

Police Conduct Oversight Commission

Minutes

Regular Meeting July 14, 2020

Starting at 6:15 p.m.

Conducted Remotely via Microsoft Teams

Roll Call

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

Commission Members Absent: Lacy Schumacher (Resigned), Jeffrey Wade (Resigned)

Staff Present: Maria Lee, Andrew Hawkins

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 June 30, 2020 Minutes as written

Seconded

No discussion. All in favor. None opposed.

The Motion carried.

Chair and Vice Chair Update

Chair Foroozan

Chair **Foroozan** updated the Commissioners and the public on what he has been working on and what can be expected to take place at this meeting tonight.

First, he thanked the members of the public who pointed out that PCOC cannot form a subcommittee during a special session. Later in this meeting a [re-vote](#) will take place on the formation of the Ordinance Subcommittee.

This is going to be the first PCOC meeting where there will be three (3) presenters. Going forward the topic at the PCOC meetings will be transforming and reimagining public safety using three (3) presenters. The three (3) presenters will be (1) an elected official, (2) a

1 member of the Minneapolis Police Department or the Chief himself and (3) members of the
2 community. It is an opportunity for these leaders and community members to share their
3 ideas so the public can hear and comment on them.
4

5 Chair **Foroozan** especially hopes the elected officials will have the opportunity to stay on
6 the line and hear the public comment, which is one of the reasons for changing the order of
7 the public comment. Usually, public comment is at the beginning but now it will be moved
8 to the end. The Commissioners believe it's more valuable for the speakers who are
9 presenting to hear their feedback and hear different ideas in the same meeting versus
10 having to wait for public comments at the next month's meeting. The Commissioners
11 believe it will allow for the public's comment to be heard in a more meaningful way.
12

13 Since the last PCOC meeting, Vice Chair **Gokey** and Chair **Foroozan** have talked to
14 several elected officials, including the Mayor, City Council members and Chief **Arradondo**.
15 Chair **Foroozan** thanked them for their time and for being proactive in everything they are
16 doing to transform public safety in Minneapolis.
17

18 Mayor Frye has agreed to present at an upcoming meeting. Also, at upcoming meetings
19 several City Council members have agreed to present; and Chief **Arradondo** and members
20 of the Minneapolis Police Department have committed to present. Today, Chief **Arradondo**
21 will speak on the Early Intervention System (EIS); City Council member Cam **Gordon** will
22 talk about the work he is doing with City Council on the PCOC Ordinance; and two charter
23 commissioners will speak.
24

25 At the last meeting, there were a lot of questions about the work the Charter Commissioners
26 are doing because it relates to policing and public safety. Today, the two charter members
27 who have proposed different charter amendments related to what City Council proposed,
28 will share their ideas that are specific to policing.
29

30 Chair **Foroozan** also had the opportunity to participate in the Mayor's Public Safety Task
31 Force. In that, Chair **Foroozan** requested the Task Force to consider bringing in a national
32 expert to help facilitate the discussions. Chair **Foroozan** believes it's important for whoever
33 is doing work, whether it's City Council or the Mayor's Task Force, that a national expert be
34 brought in who understands all the data that needs to be reviewed to help facilitate the
35 conversation, and the decisions that will be made by the elected officials and shaped by the
36 community. It is Chair **Foroozan's** hope that the national expert can help make sure the
37 conversations move forward and result in action and help inform everyone on what data
38 they may need to have and consider.
39

40 Chair **Foroozan** believes the Task Force has been a great start; everyone heard a lot of
41 great ideas. He was excited to see so many different groups involved - from the City
42 Attorney's Office to the County Attorney's Office, Mary Moriarty from the Public Defender's
43 office, and various other city and local agencies. Chair **Foroozan** would love to see this
44 expanded and continue under the facilitation of a national expert. Chair **Foroozan** made
45 this known during that meeting.
46

1 In addition, the PCOC has reached out to a wide variety of community groups including
2 MPD150¹, MAD DADS of Minneapolis², and ISAI AH³. The Commission is not trying to
3 bring in one particular viewpoint; they are trying to bring in a wide variety of viewpoints so
4 people will understand the ideas being discussed, help shape the way they think about
5 public safety, and inform what they want to communicate to their elected officials.
6

7 **Caitlin Gokey**

8
9 Vice Chair **Gokey** reiterated her thanks to the many elected officials and community
10 members who reached out to the PCOC and are willing to speak and participate with them
11 as they are working to reimagine public safety.
12

13 Vice Chair **Gokey** also thanks the public commenters. She also hopes that pushing the
14 space for public comments to the end of the meeting will allow for a dialogue on the ideas
15 that are being discussed and pushed forward.
16

17 Both Chair **Faroozan** and Vice Chair **Gokey** thanks the public and appreciates their time
18 and commitment to this work.

19 **Presentation**

20 21 **MPD Presentation - Chief Arradondo on the Early Intervention System (EIS)**

22
23 Chief **Arradondo** acknowledged the Commissioners and the listening public, then thanked
24 the Commissioners for the opportunity to present.
25

26 **History and Description of the Early Intervention System (EIS).**

27
28 Approximately 2015-2016, the MPD had been working in collaboration with the Office of
29 Justice Program (OJP) under the Department of Justice⁴. After conducting a diagnostic
30 assessment of the MPD, it was recommended that the MPD begin an EIS system.
31

- 32 • The EIS at its core is designed to improve employee performance. But it also is
33 there to track any potential problems.
- 34 • Provide prevention and intervention when employees are not meeting their
35 performance goals based on their assignment, training, or experience.
- 36 • It is important to note that the EIS program is not disciplinary based, so it is not a
37 disciplinary tool.
- 38 • It is designed to bolster and assure that employees are performing to the satisfactory
39 level possible, and helps to identify performance indicators, which is key to
40 improving community relations with those the MPD serves.
- 41 • It is also designed to provide intervention and/or wellness tools. That can range
42 from coaching, to training, to providing resources whether through the employee
43 assistance program, counselling, or other areas.

1 <https://www.mpd150.com>

2 <http://minneapolismaddads.org>

3 <https://isaiahmn.org>

4 <https://www.ojp.go/>

- It is also beneficial because it is a risk-management tool and a protective tool for not only the employee but for the communities the MPD serves.
- One of the key pieces to the EIS system is knowing what the employee may experience throughout the course of their journey. One experience may be trauma, or different experiences that others may not experience. We also know that the employee's family comes along with employee on this journey. The EIS program is also designed to provide resources and support for employee family members.

One of the features of the EIS that formed because of the MPD's collaboration with the OJP, was the formation of an EIS Subcommittee. The EIS Subcommittee consisted of both internal stakeholders within the MPD and city as well as the community stakeholders.

- The result of the EIS Subcommittee was 13 components. Although the work of the OJP and EIS Subcommittee has ended, there are still 3 or so components that have evolved, and 3 that continue to evolve and be developed today.

Software Component

One of the components is software. When the EIS first started, the MPD did not have a robust software data tracking system.

- EIS systems historically were designed for the front-line supervisor to have one-on-one conversations with their employee on issues that come up such as [tardiness](#).
- However, research has shown that an employee will transfer to different assignments throughout their career, while the supervisor who first engaged with the employee will remain.
- Research also shows that the supervisor may move to different areas of the organization.
- There is not a seamless way this EIS system can track, monitor, and catalogue real time conversations and that could be potentially problematic.
- The MPD continues to research, as they have over the last year, to secure a robust software system, because real time data analytics is especially important.
- There are some vendors who provide this kind of needed software and Chief **Arradondo** is working to try to implement a robust software system.

Software Component – Wellness Piece and Trauma

- The software will also help integrate the wellness piece.
- Chief **Arradondo** acknowledges that the MPD has not done a good job in discussing trauma.
- The men and women who do this work can suffer over a career. The MPD is recognizing the trauma of the community, but they have not really talked about the culture of policing and how trauma impacts employees, which also has a consequence to community members
- If health and wellness resources are not integrated into this EIS System, then a lot is missing.
- Chief **Arradondo** not only wants the software up and running but also wants to ensure the software has a health and wellness component.
- Since EIS started, some wonderful work has been accomplished within the MPD in terms of health and wellness resources. The City phones for employees have an

1 MPD wellness app. The wellness app provides resources on the phone at the touch
2 of a button for our employees. Resources such as trusted therapists, peer support,
3 MPD health and wellness unit, chaplain support, medical support, human resources
4 support.

