Police Conduct Oversight Commission

Minutes

Regular Meeting June 9, 2020
Starting at 6:15 p.m.
Conducted Remotely via Microsoft Teams

Commission Members Present: Afsheen Foroozan (Chair), Caitlin Gokey (Vice Chair), Lacy Schumacher, Abigail Cerra, Jeffrey Wade, Jackson Pineau

Commission Members Absent:

Staff Present: Andrew Hawkins, Maria Lee

Call to Order

Chair Foroozan called the meeting to order at 6:16 pm

A quorum of the Commission was present

Adoption of the Agenda

A motion was made to adopt the meeting agenda
Seconded.
No discussion. All in favor. None opposed.
The motion carried.

Acceptance of the Minutes

A motion was made to accept the March 2020 Minutes as written
Seconded
No discussion. All in favor. None opposed.
The Motion carried.

Statements by Commissioners

Afsheen Foroozan - Chair

Chair Foroozan introduced himself as the Chair of the Minneapolis Police Conduct Oversight Commission (PCOC). He shared his thoughts about who the PCOC is what the PCOC does along with his personal thoughts on George Floyd’s killing.

George Floyd should be alive, and it brings him (Chair Foroozan) great pain and anger to imagine the suffering he experienced. Not just his death at the hands of the Minneapolis Police Department (MPD), but pain and anger at the indignity of the whole experience and arrest, and the indignity felt by community members who were there but did not have the power to intervene because there were four (4) officers who were not listening as community members pled for Mr. Floyd’s life.
The indignity and resentment are felt by so many in our community, especially our Black community, and everyday interactions with the police intrude upon the sanctities of their personhood.

We, the PCOC, are comprised of six volunteer commissioners appointed by City Council and the Mayor. Our primary authority is to conduct audits and studies and make recommendations on MPD policies and procedures. We do not have the authority to review complaints for merit, impose discipline upon police officers, participate in labor negotiations with the union, charge crimes, change state law, or change city ordinances. We are not City Council.

We, the PCOC, share your frustrations with many of the barriers in place that prevent us from making change as a community. Some of the provisions in the state laws protect police officers from accountability and transparency. These laws have prohibited civilian oversight agencies from imposing discipline. Chair Foroozan encouraged the public to look at Minnesota Statute 626.89, especially Subdivision 17. That was relatively new. It was passed by the State Legislature and signed by the Governor in 2012 right as Minneapolis was trying to reform its civilian oversight of police. It was passed seemingly to limit the very reforms Minneapolis was discussing. There were several other examples of this in state statute that limit police accountability and transparency. One example is Minnesota Statute 13.43, which is the Data Practices Act as it relates to police officers.

Chair Foroozan is not saying this to deflect criticism; he believes criticism of the MPD is good, criticism of your community leaders is good, criticism of us is good, and it is warranted. Public policy needs to be prioritized, re-structured and reformed. But he also wanted to emphasize that there are no single solutions. Action is needed both from the PCOC to do what they can, and from the Minneapolis City Council. Action is also needed on the state level in order to transform public safety to meet our community needs and values.

What PCOC does have the power to do is conduct data-driven and research-driven studies to make recommendations to the MPD and the City Counsel. This process is started by listening to you, the public, to help shape their research. The purpose of tonight’s meeting is to listen to the public for ideas and suggestions. PCOC’s work is driven by the community members and community organizations. A lot of PCOC’s work is focused on reforms within the MPD. However, several of the studies have identified functions performed by the MPD where they found the community was better served with less police involvement. This impactful work was started with public comment from community members and community organizations.

Chair Foroozan cited cases. One case was the study on the Conduct on License Premises Ordinance. The PCOC Commissioners appreciate the City Council’s corresponding work on that, led by Council Member Phillippe Cunningham, Council Member Jeremiah Ellison, and Council Member Cam Gordon. Ultimately the MPD’s authority to enforce what was essentially a

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1 https://www.revisor.mn.gov/statutes/cite/626.89

2 Subd. 17. Civilian review. A civilian review board, commission, or other oversight body shall not have the authority to make a finding of fact or determination regarding a complaint against an officer or impose discipline on an officer. A civilian review board, commission, or other oversight body may make a recommendation regarding the merits of a complaint, however, the recommendation shall be advisory only and shall not be binding on nor limit the authority of the chief law enforcement officer of any unit of government.

3 https://www.revisor.mn.gov/statutes/cite/13.43

regulatory ordinance was removed. In another report, police responses to calls for service that involved mental health issues were studied. The PCOC’s recommendations included the creation of a Co-Responder Pilot Project. That idea came from a single community member who shared her concerns about the MPD’s mental health response. She suggested we look at this thing called the Co Responder Model where a social worker will be partnered with a police officer to respond to mental health calls. In the end, the City Council did adopt a recommendation and helped fund two positions for social workers to co-respond to mental health related calls.

Data from the pilot program showed that when social workers were involved in mental health calls, out of 985 contacts within the community, zero (0) arrests were made. That’s good, that’s progress. City Council later voted to expand the program to all five (5) precincts. It could be expanded further; it could be funded further. It could be funded so that there are more than ten (10) social workers responding to these calls.

In March 2020, the PCOC heard from the Minneapolis Trans Equity Council who shared their concerns about the lack of data in the MPD on gender identity hate crimes. The gap in data, in the MPD’s data specifically, makes it difficult for them to conduct policy work related to the trans community. The PCOC voted to conduct research and study related to compliance with state laws and Minneapolis ordinances on the reporting of hate crimes specifically related to gender identity. The study would identify the shortcomings within the MPD and the City and make recommendations to fill those gaps so the Trans Equity Council can have the data they need to do their important work.

Again, all of these began with a single public comment from a community member or a community organization. Most of the PCOC studies and recommendations originate from a suggestion from a community member or group. As public safety is re-imagined and re-assessed, it is vital that the PCOC listen to the public to understand the community needs, and hear your ideas to address those needs.

