

Results MINNEAPOLIS

Civil Rights
March 20, 2012

Table of Contents

| Civil Rights | Page |
|---|-------------|
| Complaint Investigation | |
| 1. Case Inventory | 3 |
| 2. Age of Inventory | 4 |
| 3. Average Time to Determination | 5 |
| 4. Percent of Pre-determination Cases Resolved Through Mediation with Settlements | 6 |
| 5. CIU Cases Resolved Through Mediation After Referral | 7 |
| 6. Number of Cases in the CIU Backlog | 8 |
| Contract Compliance | |
| 7. Percent of Minority Trade Workers and Female Trade Workers on City-assisted Contracts & Neighborhood Stabilization Utilization | 9 |
| 8. Small and Underutilized Business Participation on City-assisted Contracts | 12 |
| Civilian Review Authority | |
| 9. Initial Complaints | 13 |
| 10. Signed Complaints by Precinct | 15 |
| 11. Average Number of Days for CRA to Complete Investigations | 16 |
| 12. Percent of Signed CRA Complaints Successfully Mediated | 18 |
| 13. Sustained Complaint Activity | 19 |
| 14. Disciplinary Actions and Days to Issue Disciplinary Action | 21 |
| 15. Complaints Filed by Black Males | 23 |
| APPENDIX | |
| Resident Survey Measures | 27 |



**Complaint Investigation Case Inventory
(Cases Filed to Cases Resolved)**



Why is this measure important?

This measure is important because it is one of the methods used to track the growing or shrinking size of the case inventory. Tracking the case inventory is also used as an indicator of the potential case backlog.

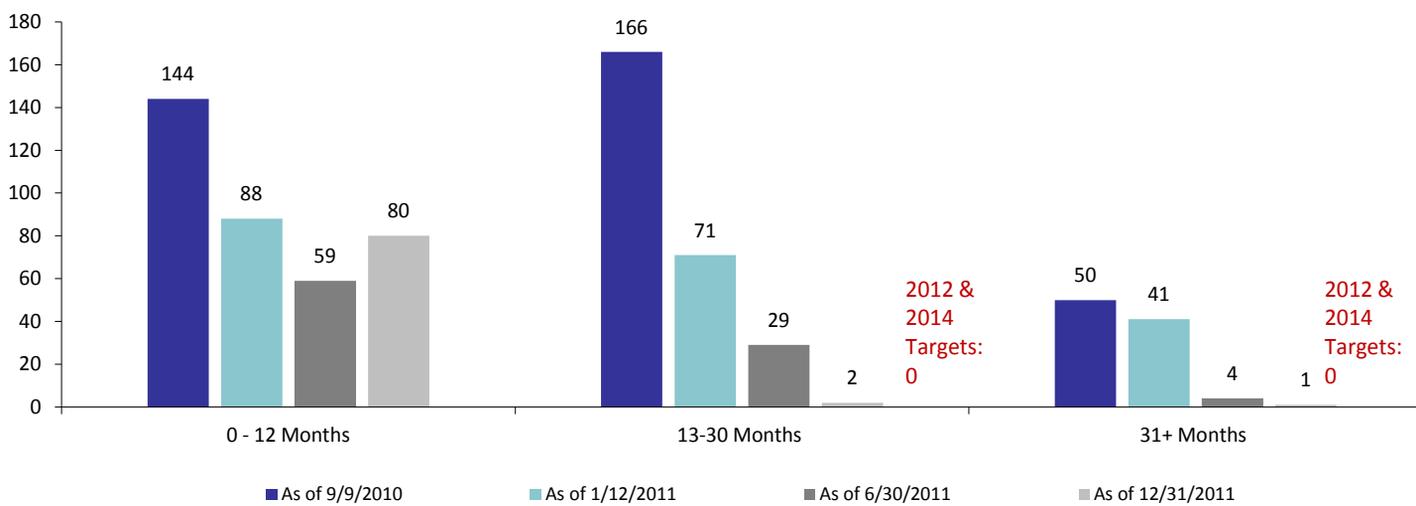
The chart shows that more cases are consistently being closed than filed, which will result in a healthy maintenance of the case inventory. The number of cases closed in the future will decrease due to the elimination of the backlog.

The chart does not reflect that in 2011, the department staff had an additional 124 contacts with parties interested in filing charges that were out of the department’s jurisdiction and referred to other agencies.

What will it take to make progress?

As we approach the final resolution of the historical backlog, we will refocus our strategy toward outreach, engagements, and education to the community. The department will address issues of employment discrimination that arose from the One Minneapolis: A Call to Action! conference by becoming an access point to underrepresented communities and creating a baseline for tracking current employment discrimination cases, rather than relying on trends that are based on antiquated data.

Complaint Investigation: Age of Case Inventory



Why is this measure important?

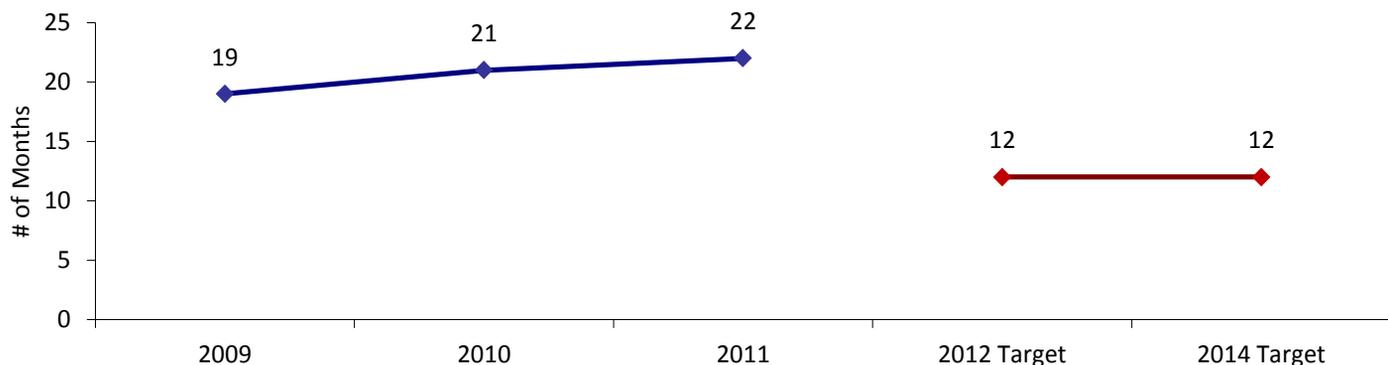
This measure is important because it shows the age of the cases in the inventory. Tracking the age of the inventory is the best way to follow the progress on eliminating the backlog of aged civil rights cases. The inventory is defined as all unresolved cases awaiting the department’s action. The backlog is defined as all unresolved cases older than 12 months, absent cases that are in mediation or other status where they are not in a position to be acted on by the department. This measure is a daily rolling number that assists in predicting the number of cases that will serve as the basis of the backlog, should they go unresolved.

As shown in the figure above, the department has drastically decreased the case inventory overall by 277 cases since September 2010, which displays the department’s commitment to resolve cases. By eliminating the backlog and allowing the investigators to work on current inventory, cases can be resolved in a shorter time period.

What will it take to make progress?

In order to reach the goal of completely eliminating the backlog, the investigators will need to maintain the practice of screening cases at intake, eliminating frivolous cases, increasing referrals to mediation, and continually striving for efficiencies in the investigation process. Once this goal is achieved, the department will strive to decrease the total age of the inventory. In order to track the progress of the new goal, the department will introduce a new measure in the September 2012 *Results Minneapolis* report that will provide case inventory data for 0-6 months, 7-12 months, and 13+ months. The new measure will assist the department in shortening the benchmarks for case resolution.

Complaint Investigation Cases: Average Time to Determination (in months)



Why is this measure important?

This measure is important because it tracks the average time it takes a case to reach determination. The backlog causes the graph to display an artificial appearance that the work group is taking a longer time frame for case resolution, even though many more cases have been closed than opened. Thus, in the current environment, favorable productivity makes it seem as if the average time to determination is increasing.

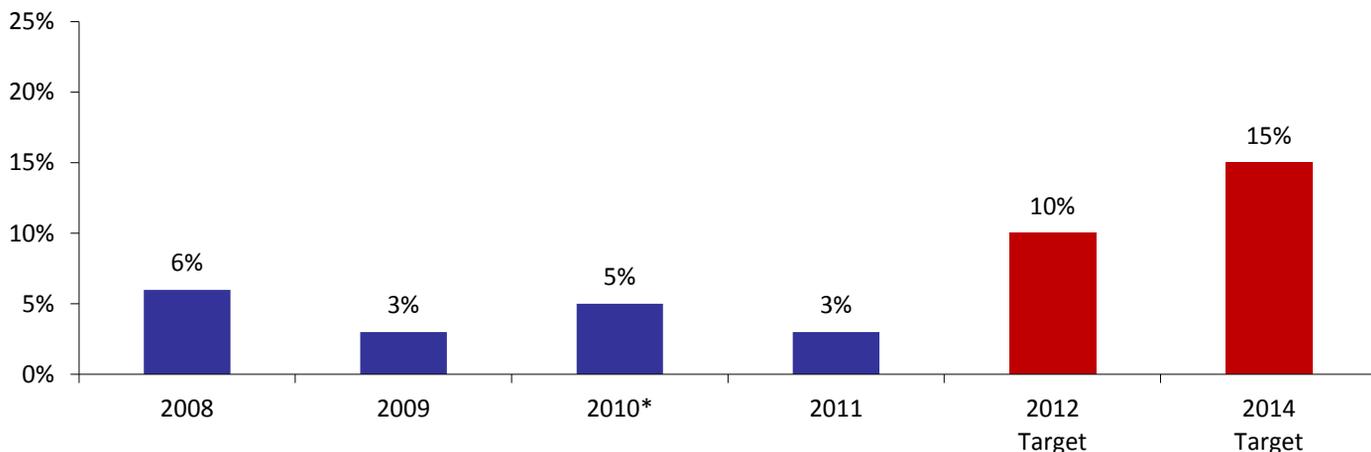
The increase in time to determination is due to the department's strategy of resolving the oldest cases in the inventory first. Until the backlog of cases that are already older than 12 months is resolved, the average age of a closed case (as predicted in the March and September 2011 *Results Minneapolis* report) will continue to increase before it decreases.