- 5 • It also includes a wellness tool kit with many resources within the tool kit for issues of
6 alcohol or depression, grief and loss, PTSD, resilience development, even aging
7 parents.
- 8 • Sadly, one year ago, suicide was the leading cause of death for First Responders in
9 the U.S. The MPD needs to continue to do more; Chief **Arradondo** is hoping to
10 continue to build on the EIS System.

11

12 Software Component - Body-Worn Cameras

13
14 When the EIS System first began from the OJP, the MPD did not have body-worn cameras.

- 15 • Now, because of technology, one thing Chief **Arradondo** wants to do in capturing
16 employee performance is review body-worn camera video, which is substantial,
17 squad camera video, reports, 911 data and HR information.
- 18 • There are obviously budgetary implications that go with reviewing the videos. Chief
19 **Arradondo** confirmed to Chair **Foroozan** and the Commissioners, he will continue
20 to secure resources for viewing these videos.
- 21 • Chief **Arradondo** admits that the MPD and City are still resource restrictive. Since
22 the advent of this new technology the MPD is currently utilizing, they have not
23 caught up in making sure there is enough staff to review all that needs to be
24 reviewed.
- 25 • Chief **Arradondo** reiterated that it is not so much disciplinary. He believes if they
26 have the resources to review police reports, body worn camera video and others,
27 this can be one of those intervention or prevention tools that is so very needed.
28
29

30 EIS Programs – Other Police Departments

31
32 Other Police Departments across the US fluctuate in how their EIS program functions.
33 Chief **Arradondo** believes it is important for the MPD to continue to work with communities
34 to learn what indicators the communities would like in the EIS program.

- 35 • Chief **Arradondo** already gave [tardiness](#) as an example, which may be a
36 performance indicator.
- 37 • There are other factors community members consider just as valuable if not more
38 valuable. For example, the interaction, the attitude the employee has with the
39 community member, gauge levels of respect or lack thereof if that is occurring.
- 40 • Chief **Arradondo** reiterated that the wellness of the MPD employees in being able to
41 use EIS as a preventative tool, a risk management tool, to provide intervention rather
42 than a disciplinary tool will be key moving forward.
43
44

45 Questions

46

47 *Vice Chair Gokey*

48
49 *Vice Chair **Gokey** asked if Chief **Arradondo** could discuss how the high number of
50 complaints against one of the former officers involved in the murder of Mr. Floyd might be*

1 *missed in the current EIS System. She also asked what can be done going forward so*
2 *these types of red flags are caught by a supervisor.*

3
4 Chief **Arradondo** explained what can occur with an employee within a one year. He
5 gave as an example an officer using force; an officer uses force to a certain degree
6 five (5) times in 2019. If a complaint was made on all five incidences but the
7 complaints were unfounded, that just may go unnoticed.

8
9 The sixth (6) time that force is used, and a complaint is filed, it is determined the
10 officer is not justified in using force then all six (6) complaints will be reviewed. Chief
11 **Arradondo** acknowledges that what needs to happen, even if the force is justified, is
12 review all six (6) based on reasonableness.

13
14 Chief **Arradondo** acknowledges that the policy is changing and now the complaints
15 will be reviewed to determine what measure of de-escalation could have been used
16 or failed to be used. A robust employee performance or EIS system can help with
17 that.

18
19 To Vice Chair **Gokey**'s question on how to reach the goal so that red flags will not
20 get missed, if after two (2) or three (3) complaints there is a pattern, that should be
21 addressed through the MPD EIS System through supervisors and intervention tools.
22 Moving forward, Chief **Arradondo** really wants to make sure this is happening
23 because from a community perspective and a trust perspective, the community is
24 seeing all in their totality; whether they were justified uses of force or not.

25
26 If there is something else going on with the employees causing or triggering these
27 repeat patterns, Chief **Arradondo** wants to make sure the MPD has the tools to
28 address those issues.

29
30 *In relation to that, Vice Chair **Gokey** asked what more could be done through EIS to ensure*
31 *that officer misconduct, that does not result in a formal complaint, can be audited. She*
32 *wonders if this question goes back to the issue of needing more resources to do a deeper*
33 *dive and regular checks that Chief **Arradondo** referenced earlier. Because it takes a lot of*
34 *initiative for a community member to make a formal complaint, she wonders if more can be*
35 *done to be proactive about tracking general performance.*

36
37 Chief **Arradondo** made clear that the EIS System is not set up or created to be a
38 disciplinary mechanism.

39
40 If an employer or supervisor is reviewing body-worn camera footage or squad car
41 camera footage and misconduct is observed or viewed, that would have to go
42 through the complaint process.

43
44 The misconduct will not be overlooked, but from a resource standpoint it would be
45 helpful to Chief **Arradondo** to have enough resources to ensure nothing is being
46 missed even if it is from allegations of misconduct. It is important the MPD has as
47 many eyes as necessary to also view the other items, police reports, etc.

48
49 *Vice Chair **Gokey** asked what kind of empowerment or flexibility a supervisor has to*
50 *intervene, not just for discipline, but to give an officer a break if they need a day off, or to*
51 *take a couple hours off the radio to catch their breath and make sure they're managing their*

1 own stress and mental health. She asked if this could be included in a revised EIS System.
2 She asked this in response to Chief **Arradondo**'s comment that for EIS to be really effective
3 there has to be a relationship that is certain between an employee on the front lines and the
4 supervisor.

5
6 Chief **Arradondo** confirmed that they are already doing that in a couple of different
7 ways. One of the ways is by having a yearly in-service training that includes
8 components of wellness. Mindfulness training was a key piece to the last in-service
9 training. Supporting our front-line supervisors to make sure, as Vice Chair **Gokey**
10 asked, they are noticing and speaking with their employees who appear to be
11 struggling and in need of a day off, giving them that time off.

12
13 One of the initiatives that has been started is called the MPD Code for Initiative, I've
14 Got Your Back. It has on the inside of the dark blue band an 800 number. It is
15 another way for MPD to recognize if any of their employees, both are sworn-in
16 civilian employees, are struggling, or they want to talk there is a resource so the
17 employee will feel comfortable sharing. Chief **Arradondo** is trying to do that in
18 several different ways whether it's yoga so the officers can reset or recalibrate
19 before their shifts, or the mindfulness training where the officers learn the importance
20 of how simply breathing, de-escalation, and other types of training.

21
22 Also having wellness professionals come and teach on everything from healthy
23 habits, eating habits, and the importance of rest and how much sleep deprivation
24 impacts the human body in an officer's line of work.

25
26 Vice Chair **Gokey** asked if there would be a way to track those activities in the EIS system.
27 Will a supervisor be able to see whether an officer is taking advantage of those resources?
28

29 Chief **Arradondo** explained that for now it will be more of a manual operation, i.e. a
30 supervisor manually adding comments. If the [software](#) (earlier explained) is
31 purchased and integrated with the health and wellness piece it should be more
32 seamless and supervisors will be better able to track the other wellness pieces.
33

34 *Commissioner Cerra*

35
36 Commissioner **Cerra** asked if Chief **Arradondo** knew whether other jurisdictions and/or
37 departments using the EIS System had a reduction in the reduction in the [use of force](#) and a
38 reduction in excessive force cases or complaints. She expressed that she really
39 appreciated the presentation.
40

41 Although Chief **Arradondo** believed this to be a great question, he did not have that
42 information. He expressed again what a great question this is.
43

44 *Commissioner Pineau*

45
46 Commissioner **Pineau** introduced himself to Chair **Arradondo** as this was the first time they
47 have spoken. Commissioner **Pineau** asked, based on Chief **Arradondo**'s understanding
48 and experience, if he knows what Police Departments in the region or nation-wide have the
49 gold standard of an EIS system. Have the Departments that have the gold standard EIS
50 system been able to demonstrate that the implementation of their EIS has led to the

1 *reduction of officer infractions, particularly excessive use of force and racial discrimination*
2 *while in the line of duty?*

3
4 Although Chief **Arradondo** again expressed what a great question this is, he does
5 not have information readily available on EIS Systems currently being used in other
6 Police Departments and what has been the reduction of use of force complaints or
7 law suits under those Departments.

