

Approved Meeting Minutes during May 12, 2015 PCOC Meeting

POLICE CONDUCT OVERSIGHT COMMISSION

Minutes

Regular Meeting April 14, 2015

Starting at 6:00 p.m.

350 Fifth Street, Room 241, Minneapolis, MN 55407

Committee Members Present: Andrea Brown (Chair), Andrew Buss, Adriana Cerrillo, Amran Farah, Jennifer Singleton (Vice Chair) and Laura Westphal.

Committee Members Absent: Amran Farah and Naida Medicine-Crow.

Staff Present: Michael K. Browne, Director – Office of Police Conduct Review (612) 673-5500. Also present, Legal Analyst Ryan Patrick and Committee Clerk Leda Schuster.

Chair Brown called the meeting to order at 6:01 p.m.

Westphal moved to adopt the meeting agenda.

Seconded.

No discussion. All-in favor. None opposed.

The motion carried.

Singleton moved to adopt the March 11, 2015 meeting minutes.

Seconded.

No discussion. All-in favor. None opposed.

The motion carried.

NEW BUSINESS

Minneapolis Police Department Updates

Janeé Harteau, Minneapolis Chief of Police, addressed the Commission and those in attendance. The following were the main points from her presentation:

- Initial Data Assessment was conducted to truly understand the scope of issues that the Police Department needs to address.
- At least 90% of suspects of violent crime, as reported by residents, are people of color.
- Police officers are present in the areas where violent crime occurs (hot spots).
- Over 50% of Minneapolis crime occurs in 5% of the geography.

- Preventing crimes and increasing community engagement are two focus areas for

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the MPD. Chief Harteau noted that MPD meets with the American Civil Liberties Union (ACLU) quarterly to discuss, amongst other topics, how to prevent crime while still building community.

- Chief Harteau discussed the MPD's participation in the Racial Bias Pilot City Initiative. The National Initiative for Building Community Trust and Justice is headed up by the Department of Justice (DOJ). Minneapolis was one of six cities selected to be a model city. The goal is to build trust between the community and the police through three areas of concern: enhancing procedural justice, reducing bias and promoting reconciliation. The initiative will test and implement strategies in pilot sites.
- In addition, the Chief mentioned two areas of success: (1) Procedural Justice, piloted in Cedar Riverside where there are two Somali officers in a predominately Somali community and (2) Implicit Bias Police Training for all patrol officers. She stated the goal is to leverage the learnings and to continue to expand the idea in Cedar Riverside to the other communities in Minneapolis.
- The work that MPD is driving around the Office of Justice Program (OJP) recommendations will also be integrated into the DOJ national initiative.
- MPD has seen a 46% increase in positive contacts year to date. MPD officers have attended 65 community engagement meetings last week.

With the conclusion of the presentation from Chief Harteau, Chair Brown opened the floor for discussion. The following is a list of the discussion points from commissioners' comments and the speaker's responses:

- One Commissioner asked a question regarding the gaps identified during the pilot project in Cedar-Riverside. Chief Harteau addressed the question by stating that cultural differences directly impacts information sharing and community trust on the justice system. MPD focused on providing training around the American justice system and drove community engagement efforts which showed positive results.
- A Commissioner asked the Chief to provide detailed information as how Latinos are classified on the Data Assessment. Additionally, Chair Brown asked to be included in the next quarterly meeting that MPD has with the ACLU. Chief Harteau stated she would need to get back to Chair Brown on both questions.
- A Commissioner encouraged MPD to be more proactive in publicizing the positive interactions between police officers and community since an increase of these interactions has been identified; community members need to be more aware of these interactions so trust can be built. Chief Harteau stated that communication efforts are being implemented to tell that story such as revamping the website, improving the newsletter, leveraging social media, etc.
- Chief Harteau also stated tracking success is one the major challenges for the MPD. She indicated that being part of the DOJ national initiative will provide MPD with additional resources to research and identify better mechanisms to track "wins."
- PCOC Outreach Committee members extended an invitation to the Chief and the MPD to participate on the upcoming Cinco de Mayo event on May 10.

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With no further discussion on the matter, Chair Brown moved to the next item on the agenda.

Process for Modifying or Changing a MPD Policy

Deputy Chief Medaria Arradondo addressed the Commission and those in attendance. The following were the main points from his presentation:

- Explained the current process to modify and change MPD policies:
 - Typically, a request is submitted to the Research and Development Team
 - Current policy is reviewed.
 - A research on that specific policy's best practices is conducted.
 - Current union contracts, state and city laws, city policies are also reviewed.
 - Subject Matter Experts are brought together to provide input.
 - A policy draft is outlined and sent out for concurrence.
 - There is a review of feedback on the "concurrence" responses.
 - Final policy draft is submitted to Chief of Police for signature.
 - Additional steps are taken to ensure proper internal and external communication is executed.