The PCOC meets monthly, and the meetings are attended by community members who have concerns about the local police. The PCOC Commissioners believe it is a good place to review police data, which has been the impetus for several reforms that have reduced police involvement in their neighborhoods. The PCOC has encouraged City Council members, and others who have influenced over local ordinance and funding, to be more present during these meetings because they need to hear from the public. They need to hear what the public wants and what the public needs from their public safety agencies.

In addition, Chair Foroozan noted that all the work the PCOC has accomplished has been completed by seven volunteers and only one (1) single full-time staff person. That staff person has been remarkable and a tireless researcher; but imagine what can be accomplished if the PCOC is staffed appropriately for a city the size of Minneapolis or at least staffed appropriately to each City Council’s prioritized interest in public safety.

As Minneapolis moves forward with restructuring, reprioritizing, and reforming public safety, the PCOC is committed to being a resource to the public and their communities.

The PCOC will do this by holding public listening sessions like the one today, by soliciting input from community organizations when studies are being conducted, and make sure all the work is public while the study is being conducted. Public safety has to meet community needs, and it has to match community values. Chair Foroozan is committed to making this happen in Minneapolis, and he believes his Commissioners have the same commitment as well.
Caitlin Gokey – Vice Chair

Caitlin Gokey introduced herself as the Vice Chair of the PCOC and thanked everyone who called in and who are watching. She explained that although virtual meetings are a poor substitute for in-person meetings, the Commission felt it was essential to provide a space for the public to share their thoughts and feelings about what everyone has been experiencing as Commission considers which recommendations can be made going forward.

Like everyone else, she was appalled at the actions in the video leading up to Mr. Floyd's murder. She felt that all the officers on the scene completely failed to uphold the oath they took to protect and serve the residents of Minneapolis. Although this moment is filled with anger and pain, it’s within these moments that reform is truly possible, and true change can be demanded from our public service agencies.

Vice Chair Gokey especially thanked those on the call who have been frequent voices at PCOC meetings in the past. Their contributions to PCOC’s work have helped push forward several reforms that, as Chair Foroozan expressed, have really reduced the reliance on law enforcement in our neighborhoods which is the rallying cry the Commissioners are hearing from so many of their residents. The PCOC will need the public's continued participation in the days and months ahead as the PCOC seeks to hear from their communities and their residents about what local policing should look like going forward.

The PCOC also hopes that their elected officials will be fully engaged in this process to ensure that they can re-imagine the role of police in a way that is representative of what their communities want and need. Vice Chair Gokey expressed her commitment in her role as Vice Chair to do what she can to advance those reforms.

Vice Chair Gokey again thanked the public and looked forward to hearing from them this evening.

Jeff Wade - Commissioner

Jeff Wade introduced himself. He has been a resident of Minneapolis for over 65 years, born and raised here.

He attended grade school at what is now a vacant lot, attended middle school at Bryant Jr. High School which is now Sabathani Community Center. Part of his high school was at Central High which has been demolished and replaced with Richard Green. The remainder high school years were at Washburn High School. He shares this to show he has been in the area a long time; and suffered through the good and the bad that goes with living in any big city.

He got involved with this Commission because he was looking for a way to make a difference and give back to this community. He hopes he will be successful in doing that.

He watched aghast over yet another issue with the Minneapolis Police Department. He was taught by both his parents to never rush to judgment. For this reason, much to the chagrin of his children, he took his time in making a determination. He looked at a variety of film and views and made his own determination as to whether there is guilt or innocence in this matter.

His role on this Commission is not to express his personal views either way. His role is to listen to the public, learn what the public has to say, and determine if he can facilitate the changes the public would like to see in the Minneapolis Police Department.
He has worked in a variety of jobs from blue collar to white collar in the Twin Cities Metro Area. He was a member of a union. He is, frankly, a union advocate and believes they have a role in the world. However, he believes it is up to the members of the union of that organization to ensure their leadership does what needs to be done and reflects the will of the organization.

Commissioner Wade welcomes the opportunity to listen and interact with the members of the community and to see if the PCOC can make a difference in the lives of our brothers, our mothers, our fathers, our sons, our daughters, our grandkids. He does not want any of his family who are still around and living in this area to suffer the indignity that Mr. Floyd suffered.

Lacy Schumacher - Commissioner

Commissioner Schumacher thanked everyone who attended. She echoed Chair Foroozan’s statement that George Floyd should be alive. Commissioner Schumacher lives in Ward 1⁵. She has not lived in Minneapolis quite as long as Commissioner Wade, but she had the same sleepless nights the last couple of weeks along with the rest of the City. Not because of protesting and property damage but because of the actions of the Minneapolis Police against the protestors, and the police allowing the Third Precinct to burn.

When Chair Foroozan presented the idea of public safety, it made her think how the idea of public safety may not be aligning with what Minneapolis police are providing our City right now. She feels the same frustration at the issues with charging the officers involved and the history of lack of reforms within the Police Department that a lot of residents are currently feeling.

As Vice Chair Gokey pointed out, there are 4-5 citizens that regularly attend the PCOC meetings and remind them of this lack of change in the Minneapolis Police Department. They hold PCOC accountable and just like Commissioner Gokey she thanks them for that.

The frustration of those 4-5 citizens, and a frustration that I share, is that it seems the City Council, the Mayor and the Minneapolis Police seem to forget that the PCOC exists. She is proud of the work that the PCOC has done that Chair Foroozan outlined. What lies ahead of the PCOC is a complex problem with many layers. But it is a problem that did not start with George Floyd or Justine Damon, or Thurman Blevins, or Jamar Clark. And it is not going to be a problem that we will be able to solve tomorrow. To solve this problem, we need your help and ideas as community members. We are here listening to you. Your thoughts matter to us, and we are here to listen to them tonight. Thank you for being here.

Abigail Cerra - Commissioner

Abigail Cerra introduced herself. She lives in the 3rd Precinct in Minneapolis; she is an attorney. She has been a public defender and a civil rights litigator, and this is her third meeting on the Commission. She cannot speak to the history of the Commission, but she can speak to how important this role is. As a public defender, she witnessed firsthand her clients being brutalized by the police. She knows that accountability is the only thing that is going to make a systemic change.

