

POLICE CONDUCT OVERSIGHT COMMISSION

Minutes

Regular Meeting

July 8, 2014

Starting at 6:00 p.m.

350 Fifth Street, Room 241, Minneapolis, MN 55415

Committee Members Present: Andrew Buss - Acting Chair per 172.80 (a), Al Giraud-Isaacson, Sara Rude, Jennifer Singleton, and Michael Weinbeck (quorum 4).

Committee Members Absent: Andrea Brown (Chair)

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 Buss called the meeting to order at 6:02 p.m. A quorum of the Commission was present.

Weinbeck moved to adopt meeting agenda.

Seconded.

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

The motion carried.

Giraud-Isaacson moved to approve the June 10, 2014 meeting minutes.

Seconded.

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

The motion carried.

MPD Mental Health and Crisis Coordinator Sergeant Dave Garman Presentation the MPD Crisis Intervention Team:

Director Browne introduced Sergeant Dave Garman of the Minneapolis Police Department, Crisis Intervention Team (CIT). The following are the main points from his presentation:

- Crisis intervention includes any circumstance in which the ability to cope with situation is exceeded; governed by policy and experience.
- The unit was founded in 2001 after the Barbara Schneider incident.
- The program is taught by MPD and a psychologist, includes 40 hours of training and includes approximately 128 officers.
- Training includes verbal de-escalation and is consumer focused; officers engage with the public and participate in psych visits to develop community relationships.

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- The MPD receives approximately 3,968 calls involving “Emotionally Disturbed Persons” (EPD) and the highest call load is in the 3rd Precinct.
- The department is focusing on developing more training sessions, one is scheduled for December which will include kids and adults in crisis, Taser training, body cameras, phones, and continued collaboration with COPE.

With the conclusion of the presentation, Chair Buss opened the floor for discussion. The following is a list of the discussion points from Commissioners’ comments and the speaker’s responses:

- There were questions regarding training of both CIT and non-CIT officers and the type of training that is currently provided and follow-up training of officers.
- There were additional questions with regard to determining how CIT notification is determined both by MPD dispatch and out in the field.
- The Commissioners discussed the department’s focus on veteran issues and affairs.
- The Commissioners questioned the idea of training and what policies are in place to recognize officer burnout or signs of PTSD.

OPCR Quarterly Report Presentation:

Director Browne of the OPCR addressed the Commission. The following are the main points from the presentation:

- Reports are currently posted on the website for review.
- Have received more consistent data to compare and contrast.
- Some trends include consistent allegations, all excessive use-of-force complaints referred to investigations, case dismissals for lack of jurisdiction. Half of all complaints not dismissed are sent to coaching.
- Have seen dramatic change with regards to coaching durations indicating massive progress across precincts with only the 1st Precinct with outstanding overdue documents.
- There is no current backlog with cases referred to the Chief of Police.
- Have seen action on two cases, one B violation, which resulted in a verbal reprimand, and training for two officers in a case that did not result in a policy violation.
- All review panel decisions have been unanimous and all B-level and higher violations have come back with some sort of action taken.

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

- The Commissioners questioned when training and coaching is grouped together if there is a different meaning from one or the other and if one action is more severe than the other.
- Commissioners indicated that training and coaching may not necessarily indicate discipline and a complaint could go through the process and be determined to be of no merit and but a coaching opportunity.
- Director Browne indicated that the OPCR attempts to catch those cases that appear to be training opportunities early in the process.
- The Commissioners question potential trends coming out of the coaching documents currently being received from the 1st Precinct.

Old Business

PCOC Strategic Plan

Chair Buss moved to adopt the PCOC Strategic Plan as it is.

Weinbeck seconded.