With the conclusion of the presentation from Deputy Chief Arradondo, Chair Brown opened the floor for discussion. The following is a list of the discussion points from commissioners' comments and the speaker's responses:

- A commissioner asked about the timing that takes for a policy modification. Deputy Chief Arradondo specified that timing varies on a case-by-case basis.
- Another commissioner asked how the PCOC could be involved in the process. Deputy Chief Arradondo indicated that bringing recommendations through the Joint Supervisors would be very helpful.
- A commissioner shared that the PCOC would like to be involved as early as possible in the process to avoid effort duplication and invited him to participate in future PCOC meeting to continue the conversation.

With no further discussion on the matter, Chair Brown moved to the next item on the agenda.

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OPCR First Quarter 2015 (Q1-2015) Data Report

Michael K. Browne, OPCR Director, addressed the Commission and those in attendance. The following were the main points from his presentation:

- There is an increase on number of cases sent to Investigation.
- No backlog on cases pending for the Review Panel. Sessions are scheduled in a timely manner. Decisions have been unanimous.
- Number of cases going to Coaching has doubled since last quarter. Additionally, more coaching conversations have been documented which is an indicator that Coaching is enabling more opportunities for a conversation between the officer and his or her supervisor. Also, there has been an increase in efficiency on cases returned from Coaching.
- Chief continues to take action on all the cases referred to her within the 45-days timeline.

With the conclusion of the presentation from Director Browne, Chair Brown opened the floor for discussion. The following is a list of the discussion points from commissioners' comments and the speaker's responses:

- A commissioner asked about the estimated timing for an intake to be reviewed. Director Browne indicated that timing will depend on how much information is being gathered. Typically, it may take as little as a couple of days, up to potentially two weeks for the Joint Supervisors to review a complaint.

With no further discussion on the matter, Chair Brown moved to the next item on the agenda.

Research & Study Project Report: Investigatory Stop Documentation Review

Ryan Patrick, OPCR Legal Analyst, addressed the Commission and those in attendance. The following were the main points from his presentation:

- The study goal is to determine the existing conditions in the documentation of investigatory detention activities, otherwise known as *Terry* stops.
- The study was enacted by motion at the March 10, 2015 PCOC meeting.
- The motion specifically requested to look at the MPD practices in recording and reporting suspicious person stops including, but not limited to, the grounds for such stops, demographic information of those stopped and the location of the stops.
- The MPD does not have a "Stop and Frisk" policy *per se*. Police Officers follow the guidelines set in *Terry v. Ohio*. It requires that "an officer be able to articulate a reasonable suspicion that a crime is being committed, about to be committed or that the subject is armed."

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- MPD refers to the encounters as “Suspicious Person Stops” and “Suspicious Vehicle Stops.”
- According to Chapter 9-200 of the MPD Policy & Procedure Manual, Section 6: *Terry Stops* (Investigative Detentions) searches must be justified under the law and documentation should be made via added remarks.
- The research method used 385 random samples of suspicious person stops (excluded those that lead to booking or those originated from 911 calls).
- The following variable categories were used in the study: documentation, outcome, demographics, location and duration.
- 32% of the cases had some level of documentation.
- Most common outcomes for the stops are “Advised” and “Sent.”
- Suspicious person stops occur primarily in the center of the City.
- When stops are documented, the most common reasons for such stops are: loitering, walking in the street, open canister, and drunk.
- Vast majority of stops have duration under ten minutes.
- In 62% of cases, some demographic information is documented. Race/ethnicity is not documented in most cases.
- 80% of stops are male.
- There is no consistent pattern regarding age information. Stops are happening all over the range of ages.
- The Report and interactive maps can be found at the PCOC website under the Research and Study page.

With the conclusion of the presentation from the OPCR Legal Analyst, Patrick Ryan, Chair Brown opened the floor for discussion. The following is a list of the discussion points from commissioners’ comments:

- One commissioner made recommendations based on the findings from the Investigatory Stops Report:
 - Resolve any existing barriers to documentation
 - Strengthen data collection regarding investigatory detentions
 - Clarify the purpose of Suspicious Person stops
 - Capture demographic information
 - Plan a continuing Study

In regards to the Investigative Detentions:

Singleton moved to approve the draft report entitled “Investigatory Stop Documentation Review” containing the results of the study commissioned by the PCOC during its March 2015 meeting, to investigate MPD practices in recording and reporting suspicious person stops, including, but not limited to, the grounds for such stops, demographic information of those stopped, and the location of stops. The PCOC approves as final the “Investigatory Stop Documentation Review” report, including all Recommendations.

Seconded.

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The Chair opened the floor for discussion. The following is a question regarding the discussion:

Buss – stated the Commission should look at the recommendations in more depth. He advised the group to refer it to the P&P Committee for further discussion.