The work the PCOC is doing is especially important and the community input they are going to receive tonight is extremely important. She is dedicated to this work. She believes the only way there will be systemic change is if everybody puts all their efforts and intentions right where they

⁵ For a map of the wards, go to: http://www.ci.minneapolis.mn.us/council/maps/index.htm
are on this issue. There is no looking away, there is no making excuses and no defensiveness. She is ready to do to that. She is ready to own that as a member of the PCOC this happens, even with all the other efforts. The PCOC needs to figure out what happens and to figure out lessons learned, what would be better, what would prevent violence in the future and how to implement those changes that are needed. She is looking forward to hearing comments from the community tonight.

**Jackson Pineau - Commissioner**

Jackson Pineau introduced himself as a Commissioner from Ward 6. He reiterates much of what has already been said by his colleagues. From his perspective he is ashamed that he, and as a government, has been complacent in a system that serves some of its citizens at the expense of others, particularly at the expense of Black and indigenous people of color in Minneapolis. George Floyd should be alive. They, as public servants, have failed him and countless others in this city and they must do better and that begins with the public’s comments. It should be the responsibility as a Commission to listen and act according to the voice of the people to the best of their ability.

**Public Comment**

Public comments were limited to three minutes. The public was free to introduce themselves if they liked. The numbers are given in the order the call was taken.

**4140**

This person introduced himself/herself, but the name is inaudible. He/she is 24 and lives in Richfield. He/she was made aware of this meeting over a Facebook group for Black and indigenous people of color. He/she did not come on to make public comment. Instead he/she wanted to gain more insight on the PCOC, and to learn what the community was thinking, hear other people’s insights on what happened and how the police failed George Floyd.

**1072**

Lucas Kaster introduced himself. He is an attorney from Nichol’s Kaster law firm. He attended this meeting on behalf of Twin Cities Diversity in Practice, which is a group of attorneys in Minneapolis dedicated to furthering the improvement and advancements of attorneys of color. He attended to listen to the Commission and the public’s comments about how the situation of George Floyd can be further addressed.

**9752**

Sarah introduced herself. She was listening from Los Angeles. Her statement is the whole country is watching to see what the PCOC can do and hopefully lead the nation in this change.

**7046**

Bob introduced himself. He is one of the members of the public who has been at every one of the PCOC meetings for several years. He called to discuss specific points on policies that can be changed to make Minneapolis safer for its residents.

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6 [https://diversityinpractice.org/about/]
Now, when a police officer pulls out a gun and drags the citizen, that is not required to be reported. An example of this, look at the George Floyd situation early on when the officers were extracting him from the car. An officer is pointing a gun through the window. That does not have to be reported. That is not a use of force and that is what leads to police shootings and what happened to George.

Second, any time a police officer uses any kind of hands-on force, it is supposed to be recorded and be in a police report, so who the officers are putting their hands on can be seen. Unfortunately, they have written a “get out of jail” free card. If an officer grabs you and escorts you to the vehicle, that is not a use of force. There needs to be a record of all hands-on uses of force by the police. The failure to make such a report needs to be in the discipline matrix, causing the officers to answer for their actions and even lose pay.

Third, start looking at the MPD’s hiring preferences. Bob is a veteran having served as an infantry officer – you don’t want him as a cop. Police officers encounter people on the street who have mental illnesses and addiction issues. Hiring preferences, at least as strong as the one’s being given to veterans, should be given to people with backgrounds in social work, mental health and drug and alcohol counselling. These are the folks who have the skills to deal with the kind of people officers encounter on the street. They will still have to go through all the police training, be able to wrestle, run and shoot. But they also need to be able to talk and that’s something we’ve not necessarily done a good job on in Minneapolis.

Finally, we need to bring some activists into the process. Among other things he has applied to be part of this process. He applied for the PCOC position in September 2019 and never heard back; and there was an opening well into 2020. He has lived in South Minneapolis for over 20 years and has attended more the PCOC meetings than any Commissioner there except Commissioner Wade and Chair Foroozan.

We have personally been fighting with the MPD for years on issues that affect members of our family before we started becoming involved with fighting the MPD on behalf of other families.

Chuck Turchick introduced himself. He echoed Commissioner Schumacher’s comment that no one in Minneapolis City government recognizes that the PCOC exists.

The Minneapolis City Council entered a stipulated agreement with the Minnesota Department of Human Rights regarding immediate required changes, some of them ordinance changes that govern civilian oversight. Did they consult with the PCOC? He bets the answer is no.

Chief Arradondo planned on announcing reforms within the MPD soon. Has he consulted with the PCOC? He bets not.

Have the Commissioners weighed in on the nine (9) City Council members’ proposal to defund the police? What role should the PCOC play in that process?

As Chair Foroozan mentioned the PCOC did a lot of work on the co-responder models, and excellent work on their studies. Has the City ever asked you to weigh in? The PCOC is the official civilian oversight body in Minneapolis. What role should the PCOC play in the MDHR investigation? Should the PCOC contact them proactively? Or should the PCOC wait to see if MDHR will come to the PCOC, which by the way, the National
Initiative\textsuperscript{7} organization did not do initially. Instead, they went to the Police Chief’s Citizen’s Advisory Council\textsuperscript{8}, which is \textit{not} an official agency. They did not come to the PCOC.

Should you do it individually or as a group? Should the PCOC ask people who have been, but no longer are, on the PCOC to participate with you in this process? Should the PCOC issue a group statement?

When specific high-profile incidents occur, should the PCOC weigh in? One year ago, the judge in the Justin Ruschik-Daimond killing, asked questions and the City needed answers. Chuck suggested to the PCOC, that they should ask the City for a report on lessons learned as Commissioner Cerra mentioned. What were the lessons learned from that situation? Whether a complaint was ever filed with the OPCR or not, does the PCOC have a role to play in analyzing what should be learned from high profile critical incidents? Particularly those that end in death? Especially after settlements have already been entered? Should non-officers, maybe a PCOC member, be a part of the MPD’s internal review in those cases?