8
9 What Chief **Arradondo** can say is what he hopes to do with creating a new MPD
10 moving forward. That is not only building up and making an effective EIS system,
11 but also having national best practices in terms of background investigators.
12 Someone who can come in and review everything including bias and extremism that
13 a potential candidate may have. Chief **Arradondo** understands that we are all
14 products of our society, particularly in this profession. If that is missed, it can cause
15 great harm, damage, and concern for our communities.

16
17 Lawsuits are another area to be reviewed, especially the types of lawsuits and how
18 they are occurring.

19
20 To Commissioner **Pineau's** point about the direct correlation in Departments that
21 have had an EIS system for a while, it will be important to know if they have seen
22 significant or at least observable decreases in uses of force. Chief **Arradondo**
23 knows that throughout all the Departments in the United States, there are still many
24 who do not utilize an EIS system. The EIS system constantly evolves. Chief
25 **Arradondo** wants to make sure that the MPD is one of the more robust Departments
26 and wants to be able to track the data asked by Commissioners **Pineau** and **Cerra**.

27
28 *Chair Foroozan*

29
30 *Chair **Foroozan** referred to an EIS presentation that was given in December 2018. At the*
31 *time it seemed like things were tracking. At that meeting the Commissioners were told that*
32 *the MPD was looking to hire a non-sworn employee to run this program, and it was*
33 *estimated the hire would be complete around March 2019 and there were no budget*
34 *constraints at that time. In light of the current uncertain times regarding the budget, Chair*
35 ***Foroozan** asked what the timeline is now for implementation of this EIS system.*

36
37 Chief **Arradondo** confirmed that Chair **Foroozan** is absolutely right about the
38 budgetary impacts making this hire challenging. The current information Chief
39 **Arradondo** has is that there is a civilian going through the background process for
40 hiring, and he hopes the process will be completed by year's end.

41
42 Chief **Arradondo** confirmed the civilian hire will be a helpful resource. He will
43 continue to lobby for more in the areas of body-worn camera videos, squad car
44 camera videos, and 911 reports. All these areas can be quite a lot for one individual.
45 He is hopeful the civilian EIS Specialist will be up and running in the next several
46 months.

47
48 *Chair **Foroozan** commented on the news reports regarding work being contracted out to a*
49 *software contractor. Chair **Foroozan** asked if Chief **Arradondo** knows the timeline for that*
50 *work to be completed.*

51

1 Chief **Arradondo** confirmed the software company is Benchmark Analytics⁵. This
2 company does work with other agencies across the country. Because of budgetary
3 constraints, Chief **Arradondo** is hoping to get funding from outside sources.
4 Although that is on hold, Chief **Arradondo** continues to have conversation to find
5 where he can still find funding.

6
7 Chief **Arradondo** believes that all the discussion that has occurred this evening, the
8 real-time data analytics piece will be very key to any successful EIS program,
9 whether it is in Minneapolis or across the country.

10 11 **Closing Statement by Chief Arradondo**

12
13 Chief **Arradondo** expressed that he will either make himself or his team members available
14 for these important PCOC meetings going forward.

15 16 **Charter Commissioners' Presentations**

17 18 **Charter Commissioner Gregory Abbott**

19
20 Charter Commissioner **Abbott** thanked the PCOC for hearing them. Everyone is in
21 obviously in the middle of a City-wide debate on what the appropriate steps are to take.
22 Police reform, and police control issues have cropped up and lingered for years. Since the
23 killing of George Floyd, these same unresolved issues are now quite huge. The time has
24 come to finally address them.

- 25
- 26 • The Charter Commission received the proposal from City Council on July 1, 2020.
27 The Charter Commission is committed to resolving their work and returning it to the
28 Council on time to be voted on in a referendum this year.
 - 29 • But the issue is there is a short time frame and the only alternative is the Council's
30 proposal.
 - 31 • It is important to get something in front of the voters and get a public vote behind the
32 idea of reform.
 - 33 • The message from everyone in the community is the status quo is both
34 unacceptable and unsustainable. In that vein when the council proposal came over,
35 Charter Commissioner Abbott believed it important to cultivate alternatives.
 - 36 • The Charter Commissioners have gotten literally thousands of comments and email
37 on the Council's charter proposal. There is a lot of community skepticism over how
38 large the proposal is and how quickly it was prepared.
 - 39 • A lot of people are legitimately scared at what amounts to a sea change in how the
40 City would police itself, and how the laws would be enforced throughout out the city.

⁵ Press Release announcing MPD's partnership with Benchmark Analytics can be found at:
<https://www.benchmarkanalytics.com/press-media/minneapolis-police-department-announcement-to-integrate-citys-first-research-based-early-warning-and-intervention-police-management-system/>

- 1 • A lot of people are very concerned about not knowing what the future looks like, they
2 don't know what the transition period looks like and they're afraid that something
3 might result that cannot be fixed. Some elements of the criticism are that the
4 Council has done a power-grab.
- 5 • The specific proposal the Council has put forward essentially will take the police
6 command function away from the Mayor and place it with a department head who
7 would then report to the Council as a whole. This brings a lot of criticism over power
8 issues and what people will call the "14 bosses" problem.
- 9 • The current form of government in Minneapolis involves a lot of processes. Other
10 departments have a lot of veto points that are viewed as inefficient. People can
11 debate about whether it works, but even when it does work, it works slowly. The
12 question then is whether law enforcement or public safety is a function that can be
13 subjected to that kind of "14 boss" bureaucratic process or not.
- 14 • The current charter language gives the power of command, organization, and
15 creation of rules over the police exclusively to the Mayor. He/she is the sole
16 authority of being able to make the rules and regulations for the police under the
17 charter. He/she is also responsible for directing the day-to-day operations of the
18 police and making whatever changes need to be made as far as police function
19 goes.
- 20 • There is currently an interesting legal debate about whether the Council can pass an
21 ordinance which governs police conduct, and whether the Mayor is obligated to obey
22 that ordinance. The current language of the charter makes that an ambiguity.
- 23 • Charter Commissioner **Abbott** believes the necessary and important element of the
24 Council charter proposal is that it gives the City Council the clear legislative authority
25 to make the rules governing how public safety is to be maintained in the City of
26 Minneapolis and how the enforcement of law is to be done in the City of Minneapolis.
- 27 • What Charter Commissioner **Abbott** does not agree with is that the proposal takes
28 the execution and operational part of police function and also assigns it to the
29 Council. In other words, the Council proposal takes all the powers the Mayor has
30 with respect to police and transfers them to the Council. Charter Commissioner
31 **Abbott** believes this is a mistake.
- 32 • Charter Commissioner **Abbott** believes one of the problems with Minneapolis city
33 government is there is not separation of powers. Almost all the executive and
34 legislative power is vested in the City Council and there are no checks and balances.
35 The Council cannot check itself in terms of how it either makes the laws or enforces
36 or enacts the laws.
- 37 • The only exception to that is the Mayor's power over the police. Charter
38 Commissioner **Abbott** believes the charter makes a mistake by vesting both the
39 legislative and executive power over the police and the Mayor's office.
- 40 • Part of the reason Charter Commissioner **Abbott** is on the Commission is to resolve
41 these ambiguities in the charter. One way to do that is to have a separation of
42 powers. Give the legislative power to one branch of government and give the
43 executive power to another branch of government, neither of which have absolute

1 authority. You do not have complete power unless you have both. If the Mayor has
2 executive authority and the Council has legislative authority, they naturally check
3 each other. This is patterned after the design of separate powers in the Federal
4 Constitution.

- 5 • Separate powers is something Minneapolis has lacked. Unfortunately, the current
6 Council proposal takes the one element of Minneapolis city government that almost
7 nobody likes, which is an opaque, unaccountable “14 boss” problem, and makes it
8 worse by sending it to the Police Department.

- 9 • Charter Commissioner **Abbott's** proposal, although it adopts the legislative
10 translation of what the Council proposes, gives the legislative authority to the
11 Council, but preserves the executive function to the Mayor's office.

