

**Minutes**  
**Minneapolis Civilian Police Review Authority**  
**Regular Monthly Board Meeting**  
**Wednesday, August 6, 2008**  
**333 City Hall**  
**6:30 p.m.**

Board Members Present: Bellfield, Benson, Bicking, Franklin, Hall, Kvidera, Turner, Zuege

Board Members Absent: Terrell

Also Present:

CRA Manager Samuel L. Reid, II

Assistant Chief Sharon Lubinski

Lt. Susan Piontek

CRA Investigator Stephen McKean

Assistant City Attorney Lisa Needham

Sherman Patterson, Mayoral Aide

Sgt. Todd Savageau, MPD

Officer Adam Grobove, MPD

Michelle Gross, CUAPB

Michael Katch

Bruce Lundeen

In the absence of a chair, Board Member Donald Bellfield acted as meeting facilitator.

**1. Adoption of the Agenda**

Turner **moved** the Agenda be adopted. Benson seconded.

**Motion passed unanimously.**

**2. Acceptance of the minutes of the regular board meeting of July 2, 2008**

Benson **moved** the minutes be accepted. Kvidera seconded.

**Motion passed unanimously.**

**3. MPD Presentation – Use of Force Training (2-hour presentation)**

- Sergeant Todd Savageau, MPD supervisor of use of force, presented training on use of force to Board members.
- Officer Adam Grobove, MPD taser coordinator, presented training on taser usage to Board members.

Bellfield suggested adjourning until August 13, 2008 or proceeding with the agenda but holding Item 7, New business, until the September meeting.

Bicking stated he would like committee appointments to be made at tonight's meeting. Turner advised she will not be able to attend a meeting on August 13.

Bellfield asked for discussion on the [proposed committee structure](#).

Kvidera asked to be removed from the Outreach Committee.

Reid advised that Terrell is willing to continue to serve on the Outreach and Policy committees.

Kvidera **moved** the committee structure as amended be adopted. Benson seconded.

**Motion passed unanimously.**

Zuege **moved** the meeting be adjourned until August 13, 2008 at 6:30 p.m. Hall seconded.

**Motion passed unanimously.**

**The adjourned meeting of August 6, 2008 was called to order on August 13, 2008 at 6:30 p.m. by Board Chair Donald Bellfield.**

Bellfield asked members of the public to hold their comments until the end of the meeting during Agenda Item 9, Public Comment. Speakers will be asked to limit their comments to two minutes and to wait until recognized by Bellfield to address the board.

**4. Manager's presentation**

- Reid reviewed the [CRA Workload Report](#) for July 2008. He urged board members to complete outstanding hearing panel determinations. Bellfield will speak with the hearing panel chairs whose determinations are outstanding.
- Board members need to attend 10-12 sections of the MPD Citizen's Academy within the next two years. Classes will be starting in September and will be held weekdays. In Spring 2009 there will be evening classes. Reid will provide applications to those interested in the September sessions.
- Reid will be working with police administration to set up ride-alongs with MPD officers for board members.
- Reid will be asking organizations involved in police accountability to make presentations to the board.
- There are two vacancies on the board. The City Clerk's office is currently accepting applications. To date, three applications have been submitted. Reid asked board members to encourage people they know to apply. It was suggested that Reid make the Police Precinct Advisory Councils aware of the vacancies.
- The 2007 annual report will be completed this week.

**5. Chair's Report**

- Bellfield was appointed chair by the Mayor and with the approval of the City Council last week. He will begin appointment of hearing panels. At the September 3 board meeting, Bellfield will provide members with a hearing schedule for October. The hearings that were originally scheduled in July will be re-scheduled for September 16, 18, 23 and 25. He proposed veteran board members fill the hearing panels for September, to allow new board members an opportunity to observe how hearings are conducted.

The full board will begin hearings in October. Bellfield proposes hearings be scheduled on four Tuesdays, four Thursdays and one Saturday in October.

Reid explained that each hearing panel will convene for one hour and will hear two complaints. Each date two hearing panels will be scheduled, allowing four complaints to be heard. Reid added that if panel members have reviewed the complaint file before the hearing, panel chairs should be able to write their determinations immediately, in most cases. Staff wants to avoid the current situation of having overdue determinations. Bellfield added that he will be contacting panel chairs to encourage them to submit their findings as soon as possible after the hearing.

Reid explained that the week before the hearing some information, such as statements and the investigator summary, will be provided to the panel members.

Some material cannot be sent to members. Reid will advise members if there is information they will need to review in the original file. Panel members will have access to the complete, original file at the CRA office. On each hearing date, Reid will be in the office at least an hour prior to the hearing, so panel members can come in to review the files. Panel members are also welcome to review files during office hours. Reid asked that members call in advance so they can be accommodated.

- Bellfield encouraged committee chairs to begin holding meetings as soon as possible. Reid and Bellfield suggested the Steering, Operations and Policy Committees meet to discuss the IPAD advisory opinion so that a strategy can be developed to deal with this issue and any suggested changes to the CRA that will flow from this opinion.
- At the September board meeting, Bellfield will ask committee chairs for status reports. "Committee Reports" will be a regular agenda item.
- Reid has provided board members with copies of a "Statement of Impartiality" and a board discussion of that issue that was held in December 2005.
- MPD officers will be handing out cards with the CRA and IAD contact information during the RNC.
- Because of RNC preparation, disciplinary determination discussions will not be held at the September board meeting but will resume in October.
- A reconsideration hearing will be scheduled for 6:00 p.m. on October 1, immediately prior to the October board meeting.
- Bellfield is considering having the Steering Committee assign discussion items to the committees. Reid suggested the board consider holding a meeting devoted to strategic planning and work planning.

