral candidates, and civil-liberties groups have flailed the NYPD for stopping and frisking thousands of innocent black and Latino New Yorkers; a series of Associated Press stories has explored the department's far-reaching surveillance of Muslim neighborhoods.

But while those debates raise important questions, they are largely about policy choices that can be either altered or continued by the next mayor and police commissioner. And the spate of outright criminal behavior by cops, ugly as it was, was not particularly aberrant: Any large organization is going to employ a handful of miscreants, and every police era has its share of corruption. More worrisome, to the functioning of the department and the maintenance of public safety, now and in the future, was the anger rumbling just below the surface of the NYPD—and, on a couple of occasions, bursting out into plain view. In September, cops contributed to a Facebook discussion on the raucous West Indian Day parade that labeled marchers "animals" and "savages." In October, scores of cops converged on the Bronx County courthouse as sixteen of their colleagues were arraigned on ticket-fixing charges, waving signs reading **JUST FOLLOWING ORDERS** and some wearing T-shirts that said **IMPROVING EVERYONE'S QUALITY OF LIFE BUT OUR OWN**. The accumulation of woes and discontent made it look as if Commissioner Ray Kelly was suffering from something more than third-term drift. It looked as if he were losing control of his department.

Cop cynicism is an art form and a self-defense mechanism. You expect black humor and grouching about "the job" and "the bosses" whenever you interview police. What I also expected to hear when I began my conversations with cops of many different ranks, from many different parts of the city, was some well-deserved boasting about being part of the winningest team in Western urban-law-enforcement history. And there are plenty of cops who talk proudly about their colleagues' acts of heroism or, more quietly, about their own small moments of doing good. But the collective NYPD mood is surprisingly dark. There's something different about the current discontent. The complaints aren't about the old standby, low pay; they're about the systems

## Criminal Justice Fund

the NYPD uses to bring down crime—systems that are fueling a bitterness that can interfere with the department’s ability to keep the city safe.



The officers pictured here were photographed at random in public places in the city. None of them were interviewed by *New York Magazine* or have any connection to the officers quoted in this article.  
(Photo: Christopher Anderson)

The disaffection from the public and anger at the department aren’t universal, but they are widespread, stretching across boroughs and ranks—and cops say that the acrimony is a by-product of the numbers-obsessed systems that Kelly has perfected. The commissioner inherited CompStat, the innovative marriage of computer-analyzed crime stats and grilling of field commanders. But in the Kelly era, CompStat has filtered through every facet of the department, and making a good show at those meetings has become an obsession. Few cops talk openly about the NYPD’s troubles: Some are wary of the media, some fear punishment from the department. “The job is getting smaller all the time—more demands, less autonomy, less respect,” a recently retired Bronx detective says mournfully. “The aggressive management culture has been really effective, but it’s also extremely aggravating.”

Beat cops feel stuck in the middle. “If we don’t write the summons, you hear about it from the sergeant; if we do, from the public. So we’re just the bad guy, either way,” a demoralized Brooklyn patrolwoman says. “Where do we turn? It’s horrible now.”

Increasing the strain is the mandate to keep crime at historic lows while the size of the department shrinks: The NYPD has 6,000 fewer cops than it did in 2001, owing to budget cuts. “Ninety percent of the stress on our job is internal,” a twenty-year veteran says. “Crime is down as much as you can get it, you’re doing as much as you can with fewer people, and if you ask for more, what you’re going to get is corruption, people fudging numbers, locking people up just to do it. And that’s where the city is now. Everybody’s attention is so focused on the numbers nobody cares about each other. You can’t. The human element is gone. It’s why so many cops are so miserable.”