The second half of 2011 was consistent with the trend of slightly increasing times to determination as the remaining matured cases were completed. This is due to the fact that the older cases will distort the average response time without reflecting improved response times on newer cases. Once the backlog of unresolved cases is eliminated, the average resolution time will suddenly drop, and the number will represent the actual average length of time the department takes to complete an investigation and issue a decision. Only then will the average be free of historical tendencies.

What will it take to make progress?

The target of completing investigations within an average of 12 months will not be reached until after the elimination of the backlog is achieved. Once the backlog is eliminated, we see no further barriers to timely resolution of civil rights cases by midyear 2012 and beyond.

Complaint Investigation: Percent of Closed Cases Resolved Through Mediation with Settlements (Pre-determination) of All Cases Closed



* This number is different from the previous Results Minneapolis report due to a rounding error. This chart does not reflect the number of cases sent to mediation.

Why is this measure important?

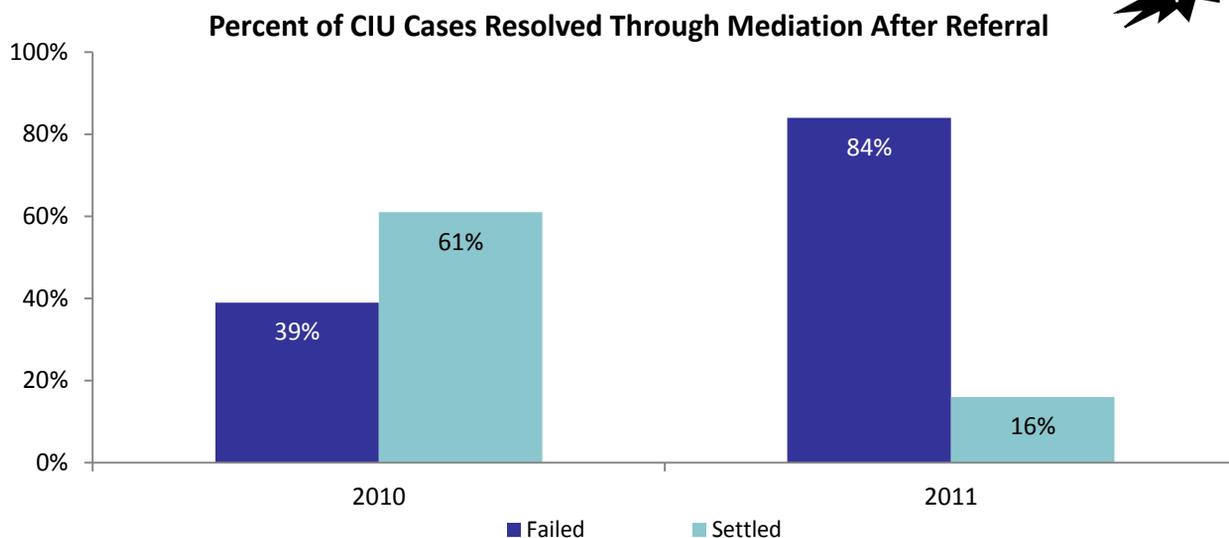
This measure is important because mediation is the most efficient means to bring a complaint to closure. Mediation is used to resolve cases in a shorter period of time, which is more cost effective for all parties involved.

The department has a 2014 target of resolving 15 percent of closed cases through mediation with settlements. To attain the goal, the department will recommend all eligible cases be referred to the mediation program. Here, the success rate is contingent upon both parties' willingness to resolve the case.

Over the past few years, the low percentage of pre-determination cases resolved through mediation with settlements is due to the large number of backlog cases closed. Once the backlog is eliminated, case inventory will decrease and the mediation results will reflect the actual percentage.

What will it take to achieve the targets?

The department will continue to encourage mediation and measure the action it takes to position cases for settlement discussion (i.e. fortifying the ADR program, referring cases, and coordinating mediations). Although the department strongly encourages mediation, the parties are responsible for deciding whether or not to participate in the program. The department will continue to increase the capacity to conduct mediations to improve the likelihood of successful settlement.



Why is this measure important?

The chart above shows the actual performance in mediation in 2010 and 2011. This measure is important because it provides a snapshot into the mediation process. The graph above provides the department with a specific look at the percentage of cases resolved through mediation as opposed to those that do not reach settlement. The graph also indicates the cases that are anticipated to reemerge from mediation without settlement. With this information, the department can direct its resources as appropriate.

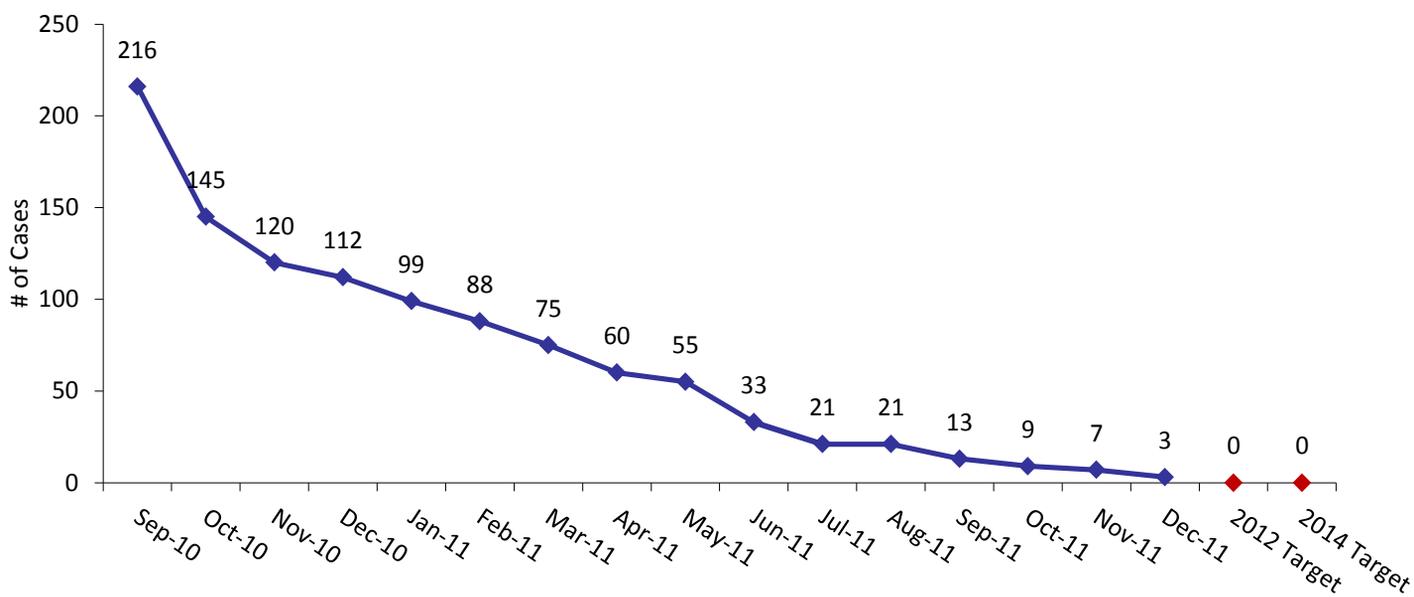
The chart indicates that in 2010, 61 percent of the 31 cases that went through the mediation program settled, which equates to 19 cases. In 2011, 16 percent of the 51 cases that went through mediation settled, for a total of 8 cases.

To understand the department's approach to mediation, consider the following: the department uses an internal measure of referring at least 40 percent of its case inventory to mediation. For example, if one hundred cases are in the inventory, we would like to send 40 cases to mediation. Continuing this example, of the 40 cases sent to mediation, we would like to see at least half (or 20) settled. This means that the percent of inventory closed in mediation is 20 percent. As you can see from the example, there is a good deal of variability to this number and it becomes a moving target. The variability is caused by the number of eligible cases in the inventory, the willingness of the parties to mediate, and the human dynamics involved in settling a case.

What will it take to achieve the target?

During the screening process, the department will send the best candidates to mediation. The department will continue to encourage the parties to participate in the mediation program. There are no additional projections because the number is too variable. If the parties do not come to an agreement, the department will continue to persuade parties to mediate a second time while the case is in the investigation stage. As more cases are referred to mediation, the department must increase its capacity to recruit mediators, especially to avoid burning out our experienced volunteers.

Number of Cases in CIU Backlog



Why is this measure important?

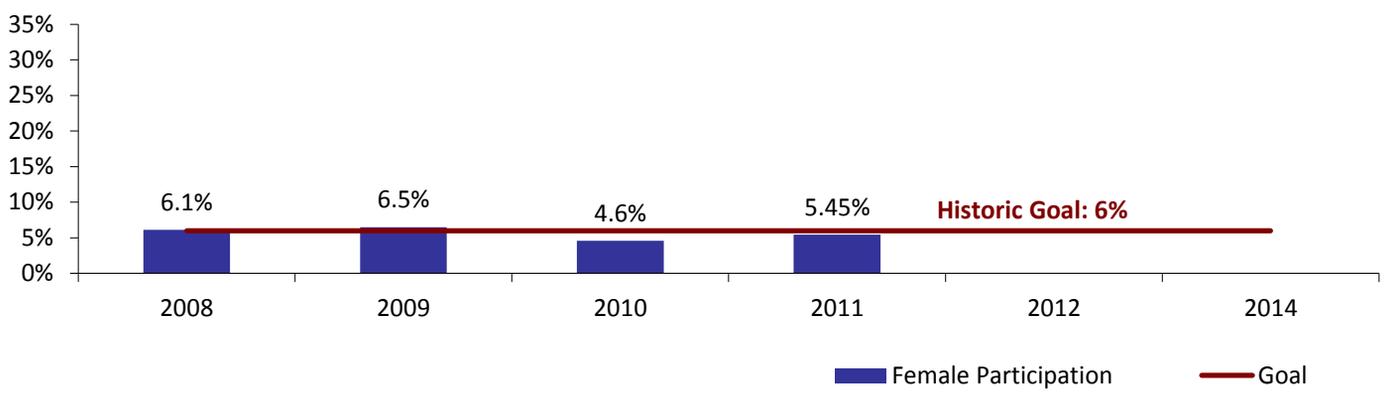
This measure tracks the number of backlogged cases in the inventory. It is significant for two main reasons: (1) it illustrates the consistent progress the department has made in resolving aging civil rights cases since September 2010; and (2) it confirms that the solution to resolving the historical backlog is through a combined approach of having the right people, making the right process changes, and implementing a sustainable long-term policy for the work group.