A lot of government institutions in Minneapolis are now becoming introspective. Maybe the PCOC should have some discussion about what it could or what it should have done differently. I know former Chair Brown did not believe the PCOC’s role was to oversee the OPCR, but should the PCOC now discuss what the OPCR could or should have done differently?

One final, politically incorrect thought -- there seems to be a hope that this tragedy may finally lead the United States to face the issue of race. But this is not only about race, and that’s where Mr. Turchick is politically incorrect. It is also about power, the tremendous discretionary power that is placed in the Minneapolis police officers – and perhaps in the prosecutors -- and how that power must be controlled, monitored and checked. This was learned in the Zimbardo / Stanford prison experiment in 1971\textsuperscript{9}; unchecked power can and often does lead to tragic circumstances.

She did not introduce herself. She started out by recognizing everyone’s work towards holding the MPD accountable. She is just now taking more action herself. She is very disappointed to hear so many public comments and talk about deferring responsibilities to other agencies and other people. So far, she hears specific reforms from community organizers but not from public servants. Why is that? She doesn’t understand. We’ve been doing this struggle for such a long time and we have the strongest voice that she has ever lived through right now. She hopes our leadership can step up and have specific plans and she expects specific plans to be available. One of those leaderships that she sees is from the CUAPB\textsuperscript{10} and she would like the PCOC to take on these recommendations, and she would like a point-by-point response of how the PCOC can effectively affect MPD in those matters.

She wants to echo what was said a few comments ago about how the Commission can be heard. We have the public support right now for reform. We have so many people

\textsuperscript{7} https://trustandjustice.org/about/mission
\textsuperscript{8} http://www2.minneapolismn.gov/police/council/index.htm
\textsuperscript{9} https://www.verywellmind.com/the-stanford-prison-experiment-2794995
\textsuperscript{10} https://www.cuapb.org/
behind this. How can we get more involved, and how can the PCOC hold people more accountable? She hopes to be a part of these meetings going forward and she hopes that something can be done about this matter.

Al Giraud-Isaacson introduced himself. He resides on Portland Avenue and is currently a member of the Minneapolis Charter Commission. In 2012, he was a member of the Civilian Review Authority (CRA). He was a member of the PCOC the first year it existed in 2013. He has been away from these meetings on purpose, but he returned to give some recommendations.

Before giving his recommendations, Mr. Giraud-Isaacson acknowledged Chuck Turchick’s attendance at the PCOC meetings in 2013 and the CRA before that.

Mr. Giraud-Isaacson addressed Commissioner Schumacher, Chair Foroozan and the remaining Commissioners, and sighed in frustration over hearing the same comments, issues and challenges that he had on the PCOC when it was created in 2013, almost and completely in darkness, and when he was on the CRA and it was underfunded. The comments he heard today were the same comments he heard back then.

Al Giraud-Isaacson and the Commissioners had been asking the City Council to be present at their PCOC meetings and to include the Commissioners on changes and oversight of the police, and they did not do that. Now suddenly, they want to seem like they are woke and claim all sorts of different ideas for what they want to do. But when they needed to be present, they were not present. They need to be called out.

The PCOC is not really conduct oversight, and for those listening outside of Minneapolis and even those who are in Minneapolis there is no oversight of police conduct with this Commission. It’s not the Commissioners fault, they do everything they can under their power to influence changes and influence policy, but they aren’t actually an oversight. He asked the PCOC Commissioners to do what could not be done back in 2013, which is:

1. Ask or demand that City Council re-write the City Ordinance that regulates oversight of the police and take the Minneapolis Police Department completely out of the process.
2. Police officers are still involved in hearing complaints. That is ridiculous. People stood up against it, but not enough people stood up against it back when the PCOC was created.
3. Take the police out of the panel, do not participate with the police on the intake at the OPCR
4. Get PCOC out of the Civil Rights Department and move to a different department
5. Become independent of any city department,
6. Lobby the state to change the state statute that the Chair mentioned earlier that severely restricts what Minneapolis can do on oversight, call for that change, speak to your senators, speak to your representatives, call, have press conferences, do what you have to do, yell it out loud, show up at meeting and demand your council members do this.

Mr. Giraud-Isaacson and the Commissioners called on the City Council to attend their meeting, it was not done. It was hard to get anybody’s attention, so do not give up. He did because he was not going to be a member of a Board who had no oversight. That is not what Mr. Giraud-Isaacson and the Commissioners were promised; they were
promised change; they were promised something different with the PCOC and they never got it.

Shame on the City Council members for now trying to reinvent the police force. Where were they? Why didn’t they reach out to these folks who have volunteered their time, month after month to make a difference? Shame on you if you’re listening on this call.

Dave Bicking introduced himself and echoed everything Al Giraud-Isaacson said. Dave also served on the Civilian Review Authority (CRA) for two years before it ended. The frustration, lack of any real oversight, and the formation of the Office of Police Conduct Review\textsuperscript{11} are all outrageous. They were designed to fail and were designed to end any effective oversight over the Police Department.

Dave has worked with \textbf{Communities United Against Police Brutality}\textsuperscript{12} for a long time. On their behalf, he forwarded to the Commissioners their list of 44 recommendations for significant reform of policing in Minnesota. It covers the whole state, and there are many suggestions in the recommendations for cities. Some recommendations the city would mandate, and some recommendations the state would mandate. Of course, cities do not have to wait for those mandates. These are recommendations like the recommendations we have been making for years and years and years and was met with nothing but resistance, and in most cases simply ignored.

These are recommendations based on research, they would have a significant positive effect. If those recommendations had been paid attention to, if they had been implemented even in the past few years, this latest tragedy absolutely would not have happened. We need to look at accountability for these officers, and accountability for what the police have done after this killing in terms of how they handled the protests and uprisings in the city. But we really have to look back as well to see who our allies are. The Minneapolis City Council poses as real radicals who want to reform or even overhaul the policing system. Where have they been for those last years? We cannot count on trusting them to go forward.