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**W**henever Kelly leaves One Police Plaza—most likely in January 2014, when a newly elected mayor replaces Michael Bloomberg—he will be rightly celebrated as the greatest police commissioner in the city’s history. Crime, overall, is down 34 percent since Kelly took office. There have been zero successful terrorist attacks on the city since September 11, 2001, and, by the NYPD’s count, fourteen foiled plots. Those two monumental achievements—the increase in everyday safety and the prevention of spectacular disasters—will form the bulk of his immediate legacy. But another element, almost as large, is the department he has shaped and will leave behind. Success has enabled Kelly to set a record for longevity: In two tenures, he has served more than eleven years as police commissioner. That’s impressive all by itself, given that the job is exhausting and politically treacherous. Yet the underappreciated significance of Kelly’s staying power is that his impact on the department will live long beyond his physical presence in One Police Plaza. The NYPD is now thoroughly marinated in Kelly’s personality and priorities. He’s greatly broadened the department’s racial diversity, and exponentially enlarged its technological capabilities. One enormous priority, of course, was thrust upon Kelly: the need to protect the city from terrorists. The commissioner’s approach, though, is characteristic of the man: Kelly has created, basically from scratch, a world-spanning counterterrorism intelligence capability that works with other law-enforcement agencies but depends on none. An entire generation of cops has grown up schooled in his crime-fighting methods. Nearly half of the department’s 34,800 cops were hired on Kelly’s watch. He handles many promotions personally, so the NYPD’s management thoroughly reflects Kelly’s views.

And right now, the department the commissioner rebuilt has two striking characteristics: its effectiveness and its unhappiness. “It isn’t evident in the numbers of calls we receive but in the qualitative increase in problems: ‘I can’t deal with this anymore,’ ” says Bill Genet, an ex-cop who runs a peer-counseling service for the city’s officers. “We had this unusual four suicides in two months. The rubber band is being pulled mighty thin.” Cops say the same top-down, micromanaging, statistics-loving style that has driven down crime has also depressed cop morale. Is Ray Kelly winning the war and losing the troops?

**D**aniel Perez’s is a classic New York story. His parents moved from Puerto Rico to Queens before he was born; his father scraped out a living as a doorman, and his mother worked in a factory. “So a civil-service job—that was a golden ticket,” Perez says. “I became a cop at 20 years old. I was out on patrol with a gun before I was old enough to drink!”

At 45, Perez is effervescent and curious, the kind of guy you’d enjoy sharing a ball game and a beer with. He’s also barrel-chested and muscular, not the kind of guy you’d want to piss off. “I’m a city guy my whole life, so I love it,” he says, even though he moved to Long Island after getting married. Like many cops, Perez felt the need to decompress in the suburbs after a day of chasing drug dealers through vacant lots. Perez worked his way up from Queens foot patrol to Brooklyn patrol supervisor to a Bronx unit that hunts for fugitives with outstanding warrants. “We’re among the few people who could actually kick in doors, or climb a fire escape, looking for people. That’s fun!” he says, his boyish enthusiasm undimmed. “You’d be surprised how many people you find under a bed. Or in a closet. You’re looking in a closet that’s filled with clothes, standing there with a gun yelling, ‘Come out!’ So what you have to do is reach in there and check. If he has a gun, I could get shot in the face. But you gotta put your gun away and stick your hand in there. When you poke and you feel a body, you jump every time. It scares the shit out of you, no matter how many times you’ve done it. That’s why you gotta have your gun put away.”

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The officers pictured here were photographed at random in public places in the city. None of them were interviewed by *New York Magazine* or have any connection to the officers quoted in this article.

(Photo: Magnum Photo/New York Magazine)

For all Perez's enjoyment of his adventures—and pride that he never had to fire his weapon—what's particularly interesting about his career is that it spans the CompStat era. He came onto the force five years before the arrival of Commissioner Bill Bratton and his colorful, innovative sidekick, Jack Maple, who brought New York policing into the modern-technology era. CompStat mapped crime data to show where patterns and trouble spots were forming. It also brought together commanders for regular meetings to share tactical expertise and ideas. But CompStat was also a necessary shock to a complacent system: Top brass grilled the field bosses, sometimes mercilessly, on what they were doing to solve problems, and if changes and solutions weren't in place by the next meeting, transfers and demotions were made.

Most of those elements continue in the Kelly era, and they've been honed as better technology makes ever-more-detailed crime numbers available faster. Kelly's close-cropped hair and squashed nose make him look like the classic Irish cop and Marine combat vet, and he's authentically both. The part of his résumé that's often overlooked is that Kelly has a master's in public administration from Harvard, and he remains a fan of dispassionate analysis. CompStat's role in reforming the department's management practices has been well established and mythologized, but what's less well understood is how CompStat's focus on numbers has filtered down and permeated daily police life. Depending on your rank, it ranges from an annoying background hum to an ever-present pounding on the brain. For frontline supervisors in each precinct, preparing for the CompStat cross-examination inside One Police Plaza is a time-consuming task. One recent morning, for instance, it was the 113th Precinct in Queens on the griddle. Commanding officers stood at the podium at the open end of a horseshoe of tables; staring back at them were a dozen of the NYPD's top brass, supported by a row of aides. The deputy commissioner of operations at the time, Patrick Timlin, was incredulous: "We can muster one collar? One legitimate robbery collar? In 28 days?"