Furthermore, an evaluation of the 211 backlogged cases resolved since September 2010's *Results Minneapolis* report reveals that the majority of these cases could be resolved in a short period of time through the use of focused and strategic staff resources. From this information, it is very clear that Minneapolis cannot administer a civil rights complaint investigation process in the future without embedding best practices into the system, such as case screening and dismissal of frivolous cases.

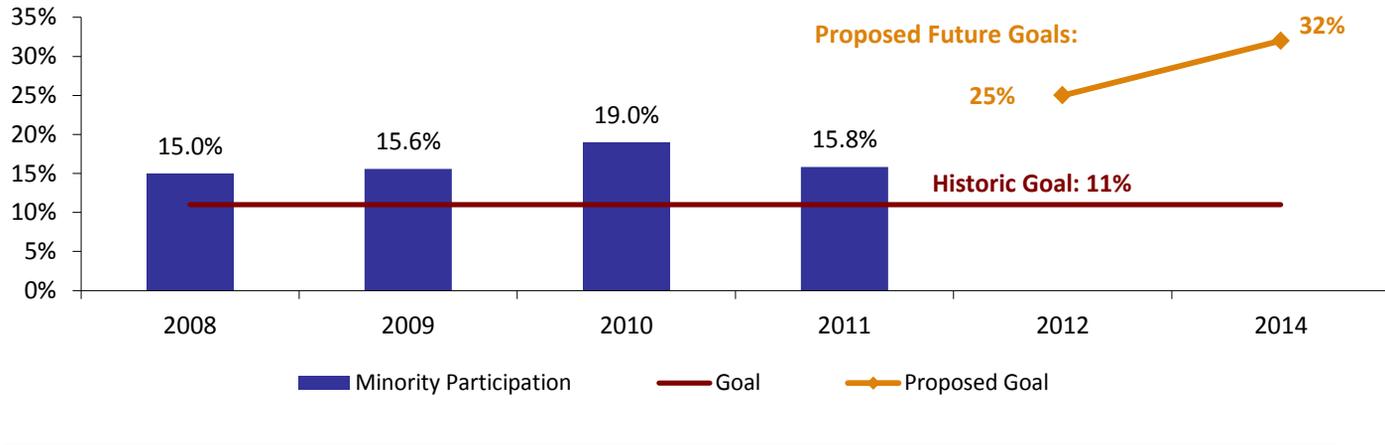
What will it take to achieve the targets?

Over the past year, the investigators focused their attention on resolving cases in the backlog. Now, the challenge for the investigators is resolving the cases on the cusp of falling into the backlog. This will be achieved through the hard work of the investigators and case screener.

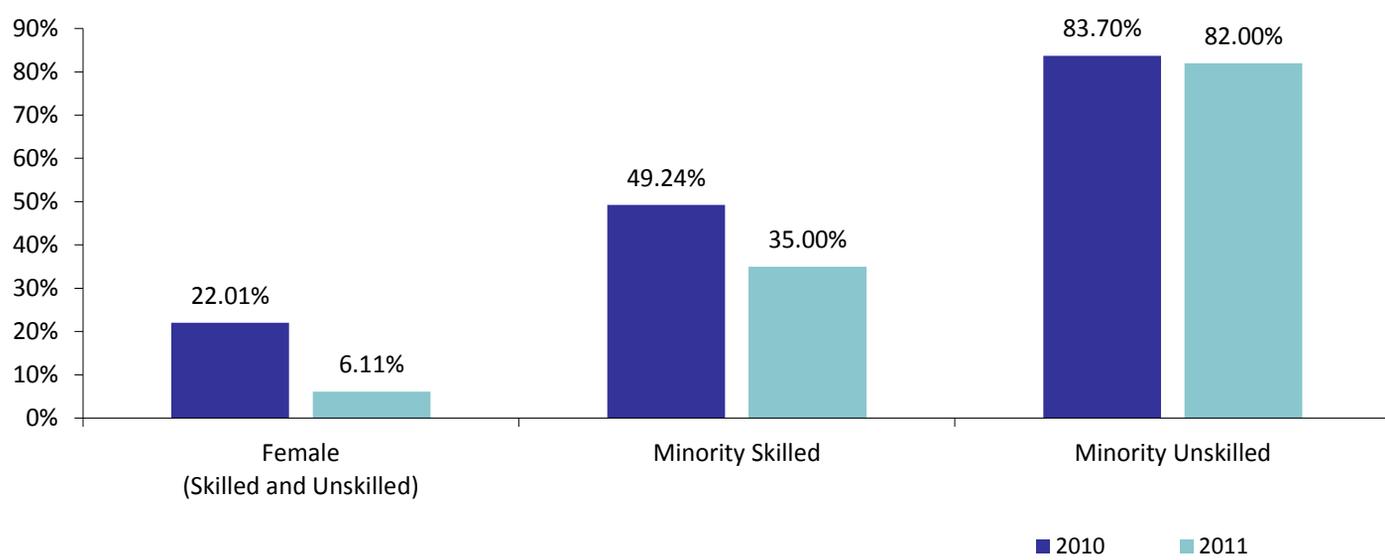
Percent of Female Trade Worker Participation Versus Established Goals on City Assisted Projects



Percent of Minority Trade Worker Participation Versus Established Goals on City Assisted Projects



Percent of Total Hours Worked by Women and Minorities on the Neighborhood Stabilization Projects



Why is this important?

It is well known that the employment and income gap between minorities and non-minorities in Minneapolis is one of the largest in the nation. According to the 2011 *Results Minneapolis* Employment Gaps report, the City's unemployment rate from 2005 - 2009 was 20.6 percent for blacks and 5.7 percent for whites; a statistic that speaks loudly to the need for achievable goals and effective compliance activity. Studies by the State Demographer further demonstrate that white male trade workers are provided and realize significantly more job opportunities than females and minorities in the field of construction.

The female and the minority goals (includes skilled and unskilled workers) on City construction projects are 6 percent and 11 percent respectively. Setting these goals on projects ensures that minorities and females are provided greater opportunities to participate on City projects. The result is reduced racial and gender disparity, decreased poverty, and a higher quality of life in all communities. An effective compliance unit is necessary to ensure that contractors make genuine and ongoing efforts to meet the goals and diversify their workforce. By providing staff to monitor and implement the goals and assisting contractors in the development of meaningful affirmative action and equal employment policies, the City demonstrates its commitment to closing the employment gaps.

Prior to approving any construction project, the Contract Compliance Unit (CCU) reviews the projected employment participation as it relates to the goals. The CCU analyzes a breakdown of the workforce of each contractor that will perform onsite and compares it with the projected participation on the overall project. If a contractor does not anticipate female and/or minority participation, the CCU ensures that such opportunities will be made available should any openings arise; including, apprentice and new hire opportunities. The CCU monitors the ongoing participation on the overall project on at least a monthly basis for the life of the project to ensure it is adhering to the City's standard goals and the pre-award commitments made by the general contractor. Monitoring is done using data drawn from online certified payroll information submitted by each contractor. If it appears participation is decreasing or the goals are not being met, the CCU analyzes the status of the project and compares the pre-award commitments of every subcontractor on the project with the current participation. Where disparities exist, the CCU engages in compliance activities; from seeking explanations and corrective action to issuing penalties as appropriate. As a result of CCU monitoring, the percentages of women and minorities employed on City projects has remained high during this economic downturn. At the end of December 2011, the City of Minneapolis has approved and monitored workforce participation at 15.46 percent minority skilled labor hours, 17.46 percent minority unskilled labor hours and 5.42 percent female labor hours on over \$214 million worth of projects.

What will it take to achieve the targets?

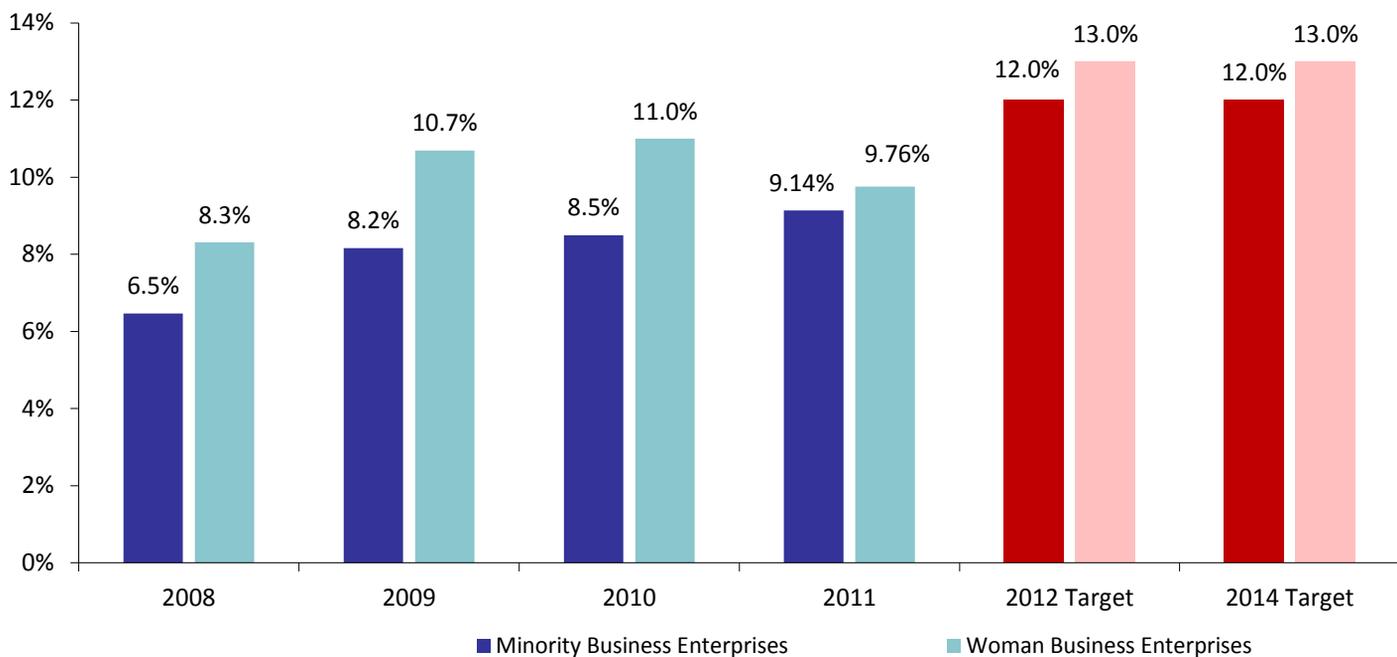
Achieving the targets will require continued support and resources from City leadership to effectively enforce the City affirmative action ordinance and a continued support of the aggressive efforts to monitor the employment of women, minorities and low-income residents. The current employment goals on all construction projects are that 6 percent of all onsite trade work be performed by women, 11 percent of skilled and unskilled trade work be performed by minorities. New workforce goals have been proposed beginning May 1, 2012.