- 12 • But more critically is that the City is about to embark on a great experiment, and
13 there are a lot of people in the City who do not have the data to evaluate whether
14 this is a good or bad idea. What the City is about to do is more radical than some of
15 the other cities that have done this. People have talked about Camden, NJ⁶, and the
16 Council proposal is much broader than what Camden did, and Camden is not nearly
17 the size of Minneapolis.

- 18 • Charter Commissioner **Abbott** proposes creating a pilot project in a part of the City
19 which will allow the Council to set the rules and regulations for enforcement of the
20 law and for public safety, and to set up a system that they envision the city moving
21 towards. If the Community wants to create an alternative department, a department
22 of community safety and violence prevention, it can be created in this section of the
23 City. Policy changes the City wants can be done by ordinance.

- 24 • Run the pilot project for two (2) years. At the end of two (2) years, data will be
25 available to evaluate the results. The rest of the City would continue to have the
26 regular Police Department although they would also have the Mayor improving the
27 rules and regulations to avoid police violence issues in the regular City.

- 28 • In a way, there will be two (2) experiments going at the same time. One of which is
29 the radical change the Council proposes and the other would be what Charter
30 Commissioner **Abbott** would call significant change to the existing structure without
31 changing the charter.

- 32 • Both experiments can be evaluated against each other. At the end of that two-year
33 period, there can be a city-wide referendum on which proposal to adopt. Charter
34 Commissioner **Abbott** will put this concept in his amendment.

- 35 • Even the most ardent advocates of the Council proposal would agree there will have
36 to be some mid-course corrections. This is too big a change to expect that one
37 document can be written in 2020 and that document will continue unaltered in 2022
38 or 2024.

⁶ <http://www.citypages.com/news/what-can-minneapolis-learn-from-camden-nj-about-disbanding-a-police-department/571112571>

- 1 • Charter Commissioner **Abbott** fully supports the ideas in the Council proposal that
2 creates a Community of Public Safety, that creates a Division of Law Enforcement
3 under that Division, they create specific reporting requirements in the charter, and
4 establish professional training requirements for the person who will chair the
5 Department of Public Safety.
- 6 • Charter Commissioner **Abbott** believes it is a terrible idea to write something that
7 specific into the charter. If the structure needs to be adjusted or elements of the
8 charter moved there will have to be another charter amendment. Charter
9 Commissioner **Abbott** has learned, as a citizen of Minneapolis since at least 1996,
10 that changing the charter is a very, very hard thing to do.

11 Note

12 Charter Commissioner **Abbott's** presentation was temporarily delayed to allow Charter
13 Commissioner Al **Giraud-Isaacson** time to present. Charter Commissioner **Abbott's**
14 presentation resumes on page 15.

16 Charter Commissioner Al Giraud-Isaacson

17
18 Charter Commissioner **Giraud-Isaacson** explained his proposal⁷, which is a suggested
19 alternative to the City Council. The charter commission can either approve, decline, or
20 propose alternative substitute amendments to the proposal and the City Council can do
21 whatever it wants with any of the suggestions. They do not have to take the suggested
22 amendment(s); they can pass their own language, or they can take parts of it and update
23 their amendment.

- 25 • **Giraud-Isaacson's** substitute amendment comes right from the City Council's
26 proposal. It creates two (2) departments: The Department of Community Safety and
27 Violence Prevention on its own, and a Department of Law Enforcement Services on
28 its own. This means two (2) new chartered departments required for the City of
29 Minneapolis.
- 31 • The Department of Community Safety and Violence Prevention would be all non-law
32 enforcement employees. There would be a director to whom the employees report,
33 and that director would report through the appropriate Executive Committee of the
34 City Council, the same as all other directors in the city.
- 36 • The Department of Law Enforcement Services would report, as the Police
37 Department now does, to the Mayor. The Mayor would have complete control over
38 the Department of Law Enforcement Services.
- 40 • **Giraud-Isaacson** added a couple of pieces to his amendment with the PCOC in
41 mind. He reminded the Commissioners that he was once a member of the PCOC
42 the first year it formed; he was also a member of the last CRA. **Giraud-Isaacson**
43 has been trying to determine how the Charter Commissioners can influence the City
44 Council and the Mayor to give the PCOC more power.

⁷ His proposal is linked to the July 14, 2020 agenda. The link is also here:
<https://lms.minneapolismn.gov/download/Agenda/834/MPLS%20CC%20alternative%20amendment%207.8.20%20by%20AGI.pdf/45957/1772/MPLS%20CC%20alternative%20amendment%207.8.20%20by%20AGI.pdf>

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- Under **Giraud-Isaacson's** amendments, the Mayor may make all rules and regulations with approval of the Civilian Police Oversight Commission which means the Mayor and the Chief of Police would have to invite the PCOC into conversations regarding all the rules and regulations of the MPD. It also gives the public an opportunity, through PCOC meetings, to weigh in on what is being proposed and be involved in conversations as rules and regulations are moved forward. It will be with approval, not in consultation.
 - The funding in the charter right now for the Police Department would be cut in half, the other half of the funding would be available for the Department of Community Safety and Violence Prevention. **Giraud-Isaacson** has given this suggestion to City Council.
 - The Department of Law Enforcement Services would have a Director of Law Enforcement Services or the Chief Law Enforcement Officer that would report to the Mayor. In the process of selecting the Chief of Law Enforcement, there is an additional line of consultation with the PCOC. When the Mayor is going to appoint a Chief Law Enforcement Officer, the Mayor would have to come to you and consult with you.
 - Not that the PCOC would have a say in the hire, but the PCOC could ask questions, involve the public and get feedback on the candidate the Mayor is proposing to the City Council.
 - This is all open for suggestions. Funding and other places the PCOC can gain additional power can be discussed.
 - Everyone is working fast. **Giraud-Isaacson** presented this information to get a conversation going, but he is not tied to any one of these points. Changes certainly can be discussed, and he urged the PCOC to give the Charter Commissioners their recommendations.

34 *Questions*

35
36 *Vice Chair **Gokey**, making sure both she and the community understood, asked if it is correct that the Charter Commission can make recommendations for several different amendments, and those amendments could also be on the ballot alongside the amendments the City Council has proposed.*

40
41 Charter Commissioner **Giraud-Isaacson** explained that he is offering a suggestion that is part of the review process, where the Charter Commission can either approve, deny, or offer substitute language to the City Council. Ultimately the City Council will decide whether to accept that language or parts of that language.

42
43
44
45
46 Under the charter process 1A⁸, the Charter Commission can propose their own charter amendments to a process, have a public hearing and that process would go

⁸ The (1A) Charter Commission found at <http://www2.minneapolis.gov/charter/amendment-process>. Scroll down, it is hyperlinked to the flow-chart diagram.

1 to the City Council where they get the final say in the language, but it can be
2 significantly different than what we offered. That is another process. But yes, there
3 could be opportunities for Charter Commissioners to move forward a charter
4 amendment from our body. Charter Commissioner is not looking to offer that for this
5 fall's ballot; but it is a potential for the future.

6
7 *Vice Chair **Gokey**, understanding that there has not been a lot of time for research, asked if
8 the Charter Commissioners have seen any models, like the one they are proposing,
9 function in any other cities.*

10
11 Charter Commissioner **Giraud-Isaacson** confirmed he has not seen any other
12 models.

13
14 *Commissioner **Cerra** asked if Mr. **Giraud-Isaacson** or the other Charter Commissioners
15 have had any discussions on how the City Attorney position would fit into this or if that's a
16 completely separate issue that is not a part of their work.*

17
18 Charter Commissioner **Giraud-Isaacson** confirmed there is a City Attorney who sits
19 in on their meetings and advises. **Giraud-Isaacson** confirmed they have not gotten
20 to the point where that is discussed. The Charter Commissioners are waiting for the
21 City Attorney to talk to the Commission about some of the issues Charter
22 Commissioner **Abbott** discussed earlier, i.e. the legalities of the ordinance and the
23 potential for lawsuits. However, his proposal has not been waved in with the City
24 Attorney if that's the question.