Chair Buss opened the floor for discussion. The following is a list of comments discussed and an abstract of their individual comments:

Singleton - suggested adding dates to the plan to indicate start and conclusion of projects. Additionally, would like to change the name of the debriefing currently called "code four" to something more meaningful for public viewers, schedule regular outreach efforts, including quarterly listening sessions, off-site meetings, and partnering with various community organizations, and add a period after the mission statement in the strategic plan.

Weinbeck – indicated that easy lines of demarcation for projects could be set for June 30th or July 1st, and from there to include the 12 and 24 month marks. Also, he suggested a formalized request to place revisiting the strategic plan regularly on the PCOC agenda, beginning in January 2015, coinciding with the 4th quarter report for accountability purposes.

Buss – indicated that he will communicate the request to place the re-visitation of the Strategic Plan to Chair Brown as a standing agenda item.

Singleton moved to amend the motion to the Strategic Plan to date it for July 1, 2014, add a period after the phrase "for credible feedback" in the mission statement, strike "Debriefing – code 4 meeting and insert "apprise MPD front office of priority issues," and insert under 12 month goals two new items: establish a regular schedule of listening sessions and off-site meetings, and establish a relationship with community organizations.

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With no further discussion on the matter, Chair Buss called for a voice vote.

All in favor. None opposed.

Motion passed.

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

New Business

Policy and Procedure Committee Report

Chair Buss, the committee chair, addressed the Commission. The following are the main points from the Chair's report:

- The Committee received an update on research and study projects and pending information requests from Mr. Patrick.
- The 1st Precinct has returned a number of coaching documents that can be added to the audit.
- The Committee received a good stack of training information from Deputy Chief Glampe on stop and seizure, in upwards of 100 pages of materials.
- The Committee is still waiting for MPD training materials on cultural awareness, but has received information from several other cities.
- There was discussion on previous cases referred with regard to how to proceed with follow-up, data collection, and discussion on how to proceed.
- There was forward movement with regard to tracking and prioritization in the queue, including big picture topics, subtopics, and where each complaint falls for identifying trends and tracking purposes with the eventual goal of creating a more interactive publicly accessible queue.
- Agenda will stay the same from month-to-month.

With the conclusion of the presentation, Chair Buss opened the floor for discussion. The following are discussion points from Commission's comments and the speaker's response:

A commissioner pointed out the significance of receiving the materials from Deputy Chief Glampe and making it available for public access.

Another commissioner questioned whether or not there has been a response or a timeframe provided with regard to the cultural awareness training materials.

The program Director indicated that they anticipate a response sometime in August.

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

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Outreach Committee

Commissioner Singleton, the committee chair, addressed the Commission. The following are the main points from the Chair's report:

- The Committee did a recap of the first listening session on June 14, 2014 discussing key take-away points including developing a clear message on what the PCOC is to avoid misleading the public and soliciting the appropriate type of feedback.
- There was discussion on explaining to the public the relationship between the former CRA and PCOC and how the groups handle policy issues.
- Developing partnerships with community organizations to encourage more public participation.
- KFAI issued a short story on the listening session.
- Scheduled future listening session for early fall; currently working on the timeline and will provide more information at a later date.
- With regard to activities surrounding the 50th anniversary of the Civil Rights Act, Chair Singleton was present at a booth at the Pride Festival and had positive engagement with members of the public.
- Committee member(s) Rude and Singleton met to develop and suggest changes to the outreach materials and develop the outreach kit and talking points.
- Continue working with the Legal Analyst on the development of the upcoming CLE project.
- MPD Community Coordinator, Sherman Patterson, has been invited to the next meeting to discuss the police department's outreach efforts to ensure the two groups are joining forces; the Committee will also be inviting members of various other communities at future meetings.

With the conclusion of the presentation, Chair Buss recognized a member of the Commission, who then took the floor:

Singleton moved to have the PCOC host a CLE in August 2014.

Seconded.

Chair Buss opened the floor for discussion. The following is a list of comments discussed and an abstract of their individual comments:

Buss – asked if Commissioner Singleton and Mr. Patrick have enough material to make this event happen, or is more material needed to proceed.