There has also been very significant low-income, minority and female participation on Minneapolis projects through the Neighborhood Stabilization Program (NSP). Focused on rebuilding single family homes in Minneapolis, the NSP continues to provide substantial contracting and employment opportunities for local and low-income businesses and trade workers.

Pursuant to HUD requirements, the CCU has collected data related to Section 3 new hires and business participation. In addition, the CCU has taken on the extremely arduous task of tracking the contracting and employment level of women and minorities. The female and minority participation is extremely high on these projects; as of December 2011, the workforce levels on the first two phases of NSP were: 35 percent minority skilled, 82 percent minority unskilled and 6.47 percent female. Tracking the employment hours on NSP projects is particularly difficult because the participating firms are very small and the owners are usually workers themselves. The firms often have difficulty providing the data that is necessary to identify employment participation, so the CCU must a lot of spend time and effort addressing this issue and assisting the firms.

The active compliance activity that the CCU engages in, from the pre-award stage through project completion, ensures that females, minorities and low-income residents are recruited and retained on construction projects and that contractors on City projects broaden the traditional scope of applicants and follow through on their pre-award commitments.

Small and Underutilized Business Participation



Why is this measure important?

Many Minority Business Enterprises (MBEs) and Woman Business Enterprises (WBEs) do not get a true opportunity to participate on City of Minneapolis projects or to directly contract with the City without the implementation of goals. In addition to setting goals on construction projects and its own contracting, the City can reduce barriers by implementing a supplier diversity program, which will help the firms to become familiar with the internal and external contracting practices of the City. These measures are important because they support entrepreneurship and help to create a level playing field of competition in the marketplace. As businesses are better able to build their capacity, they in turn help stabilize the community.

What will it take to achieve the targets?

Achieving the targets will require continued support from the City leadership to engage City departments in outreach to the various communities in Minneapolis. The Department of Civil Rights has met with all City departments, and each has agreed, where feasible, to include local and small businesses in their direct purchases. An important purpose of the supplier diversity program is to develop long-term relationships with local small businesses, which will build business capacity and strengthen local economic growth.

The CCU has worked on establishing meaningful relationships with small minority and woman owned companies and larger general contractors on capital and development contracts. By encouraging mentor-protégé relationships and working with larger general contractors in their outreach efforts, the CCU has started the process of moving beyond project specific goals. The relationships that are being developed will foster the opportunity for these companies to engage effectively, efficiently and competitively within Minneapolis. Through December 2011, the CCU has approved and monitored \$17,040,586, or 9.14 percent, in MBE contracts on projects with goals and \$18,201,676, or 9.76 percent, in WBE contracts on projects with goals. These numbers only include projects that were active and/or closed in 2011.

Civilian Review Authority (CRA) Initial Complaints, Complaints Sent and Signed Complaints Received



Why is this measure important?

Confidence in the City’s ability to hold officers accountable (thorough, fair and timely investigations and appropriate outcomes), provide transparency of the accountability process (balanced and consistent public reports), and communicate the outcomes (fair and appropriate discipline and corrective action) is essential to the public use of and belief in the accountability mechanism.

There are three crucial confidence factors for a valuable effective police accountability system:

- 1) Proper receipt and documentation of complaints;
- 2) Timely and thorough investigation of complaints; and
- 3) Appropriate outcome of complaints and timely communication of the outcomes.

This measure addresses the first and second confidence factors.

In general, perceptions of police misconduct affect citizens’ feelings of security from government abuse and their sense of belonging to a community.

The initial complaint measure above is an indicator of the citizens’ perceptions of police misconduct. The measure of complaints sent indicates complaints that merit a CRA investigative action. The measure of complaints received indicates the citizens’ willingness to continue through the CRA process.

NOTE: At the next *Results Minneapolis* meeting, the CRA should be functioning as a new unit with the MPD Internal Affairs Unit. New measures will be developed that the Civil Rights Department and MPD agree on for *Results Minneapolis* progress conferences.

Continued on next page...

Future new measures related to citizens' perceptions of police misconduct should include the following:

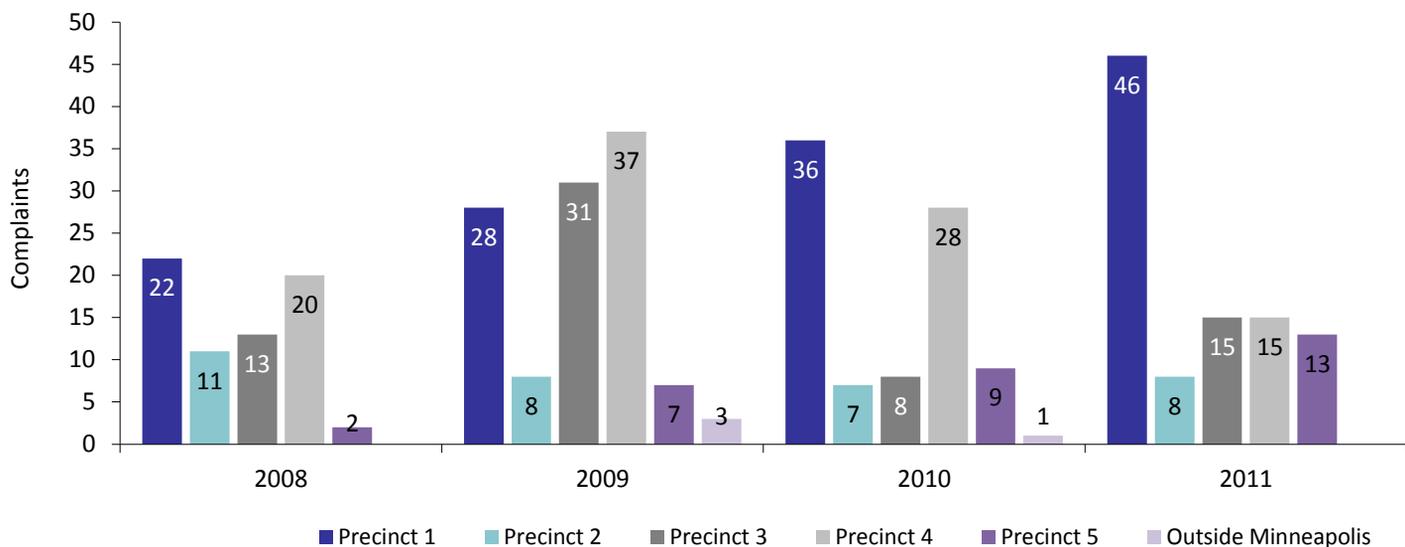
- Number of complaints received,
- Types of allegations received, and
- Disposition of the complaints received – precinct-level, mediation, dismissal, investigation.

What affects the projection?

The projections on the previous page are affected by a person's real or perceived negative interactions with the police and the person's confidence in the City's combined efforts (CRA, MPD, City Attorney, and elected officials) to correct police officers' negative behaviors.

NOTE: Initially, as citizens' confidence in the new process and communication of the agency's effectiveness increases, there may be an increase in the number of complaints filed. Over time, the complaints may decrease and level off as the impact of the new accountability mechanism starts to have an affect on police officers' actions. However, lasting changes in the long-term projections will depend on the continued effectiveness of the new process, mainly the Civil Rights Department and the MPD diligently upholding the ordinance and the ideals of fairness and transparency.

Civilian Review Authority Signed Complaints by Precinct



Source: Civilian Review Complaint Management System (CRCM)

Why is this measure important?

This measure shows the distribution of complaints by precinct. An understanding of where the complaints originate is critical to implementing strategies to reduce the number of overall complaints received. The First Precinct continued to receive more complaints than the other precincts. Many of the First Precinct complaints stemmed from police actions that occurred during bar closing hours on the weekends and during enforcement in the downtown business district.

NOTE: At the next *Results Minneapolis* meeting, the CRA should be functioning as a new unit with the MPD Internal Affairs Unit. New measures will be developed that the Civil Rights Department and MPD agree on for *Results Minneapolis* progress conferences.