"This is not an excuse, but ... "

"There are no buts!" Timlin interrupted. "The 113, awright, is one of the top places in the city, for robberies, for shootings, awright? It's a big, big dog. We can't operate with one collar from the squad, awright?"

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Timlin pulled out a report on the unsolved theft of a 14-year-old's iPhone on a city bus. "Where's the urgency?" he demanded. "This kid gets robbed, walks in [at 8 a.m.], and at 22:11 at night, we go out and do a witness canvass! Has the bus driver been interviewed?"

"The bus driver has not been interviewed."

"How is that possible?"

"We don't know which bus driver it is at this point."

"How many bus drivers drive that route at eight in the morning? I think we could probably figure that out ... I have a plan here, and it's now been six weeks. And we're not seeing any changing course."

"Chief, that was specifically directed toward burglaries ... "

Timlin interrupted. "No! ... It was directed toward performance in the squad. That statement is totally unacceptable, awright? ... You can stand up there and tell me that we couldn't do it because we had seven homicides that day. Then I'll accept that. But when you say, we were told to do it on burglaries, that's outrageous!"

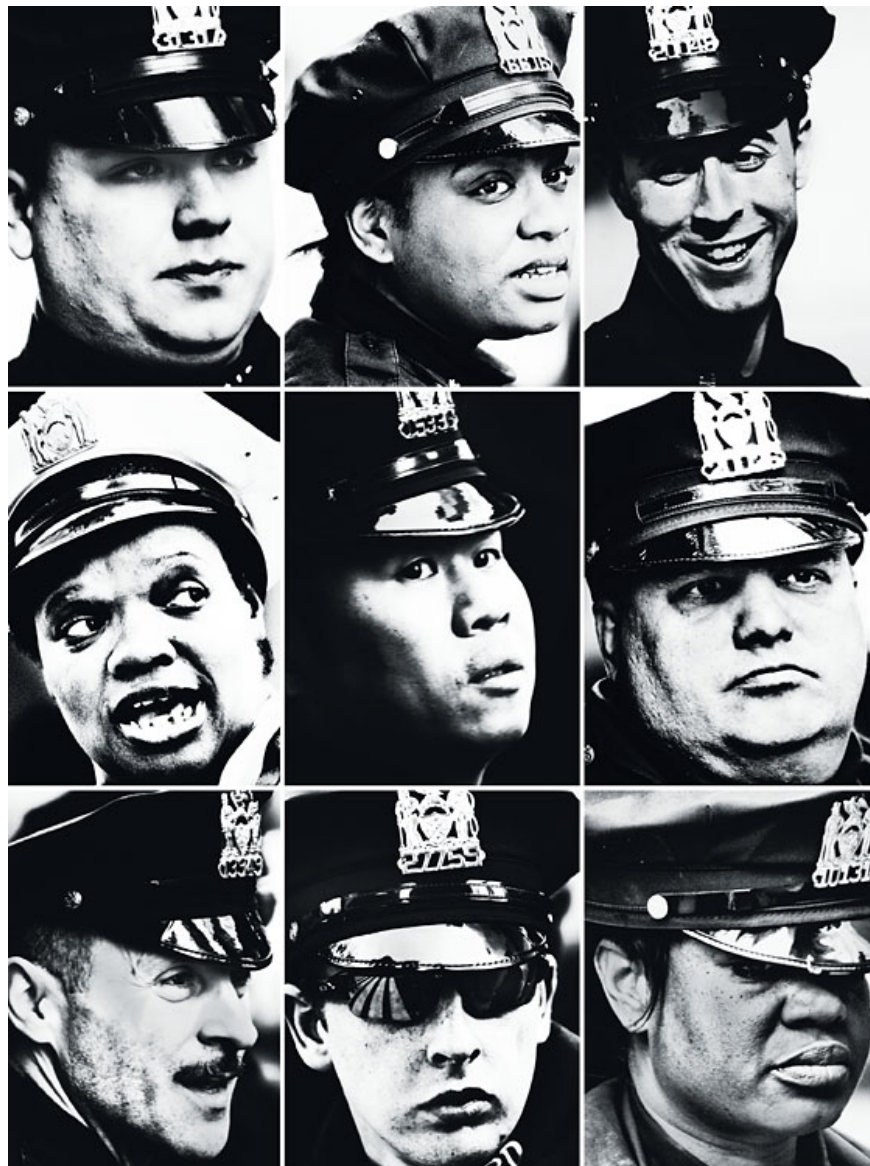
If this were a boxing match, the referee would have stopped the fight. The Queens cops tried to plead a shortage of manpower and got no sympathy. "But it's the truth," another cop says later. "There simply aren't enough cops to do everything they want. But you can't say that. And so everything flows downhill."

