

*Approved on April 26, 2016*

# **POLICE CONDUCT OVERSIGHT COMMISSION**

## **Policy and Procedure Committee**

### *Minutes*

*Regular Meeting March 22, 2016*

*Starting at 6:00 p.m.*

*350 Fifth Street, Room 241, Minneapolis, MN 55407*

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**Committee Members Present:** Afsheen Foroozan, and Jennifer Singleton (Chair).

**Committee Members Absent:** Amran Farah.

**Staff Present:** Ryan Patrick - Police Conduct Operations Supervisor.

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

**A quorum of the Committee was present.**

**Singleton moved to adopt the meeting agenda with the following amendment: Move the Criminal Justice Task Force to the first item in New Business.**

Seconded.

No discussion. All-in-favor. None opposed.

**The motion carried.**

**Singleton moved to approve the meeting minutes from February 23, 2016.**

Seconded.

No discussion. All-in-favor. None opposed.

**The motion carried.**

### **PUBLIC COMMENT:**

*Dave Czech:*

- Urged the Committee to look deeper into the use-of-force issues facing those with mental health issues or disabilities.
- The study reads more similarly to a sales pitch for what is about to happen in the current proposals.
- CIT and drop-off centers have their place and can be helpful, but the down-side and failings of these programs have to be addressed too.
- CIT and drop-off centers are a first aid kit and the co-responder model is an ambulance.
- Submitted a single page from the Portland Justice Department findings covering three specific things.

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- Although CIT training for everyone is useful, the DOJ indicates that there are some officers that should not respond to EDP calls.
- There are MPD officers that have a vast amount of experience in this arena, but training all of them can be a mistake by diluting the experience.
- The drop-off center can be helpful, but if the report does not address what it does not cover, the PCOC effectively gives a seal of approval and a drop-off center without a co-responder is far from the best experience that can be provided to these individuals.

*Foroozan* - Indicated that the PCOC has recommended a working group and a specialized CIT team and asked if Mr. Czech would like to see those ideas as fully fleshed out options.

*Czech* - Stated that what is being put together needs to stand alone and there are truths that can be found in research and what was submitted to the Committee; he stated that the PCOC cannot be mute and taking a tremendous risk by failing to comment and failing to describe where improvements can happen. He also indicated that he does like the working group.

*Kathy Czech:*

- Indicated disappointment with the report because it did not do a lot to restore the community's faith with the MPD.
- Much of the learning that takes place happens because there a co-responder is present; they are modeling, going to meetings together, and the police are able to ask questions, collaborate, and address issues that they otherwise wouldn't.
- The Commissioners have been positive in their reception of the co-responder model and integrating services.
- The working group would not be needed if there is just the CIT model because it would be just in-house training, but if the co-responder model moves forward then the working group would prove effective by interagency involvement.
- The drop-off center cannot be a simple thumbs up or down but a full perspective laid out and clearly noted, which provides the possibility to create solutions and by doing this right will carry far more importance rather than simply providing a seal of approval.
- The drop-off center also shortens the length of time to end or close a call in addition to altering the way the police respond to behavioral health issues, which is not necessarily bad.

*Chuck Turchick:*

- Stated that some areas are beyond the PCOC jurisdiction but perhaps the County may be willing to participate; often times they have more resources than the City.

*Patrick* - Asked for input on the changes and recommendations indicating that this is an opportunity to have public input on the process.

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*Foroozan* - Indicated that the Commission has learned a lot through the study and public involvement stating that they have learned that the MPD will take what they want from a recommendation agreeing that the report should be expanded. Also indicated that there cannot be any know issues and the report has to be as complete as possible.

*Czech* - Stated that for the County, it would be a matter of shifting resources from jail to community health, which is possible. The first contact is important for everyone and affects the recovery for the individual and their attitudes toward the police. Hennepin County is working on a co-responder model.

*Singleton* - Stated that it makes sense to support all officers having CIT training and a specialized team, but would have to look at the draft CIT policy in depth. However, the Commissioner indicated hesitation with regard to the drop-off center indicating that it makes sense to address the issue more thoroughly. Summarizing that the public has indicated that they are asking for more detail within the body of the study itself, amending the recommendation in support of CIT training and the specialized group to more strongly recommend the specialized group, amending the recommendation on the drop-off center to recognize the shortcomings and further study the impact, and more clearly defining the scope, members, and timeframes, bringing the full report back to the Commission in April 2016.

With the conclusion of the discussion, the following motion was made by Chair Singleton:

**Moved that the Policy and Procedure Committee recommends four changes to the draft study to include 1) adding more information on the co-responder model; 2) strengthening the recommendation that there needs to be an specialized CIT team, and that it should be reflected in the policy; 3) that the drop-off center policy be amended to acknowledge its shortcomings; and 4) that the working group be more clearly defined in terms of scope, membership, and timeframes.**

Seconded.

Chair Singleton opened the floor for discussion. With no further discussion on the matter the Chair called for a voice vote.