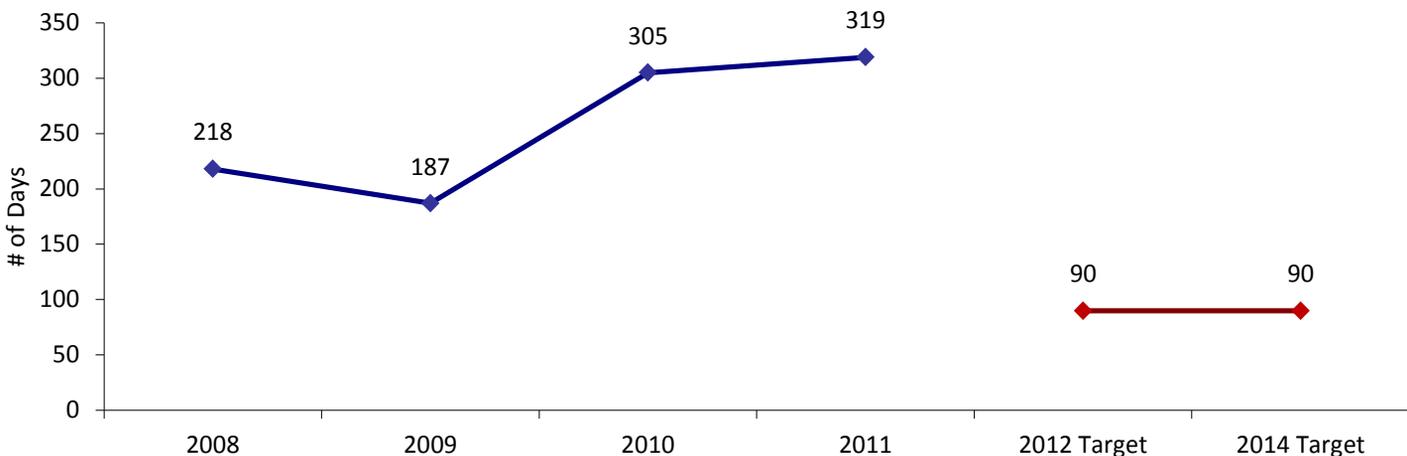
While the above measure only represents pattern of complaints by location, additional measures of patterns of police misconduct complaints will reveal valuable information related to deficiencies in policies, systemic constitutional violations, training issues, and community education opportunities. Future new measures related to patterns of police complaints should include the following:

- Location of complaints (This measure should be measured in conjunction with each precinct’s handling of the precinct-level complaints because this is the first line to correct many problems),
- Demographics of complaints, and
- Types of allegations.

What will it take to achieve the targets?

Generally, to achieve targets in this measure, the new investigative agency will need to aggressively and promptly handle complaints of police misconduct. The MPD will need to respond timely to police misconduct allegations. Proactive MPD policy and training review, MPD corrective action and discipline, changes in the department culture, and changes in management as needed may have the desired effect on changing patterns of complaints.

Average Number of Days Required to Complete a CRA Investigation



Why is this measure important?

It is generally accepted that consequences should be closely connected to misconduct. Timely corrective action and determinations of no wrongdoing help instill confidence that the City is serious about addressing police misconduct.

Currently, this measure is important because it is an indicator of the CRA’s response to citizens’ complaints. This measure is also important because it has been a factor in how the MPD considers CRA complaints in its disciplinary process.

NOTE: At the next *Results Minneapolis* meeting, the CRA should be functioning as a new unit with the MPD Internal Affairs Unit. New measures will be developed that the Civil Rights Department and MPD agree on for *Results Minneapolis* progress conferences.

In the future, this measure will be less important because it is anticipated that the new investigative agency will be adequately resourced to handle complaints responsibly. Measures related to investigative time will communicate to the public that the City seeks to address citizens’ concerns before any additional real or perceived harm is done. This measure may be considered as a communication point, especially as the investigative process gets below 120 days.

Continued on next page...

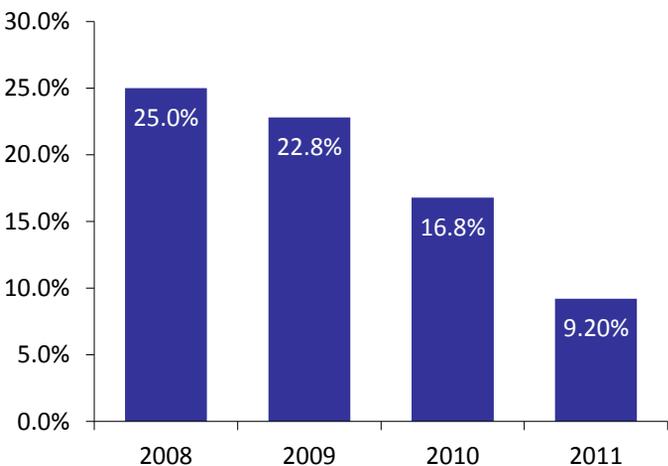
What will it take to achieve the targets?

Under the current resourcing of the CRA, the CRA will not meet the 90-day target. As shown above, the CRA averaged 319 days to complete an investigation in 2011 with the current amount of resources (which included a contract employee who only processed initial complaints). Ideally, the contract investigator would have allowed the 2 FTEs to concentrate on priority complaints and the ongoing caseload; however, because of FTE illnesses the unit was unable to obtain the full benefits of the part-time investigator.

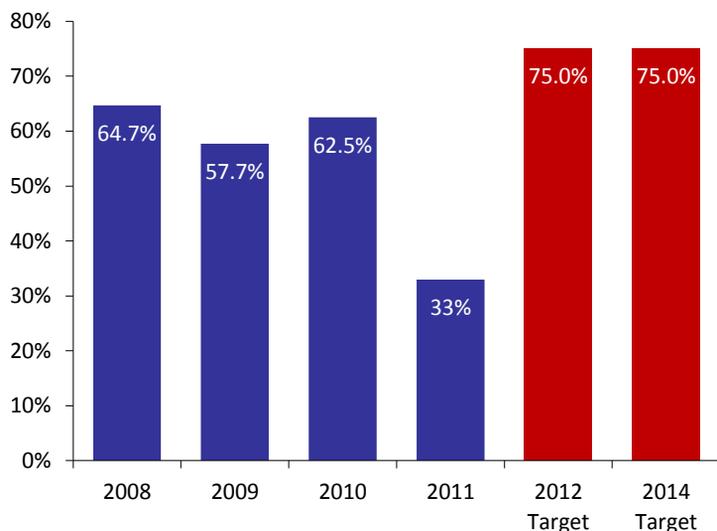
The CRA will continue to use the priority-based complaint processing so that the more serious allegations are investigated within the ordinance timeframe. Priority complaint processing is a method used to identify complaints that meet certain factors, such as the seriousness of the allegation, past history of the involved officer, or high sustainability factors. Complaints selected for priority investigation are placed on a 90-day investigation plan. The CRA completed 39 priority complaint investigations from January – December 2011.

NOTE: The implementation of the CRA Business Process Improvement (BPI) suggested changes would provide citizens and officers with faster outcomes that have been demanded for years. It will be important that the agency maintains its resource level to ensure that complaints are handled quickly. The new agency will have nine investigators and additional support personnel. In addition, process redundancies have been removed, allowing for faster processing, but without sacrificing the necessary checks and balances. It is hoped that once the new agency is fully operational and tweaked for improvements, the City and MPD will experience reduced complaints, lower liability payouts, and better community relations because citizens will know that officer wrongdoing will be addressed quickly and decisively.

Percent of Signed Complaints That Went to Mediation



Percent of Mediations Successfully Resolved



Why is this measure important?

Mediation of complaints against police officers is an opportunity to promote police and community understanding, goodwill, and quicker resolutions of citizen complaints. For some citizens, the opportunity to speak with an officer outside of the sphere of police power is an empowering experience. For some officers, the opportunity to correct or explain an action after the incident has passed is refreshing. Currently, screening of complaints is a required step of the CRA process. The ordinance requires that all complaints be screened for qualification for the mediation program.

NOTE: At the next *Results Minneapolis* meeting, the CRA should be functioning as a new unit with the MPD Internal Affairs Unit. New measures will be developed that the Civil Rights Department and MPD agree on for *Results Minneapolis* progress conferences.

In future *Results Minneapolis* meetings, this measure should be included as data in the above disposition of complaint measure, particularly the number of complaints resolved through mediation.

What will it take to achieve the targets?

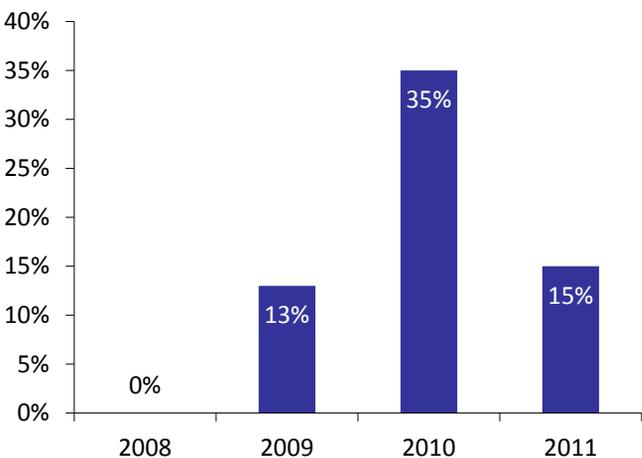
Mediation of allegations of police misconduct requires proper selection of complaints for mediation, skilled mediators, sincere effort of the parties, and timely scheduling of the mediations.

The CRA's strategies to accomplish the targets for CRA mediation program will involve maintaining a pool of experienced mediators, quick removal of unsatisfactory mediators, and preparing citizens and officers for mediation during initial conversations.

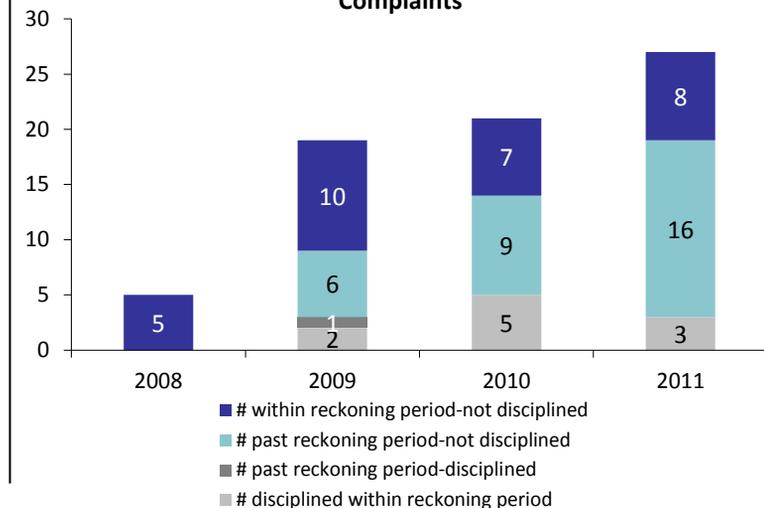
The percentage of complaints that go to mediation is affected by the type of allegations, the seriousness of the allegations, the CRA record of the officers involved, and the discretion of the assistant director for good cause.

