

J.D. Gaines responds to Christie Wood (whose comment is below):

Sgt. Wood -

While I very much appreciate Cabbage Boy's defense of my statements, as he seemed to hear it all correctly and draw the proper conclusions I was attempting to illustrate, perhaps I can help to clarify it for you, as well as others on this blog, as it was difficult to address such a wide-ranging issue in just three minutes.

I would also like to add that I did not "use my position" in any way, other than to describe myself as a retired police officer in an attempt to give a perspective that no one else had to that time commented from. I did not retire at the rank of officer (sergeant), what the size of my department was (four times the size of yours), nor listed any specialized training, details worked (other than a mention of having worked vice operations), the number of people I supervised, when I retired (2 years ago), or even the number of years of service (over 25), as I did not wish to use valuable time for it and it really wasn't relevant. That is until you so kindly dismissed me and my comments since I was retired and not a "current sergeant".

I in no way equated or implied, nor would I equate or imply that members of the LGBT community are sexual predators, though many that spoke in favor of this ordinance Tuesday night had no problem equating people exercising their constitutionally protected personal religious rights with racism, sexism, Naziism, Aryanism and the KKK. I spoke from a pragmatic, secular viewpoint, addressing common sense as it applies to public safety.

I think you heard what you wanted to hear based upon your own prejudices and your personal investment in this ordinance, and you utilized your position as a police sergeant to do so. How that is not a conflict of interest, I don't know. I seriously doubt that I would have been allowed by my old department to participate as you did in this process, at the very least in being a direct presenter of this ordinance to the council. But that is a different subject.

I was also fully aware that there are no laws in the Idaho statute nor the city code prohibiting men from being in women's restrooms and visa a versa. Though if you would have polled the audience and the council at the beginning of the meeting, 90% of them would have thought that there were. I also did not take the time to mention this, as it is not relevant either since no law or code can prevent a crime.

The only things that prevent crimes are observant citizens and proactive police officers. This is what I was alluding to.

We do not have laws governing the sexuality of restrooms. What we do have and have depended upon throughout modern history where there aren't specific statutes, are cultural and societal norms and common decency. This is what keeps a given sex out of the wrong restroom. And in the event an observant officer, driving through a city park full of kids on a weekday afternoon sees a man

enter or exit a woman's restroom, based upon those cultural and societal norms, as well as that officers training and experience, that officer would likely have a reasonable suspicion that a crime may have or will occur, and with such a frame of mind, can legally contact that individual to determine exactly that.

An unintended consequence of this ordinance now changes that cultural and societal norm and automatically strips the officer of what was an easily articulatable reasonable suspicion. Sure, with the new ordinance, the officer could still make that stop, but absent other articulated facts to enable the stop, any evidence obtained as a result of that stop would likely be suppressed at trial.

As I said Tuesday night, this ordinance moves the goalpost. Not intentionally, and not just for the LGBT community, but for everyone, particularly sexual predators, who now only have to claim a sexual identity to be wherever they want to be to work their trade – restrooms, locker rooms, gyms, changing rooms, you name it. This is not a good thing, particularly since, as I stated Tuesday, this city has a radically disproportionate number of registered sex offenders compared to most areas of this state. I used a public restroom as a simple, obvious example. I will admit that that example was beaten to death throughout the night.

When asked by Councilman Gookin how we can protect our citizens in the restrooms, you replied by saying that we have laws dealing with crimes that occur in restrooms. A very true statement, but it is also a textbook example of reactive law enforcement techniques. Yep, a crime occurs, bad guy is gone, the officer shows up, takes a report, says, "sorry this happened to your child", and goes on to take the next report.

Contrast that to proactive law enforcement techniques that rely almost entirely upon reasonable suspicion and probable cause to contact suspicious individuals before a crime occurs. At the very least, regular and consistent use of proactive techniques make the predator community highly aware that their activity, or even trolling for their activity will not be tolerated, whether an actual crime has occurred or not. Once that reputation has been established within a given jurisdiction, that reputation spreads among the criminal community. And make no mistake; sexual predators are some of the most "connected" people on the planet when it comes to methods of communication, and I am sure that the news of this ordinance has already spread through it.

I have a pretty thick skin, but I have to admit that I was a little taken aback by your condescending dismissal of me, and my remarks. It was unprofessional. It is likely due to your personal investment in this ordinance, which if I might make an observation, appears to be more important to you than protecting the vast majority of the citizens of this community.

Christie Wood's comment:

CB I went back and read your post again. I realize now that from your vantage point you must of thought I summoned the officer to stand near the African American woman who spoke. That is not what happened. I do not know her and had no idea what she would be speaking about. I also had no idea she would be allowed to go over on her time. She was in line in front of the male that was being aggressive. He was not too bad with her (although he did try to convince her to let him go in front of her) but he was offensive to many others in line and made them very uncomfortable. I was asked to summon an officer. I assure you I did not use my position as an officer to give anyone special treatment. As to my comments toward the retired officer I admit my ire was up. I only spoke in my capacity as an officer after I was asked back up to the podium by the Council and requested to speak as an officer. I was disappointed the retired officer used his profession and title to equate LGBT with sex offenders and perverts. I did not think that was very nice.