He is glad the PCOC is here. The Commissioners need to take a position with the OPCR on the discipline. If the Commission is to do any outreach, the Commission needs a position on those issues. Again, Dave asks the Commissioners who in the City of Minneapolis has consulted with them before or after this latest tragedy?

Emma Peterson introduced herself. She is one of those people who shows up monthly to the PCOC meetings. She first came to the PCOC when she was with the Minneapolis Police Department as a Police Explorer for five and one-half (5.5) years. She can tell you that she has been living the MPD nightmare for a few years. When she came to PCOC she tried to share her experiences of officer misconduct, racism, and sexism. After that meeting Commissioner Wade told her they wanted to “look into” my situation and then he will explain it to her. Now she has something to explain to the Commissioners of the PCOC.

\textsuperscript{11} \url{http://www2.minneapolismn.gov/civilrights/policereview/index.htm}

\textsuperscript{12} See Footnote 9.
She is sick of everyone making excuses for members of the PCOC. She is sick of them making excuses for the members of City Councils. As someone who has gone through the Minneapolis Police Department complaint process numerous times, she is sick of anybody saying to her there is another option, she just needs to follow down the line, that there’s some other explanation -- because there’s not. She reiterated what she said at the last meeting to the Commissioners -- if the Commissioners are on the PCOC to build their resume, then step down.

What she really wanted to talk about was if George Floyd had lived to be able to file a complaint with the Office of Police Conduct Review, his complaint would have likely been dismissed. Why? Because the neck restraint that Officer Chauvin used is under MPD policy. Because Officer Thomas Lane pointing a gun at George Floyd does not count as use of force in the City of Minneapolis. George Floyd would not have had to file a report. IF there was any type of reprimand for those officers, it most likely would have been coaching. Coaching means the Chief never sees it on his desk. Coaching reports go directly to the Precinct Supervisors and they can choose whether to coach an officer. 50% of our complaints within the City of Minneapolis go to coaching. Only 50% of the cases that go to coaching are actually coached. And that right there is one of the reasons why there are bad officers who repeatedly have bad behavior over and over again.

8054

No response.

5043

Maddie Peterson introduced herself. She expressed that the PCOC is just as responsible for the death of George Floyd as the rest of the MPD. The PCOC is supposed to be a committee that assures police services are delivered in a lawful and non-discriminatory manner. The PCOC is supposed to shape policy, audit misconduct, engage community in discussions of police procedure and facilitate cultural awareness training for MPD. The PCOC’s mission statement states “To become a credible public body where community members take their concerns of police and community interactions and the Police Department turns to for credible feedback.”

The PCOC goes through the cases of police misconduct. The Commissioners see more than the everyday citizen, and they’re supposed to listen to the community members when they stand in front of the Commissioners at monthly meetings begging for their committee to do something about the issues they have had to deal with in the MPD.

Maddie and her family have been coming to PCOC meetings almost monthly, when there is one, for about two (2) years now. Some of the Commissioners may know her story, other may not. Maddie gave them a summary of her ten (10) year relationship with the MPD. She joined Minneapolis Police Explorers when she was 15 years old after a domestic incident with her father and stepmom. The Police Explorers volunteer program runs through police departments all over the state and country. It is a mentorship as well as leading leaderships on the ins and outs of being a police officer. She then became a Community Service Officer with MPD, working and training directly with an officer. The MPD taught her a lot of bad rather than good. And that is why she is at this meeting today.

13 The 2nd Paragraph of the Mission Statement
14 http://www2.minneapolismn.gov/civilrights/conductcomm/index.htm
The actions by the officers she saw in George Floyd’s death did not shock her like they shocked others. She is not surprised that the officer standing with the crowd did nothing to his partner. Officers holding each other accountable is rare. She knows because when she made complaints against officers regarding sexual harassment and misconduct it was an uphill battle. After complaining to Internal Affairs, Maddie was threatened by the officer she complained about as the officer said, “I’m going to punch Maddie in the face for going to Internal Affairs. She better watch her FPO”. The officer threatened Maddie’s career of being a cop to all the other officers. After continuing to speak out, Maddie was faced with more and more retaliation. In her six (6) years with the Police Department, she was told that when she sees a Black Lives Matter sign in the front yard, she will know what type of neighborhood she is in. She was told she is not a real cop with MPD until she has had her first Internal Affairs complaint.

North Minneapolis was referred to as a war zone, and you are not a real North Side cop until you win your first foot race. MPD officers taught Maddie to racially profile. If a Black man was merely walking on a sidewalk, the officers would pull him over just to check him out. If he checked clear, the officers would let him go. She was told she better hide her political views if she is anything but a Republican. She was taught to profile Black men and taught to think they are up to no good. Luckily, she got out of the MPD just in time. Her views of policing and Black Lives Matter have changed.

The culture in the MPD is toxic and what she shares is only some of the toxicity. Maddie and her family have been fighting and speaking up for justice yet here we are again. One man dead and half of our City is burned. Maddie reiterated her earlier comment that she holds the PCOC just as accountable as the MPD.

In case the Commissioners are not aware, their website projects have not been updated since July of 2018. When trying to find the meeting minutes the first time I spoke with you I was met with an error message. There are no meeting minutes for 2019 and there is not even a tab for 2020.

When trying to find the meeting agenda, she found nothing in the section for your Board Commissioners where it is supposed to be. (Maddie was unable to finish due to time limits.)

9638

Jeff Storms introduced himself as an attorney in Minneapolis. He is on the phone with Angela Smith whose brother, David Smith, was killed at the hands of law enforcement in 2010. There are many important issues regarding law enforcement right now particularly with MPD. However, the most important question right now is whether the MPD received training that was promised in the settlement for Angela Smith and her family. Angela shared her comments on how hurtful the breach of settlement has been to her family, and how important it is to receive this information.