25
26 *Commissioner **Cerra** further clarified her question. Commissioner **Cerra** referenced
27 Charter Commissioner **Abbott's** discussion about the checks and balances in the executive
28 and legislative functions. Commissioner **Cerra** wondered how the City Attorney would fit
29 into those checks and balances, or if that is even a part of the discussion. That might be an
30 exclusively policing function.*

31
32 Charter Commissioner **Giraud-Isaacson** confirmed that the City Attorney has not
33 been discussed.

34
35 *Commissioner **Pineau** expressed his primary concern regarding this entire process is
36 making sure that people whose voices were not listened to will have every opportunity
37 possible to get involved in this process.*

38
39 *In particular, and speaking only to the changes made in the Charter Commission,
40 Commissioner **Pineau** asked to what extent have the viewpoints of the various indigenous
41 communities in Minneapolis been incorporated, and can the methodology be demonstrated
42 that these voices have been included?*

43
44 Charter Commissioner **Giraud-Isaacson** confirmed that unfortunately the timing has
45 not allowed for that to happen. He does not see the opportunity to engage between
46 now and when they have to decide what they're trying to do.

47
48 **Giraud-Isaacson** did reach out to several community groups about his proposal
49 prior to making it public knowledge to get information from them as well as their
50 thoughts. He did hear from Communities United Against Police Brutality.

1 He reached out to other local activists but there just has not been time to get a
2 complete picture of what those communities are, where their thoughts and/or
3 concerns are about this process, and their questions. One of Mr. **Giraud-Isaacson's**
4 main concerns, while considering how to move on his proposal, is whether they gave
5 the public enough time for their input to the City Council's proposal. This is a
6 challenge for them in the time frame they have.

7
8 *Commissioner **Pineau** expressed that he completely understands. He asked this question
9 because he believes it is the most important one and it's not going to only be asked of
10 Charter Commissioner **Giraud-Isaacson**, but it's going to be asked to everyone. For this
11 reason, Commissioner **Pineau** wants to make sure this point remains in the front of
12 people's minds.*

13 14 Charter Commissioner Gregory Abbott – Resumes

15
16 Charter Commissioner **Abbott** had one last point to Charter Commissioner **Giraud-**
17 **Isaacson's** comments.

- 18
19 • Charter Commissioner **Abbott** believes there needs to be a discussion on the
20 structural change there should be. If there is no discussion, Charter Commissioner
21 **Abbott** fears a polarization such as what has happened over the last four (4) or so
22 years. If there is no discussion, the only other alternative is the status quo, which is
23 not at all a productive place.
- 24
25 • He sees the debate over the referendum in the fall being a local version of the hyper-
26 partisanship which has occurred in the past.
- 27
28 • The question is not whether there should be structural change. The question is what
29 structural change and how quickly should we have it, and to make sure the voices of
30 people of color and indigenous people are heard.
- 31
32 • Charter Commissioner **Abbott** expressed concern, because of the virtual meetings,
33 that members of the public have difficulty in talking and giving feedback. This is the
34 most important Charter Amendment that anyone has ever dealt with, making it very
35 important that people of color weigh in. However, when people call in, they cannot
36 unmute their cell phone or do the *6.
- 37
38 • Charter Commissioner **Abbott** acknowledges the process is still in the early stage,
39 and the technology barrier is a problem, in particular for people of color who don't
40 have the broadband that others have.

41 42 *Questions*

43
44 *Vice Chair **Gokey** expressed her appreciation for Charter Commissioner **Abbott's**
45 comments on suggestions to start a dialogue. She agrees that is needed. She has similar
46 concerns about the accessibility issues of some communities being unable to participate in
47 some of the processes. Vice Chair **Gokey** thanked him for voicing that concern.*

48
49 *Vice Chair **Gokey** asked if Charter Commissioner **Abbott** has seen this model, or a similar
50 model, work in other cities, or if he has gotten any feedback from residents either interested,*

1 *or not interested, in participating in this pilot. She is curious to hear some of the feedback*
2 *or if he has seen anything that might be working.*

3
4 Charter Commissioner **Abbott** confirmed he does not have examples of this kind of
5 pilot project. He believes the City as a whole is on unchartered ground. He has
6 gotten good feedback from community members who are looking for an alternative,
7 but they are scared that they are going to get locked into the City Council's version
8 of the charter without any recourse.

9
10 Charter Commissioner **Abbott** believes his proposal addresses a significant element
11 of public change. The Charter Commissioners have literally received [thousands](#) of
12 emails, and the vast bulk of them are well thought-out. These are not Astro-Turf
13 emails. They are from people who have taken the time to write 4-6 paragraphs of
14 what they think, including emails from those who urge Charter Commissioner **Abbott**
15 to reject the Council alternative. The emails all say the same, i.e. they need change,
16 but they need data. They want structural change, but they do not know what the
17 Council's proposal looks like and they fear not having any idea of what's going to
18 happen.

19
20 These comments and feedback were the genesis of Charter Commissioner **Abbott's**
21 pilot project idea, which is to give the people a concept of the future and what it's
22 going to look like before asking them to adopt a fairly substantial charter change.

23
24 Normally, the Charter Commission has 60 days to evaluate these proposals. Under
25 the state statute that can be extended to another 150 days, which means in theory it
26 can be up to six (6) months to evaluate proposals.

27
28 Charter Commissioner **Abbott** would have preferred a hearing and bring in
29 testimony from other communities. Perhaps experts on police structure and
30 organization, but the Charter Commission does not have that. There is a public
31 hearing on July 15, 2020 and another public hearing scheduled one week after that.
32 There are a couple of sub-committees working on the alternatives, and Charter
33 Commissioner **Abbott** encouraged the PCOC Commissioners to absolutely come
34 and give their input as they need as much input as they can get.

35
36 A decision has to be made on August 5, 2020 and there are three (3) options:

- 37
38
- 39 • The Charter Commission can vote to recommend as is the City Council
40 proposal,
 - 41 • They can vote to reject the City Council proposal, or
 - 42 • They can offer a substitute.

43
44 Once that decision is sent back to the City Council, then the Council makes its
45 decision on whether it goes on the ballot.

46
47 Charter Commissioner **Abbott** acknowledges the inconvenient timing of this, but it is
48 not driven by any political agenda. George Floyd was not murdered on any political
49 schedule. It is a fact they have to deal with; it's the process that has been
50 happening since Memorial Day.

1 Vice Chair **Gokey** expressed her appreciation to Charter Commissioner **Abbott** and the
2 other Charter Commissioners; for the time, energy, and thoughtfulness they are putting into
3 this.

4
5 Commissioner **Cerra** asked if Charter Commissioner **Abbott** had additional thoughts or
6 comments on what role the City Attorney would play in the proposed amendment.

7
8 Charter Commissioner **Abbott** explained that his concept is to eventually go to a
9 different charter function where there is a clearer delineation between the executive
10 and legislative function. He believes the City Attorney then becomes more like the
11 Attorney General than an executive function. He would like to have a general
12 charter discussion next year. In terms of the City Attorney's function in this police
13 context, he does not believe it will factor in one way or the other.

14
15 Commissioner **Pineau** also asked Charter Commissioner **Abbott** to what degree his
16 substitute amendment includes the viewpoints of the Black indigenous and people of color
17 community members and is there a methodology that can demonstrate this.

18
19 Charter Commissioner George **Abbott** would not change his previous answer of
20 wishing he had more time. He has talked to and circulated privately with people,
21 most of whom were people of color. He is certainly doing as much as he can
22 individually and as a Charter Commissioner between now and August 5.

23
24 Commissioner **Pineau** expressed appreciation to Charter Commissioner **Abbott** for his
25 candor.

26
27 Chair **Foroozan** expressed his concern about only one part of the City operating under the
28 pilot program. Given all that the City does, and operating on an economy of scale given the
29 current budget situation, enacting a pilot program for a small part of the City might not allow
30 for the services that need to be fully provided.

31
32 Chair **Foroozan** asked if Charter Commissioner **Abbott's** proposal is tied heavily to a pilot
33 project. He asked this in reference to the legislative authority over the MPD moving to City
34 Council and the operational control of the MPD remaining with the Mayor, and wondering
35 how closely these two are tied to each other and if the pilot program is essential to this.