Singleton – indicated that the content will relate to the PCOC and OPCR and will be geared toward defense counsel to make sure that their clients that need assistance from either group can gain access to it appropriately.

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With no further discussion on the matter, Chair Buss called for a voice vote.

All in favor. None opposed.

Motion passed

Having being properly recognized by the Chair, a member of the Commission took the floor:

Singleton moved to host an offsite meeting in October 2014.

Seconded. No Discussion.

All in favor. None opposed.

Motion passed.

Update from Commission Clerk, Leda Schuster

Director Browne introduced the Clerk of the Commission, Leda Schuster. The following are the main points for the conversation:

- The PCOC now has an email address to enable to the public to better interact with the Commission, which is PCOC@minneapolismn.gov.
- The website now has also listed mailing address and public invitations to encourage public engagement.

With the conclusion of the presentation, Chair Buss opened the floor for discussion. The following is an abstract of the individual comments:

One Commissioner questioned what will happen to an email if it is not properly addressed as indicated on the website to the Commission and how and when will the emails be viewed by the Commissioners.

Another Commissioner expressed agreement and suggested sending the matter to the Outreach Committee to work out the details with the OPCR.

A third Commissioner expressed concern over the log time between receipt of email and viewing by the Commission and agreed that the matter be passed on to the Outreach Committee for further review and discussion.

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

Audit Summary

The Commissioners proceeded to discuss Summary Data Case #4.

- The complaint seemed to be submitted by a witness to the incident and the Commissioners question who was contacted upon resolution of the complaint, the complainant or the victim.

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The Commissioners proceeded to discuss Summary Data Case #8.

- The issue involved a judge leaving a courtroom when the incident took place.
- This is a similar type of question as in many of the other cases surrounding check and balance systems. The coaching process does not identify all the individuals that review the case before it is returned. It appears to be a policy violation but no violation was noted. Commissioners questioned Human Resources role on coaching employees within the police department.
- The Commissioners expressed interest in receiving more detail with regard to the type of coaching performed and what is actually said during the one-on-one coaching session.

The Commissioners agreed to refer the matter to the Policy and Procedure committee for discussion on the role of Human Resources and coaching documents.

The Commissioners proceeded to discuss Summary Data Case #10.

- It appears as though there was some sort of impairment issue involving the complainant; the case involves ADA issues.
- Read policy 7-1000 and found it troubling that the type of circumstances present in complaint were absent from policy.

The Commissioners agreed to refer the matter to the Policy and Procedure committee for discussion ADA related issues.

New Case Selection

The Chair called for the commissioners to identify their top three case synopses choices for July 2014 and the Chair asked the Commission Clerk to call the roll. The following are the votes by Commissioners:

Chair Buss – 6, 7, 8

Singleton – 6, 8, 10

Giraud-Isaacson – 2, 7, 10

Weinbeck – 6, 8, 10

Rude – 6, 7, 10

Chair Buss indicated the new case selections for discussion at the August 2014 meeting are **case # 6, 8, and 10** as the top picks, which were then selected by **unanimous consent of the commissioners.**

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

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Public Comment

Chair Buss 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:

Annie Madison:

- Continued issues with an officer on West Broadway Avenue (North).
- Has seen some improvement since complaint was filed

David Bicking:

- Commission improvements
- Questioned random selection process
- Encouraged review of annual report data
- Descriptive statistics on OPCR process.

Chuck Turchick:

- Expressed appreciation for Sgt. Garman's attendance
- De-escalation training
- Review panelist resignations
- Listening session
- Civilian versus Sworn body investigations

With no further public comment on the matter, Chair Buss closed the floor for public comment.

Adjournment

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

Singleton moved to adjourn.

Seconded.

All in favor. None opposed.

The motion carried.

Chair Buss adjourned the meeting at 7:56 p.m.