Angela Speaks

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Good evening Commissioners. I am here on behalf of my brother because unfortunately he cannot speak for himself. Although the Minneapolis Police assessed him to be having a mental health crisis, they still tased him five (5) times, and pinned him to the floor with a knee into his back until he died.

I cannot tell you the trauma my family has experienced with my brother’s death, and now watching George Floyd die is devastating. We fought for justice. We thought we could trust the judicial system. We went to court, silently and quietly, and three (3) years later they offered us a settlement. But we refused to accept the settlement because it was not about the money for us. We wanted to understand how people, who are supposed to protect and help him, could murder him like that. He was a good person, and he did not deserve to die like that. We went back and forth until it was agreed to include a clause in the agreement that said to instruct all officers not to use this restraint position.

Now my family is reliving this horrible trauma all over again because all our efforts were in vain. We had some sense of peace thinking that we really did something by this clause being in the settlement. Nobody else will have to die like my brother did. But now I watch George Floyd cry out for his mom and people stood by and he died. I just don’t know what else to do. I’m scared because I need hope, we want answers we want to know why the police did not train the officers on how dangerous this restraint method is and how these people do not deserve to die. I don’t have all the answers, but I was told that you all could help us.

Chair Foroozan and Commissioner Cerra Respond

Chair Foroozan thanked Angela Smith for sharing. He told Angela the PCOC will request the information from the City and get that information to her.

Commissioner Cerra interjected that she did her best to get that information that morning but was told to submit a Data Practices Act Request, which she has done. Commissioner Cerra will be following up with Angela’s family.

Daniel Wallberg (sp?) introduced himself. He is a pastor and lives two (2) blocks from where George Floyd was murdered on 10th Avenue South. This is his first time at one of these meetings. In preparation, he went to PCOC’s website and looked at the “Who We Are” and the “Our Mission” comments that were previously read.

It is very clear that the PCOC is not assuring anyone of anything, and they certainly are not a credible public body. That is not surprising to him, most police conduct oversight commissions have no power and no teeth. That is none of the Commissioner’s fault personally.

Pastor Daniel has two (2) suggestions for the PCOC.

1. If the PCOC has any power to change their website, it should be changed and actually try to be honest about the fact that PCOC can’t do much of anything. That would at least be honest in the public eye.

2. After two weeks of protests -- $500 million worth of damage to the City, another dead citizen -- for the Commissioners to give those unbelievably milquetoast, say-nothing
statements – that is beyond the pale. He was absolutely flabbergasted. The Commissioners, even in their powerlessness, are clearly showing 0% leadership.

There was already one mention made of the 44 points and recommendations by one of the organizations in our City. There are many other organizations in Minneapolis that have made numerous recommendations about how the police need to change. In light of this and in light of what the Commissioner’s job supposedly is, it would be expected that the Commissioners would come to this meeting and say, “we are fired up, and here’s what we are going to advocate. We may have no power, but we are going to assert some leadership in the City”.

Pastor Daniel is completely flabbergasted as to why the Commissioners could not make that kind of statement. If the Commissioners cannot do that, then all of them should resign and find people who can seriously advocate for real reform.

8793
No response.

9450
Barbara in South Minneapolis introduced herself. She thanked the Commissioners for their volunteer service. But she would also like to know what citizens can do to help the Commissioners show the leadership to which the caller before her (Pastor Daniel) was referencing.

Barbara believes this is a time when the Minneapolis City Council is on CNN and is making all sorts of claims. But she is not sure those claims are backed by research that the Minneapolis City Council has and if the PCOC / Commissioners have research. She knows there is eight points from Obama.com and 45 points already referenced by other callers. How can citizens who are deeply concerned help the Commissioners make a difference with the Minneapolis City Council because they are the ones who seem to have the power in this situation.

Everything that she has heard tonight about how this has been going on for decades is disheartening, and it needs to change. She would like to hear from any of the Commissioners about specific types of things that citizens can do to help them make a difference with the Minneapolis City Council. She well understands that the Commissioners are volunteers, and she understands how difficult it might be to have an up-to-date website. However, there are minimal types of media representation that would be helpful for the Commissioners to assert some leadership at this time.

Chair Foroozan Responds

Chair Foroozan thanked Barbara for her question and comments. He is going to ask the Commissioners to assess those questions and give some background. Chair Foroozan explained that the Commissioners as a body vote on recommendations when they are made.

Chair Foroozan would like the Commissioners in their closing remarks to think of ways the community can help them and advocate with them for the Minneapolis City Council.

Barbara thanked Chair Foroozan for what he said. She will be talking with her ward people and her City Council Representative. Having heard that the PCOC exists and
that there was a group before the current Commissioners that existed, and these recommendations were being made for decades, she thinks it’s very important for the citizens, who have been fighting for oh so long and for oh so many places, to continue with this and to work with some of the structures that exist including the PCOC as an organization.

8793
No Response

9841
This member of the public did not identify herself but expressed her frustration at how incredibly difficult it is to participate in these meetings with the less-than-stellar technology. She lives in Southwest Minneapolis, and on May 29, 2017, a little over three (3) years ago, she filed a complaint with the Office of Civil Rights. Several police officers were guilty of misconduct: Shannon Barnette, Mohamed Noor, Amanda Sanchez and Kathy Waite. Last week I was told that the complaint was “open to the Chief”, that the alleged investigation was completed eighteen (18) months ago and there is still no decision. Six weeks after she filed that complaint, Justine was murdered several blocks from her. The point is, if this had been taken seriously, Justine might be alive, and George might be alive.

This is not a little thing when a person does not do their job. The caller has no City Council representation. She has lived in her house for 33 years; her City Council representation is totally unresponsive to emails and phone calls about anything. It is pathetic, it is disturbing, and it is unnecessary. She realizes the Commissioners have limited authority and the Commissioners might want to get some authority so people can live.

3321
Ms. Leone (first name inaudible) introduced herself. She lives on 34th & Portland Avenue. She was born and raised in this community, left for a while, came back, and raised her son in this community. This is her first time attending this Commission meeting and she is upset, even skewered because she was hoping this is the right forum for comments regarding dismantling the Minneapolis Police Department.