36
37 Charter Commissioner **Abbott** explained his proposal is not necessarily tied to a
38 pilot project. Looking at the actual text of his proposal, it is divided into two parts.

- 39
- 40 • In the first section he gives the Council authority to conduct a pilot project. It
41 does not mandate the Council do it, make any particular size, or a certain
42 amount of resources. All of these are legislative questions.
 - 43
44 • Charter Commissioner **Abbott** does not believe the pilot project should be in
45 the charter. Nor does he believe that either himself or the other Charter
46 Commissioners have a clue as to how to structure a budget for this. This is
47 what the City Council and City staff do.

48
49 The second half of his proposal is when he gives the City Council the legislative
50 authority for the pilot project. He based this on the proposal Council Member Cam
51 **Gordon** put forward in 2018.

1
2 Charter Commissioner **Abbott** believes the two elements of the proposal can be
3 separated for pilot purposes. A pilot project can be done without the legislative
4 executive distinction. A pilot can also be done with the Council's existing proposal
5 without amending it. The two elements are not necessarily connected.
6

7 One of the issues Charter Commissioner **Abbott** has with the Council's current
8 proposal is their failure to separate the executive and the legislative functions. He
9 has tried to address those issues in his proposal. However, his proposal is a
10 discussion draft which is in the process of being hashed out among the Charter
11 Commissioners.
12

13 If anyone has a strong opinion on not separating the two functions, Charter
14 Commissioner **Abbott** certainly wants to hear those opinions.
15

16 Charter Commissioner **Abbott** thanked the PCOC and acknowledged PCOC's work.

17 [Motion to Move to Item 8 on the Agenda](#)

18
19 Chair **Foroozan** made a **Motion to move ahead to Item 8 on the agenda.**

20 Motion so moved and seconded

21 No discussion. All in favor. None opposed

22 **The Motion carried.**

23 [Re-Vote on Formation of Ordinance Subcommittee](#)

24
25 Chair **Foroozan** reintroduced this [motion](#). The idea is to form a temporary subcommittee to
26 study and make recommendations to City Council regarding updates to our PCOC
27 Ordinance 172.880(f). Chair **Foroozan** knows the City Council is doing work related to this
28 ordinance, but he would like the PCOC to also have input.
29

30 **Chair Foroozan** made a **Motion to form a temporary subcommittee to review our PCOC**
31 **ordinance under 172.880**

32 Motion so moved and seconded

33 No discussion. All in favor. None opposed

34 **The Motion carried.**
35

36 Ordinance Subcommittee

37 Chair: Vice Chair Gokey

38 Members: Commissioner Cerra, Chair Foroozan

39 [New Business](#)

40 [Complaint Synopses](#) ⁹

41 Chair **Foroozan** reminded everyone that the Commissioners voted to suspend case review
42 at the last PCOC meeting. Chair **Foroozan** wants the public to know that the Audit
43 Committee has a complaint tracker to identify what types of complaints are submitted.

⁹ This agenda item was moved to the end of the meeting to accommodate the time of the various presenters. On the recording, this is the very last item just before Public Comment

1
2 Last year, the PCOC was considering how the complaint tracker can better serve the public.
3 He believes it is possible for every complaint to be available so it can be categorized and
4 placed in the tracking queue. That way, even if the PCOC is not reviewing the complaints, it
5 will still be possible for the public to review all the data for the complaints.

6
7 Chair **Foroozan** asked Vice Chair **Gokey** to add the topic of making the complaints
8 categorized, tracked and available to the public an agenda item for the Audit Meeting.

10 Subcommittee Updates

11 Policy and Procedure ¹⁰

12 Commissioner **Cerra** reported the committee had a robust discussion. After discussion, the
13 committee voted and agreed to two (2) research and study white papers. The committee
14 will partner with the Civil Rights staff to research and write the papers.

15
16 The first white paper concerns the training around positional asphyxiation and compression
17 asphyxiation. The research will investigate what training is currently in place, what is the
18 occurrence of that training, how often training is given, and if it is a repetition. The research
19 will also find out what other law enforcement agencies and jurisdictions do, and what are
20 the best practices.

21
22 The second white paper concerns potential updates to the MPD Manual and the Use of
23 Force Section. There are a couple points on which the committee wants to do more
24 research. One point the committee would like to know is what other jurisdictions do around
25 the act of drawing a weapon or gun. Is that considered use of force elsewhere? The other
26 point is whether the act of kneeling on a neck, chest or back and/or the restriction of
27 breathing *could* be considered deadly force or *should* be considered deadly force. These
28 points are opportunities for an update in the manual.

29
30 Commissioner **Cerra** will report back as they have updates.

32 Audit Subcommittee

33 Vice Chair **Gokey** provided an update of the Audit Subcommittee, which met on July 9,
34 2020. Ryan Patrick, the Interim Director of Internal Audit gave a presentation on the list of
35 projects OPCR is doing around MPD work. There is definitely an alignment between
36 OPCR's work, and the studies on interactions and involvement in the community the PCOC
37 and the Audit Subcommittee want to move forward.

38
39 Vice Chair **Gokey** asked the OPCR Civil Rights Staff to work with Internal Audit to add to
40 their work, the study being done around 911 calls that include self-initiated police work.
41 This study is to understand how officers get to certain areas when nobody is calling 911,
42 how that work happens, what it looks like, and then the outcomes. We are expecting an
43 update from OPCR staff on the methodology for that study at the next Audit Subcommittee
44 meeting.

¹⁰ This agenda item was also moved to the end of the meeting to accommodate the time of the various presenters. In the recording, Commissioner **Cerra** gave this report at the end of Council Member **Gordon's** presentation and questions, and just before the Public Comment.

1 There was also an update on the Trans-Equity Study, which the PCOC ordered at the
2 March 10, 2020 meeting. Since then there has been staff adjustments in OPCR so that
3 study has been slow-going. Vice Chair **Gokey** hopes a report on the methodology for that
4 study will be given at the August 18, 2020 PCOC meeting.
5

6 Explanation of Trans Equity Project

7 Chair **Foroozan** explained the Trans Equity Project for the listening public. This is a project
8 to verify if MPD is following reporting procedures on hate crimes committed against those
9 who identify as non-binary. The civil rights staff of the OPCR is working on a methodology
10 to begin that study. Chair **Foroozan** is hopefully the methodology will be presented for
11 discussion at the August 18, 2020 PCOC meeting.

12 Elected Official Presentation – Council Member Cam Gordon

13
14 Council Member **Gordon**, expressed on behalf of the entire City Council the regret of not
15 having the time, energy, or wherewithal to be more inclusive and have more discussions
16 with the PCOC Commissioners. It's been a horrendous time for the Council and they have
17 been focused very much on how to respond to the community outcry over the tragic death
18 of George Floyd, how to pivot so they can move forward and re-think community safety in a
19 big and significant way.
20

21 This as a unique opportunity and the City Council will maximize the opportunity better if they
22 use all their resources. This is the reason Council Member **Gordon** is present at this
23 meeting. Council Member **Gordon** and the entire City Council considers the PCOC an
24 incredible resource to have. He is well aware of the good work the PCOC has done on
25 issues they have grappled with in the past. It was good to see what the PCOC is currently
26 working on and thinking about.
27

28 Council Member **Gordon** highlighted two big steps the City Council has taken, then
29 foreshadow what is ahead and how much he will be wanting the PCOC's help.
30

- 31 • First is a resolution the City Council passed on June 12, 2020. The passed
32 resolution calls for a year-long process of truth and reconciliation, reimagining,
33 reinventing, overhauling community safety, and public safety policing in Minneapolis.
34 He will attempt to drop a link to this resolution in the City's chat box¹¹.
35
- 36 • Council Member **Gordon** believes in the value that PCOC involvement and
37 leadership will provide on the resolution.
38
- 39 • The City Council asked the City Coordinator to put together an internal work group of
40 city staff and report back on July 24, 2020 with a recommendation about what should
41 be the next steps in this year long process of community involvement and
42 engagement.
43
- 44 • Second, the City Council gave notice of our intent to introduce a charter change.
45 The City Council has spent hours reviewing information, talking amongst themselves