## **6. Unfinished Business**

- Bicking asked for discussion of the IPAD advisory opinion. He stated that it sounds like there is no way to have reconsiderations, if the board follows this opinion. If the complainant cannot be notified that an allegation is not sustained, they do not know whether to ask for a reconsideration. At Bicking's request, Reid agreed to provide the board with the number of complaints that have had reconsiderations and the number of reconsideration determinations that have overturned the hearing panel determination. Reid said that a panel determination is rarely overturned.

Reid stated that the board, city attorney's office and city officials will have to determine whether reconsiderations are necessary, and if so, how will they be able to be offered without violating the Minnesota Data Practices Act. Investigative work needs to be done to see what other options or process may be available.

Zuege suggested complainants could be asked prior to the hearing if they would want a reconsideration if the hearing panel determination is adverse to them. This could increase the number of reconsiderations considerably.

Bellfield stated that eliminating reconsiderations violates an individual's right to appeal. It is his opinion that the IPAD opinion does not stop the reconsideration process. Reid believes that the city attorney would argue that it is the officer's record at issue, so the complainant does not really have a right to the information.

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Reid will attempt to get the other four opinions that were submitted to IPAD and will provide the board with the other IPAD opinions cited as well as other relevant documents.

- Reid will make the CRA conference room available for board committee meetings. He asked that committee chairs provide notice when a committee wishes to use the CRA space, so he can make it available. Reid also noted that the committee meetings will have to be noticed to the public and advised board members to contact the CRA program assistant with the date and time of their meetings. Reid will advise board members how they may communicate as committee members without violating the Open Meeting Law.

**7. New Business**

Reid will provide the board with additional information on Roberts Rules of Order.

**8. Announcements**

Reid asked members to provide their availability in September and October to the CRA program assistant within the next two days, so hearing panels and committee meetings can be scheduled. Kvidera will be unavailable 9/23 and 10/4-10/14. Bellfield will be unavailable October 8 through October 20.

**9. Public Comment**

Michael Katch

Reports about nuisance property hearings are received and filed by PS&RS. The CRA can send a hearing panel report to the Council without violating any rules.

Zuege **moved** the meeting be adjourned. Hall seconded.

Motion **passed** unanimously.

## PROPOSED COMMITTEE ROSTER – 8/6/08

New members **bold**

### PROPOSED COMMITTEE ROSTER – 8/6/08

#### **Outreach Committee**

Members

- Justin Terrell, chair
- Charles Hall
- ~~Patrick Kvidera~~
- **Lindsay Turner**

#### **Steering Committee**

Members

- **Donald Bellfield**, chair
- Sharlee Benson
- **Dave Bicking**
- **Patrick Kvidera**

#### **Operations Committee**

Members

- **Charles Hall**, chair
- **Dave Bicking**
- **Pam Franklin**
- **Patrick Kvidera**

#### **Reports and Statistics Committee**

Members

- Sharlee Benson, chair
- Patrick Kvidera
- **Justin Terrell**

#### **Policy Committee**

Members

- **Dave Bicking**, chair
- Justin Terrell
- **Lindsay Turner**
- **Austen Zuege**

**MINNEAPOLIS CIVILIAN POLICE REVIEW AUTHORITY**  
**301 4<sup>th</sup> Avenue South, Suite 670**  
**Minneapolis MN 55415**  
**(612) 673-5500**

**TO:** CRA Board

**FROM:** Samuel L. Reid, II  
Manager

**DATE:** August 6, 2008

**SUBJ:** Monthly Report – JULY 2008

1. Intake – 38
2. Signed Complaints – 7
  - By Ward
  - Ward 1 – 1
  - Ward 5 – 1
  - Ward 7 – 3
  - Ward 8 – 1
  - Ward 10 – 1
  - By Police Precinct
  - Precinct 1 – 3
  - Precinct 2 – 1
  - Precinct 3 – 1
  - Precinct 4 – 1
  - Precinct 5 – 1
  - Repeat Officers – 4
  - New Officers – 3
- Allegations
  - Excessive Force – 3
  - Inappropriate Language – 2
  - Harassment – 12
  - Discrimination in conduct or providing service – 1
  - Inappropriate Conduct – 9
  - Failure to Report Use of Force – 2
3. Completed Investigations – 5
  - Complaints in Investigation
  - 2005 – 1
  - 2006 – 3
  - 2007 – 33
  - 2008 – 20
  - 57
4. Mediations Scheduled – 1
  - Mediations Heard – 1
  - Successful Mediations – 1
5. Complaints awaiting Hearing as of 7/31/08 – 59
6. Hearing Panels
  - Complaints heard – None
  - Determinations Completed – None
  - Determinations Pending – 11
    - Hearings held in 2006 – 6
    - Hearings held in 2007 – 5
  - Reconsideration determinations pending – 1
7. Discipline Decisions Received From Chief of Police – None
8. Complaints Awaiting Discipline Decision – 4