Instead she hears comments about how this Commission has not received support from the Minneapolis City Council over the years. Then she watches national news and sees all the City Council Members trying to get their time in the limelight and not listening to the community.

The City Council members are talking about dismantling the Police Department but have not come to the community at all for any feedback before they go on national news.

She agrees with the caller before her asking how the public can support the Commissioners because she does not believe in dismantling the MPD. She is in favor of Mayor Frey’s proposal to instead seriously reform the MPD. There needs to be strong recruitment of police officers from within the community. 95% of their police force don’t even live in her community. All those officers need to be moved out. However, she does not have ideas on how to remove Bob Kroll. Nothing can be accomplished with a union leader who does not have any value for the community.

She wants to know how she can better help make community engagement stronger and support this commission so that serious change can be made within the Minneapolis
Police Department that will last for years, years and years. She does not know what community policing looks like and it scares her. Those are her concerns.

1872

Jennifer Singleton introduced herself. She was on the Commission from 2013-2018 and she wanted to check in on how everyone is doing and say a few words. First, she provided words of encouragement to the members of the PCOC. She understands how challenging it is to get criticism from all sides when you’re just trying to do what you can for your community.

For those who asked what they can do, an area to advocate around is Minnesota Statute 626.89 which states that a civilian oversight body may make recommendations however the recommendations are advisory.

The public can also advocate around providing increased funding for the Commission. They have done an incredible amount of work with very limited staff, very limited personnel, and limited IT Support.

Another area the public can advocate for is a hard reset of the Policing Policy Manual. Several years ago, the police matrix extended the mental health code on the responder model to make sure the Police Department is not the City’s sole mental health resource for those experiencing a mental health crisis. There are people better trained for that who can respond to situations that provide the support that folks need in those situations. The public can advocate for extending this work even beyond to other non-violent calls to which the police currently respond.

Ms. Singleton has no doubt the Commissioners are everything they can into this effort in this very challenging time.

1213

Jan Nigh (sp ?) introduced herself. She has been observing the PCOC over the years and she has a couple of suggestions. She believes the public needs to have easier access to the complaints reviewed by the PCOC. Quite frankly she finds it shocking, and she believes people would like to know what kind of complaints are being made. There might be a similarity to a complaint that they have and notice patterns among officers. That transparency could be immensely helpful even if Commissioners have their hands tied, which they do, by the City. Our City is not fond of any kind of consequences for officers. We can see that because all these officers who brutalize and kill people have records behind them that should have been observed and dealt with earlier.

0761

Heidi Ritchie introduced herself. She is the Policy Director for the Mayor’s office. She wanted to let everyone know that the Mayor’s office is listening, and she is listening to the entire meeting.

0591

Laura Benson introduced herself. She had been thinking about Chief Arradondo and what a powerful statement it would be if he admitted that he does not have control of the MPD. What a powerful statement if he owned up to the weakness built into his position and stand with the people of Minneapolis who are calling for change right now.
For those who feel there are no teeth behind this Commission, there could be a lot of power in this Commission now identifying the bold reforms they think need to be implemented to make Minneapolis safe, take a stand against the Police Department and take advantage of the public support they have right now to dramatically reform the Police Department or potentially abolish it.

Closing Remarks

Chair Foroozan

Chair Foroozan appreciates the support as well as the criticism of those who called in. Both the support and the criticism are what the Commissioners need to hear. Hearing the support emboldens the Commissioners to demand more from City Council. For a long time, the Commissioners have made incremental changes and he believes they have made a difference in public safety. But he knows the Commissioners can do more if they have the teeth, the financial, and staff support. Specifically, the staff support that would be appropriate for a city this size. For the amount that City Council is prioritizing public safety there should be more than one full time staff person.

For the public who is asking how they can help, one of the best ways is to demand that the PCOC has staffing appropriate to the high priority of this work. Minneapolis is going through a hiring freeze, but the public still needs to tell their City Council members that this needs to be done.

Another way the public can help is by advocating with the Commissioners to the state representatives, state senators, and to the governor. The Commissioners are only seven (7) voices and they need every one of the public to advocate with them to these officials. Do not forget, it was a governor, Governor Dayton, who signed into law Minnesota Statute 626.89. The Commissioners need support on the state level. The seven (7) of them are not enough to make change on the state level. As one commenter explained the Commissioners are not coming to the public with ideas. The Commissioners are available, and they need the feedback from the public, so the Commissioners know how they are to advocate for the public.

The Commissioners do not have all the answers, but the public does. The Commissioners are going to help develop those answers and get those solutions and recommendations based on research and data so that change can be made.

When people asked how the Commissioners have been impactful, one of those ways is with groundswell public support. When Chair Foroozan first joined the Commission, it was after the Commissioners had put out recommendations for the Body Cam Policy. The community was overwhelmingly in support of the Commissioners recommendations, and that got the Police Department to listen and implement many of recommendations, but not all of them. It wasn’t until a couple years later that MPD finally implemented the remainder of the Commissioners’ recommendations. When the public supports and attends these meetings and the public makes their voice heard it helps.

Chair Foroozan requested again for the public to please continue to come, especially when it’s critical. The Commissioners need to know what they can do better. The Commissioners do reach out and they will continue to reach out to community activists. The CUAPB has been a most valuable resource Chair Foroozan appreciates having discussions with Mr. Bicking after
every meeting to discuss policy and talk about the changes they think are possible. The Commission needs those discussions.

Again, Chair Foroozan asks that the public continues to bring their ideas and tell them what they want out of public safety. The Commissioners can amplify their voice and really serve to make this whole process transparent for whatever changes are in store for Minneapolis.

Commissioner Gokey

Commissioner Gokey thanked the public who attended and took time to speak, especially those who offered practical suggestions and recommendations. Those contributions are appreciated. The Commissioners hear them and share their frustrations.

Commissioner Gokey shared that the Commission intentionally structured the meeting in this format rather than coming to demand specific reforms from MPD which is what other bodies are doing right now. The Commissioners wanted to hold this space for the public to hear from them before they made their suggestions and recommendations.