¹¹ <http://news.minneapopolismn.gov/2020/06/12/city-council-approves-resolution-to-create-transformative-new-model-for-cultivating-safety-in-minneapolis>. The actual resolution is linked in the article. For convenience, it is also here: <https://lms.minneapopolismn.gov/Download/File/3806/Transforming%20Community%20Safety%20Resolution.pdf>

1 and with their own staff, reaching out to community members, community groups,
2 and community leaders to propose a new charter with the Police Department.¹²
3

- 4 • The City Council considers the introduction of a charter change to be the second
5 most important step.
6
- 7 • The City Council vote was unanimous on both the resolution starting a year-long
8 process of engagement, and the proposal to change the charter.
9
- 10 • The intention is to set out a structure so all that engagement will have a place it can
11 go and really make a difference. Currently, the Charter is prescriptive and very
12 restrictive about what can happen with the public safety realm within the current
13 Police Department.
14
- 15 • Taking this step, the City Council can ask the electorate what they want, i.e. do they
16 really want a holistic or more public approach to public and community safety? The
17 electorate now has a chance to weigh in. This will be a signal to the electorate that
18 the City Council really does want to make significant change, make it inclusive and
19 make it in a thoughtful way. The public is waiting and wanting the change.
20

21 Council Member **Gordon**, in parallel to the resolution and charter amendment, is opening
22 the part of the city ordinances that have the most to do with PCOC, which is Chapter 171¹³
23 on Police and Chapter 172.80 - Police Conduct Oversight Commission.
24

25 Council Member **Gordon** is not sure of the best timing, but he is getting suggestions that
26 these changes be on the November ballot. This means the drafting needs to start now so
27 people can see the muscle on the bones, or the structure of the foundation. Having the
28 changes on the November ballot will be condition on the Charter Commission completing
29 their work on time.
30

31 Council Member **Gordon's** intention is to re-do the two ordinances whether or not the ballot
32 initiative passes. He is especially curious to hear the PCOC Commissioners' thoughts on
33 how the ordinances can be improved to make PCOC's work better.
34

35 Council Member **Gordon** has particular items he is interested in doing, but he also wants to
36 hear from the PCOC. He wonders if a work group can be formed, or an additional meeting
37 scheduled, for an effective use of time. Then everyone who wants to be involved can help
38 inform on the changes and even the process for determining the changes and the next
39 steps.
40

¹² <http://www2.minneapolismn.gov/charter/public-safety>. The proposed amendment is linked in the article, but it is also pasted here for convenience:
<https://lms.minneapolismn.gov/Download/File/3882/MPD%20Charter%20Amendment%20Articles%20VII%20and%20Article%20VIII.pdf>

¹³ https://library.municode.com/mn/minneapolis/codes/code_of_ordinances?nodeId=COOR_TIT9FIOPR_CH172POCOOV

1 **Questions**

2 **Vice Chair Gokey**

3 *Vice Chair **Gokey** thanked Council Member **Gordon** for attending. She asked if Council*
4 *Member **Gordon** had earlier heard in this [meeting](#) ¹⁴ that the PCOC voted to set up a*
5 *temporary subcommittee to look at the Oversight Ordinance. Vice Chair **Gokey** expressed*
6 *her interest to work with the City Council to review and revise what is currently working and*
7 *what can be changed. Vice Chair **Gokey** asked if Council Member **Gordon** can share any*
8 *specifics, assuming the charter amendments are supported and go through, on how he*
9 *envisions civilian oversight to look under the new model of public safety.*

10
11 Council Member **Gordon** has ideas. However, he first confessed to everyone that
12 when the Ordinance was amended several years ago, he voted against it. He is
13 very familiar with the CRA. In fact, in 2006, which was his first year in office, he was
14 part of a group that reviewed the CRA.

- 15
- 16 • His group did a very in depth study; they had a task force that included police
17 leadership, the police union, several council members (if he remembers right,
18 there were 4), the City Attorney, the Chief of Police and representative. They
19 all came up with a plan of what can be done to repair and fix the Ordinance.
20
 - 21 • Interestingly enough, one of the chief recommendations in 2006 was some
22 kind of early warning system. In fact, he recalls two separate years where the
23 City Council put money in the budget for an early warning system.
24
 - 25 • Most recently, in 2019 the City Council put money in the budget for an
26 additional staff person who was never hired even though the job went out and
27 people applied for it. 2019 rolled by, and the person was never hired.
28 Council Member **Gordon** is not sure what went wrong.
29
 - 30 • Council Member **Gordon** would like, as a part of this study, to look back at
31 the Civilian Review Authority and how that worked.
32
 - 33 • When the CRA was active, the City Council actually had a member of the
34 CRA participate in the conduct review cases. There was more of a
35 connection and Council Member **Gordon** believes an element is missing by
36 not having that kind of connection at all.
37
 - 38 • Council Member **Gordon** also noted that there used to be opportunities for
39 panels to review misconduct complaints. The panels consisted of community
40 members not necessarily police officers. He is interested in looking at how
41 that can be done again.
42
 - 43 • Council Member **Gordon** fought hard when the ordinance was amended to
44 make sure that if somebody requested a civilian investigator they could. And
45 they do, and they generally get one.
46

¹⁴ He was not scheduled to join the PCOC's remote meeting until later due to another meeting commitment.

- 1 • Interestingly enough, Internal Affairs is staffed at a much greater number than
2 the investigators in Civil Rights. Council Member **Gordon** would like to fix
3 that. In fact, he is leaning towards wondering if there needs to even be an
4 Internal Affairs Division. Typically, when there are other departments and
5 other city employees in other areas and there are complaints and concerns
6 about them, they don't have an internal group that's all set up to investigate
7 all on their own. Usually HR and the City Attorney's office are involved, and it
8 certainly goes through the Department. Council Member **Gordon** wants to
9 look more into how that works.
- 10
- 11 • One of the easy things that can be done is to make sure the ordinance aligns
12 with the restraining order from the state and limit the review time to 30 days.
13 Council Member **Gordon** believes Council Member Linea Palmisano has
14 introduced an amendment specific to this.
- 15
- 16 • Council Member **Gordon** believes there could be a rule that involves the
17 PCOC more and getting that information as well as having the PCOC review
18 complaints. He believes it is beneficial if there is more information that can
19 be shared.
- 20
- 21 • But I also think there could be a rule where we could involve the PCOC more
22 by possibly having them review complaints and getting that kind of
23 information. He believes if there was much more information shared that
24 would be good.
- 25
- 26 • Council Member **Gordon** believes what people really want is non law-
27 enforcement reviewing these cases. Then people can understand what the
28 community standards and expectations would be.
- 29
- 30 • Council Member **Gordon** would also like to strengthen the discipline authority
31 and not just leave it in the hands of the Chief. There are other pieces of that
32 where state law, labor law and contract law might get in the way of the
33 determinations about discipline.
- 34

35 These are just some of Council Member **Gordon's** ideas. He is hoping there are a
36 lot more ideas from community members. He is also hoping that the community
37 engagement process will shed light on a lot more things.

38
39 Council Member **Gordon** would like to step back. He does not want "a White man in
40 power" to result in the belief he has all the answers. Rather, he wants to be open
41 minded and open hearted to share what the concerns are, to take the lead from
42 others, and use his unique role as a law maker for the City of Minneapolis to help
43 implement those ideas and follow that lead.

44
45 **Commissioner Cerra**

46 *Commissioner **Cerra** will wait until she has had time and a chance to consider in more*
47 *detail all that Council Member **Gordon** presented before asking any questions.*

1 **Commissioner Pineau**

2 *Commissioner **Pineau** expressed appreciation to Council Member **Gordon** for his time. He*
3 *also appreciates Council Member **Gordon's** position expressed at the end of his*
4 *comments. In particular, Commissioner **Pineau** acknowledged Council Member **Gordon's***
5 *leadership on this charter amendment, and also his voice in checking with the electorate in*
6 *every step of the process.*

7
8 *One of Commissioner **Pineau's** main concerns is that there be community involvement*
9 *particularly of Black indigenous and people of color in the City. Commissioner **Pineau***
10 *asked Council Member **Gordon** if he has a methodology or a set of practices to be able to*
11 *provide evidence to the fact that these people groups have been involved in the process*
12 *and will continue to be involved in the process.*

13
14 Council Member **Gordon** was not sure if Commissioner **Pineau** was referring to a
15 larger process. There has not yet been a lot of process yet regarding the specific
16 ordinance amendments, the sections, to which Council Member **Gordon** referred.
17 Although Council Member **Gordon** has certainly been informing folks along the way.
18 There have been years of listening in general conversations, and especially at
19 certain points along the way where a budget decision was made. There have
20 especially been lots of conversations with people groups in terms of the resolution
21 and charter amendment

22
23 Council Member **Gordon** would say he has worked most closely with MPD 150¹⁵
24 with Reclaim the Block¹⁶, and with Black Visions Collective¹⁷ in the last few weeks to
25 try and have more involvement and leadership outside of him, his office and the City
26 Council.