NOTE: It is anticipated that mediation will be more attractive to officers and better supported by MPD management and the union under the new combined agency. The new agency and the MPD will need to implement a communication program that explains the benefits of mediation and dispels the myths.

Percent of Sustained Complaints Where Discipline was Imposed



Status of Disciplinary Action for Sustained Complaints



Why are these measures important?

These current measures publicly report the MPD’s and the City’s overall efforts to address officer misconduct through the civilian oversight process by showing the Chief of Police’s past and current disciplinary percentages by the year the Chief made the disciplinary decisions. Police misconduct has the potential to negatively affect the City’s budget dollars that might otherwise be used to provide service improvements to the citizens of Minneapolis. This measure addresses the Chief’s handling of sustained complaints as a yes/no question on whether the Chief imposed discipline on sustained complaints, which should be expanded in future measures.

NOTE: At the next *Results Minneapolis* meeting, the CRA should be functioning as a new unit with the MPD Internal Affairs Unit. New measures will be developed that the Civil Rights Department and MPD agree on for *Results Minneapolis* progress conferences.

Future measures related to the Chief’s actions on sustained complaints should be more comprehensive in order to track and weigh the seriousness of police misconduct actions and the appropriateness of the MPD’s response to police misconduct actions. Future measures should include the following:

- Number of sustained complaints,
- Percentage of sustained complaints receiving discipline or corrective action,
- Types of discipline and corrective actions involved in sustained complaints, and
- Number of repeat officers who had a same or similar complaint during the past two years.

The above future measures will directly address the first component of the third confidence factor (as discussed on page 12), appropriate handling of the complaint. Citizens expect that the City, through the MPD, will effectively handle police misconduct. Confidence in the MPD is directly related to how the department handles wrongdoing within its own ranks. The impact of confidence in the MPD is most critical in areas where crime is the highest and the reputation of the MPD is the lowest.

Continued on next page...

What will it take to achieve the targets?

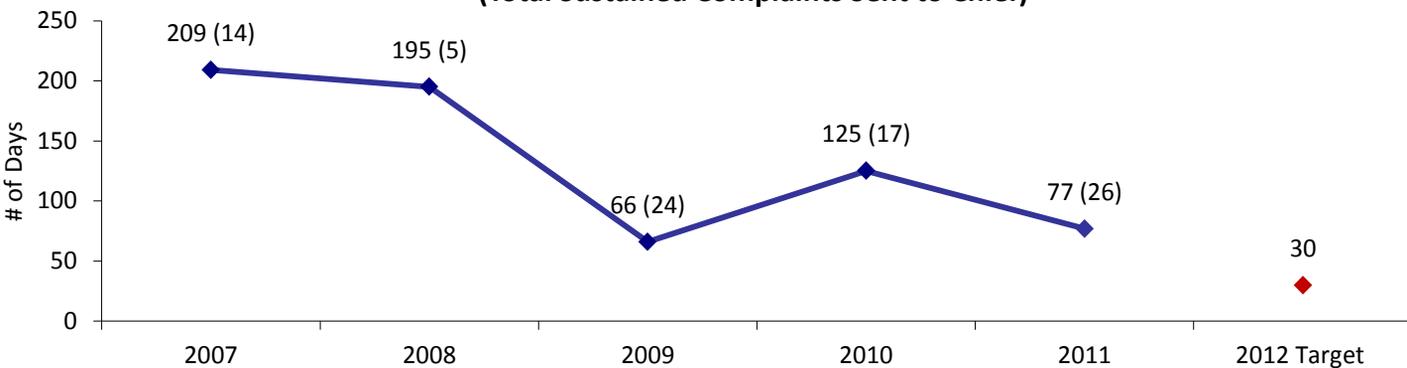
To achieve the targets associated with the current measures, a reduction in the investigative timeline would enable the MPD to implement corrective actions and discipline timely, which would have a greater impact on changing officers' behavior, thus meeting the target. Additionally, involvement from internal stakeholders should include:

- Clear directives from City leadership regarding discipline,
- Additional investigative resources to allow the CRA to process complaints timely to avoid the denial of discipline created by the reckoning period,
- Reexamination of the MPD's use of the reckoning period that denies discipline on CRA complaints,
- Encouragement of the continued use of the Chief's reconsideration option,
- Increased training opportunities for board members and CRA staff, and
- Changes in the processing of CRA complaints and a culture shift in the MPD that includes tangible consequences for good and bad behavior.

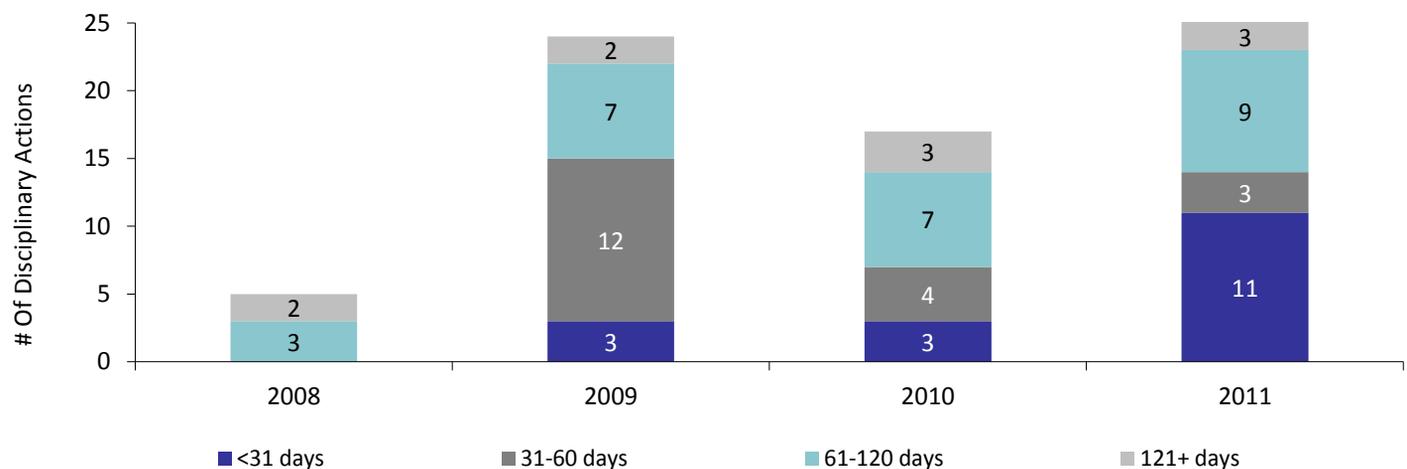
With regard to the suggested future measures, the CRA and MPD currently track the data; therefore, the inclusion of the measures in *Results Minneapolis* would not be burdensome.

To achieve the targets associated with the future measures, consistent investigative standards and training (for civilian and police investigators), thorough and fair investigations, and the alignment of MPD management with the City's desire for accountability and responsibility to ensure that the citizens of Minneapolis have the most professional police force available, will make it possible for reductions in liability payments, loss of policing hours, workers' comp. claims, and loss of MPD's reputation of professionalism. With the aforementioned in place, it is reasonable to expect that every sustained complaint will receive action from the Chief, thus meeting targets related to the appropriate handling of sustained CRA complaints.

**Average Number of Days to Issue Disciplinary Action
(Total Sustained Complaints Sent to Chief)**



Number of Actions Within Given Time Frames on Sustained Complaints



Why are these measures important?

These measures are important because all delays in communicating to the public about complaints filed against police officers raises concerns and doubts about the City’s willingness to take the issue of police behavior seriously.

Currently, the Chief has 30 days to choose one of the four options: 1) discipline; 2) no discipline with explanation; 3) request reconsideration; or 4) request a 30-day extension. It should be noted, however, that the CRA cannot report the conclusion of the filed complaint until after the Chief has made the disciplinary decision (imposition) and the decision is final. The time between discipline imposition and final disposition can be many months or even years, due to arbitration proceedings.

Continued on next page...

NOTE: At the next *Results Minneapolis* meeting, the CRA should be functioning as a new unit with the MPD Internal Affairs Unit. New measures will be developed that the Civil Rights Department and MPD agree on for *Results Minneapolis* progress conferences.

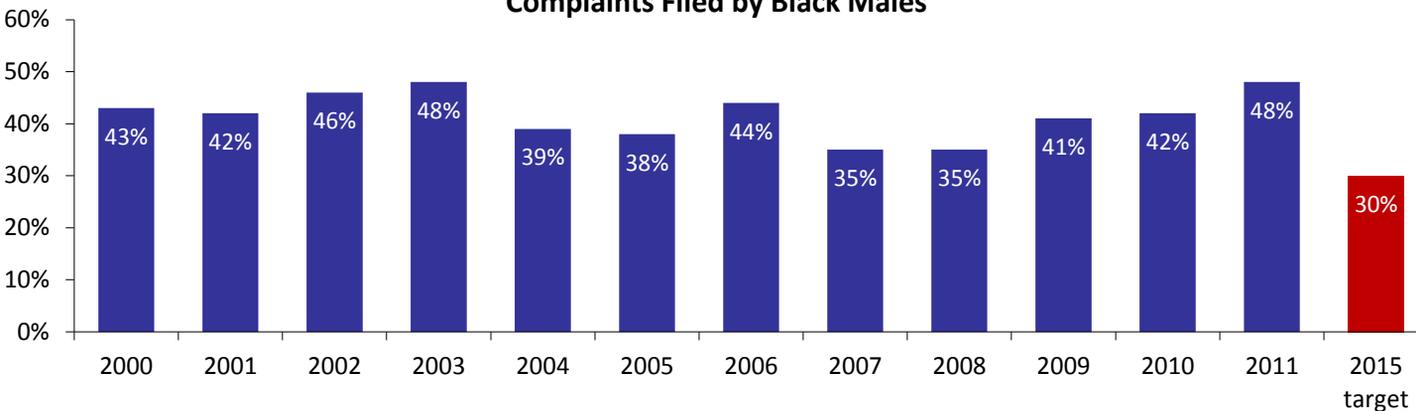
In the future, this measure should continue to be reported as a performance measure. One of the most important aspects of managing the MPD's public image is to timely acknowledge and correct mistakes, accidents, and wrongdoings. Moreover, the credibility and integrity of the new investigative agency and the MPD will be linked to the timely notification of action taken on misconduct complaints, which is the second component of the third confidence factor mentioned previously. Timely notification of outcomes assures the public that the MPD and the City are concerned about the effects of its officers' actions on the citizens of Minneapolis.