The heat put on supervisors in CompStat gets passed to middle management, then on to the cops in the street. In some respects, the urgency and attention to detail are inspiring. "If you have a bunch of shootings on, say, Livonia Avenue in Brooklyn, there are very few people or agencies—including City Hall, HRA, homeless services, Consumer Affairs, the nonprofit poverty groups—who give a shit about these corners as much as the Police Department," says a Bloomberg-administration veteran. "The degree of accountability in the Police Department is pretty intense: 'Where is the ATM? What did you do about the witnesses?' It's their job to make those numbers go down, and it's their motivation for career advancement, and so they care very deeply."

Cops say that CompStat sometimes gets warped into numbers for numbers' sake, and it grinds at community relationships. "I grew up in the South Bronx, and in the summer we'd throw a football in the street at night," an eighteen-year veteran lieutenant says. "The cops would roll by and say, 'Fellas, just keep it quiet.' Now we need to make the number, so we write all those kids summonses for dis con—disorderly conduct. And they grow up hating cops."



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(Photo: Christopher Anderson)

To Kelly, “stop, question, and frisk” is an essential tool used to get weapons off the street, especially in high-crime precincts. For the commissioner, the important facts are a 51 percent reduction in homicides compared to the previous decade and the seizure of more than 8,000 weapons, including 819 guns, in the past year. To critics, however, stop-and-frisk has become a ritualized harassment of neighborhoods—with just 12 percent of last year’s record 684,330 stops leading to arrests or summonses and one percent to the recovery of a weapon—and racist, with 87 percent of those stopped being black or Hispanic.

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Yet cops say both arguments miss an important point: that stop-and-frisk is an easy way for supervisors to feed the statistical beast, to show that action is being taken to deal with spikes in crime.

“There’s all this talk about stop-and-frisks, whether it’s racist or harassment, but the public totally misses the game,” a Brooklyn cop says. “You know all the guys in the neighborhood, and usually when we roll up they frisk themselves. That is, if it’s a night they don’t feel like being bothered, they just lift up their shirts when we stop, and then they move on. If they feel like making a point to the boys they’re hanging with on the corner, they won’t do it. But the people who carry guns and shoot each other where I work are not white. There are no white people to begin with! But I always laugh. The civil-liberties people are the reason we have stop-and-frisk reports in the first place. The theory was, if cops were forced to write down what they were doing, they wouldn’t be so haphazard about stopping people and frisking them. But because the department loves data, now those reports are activity that can prove you’re taking action at CompStat.”

Two cops—Adrian Schoolcraft of Brooklyn and Craig Matthews of the Bronx—have taken the rare path of filing lawsuits alleging that they were persecuted for complaining about statistical manipulation and quotas. Schoolcraft says he was handcuffed by fellow cops and committed to a hospital psychiatric ward for six days. Others play along, saying they have come to know what’s expected. “You show up to someone who had their iPhone snatched, but you don’t put it over the air because you don’t know if it’s gonna be a crime yet,” a Manhattan cop says. “We have to bring the victim back to the station, where he’s gonna be waterboarded by the sergeant: ‘Are you sure you didn’t drop your phone?’ Next thing you know, it’s lost property. ‘Hey, maybe I left it on the train! Maybe it fell out of my pocket when I got punched in the face!’ ”

Cops fear a more serious consequence of the push for better numbers, that it propels colleagues forward in borderline situations. This February, in the Bronx, a narcotics cop chased 18-year-old Ramarley Graham into the bathroom of his family’s apartment. Officer Richard Haste suspected Graham of carrying a gun; during a struggle he shot and killed the unarmed man. One ex-cop, who has worked some of the same streets as Haste, says it appears tragic tactical mistakes were made. “But it’s important to remember that cops always have the need for numbers in their minds,” he says. “It might not be the top cause of what happened, him chasing the guy into the house, but it’s part of the motivation getting you to that position. You’re trying to get in there and get that body. So is it the pressure of ‘I can’t let this guy get away’? Or is he a number?”