Singleton – suggested that discussion should happen immediately to move the work forward. Commissioner Singleton said the new policy requiring officers to include racial data in suspicious person stops makes sense, considering the department's current efforts to recognize and eliminate biased policing. Issues of racial bias are on the forefront of everybody's minds when it comes to police procedures and it is in the best interest of the Minneapolis Police Department to get ahead of this issue.

Buss – questioned that documentation on every single stop might be unnecessary.

Singleton - clarified that the process would help outline which cases are classified as suspicious person stops and in those cases documentation needs to follow.

With there being no further discussion from the members present, the Chair closed the discussion and called for a voice vote.

All in favor. None opposed.

The motion carried.

Committee Reports

A. Policy and Procedure Committee

Commissioner Buss, the Committee Chair, addressed the Commission. The following are the main points from her report:

- The agenda and minutes for the March 19, 2015 meeting are available online.
- Due to Citizen's Academy (training requirement for the PCOC), the March and April Policy and Procedures Committee Meetings have been moved to March 19 and April 30.
- The Committee has decided to assign each committee member a project to work with the OPCR. Chair Buss took the lead on the Cultural Awareness and Coaching studies. Commissioner Singleton took the lead on the Stop and Frisk project. Commissioner Westphal will be assigned with the Code of Conduct and Disciplinary Matrix's study.
- The Coaching study is currently being used by the OJP Coaching Committee.
- The Cultural Awareness training is currently revising training materials and the Committee is looking at getting the right players working together and outlining the next steps.

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B. Outreach Committee

- The Committee discussed the March 21, 2015 Community Connections Conference. The Committee reviewed the survey data that was collected during the conference. Two-thirds of respondents did not know about the PCOC prior to the Conference and the majority felt that there was room for improvement in MPD's relationship with the community. Respondents had many valuable suggestions for how to improve that relationship.
- In addition, the Committee discussed ways to make the future PCOC exhibits more engaging. Committee members discussed providing more PCOC-specific materials, such as a brochure. OPCR staff will work with Committee members to design the PCOC brochure.
- Upcoming Outreach Opportunities:
 - There is an opportunity to participate in the American Indian Wellness Fair on Friday, May 01. This invitation was extended to the PCOC during the Community Connections Conference.
 - Cinco de Mayo celebration at Lake Street on Sunday, May 10. Commissioner Cerrillo was able to get a free exhibit space for the PCOC (normally the space costs at least \$500). The Committee strongly agrees that this will be a great opportunity to connect with the local Latino community and encouraged commissioners to confirm availability to attend to the event.

Regarding the Cinco de Mayo event:

Singleton moved to for the PCOC to attend the Lake Street Cinco de Mayo festival on Sunday, May 10, 2015, from 11:00 a.m. to 6:00 p.m.

Seconded.

With there being no further discussion from the members present, the Chair closed the discussion and called for a voice vote.

All in favor. None opposed.

The motion carried.

Regarding the American Indian Wellness Fair:

Singleton moved to for the PCOC to attend the American Indian Wellness Fair on Friday, May 1, 2015, from 11:00 a.m. to 3:00 p.m.

Seconded, then, the Motion was **withdrawn** due to availability conflicts to attend to the event.

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Discussion of March 2015, Selected Case Summary Data

- **Case Summary #3**
 - No discussion
- **Case Summary #4**
 - No discussion
- **Case Summary#8**
 - No discussion

Chair Brown moved to the next item on the agenda.

New Case Selection

The Chair called for the Commissioners to identify their top three case synopsis choices for April 2015 and asked the Committee Clerk to call the roll. The following are the votes by Commissioners:

Brown	1	3	7
Bus	2	4	9
Cerrillo	3	7	10
Singleton	2	7	10
Westphal	2	7	10

Chair Brown indicated the new case selections for discussion at the May 2015 meeting are **cases # 2, 7, and 10** as the top picks, which were then **selected by unanimous consent of the commissioners**.

With no further discussion on the matter, Chair Brown moved to the next item on the agenda

PUBLIC COMMENT

Chair Brown opened the floor for public comment. The following is a list of the members of the public who addressed the Commission and the topics covered in their discussion:

Chuck Turchick:

- Case synopses where cases are dismissed due to no-basis and to failure to cooperate need to be explored in more depth.
- Encouraged PCOC participation on the upcoming Chief of Police's performance review.
- No discussion on Case #8 summary. Case was dismissed for no- basis.

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Dave Bicking:

- Discussed information about grievance process results, specifically about discipline.
- No discussion on Case #8 summary.
- Invitation to a meeting where the topic will be: “Police Officers in Schools” to take place at the Minneapolis Urban League on Thursday, April 16 at 6:00 pm.
- Quarterly report with one letter of reprimand. Not enough discipline imposed.

With no further public comment, Chair Brown closed the floor for public comment.

ADJOURNMENT

With all of the Commission’s business being concluded, the chair entertained a motion:

Westphal moved to adjourn.

Seconded. All in favor. None opposed.

The motion carried.

Chair Brown adjourned the meeting at 7:54 p.m.