What will it take to achieve the targets?

In order to achieve the targets associated with this measure, the new investigative agency and the MPD management should have an explicit expectation that the discipline process from the beginning to the end, for all involved, is just as important as providing direct service on a call.

Under the new process, multiple reviews of determinations have been eliminated and there is an expectation that an officer has provided all pertinent information during an investigation. These steps should reduce the amount of time needed for the chief to make a disciplinary decision.

Complaints Filed by Black Males



NOTE: This section was last addressed in September 2011 and will be addressed in September 2012. In the past, this measure has been chiefly discussed by the CRA, as an issue that the CRA alone could have a significant impact on. However, changes in these disparities will require significant discussions and planning between the Civil Rights Department and the MPD. With a new investigative agency, it may be possible to create a plan that can be more inclusive of the MPD and serve not only to highlight the disparities, but also create and implement changes that could speed up the desired goal before the 2015 target.

What strategy or strategies will you use to achieve this goal?

From initial data reviews, the City has influence over at least two strategies to reduce allegations of misconduct made by black males: (1) change the behavior of officers and (2) change the behavior of black males. These strategies will require coordinated effort of many individuals and entities.

The first strategy, changing the behavior of officers, will require the CRA to become involved in educating officers on the information learned from CRA data, and partnering with the MPD to develop methods to reduce the number of repeat officers and the issues that arise during police interactions with black males.

The second strategy, changing the behavior of black males, will require the CRA to engage in three activities:

- Sustainable outreach,
- Sustainable and meaningful education, and
- Formation of an advisory group.

To achieve the target, MPD should use the CRA complaint data as a component of its Early Intervention System (EIS). The chart on the next page shows only the sustained complaints. Many of these same repeat offenders have had other complaints filed against them that were not sustained or did not reach the signed complaint stage.

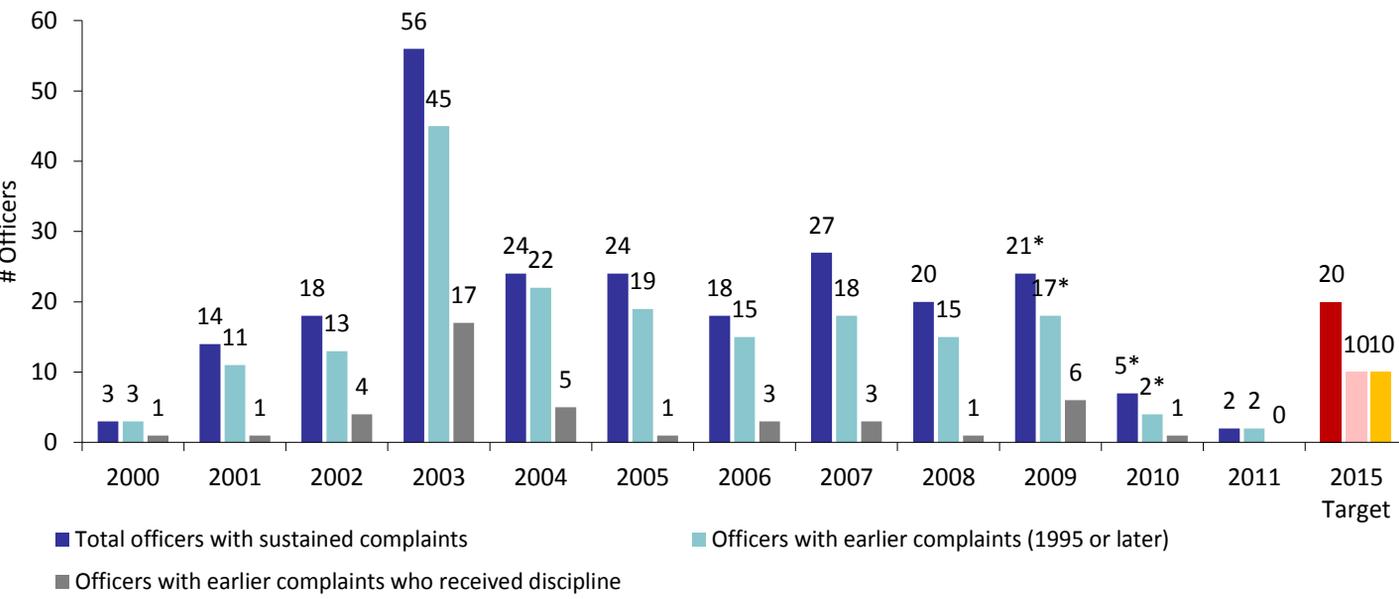
In addition to using the CRA data in the EIS to identify officers with potential issues, the MPD should address officers with past sustained complaints with a higher level of concern and seek to use corrective action and discipline as a strong a deterrent. Joint measures reported by the MPD and CRA, such as number of complaints resolved, discipline, corrective actions, repeat officers, and the number of complaints received, should assist with accurate tracking and assessing the City’s police accountability systems.

It is reasonable that there would be complaints against a city’s police because of the nature of the work; however, 90 MPD officers have 5 or more complaints made against them. There is a small number of officers with a very high number of complaints; 17 with 10 or more complaints made against them.

Additionally, the CRA complaint data has indicated that there seems to be a point at the 5-year career mark where the number and frequency of an officer’s complaints increases. Also, there are several young officers (less than 5 years on the force) that have garnered a high number of complaints.

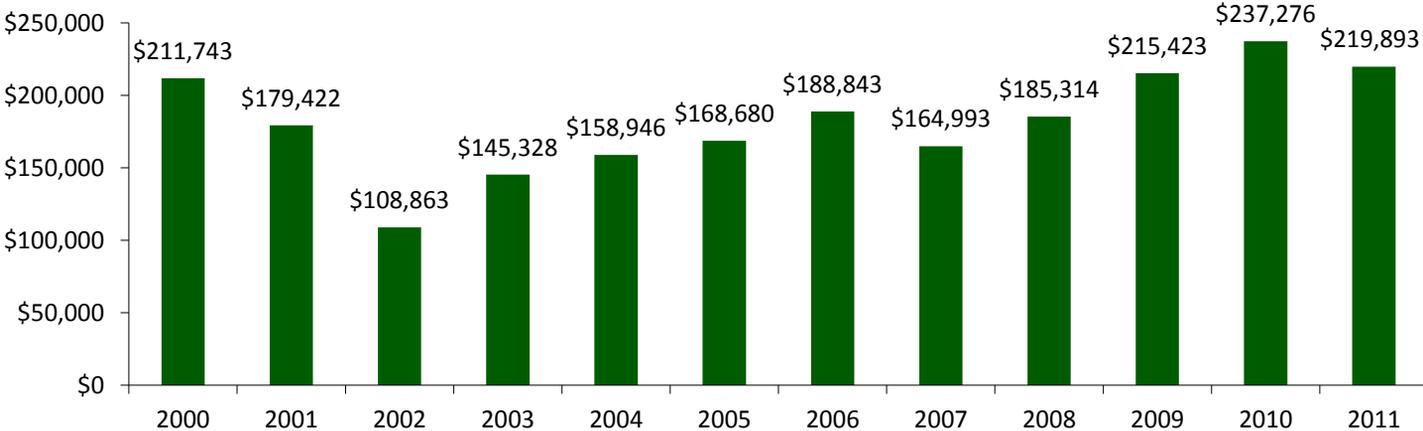
Continued on next page...

Officers with Sustained Complaints, By Year Complaint Signed



* Some of these complaints are awaiting a disciplinary decision

CRA Resources for Complaints Involving Black Males



What resources are needed to carry out your strategy?

The CRA has identified three resources that will be integral to the success of the goal:

- MPD support,
- Investigative resources, and
- Community support and buy in.

Note: The amounts above represent 45%* of the CRA budget. These amounts include all aspects of the CRA process - initial complaint investigations, investigations, mediations, and hearings. It should be noted that the above costs do not include settlements and awards, cost to litigate, or liability insurance premiums.

**The percentage of Initial Complaints from black males is higher than the 40% of signed complaints.*

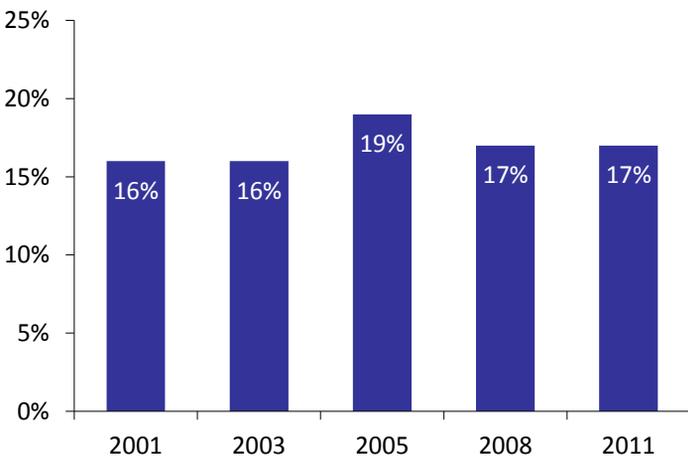
| MPD conduct liability payments (for all payouts) | |
|--|-------------|
| Year | Payments |
| 2006 | \$635,458 |
| 2007 | \$5,743,501 |
| 2008 | \$237,895 |
| 2009 | \$1,559,523 |
| 2010 | \$794,251 |
| 2011 | \$4,019,449 |

Note: The amounts above are taken from the City Council actions.