All-in-favor. None opposed.

**The motion carried.**

## **NEW BUSINESS**

### **Criminal Justice Task Force**

*City Council Member Cam Gordon addressed the Committee; the following were the main points from his presentation:*

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- Forming a criminal justice task force, this is currently in its preliminary phase.
- The work grew out of previous work with the Coalition for Critical Change with the intent of addressing racial disparities.
- The report should come back to the PCOC before going to the City Council and spans out to other departments to be included in the discussions.
- It would be significant if the PCOC took a position and committed to participation.
- There would be up to 11 community representatives; seven government type representatives and at this point we don't have the PCOC classified under government type position.
- There have been discussions to have the Civil Rights Department, Equity and Inclusion Department involvement and to have staff participate.
- The resolution also includes a section that will include a provision to include dissenting views and that the PCOC could have a chance to review and air dissenting opinions.

*With the conclusion of the presentation from City Council Member Gordon, the Chair opened the floor for discussion. The following is a list of speakers and a brief abstract of their individual comments:*

*Singleton* - Indicated approval of the task force stating that is a more comprehensive task force looking into what is going on in the criminal justice system and would be in support of having a PCOC member participate on the task force. However, the Chair indicated mixed feelings with regard to having the final report come before the Commission because of the scope of the task force and the PCOC's area of jurisdiction, but approved of the PCOC being appraised on what is going on with the group.

*Foroozan* - Asked for clarification with regard to providing a member of the PCOC.

With the conclusion of the discussion, the following motion was made by Chair Singleton:

**Move to approve task force as proposed.**

Seconded.

The Chair opened the floor for discussion. With no further discussion on the matter, the Chair called for a voice vote.

All-in-favor. None opposed.

**The motion carried.**

### **Review of the MPD Policy and Procedure Manual**

*Chair Singleton indicated that Commissioner Farah was the lead on the project and cannot attend the meeting. Mr. Patrick stated that he had not yet spoken to the*

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*Commissioner regarding the project but will make contact with her and report back to the Committee next month.*

With the conclusion of the discussion, the Chair moved to the next item on the agenda.

### **Framework for Chief's Performance Review**

*Ryan Patrick, Police Conduct Operations Supervisor, addressed the Commission. The following were the main points from his presentation:*

- The process for the Chief's review typically takes place six months before the actual review and involves a six month review cycle.
- It is a 360 degree review which takes place in the spring or summer prior to the review itself.
- The 360 degree review takes place by other department heads providing comments to the Mayor, who also takes other recommendations into account; it is mainly an input session.
- The Commission is free to create categories of importance and develop its own measures to provide input.
- If the Commission is interested in showing change, the development of metrics or quantitative measures are necessary; looking at Commission requests or recommendations could help provide a methodology.
- Crime statistics are analyzed annually and there is an annual community survey that could provide a useful tool.

*With the conclusion of Mr. Patrick's presentation, the Chair opened the floor for discussion. The following is a list of speakers and an abstract of their individual comments:*

*Foroozan – Asked what the general impressions were of an annual police review and if there is enough information available to look at incremental change, a running average, and providing or generating some sort of snapshot on how the PCOC and the public feels about the Chief would be useful.*

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

### **Issue Tracking Queue**

*Mr. Patrick addressed the Committee indicating that the queue could be improved substantially and has fallen by the wayside and needed to be updated. He suggested that if the Commissioners are comfortable, he would like to work on overhauling the tracking system and come back with an improved version next month.*

With the conclusion of Mr. Patrick's statements regarding the queue, the following motion was made by Commissioner Foroozan:

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**Motion to overhaul the tracking queue.**

Seconded.

**The motion carried.**

**Tactical Procedure Manual**

*Ryan Patrick, Police Conduct Operations Supervisor, addressed the Commission. The following were the main points from his presentation:*

- Has received confirmation that components of the tactical information manuals are public information.
- Some of the manuals are public, but those that are in process are not public.
- The MPD has civilian staff that works on policy updates.
- Given that the Commission works within the public eye, it will be important to have Commander Case come in and speak on the issue and the goals of the MPD.

With the conclusion of Mr. Patrick's update, the Chair opened the floor for discussion. The following is a list of speakers and an abstract of their individual comments:

*Foroozan* - Mentioned that since there could be issues involved with manuals that are not publicly available, perhaps an alternative method of review could be recommended that is not bound by the same public data rules. The Commissioner also asked if the Commission would be allowed to disclose publicly what manuals do exist and what exactly the Commission can work on and what it cannot.

*Patrick* - Indicated that some of the issues involved with public versus non-public manuals could involve potential issues concerning the data practices act.

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

**ADJOURNMENT**

With all of the Committee's business concluded, the Chair entertained a motion:

**Singleton moved to adjourn.**

Seconded.

All-in-favor. None opposed.

**The motion carried.**

**Chair Singleton adjourned the meeting at 7:08 p.m.**