Any large organization that keeps much of its top management team in place for a long period—and enjoys a mostly successful run—is vulnerable to rust. “Ray has become a little more hardened, a little more sure of himself, and unwilling to move or budge,” a former Kelly aide says. The commissioner is trying to combat stasis by hiring McKinsey, the management-consulting firm, to review the department from top to bottom. And in 2009, Kelly brought in Timlin, who’d been a respected senior commander in the Bronx and supervisor of detectives in Queens before retiring to run a private security company. Timlin led CompStat meetings for two years before returning to the private sector in February, but he also explored ways to invigorate the department, with a special focus on improving leadership in the crucial middle ranks, where CompStat’s pressures are turned into street action.

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Kelly's allies forcefully dispute the conventional wisdom that CompStat dominates the department's every action. "The perception that CompStat numbers drive everything and affect people's careers, it's absolutely not true," Timlin tells me this spring. "To read these books and articles, there's like a slaughterhouse going on. The margins are narrower—we're down 70 percent in crime in eighteen years in some places—and there will be blips that can look like huge spikes, statistically. That's recognized. Commanders are not being flopped for crime going up. If people demonstrate best efforts, nobody's being moved."



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(Photo: Christopher Anderson)

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Kelly says the department's Quality Assurance Division is constantly examining crime reports, and any fudging is swiftly punished. Internal statistical audits, say NYPD insiders, are regular and rigorous, though no one will ever claim perfection. "Is it a cop in a radio car who is too lazy to take a report? Or is it something more systematic, where people are told, 'Listen, don't show up here with these type of complaint reports?'" Timlin says. "All those things can occur. I'm not naïve. But it's very, very rare." In January 2011, Kelly appointed a three-member panel to investigate whether crime-downgrading exists, and promised a report within six months. One panel member has since died, and the report is still in the works.

**T**he newspapers were full of NYPD news on February 1. Most of it was topped by large headlines: In East Williamsburg, Officer Kevin Brennan had been shot in the head by a man wanted for questioning in connection to a homicide and miraculously survived. In the University Heights section of the Bronx, four cops were captured on cell-phone video pummeling a 19-year-old suspect. And seven alleged members of a violent gang that had terrorized the Ebbets Field housing project for years were indicted, thanks to the work of the NYPD.

Yet as Eugene O'Donnell flipped through the tabloids that morning, he stopped at a smaller item: "No Shirt, Sherlock—Cops barred from wearing NYPD gear." Apparently Commissioner Kelly had spotted officers wearing gallows-humor T-shirts that bore an unapproved Police Department logo. Kelly issued an order declaring that all NYPD personnel, on and off duty, were forbidden from wearing unlicensed T-shirts. "Compared to the other stuff in the papers today, this seems silly," O'Donnell says, "but it's not silly to cops. None of them would ever trivialize the shooting of a fellow officer. But to the rank and file, the T-shirt thing is much more relevant and annoying, because it's emblematic of what day-to-day life in the department has become."

O'Donnell worked as a cop in Brooklyn, then became a prosecutor; he now teaches criminal-law courses to aspiring cops at John Jay College. "The NYPD is an agency of extremes. It can disappoint you beyond belief, and then it can do something incredible, like the hostage team or the anti-terrorism stuff," he says. "The T-shirt thing, there's other approaches besides taking the hammer to everybody and saying they can't wear anything with the NYPD on it. How about a letter from Kelly that says, 'Dear colleague, is this the image we want to portray?' Instead there's a top-down, blanket order that allows them to catch anyone who slips up. You create a culture that says, 'If we're all co-defendants, I'm going to join hands with the knucklehead.' That's what you saw at the ticket-fixing case: 'I don't fix tickets, but if everybody's going to be blanketly indicted, then we have to protect ourselves.'"

The case began with allegations that Jose Ramos, an officer in the 40th Precinct, was working with a reputed drug dealer. After a three-year investigation, Ramos was charged with dozens of crimes, including attempted grand larceny and transporting what he believed to be heroin. But wiretaps of Ramos led to 1,600 other criminal counts, most of them misdemeanors related to officers overheard allegedly arranging to make tickets disappear. Whether rightly or wrongly, cops howled, claiming the practice had long been accepted and was now being criminalized for the sake of the department's image. Roughly a hundred off-duty officers showed up on a day when sixteen of their colleagues were being indicted on charges of fixing tickets and chanted, "Ray Kelly, hypocrite!"