In response to those who asked what they can do to help, the Commissioners hope to participate in listening sessions or community meetings to hear from residents what they need and what they want from their public safety agencies.

If any of the listening public is a community organizer or please let the Commissioners know and please invite them; they want to listen to the community. The Commissioners email addresses are on the website.

Commissioner Gokey reiterated Chair Foroozan's plea for the public to help the Commissioners advocate with City Council. The Commissioners are volunteers; they can use their influence as a Commission to hold City Council accountable. But the Commissioners ask that the public does the same as residents and constituents. Part of that might be reimagining what oversight looks like in Minneapolis, what an oversight body should look like for this Police Department. Everyone should be making those demands from their elected official.

Commissioner Wade

Commissioner Wade has been on this Commission for a few years. He expressed frustration that what needs to be done is tantalizingly outside of their grasp as Commissioners. He echoes the comments of the other Commissioners requesting the public to help them advocate with city and state leadership to allow this Commission to have more input and more power.

It is not power for the sake of power. It’s the power to be consulted with because if the public is talking to the Commissioners and the Commissioners are talking to the Police Chief, to the City Council, and to the Mayor, then there are a lot more for change in our community.

A caller asked if this was a forum for advocating for the abolishment of the MPD. Commissioner Wade does not advocate for the abolishment of the MPD -- don’t kill the dog just because the flea bit somebody. The Minneapolis Police Department has a lot of good police officers -- a lot. The MPD also has some very bad officers. The Commissioners collective goal is to try to get rid of the bad ones and hire more good ones. Any civilized society needs a public safety force. Commissioner Wade questions the use of the word “force” as used when referring to the police force. Perhaps that is one of the issues that needs to be discussed, i.e. stop calling them a police force. Just by those words that nature seems to have some truth.
Commissioner **Wade** thanked the public for their participation and asked that the public come to their meetings and talk to them.

**Commissioner Schumacher**

Commissioner **Schumacher** explained that her comments are going to echo Vice Chair **Gokey**’s comments. First, this meeting was designed for public comment. The Commissioners really needed to hear from the public. With so much at stake these past few weeks they knew there would be a lot of people who wanted to speak and who the Commissioners needed to hear from. For the public commenters who expressed frustration that the PCOC did not come with a direct plan of action, this is why.

Commissioner **Schumacher** reiterated Chair **Foroozan** and Vice Chair **Gokey**’s comments regarding what the public can do to help. Commissioner **Schumacher** encouraged the public to email her. If the public has a group of neighbors that want to meet and discuss these issues; if there is a community organizer, a pastor with a worship group she will be happy to meet with them. Her email is on the PCOC’s website and she will respond as quickly as she can.

Commissioner **Schumacher** responded to the question from the public about the cases the Commissioners review. Those cases are public information and on PCOC’s website. She knows that the website isn’t the easiest to access at times and doesn’t always work. There were some cyber attacks on it recently, but the cases are public and can be found on PCOC’s website.

Commissioner **Schumacher** knows it is easy to come to these meetings when public sentiment is high and going at such a rate in Minneapolis that people from around the nation are listening in on this meeting. However, the challenge is for everybody to continue to keep coming to these meetings. The Commissioners needed the public here today, the public will be needed in August, September and on through December; and the public will be needed at these meetings in 2021.

The only way this is going to work is if there are people in the public who care about what the Commissioners do. She reiterated what has been said several times before and that is the public can advocate for the Commissioners to the City Council and to the state legislature. That will help the Commissioners gain the power that the public wants the Commissioners to have to act on the public’s behalf. To do that the Commissioners need the public to keep coming.

Commissioner **Schumacher**’s challenge to the public is to keep showing up and keep being a part of this. There is public comment at every single meeting, and she looks forward to hearing from the public at future meetings.

**Commissioner Cerra**

Commissioner **Cerra** thanked Ms. Angela Smith for sharing about her brother’s tragic murder. She needed to hear and learn about that, and she expressed her deep sorrow over Mr. Smith’s murder.

Her first take away is to follow up on the prone fixation training within the MPD. She has submitted one request on which she will be following up.

In terms of how citizens can help, her question is, where was City Council? She has heard City Council say many times that this is the beginning of the new process, they want community
input etc. She would like citizens to ask their representative to be more involved and in touch with the PCOC Commissioners and to please bring Commissioner Cerra their requests.

This whole meeting is taking place because of one citizen request from Mr. Turchick, and he was right. Even though there are limits to the power of this Commission, there is still power. Commissioner Cerra is absolutely committed to maximizing that power and finding out exactly what they can do and not wring their hands over what they cannot do. The Commissioners are all accountable for the tragedy of David Smith and the tragedy of George Floyd and the Commissioners need to do better. Commissioner Cerra is going to try real hard to do better and she hopes the public holds her accountable to that.

Commissioner Pineau

Commissioner Pineau expressed his appreciation to those who chose and were able to participate. The comments were not easy to hear but they were necessary. Commissioner Pineau particularly thanked the public who participated for the first time. If this meeting could have been held in person, the room would be full. Commissioner Pineau would like this kind of participation to be a regular occurrence at all future meetings.

Chair Foroozan – Final Closing

Chair Foroozan tasked the Commissioners with considering the methodology that can be used to implement the suggestions given by the public. There will be committee meetings before the next PCOC meeting and some comments and suggestions are specific to certain committees. There were certain remarks specific to Policy & Procedure and the Audit Committee. Chair Foroozan asked the Audit Committee to review the recommendations given by the CUAPB. Some of the suggestions reflect state law.

Chair Foroozan would like to get ahead of these comments prior to the July meeting so the Commissioners can come ready to take action, begin studies and, as always, listen to the public to form concrete steps going forward.

Adjournment

With all the items on the agenda completed, Chair Foroozan made a motion to adjourn. Motion seconded by Commissioner Pineau All in favor, none opposed.

Chair Foroozan adjourned the meeting at 8:04 PM