Appendix

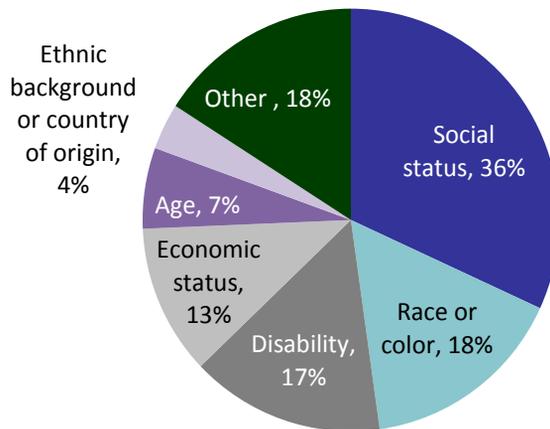
Residents Who Reported Experiencing Discrimination in Minneapolis in the Past 12 Months

(Source: 2001-2011 Resident Survey)



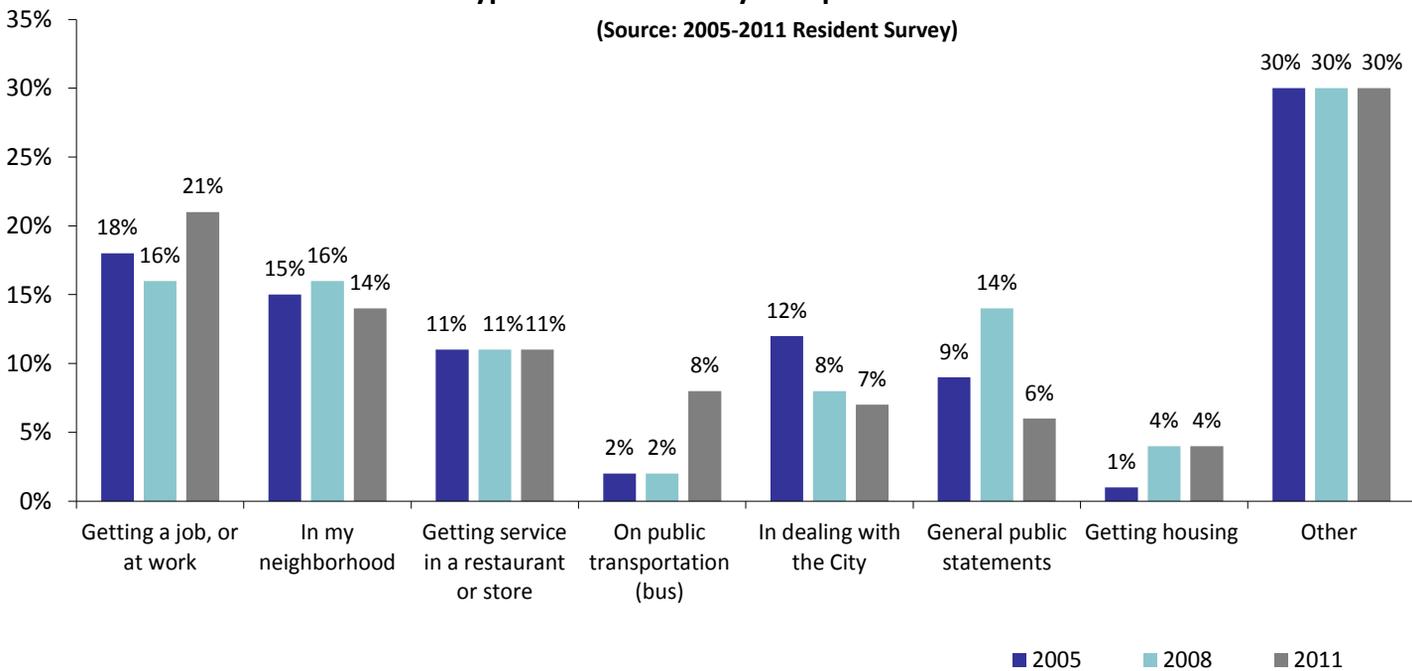
For what reason or reasons do you feel you were discriminated against? (2011)

(Source: 2011 Resident Survey)

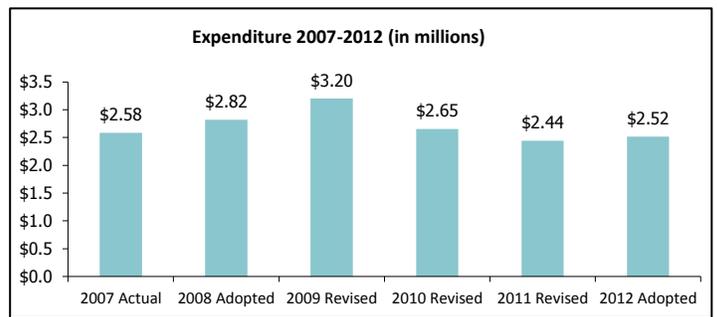
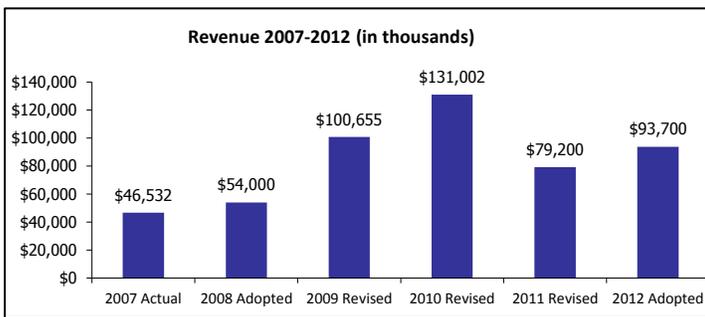
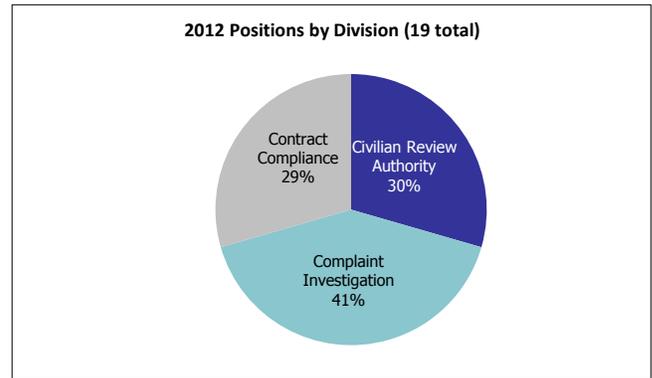
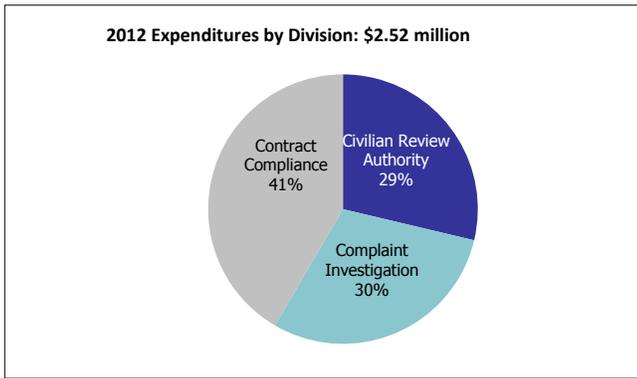


In what type of situation did you experience the discrimination?

(Source: 2005-2011 Resident Survey)



Management Dashboard: Civil Rights



| Loss Prevention Data | | | | | |
|----------------------|------|---------|---------|---------|----------|
| Year | 2007 | 2008 | 2009 | 2010 | 2011 |
| Workers Comp | \$0 | \$2,492 | \$2,964 | \$9,994 | \$11,799 |
| Liability Claims | \$0 | \$0 | \$0 | \$0 | \$0 |

| Average Sick Days Taken per Employee (*) | | | | | | |
|--|------|------|------|------|------|-----------|
| Year | 2007 | 2008 | 2009 | 2010 | 2011 | City Avg. |
| Days | 6.6 | 6.8 | 8.0 | 8.0 | 6.5 | NA |

| Workforce Demographics | | | |
|------------------------|------------|------------|-----------|
| Year | 12/31/2003 | 12/31/2011 | City Avg. |
| % Female | 71% | 71% | 31% |
| % Employee of Color | 50% | 71% | 24% |
| # of Employees | 24 | 17 | |

| Overtime Costs | | | | | |
|----------------|------|-------|---------|-------|------|
| Year | 2007 | 2008 | 2009 | 2010 | 2011 |
| Hours | - | 8.0 | 28.8 | 6.0 | - |
| Cost | \$0 | \$298 | \$1,057 | \$229 | \$0 |

| Employee Turnover | | | | | |
|-------------------|-------|-------|-------|-------|-----------|
| Year end | 2008 | 2009 | 2010 | 2011 | City Avg. |
| Turnover | 36.0% | 47.8% | 39.0% | 17.7% | 5.42% |

| Positions Vacancies | | | | | |
|---------------------|------|------|------|------|-----------|
| Year end | 2008 | 2009 | 2010 | 2011 | City Avg. |
| Percent of Total | 7% | 17% | 15% | 15% | 7% |

| Performance Reviews Past Due in HRIS | |
|--------------------------------------|-----|
| As of 3/12/12 | 44% |

| Retirement Projections | | | | | | | | | | | | |
|------------------------|------|------|------|------|------|------|------|------|------|------|------|--|
| Year | 2011 | 2012 | 2013 | 2014 | 2015 | 2016 | 2017 | 2018 | 2019 | 2020 | 2021 | |
| Number | 0 | 0 | 0 | 0 | 0 | 1 | 0 | 0 | 2 | 1 | 1 | |
| Cumulative % | - | - | - | - | - | 6% | 6% | 6% | 18% | 24% | 29% | |

Notes:

Average Sick Days taken per Employee

- A) Based on the payroll calendar year not the calendar year.
- B) Does not include employees who were in a suspended ("S") Pay Status at the end of a given payroll year.
- C) Includes employees who are in a paid ("P") Leave of Absence status and an unpaid Leave of Absence status ("L").

Overtime Costs

- A) OT amount - Fiscol. Reconciled with CRS and Data ware house queries.
- B) Hours - based on HRIS management reports with payroll data

Workforce Demographics

- A) Includes employee counts at year's end for 2003 and 2007. Finance received a number of positions from MCDA/CPED, the Development Finance group, explaining in part the jump in employees from 2003 to 2007.
- B) Only includes active FT regular employees.

Employee Turnover and Savings

Position Vacancies

- A) Includes only budgeted positions

Retirement Projections

- A) The projected time an employee is eligible to retire is based on service time in HRIS. For employees who received pension service credit in other organizations, the actual year of retirement eligibility may be sooner than the projections show.