Perez wasn't at the profane protest, but he's similarly disgusted. "They want to make it sound like it was something more than it was, but it's a courtesy that's gone on since the first cop walked the

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beat,” he says. “It’s something that develops goodwill in the neighborhood, not bribes. Besides, you get calls from commanding officers, state senators, everybody, asking you to tear up tickets. And now you’re gonna punch these cops because someone asked for a favor?”

**R**ichie Cameron applied to the NYPD out of patriotism after the attacks on the World Trade Center. Assigned to housing projects, he set about protecting his hometown from everyday criminals. “Not to puff my chest out, but the bosses saw me in a positive light,” he says. “I brought in seven or eight arrests a month. Other cops were pissed off at that: They’ll toss your locker upside down, pee in your shoes, because you’re making them look bad. There really aren’t quotas, and the numbers game only affects people who are neglecting their duties. But the department is all about retribution, from the high-level politics to the low-level precinct relationships. It’s how they keep guys in check.”

The everyday hazards of the job, Cameron found, are something the outside world is clueless about. “Shootings are what make the papers, but we get hurt all the time,” he says. “In the projects, so much of the crime happens in the stairwells. I’ve been thrown down the stairs a few times. That definitely sucks. When that stuff happens, you don’t get the support from the department, either personally or politically.”

Cameron grew up in the city and understood objectively the hostility from the neighborhood toward police. “I was a ghetto cop. I went into a neighborhood that had generations of deep-seated resentment toward the Police Department, and the general culture of the neighborhood is very anti-cop,” he says. “That’s not to say that everyone hates the cops. Some people are glad we’re there, especially in the housing projects. But you go into a place like this and it’s very hard to help people who hate you and who don’t want to be helped. You soon think, *Why am I doing this? Why am I putting myself at risk for people who are not happy to see me?*”

And it wasn’t as if the department balanced things out with positive reinforcement. “A guy punched me, and because I didn’t have a black eye, my boss says, ‘Let’s not make it an assault on a police officer. It’s not going to stick, and it’s going to make the precinct look bad, because that’s an increase in felonies.’”

He loved the work, but couldn’t take the weird emotional isolation—why put up with abuse from the public and pettiness from your employer, all for a mere \$37,000 paycheck? So after three years, Cameron quit, and the department lost a young, energetic cop who tried to use his head and his heart as much as his handcuffs.

**T**here is no doubt who is in charge. Ray Kelly takes the seat at the head of the long black polished marble table, in a windowless, dimly lit conference room on the fourteenth floor of One Police Plaza. In front of him is a sleek computer keypad; looming behind him, on a six-foot-tall flat-screen, is the NYPD logo. The other three walls are covered with similar screens. A dozen or so flash live views of streets all over the city; another giant screen maps quality-of-life complaints; next to a screen providing a bird’s-eye-view photo of the New Jersey approach to the Holland Tunnel is the image of a suspicious car and listings, tracked by the car’s license plate, of its whereabouts today. At the far end of the room, directly opposite Kelly, are screens showing key TV stations, from NY1 to Fox to Al Jazeera. At 70, the commissioner moves a little stiffly and

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sometimes has trouble hearing. But in this setting Kelly comes across as all-seeing, totally in command.

Kelly wishes he could get out in the field more. Many of his days, though, are jammed with meetings here. A counterterrorism briefing is first thing in the morning—today there was talk about getting the FBI to open a new case “on a particular individual”—followed by a city-crime meeting with top chiefs, and on some days followed by a meeting with 40 top staffers. Lately there have been additional meetings with leaders of Muslim groups. Then there are press conferences and ceremonial events—yesterday, one to discuss the coming Jewish holy days. At night, frequently, Kelly heads out to visit community groups—most recently, Rise Up and Stop the Violence, at a Brooklyn housing project.

In between, though, he says he tries to stay in touch with the rank and file. “I talk to a lot of cops in the street. Not as much as I’d like. I stop the car and talk, I jump in radio cars and ride around. I like to talk to traffic-enforcement agents. I think they’re neglected. They have a tough job and they don’t get enough pats on the back, so I jump out and talk to them. I think I have a pretty good feel for it. Cops on patrol down by the World Trade Center, I talk to them a lot,” Kelly says. “When you talk to cops one-on-one, they’ll tell you they love this job.”

Well, actually, I tell him, I’ve been hearing just the opposite. Kelly sits up straight. “You’ve got to factor in, speaking to reporters, people are going to vent. It’s an opportunity—you don’t get any pluses for saying, ‘Everything is great,’ ” he says. “Somebody might have a pet peeve, and you might be the right vehicle to get it out. The fact that we’re down 6,000 cops, and we have increased the array of things that we’re doing, probably means there’s a lot more pressure on cops to get the job done.”

Indeed. Which is a large part of why they’ve been telling me they’re mad—and, more specifically, that the pressure is expressed through a quest for ever-better statistics. “We have metrics, like the rest of the world has metrics,” Kelly says firmly. “We want cops to do what we want them to do. We don’t want them to do what they *like* doing. It’s the way every business runs. I don’t see that, and I think it would manifest itself in people leaving. You vote with your feet, and you can retire at an early age here, and the retirement numbers are going down. So to me, that doesn’t necessarily support that theory. I wish everybody was happy, but that’s not what I’m paid for.”

He says ticket-fixing was never condoned and dismisses the Bronx courthouse protest as theater staged by police labor unions. There’s a perfectly good reason cops need to report when they’re out sick—they have unlimited sick time. The prominence of CompStat in department life? Too bad: Numbers-driven accountability is the way of the modern world, and it’s hard to fire civil-service employees, so you need to push them somehow. What about cops who claim that many stop-and-frisks are just to generate numbers? “Most of the focus on stop-and-frisk is in problem areas,” he says. “You have a precinct, and you have shootings down here—that’s where the captains, that’s where the commanders, want their stops to take place. But nobody’s telling you you’ve got to make ten stops. That’s not happening. What they want to see is activity. Why? Because up the chain of command, they’re looking for that activity. I think it’s perfectly reasonable. You come on the Police Department, we want to see you enforce laws. If in fact it’s driven by a number, that’s wrong.”

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He is sharp, he is unflinching, and what he cares about are the results. Kelly believes the current external criticism may actually be a perverse compliment: that the public is spoiled by the NYPD's success. "Yes," he says quickly. "We had a record crime year in 1990—what's been the turnover here since 1990? Lots of new people have come in. They just accept the fact that crime is down." Sure, he wants his cops to obey the law—and Kelly is adamant that the Muslim surveillance program was well within it—but it is the bottom line that matters. And here, for all his my-way-or-the-highway managerial style, Kelly nevertheless verges on the lyrical. "What nobody speaks about is the disproportionate level of violence in black and Hispanic communities," he says. "That's where the murders are happening. Ninety-six percent of the shooting victims, black or Hispanic. Ninety percent of the homicide victims, black or Hispanic. It's easy to ask questions [about stop-and-frisk]. We have to come up with some solutions. If you don't want this to happen, tell me how you reduce this level of violence, because it's way disproportionate. When I see the principal case sheet every day here, who's shot? Male black, male black, male Hispanic, male black, male black, male black. Eighteen, 22, 24. Those 5,628 lives that were saved in ten years, the vast majority of those lives are black or Hispanic, and the vast majority of them are young men."

If some innocent folks get hassled in the process, it's worth the trade-off; if cops are feeling beaten down, tough luck. "You can say, people are happy, but crime is going up. That's not what the Police Department is all about," Kelly says, his eyes flickering. "You're always gonna find somebody who's gonna complain. But for me, I'd love to have everybody happy, but I'm charged with the responsibility of leading this organization and keeping the city safe. By any objective criteria, we're doing that, and doing it well."

He says morale is an individual, not collective, state. At some point, though, the internal toll of the past decade could start to erode the NYPD's mission and threaten the safety of the city Kelly has worked so hard to protect. Just outside the commissioner's conference room is a scale model of the new \$1 billion police academy being built in Queens. The test will come when the younger cops, raised in the current era—Kelly's kids—outnumber the older cops who are now chafing at the commissioner's methods.

Will the newer officers come to resent the statistics-driven culture just as much as their predecessors? Or will they and the next commissioner continue it, and improve it, into another grand era of New York crime reduction? The NYPD may simmer for the next two years, but it will be much longer before Ray Kelly's legacy is completely settled.