27
28 Council Member **Gordon** further explained that the charter amendment and
29 resolution has been led on many levels by Council members who are much more
30 diverse and who are listening to representatives from their wards.

31
32 Council Member **Gordon** brought forth a charter amendment in 2018 that was
33 pocket vetoed by the Charter Commission because they chose to take the 150 days
34 to review it. This is quite different now. The way this charter amendment is shaped,
35 stated and the accompanying resolution is not Council Member **Gordon's**
36 amendment, nor his voice, although he is in total support of the amendment. He is
37 in total support because he has been able to see the end, how great it can be and
38 understand that there are different ways to arrive at that end.

39
40 He is excited about the creation of the new Community Safety and Violence
41 Prevention Department that has a holistic public health approach to safety in
42 Minneapolis. He is excited about the flexibility, accountability, and transparency the
43 proposal will allow.

44
45 Being on the Council this long and seeing how departments work where the
46 structure is different, and how things work in the Police Department, he believes
47 some of the concerns of the amendment are probably unjustified.

15 <https://www.mpd150.com/>

16 <https://www.reclaimtheblock.org/home>

17 <https://www.blackvisionsmn.org/about>

1
2 **Chair Foroozan**

3 *Chair **Foroozan** expressed appreciation to Council Member **Gordon** for his presentation.*

4
5 Council Member **Gordon** left a budget meeting in progress to remotely attend this
6 PCOC meeting. He shared that all the comments, except for the Executive Director
7 of the downtown Council, had to do with how large the police budget is. He wished
8 that all the PCOC Commissioners could have heard the comments at this public
9 meeting. He regrets, on behalf of both him and the PCOC, the conflict of these two
10 meetings.

11
12 *Chair **Foroozan** asked if Council Member **Gordon** would be open to adopting any part of*
13 *the substitute proposals from Charter Commissioners **Abbott** and **Giraud-Isaacson** to*
14 *make the amendments more appealing to voters. Chair **Foroozan** asked if the charter*
15 *proposal from the City Council is the only option for Council Member **Gordon**. Chair*
16 ***Foroozan** realizes that Council Member **Gordon** cannot speak for the entire City Council.*

- 17
18 • Council Member **Gordon** explained that he is open to considering a substitute. He
19 has had an opportunity to think about two (2) proposals from the Charter
20 Commissioners and he believes them to be unacceptable.
- 21
22 • Creating a pilot is really unrealistic as it would be confusing to put a geographic area
23 under a different structure than the rest. He further explained that pilots have been
24 done in the past, i.e. a Co-Responder Pilot and now it has been expanded into more
25 precincts.
- 26
27 • Pilot ideas can be done to test out new ideas slowly and carefully and he is sure
28 pilots will be done under a new department. He would even suggest discussing
29 putting stipulations about pilots in the ordinance that would talk about the new
30 department. Overall, pilots are a distraction, but he understands why moving more
31 slowly and carefully might get more support from those who are fearful. But we can
32 also move slowly and carefully under a new charter which wouldn't take effect until
33 May 2021.
- 34
35 • The other proposal seems to take two (2) of the main elements that were of most
36 concern. It was a significant priority for City Council to remove from the charter the
37 budgetary requirement for the Police Department. The budgetary requirement was
38 put in the charter in 1961 under the leadership of the Police Chief Federation at the
39 time. This actually gave them 150 new members. This was the decade of Charles
40 Stenvig.
- 41
42 • Council Member **Gordon** explained the decade of Charles Stenvig. It is when the
43 Police Chief would become the Mayor. When Charles Stenvig lost the election, he
44 resigned a day early and the President of the Council reappointed him Police Chief,
45 so he was Police Chief with the Mayor who just beat him. The police really had a lot
46 of power back then. In fact, there are pictures of them stacking lawn signs in the
47 precincts and distributing them at roll call telling everyone to get out and campaign
48 for this new charter proposal.
- 49

- 1 • This minimum requirement and even the budgetary piece of that in the charter,
2 which means the money is going to be there even if the Council decides not to use
3 the general levy in the general fund at all, is guaranteed. Basically, it takes away
4 any real leverage we might even have about the union, takes away a whole lot of
5 that flexibility even if we wanted to do something like Camden, NJ ¹⁸ where someone
6 steps in for a brief time.
7
- 8 • Camden, NJ is a city where they shifted their police services over to the county.
9 Council Member **Gordon** does not want to do that; he does not believe it is
10 necessarily appropriate. But there may be some reason why that's something to talk
11 about, if to just give better leverage. But no other department has anything like that.
12 Council Member **Gordon** believes there used to be information in the charter about
13 funding from the 20s on, but that's not the way things are done now at all. In fact,
14 that whole section was shortened way up two (2) years ago when the charter was
15 cleaned up.
16
- 17 • Council Member **Gordon** disagrees having the Mayor retain complete power and
18 control over the Police Department. This has been a big problem with the City for a
19 long time. Having the Mayor retain control means policy decisions are made outside
20 of the public eye, there's nothing on an agenda anywhere, never has to be
21 discussed anywhere, and it can be changed even after it has been discussed.
22
- 23 • Council Member **Gordon** believes that what has worked much better is when there
24 is public discussion, proposals are made and brought forward, and Council
25 deliberates them. Quite honestly, one of the problems with the Police Department is
26 not having City policy over the Police Department. The City's biggest pieces of
27 policy are Police Department policy usually set by the Mayor. In some cases, there
28 was texting with the Police Chief about it and maybe a group helping them decide.
29 Council Member **Gordon** believes the Chief may have an Advisory Group that is not
30 at public meetings. He does not know if the Advisory Group really decides on policy.
31
- 32 • There is the famous example in approximately 2008 where the police wanted
33 \$250,000 to buy tasers. The City Council and the Civilian Review Authority were
34 concerned about tasers then because there were stories about taser use in other
35 cities and the harm tasers can do to people.
36
- 37 • That committee, before releasing that money, told the police to go back to the CRA
38 and develop a policy and do some community engagement. The Police Department
39 actually did that. The Police Department took a month and worked with the
40 Community Advisory Group and came up with a policy that outside groups were
41 signing. Council Member **Gordon** believes CUAPB was one of the community
42 groups very involved in that effort. The Police Department came back with a great
43 policy about tasers, limiting and restricting when they could be used, how they could
44 be used, where they could be used. And then committed to adopting that policy.
45 City Council could not say this is our policy, according to our City Attorney at the
46 time. It was now in the charter commission under Deputy City Attorney Peter
47 Ginder.
48

¹⁸ See Footnote 6.

- 1 • The charter says the Mayor has complete authority, control and command over the
2 Police Department and the policy was adopted, it was great, so the Police
3 Department was given \$250,000.
4
- 5 • Six (6) months later somebody from the Advisory Group of The Civilian Review
6 Authority reported to the City Council that the policy was no longer in the Police
7 Manual under their Use of Force Policy, it had been taken out. The City Council was
8 never notified, it never had to go to through a committee, and nobody ever had to
9 vote on the removal. It was only based on a decision that it be taken out.
10
- 11 • When Council Member **Gordon** asked the Police Chief at the time about it, he was
12 told, “oh yea we moved all that into Training, but we’re still doing it, don’t worry about
13 it.”
14
- 15 • That would never happen without the department when there was a broad base
16 policy, for example street construction or Fire Department coverage.
17
- 18 • Council Member **Gordon** believes it will benefit the City to have *city* policies. When
19 the Chief, Mayor and/or City Council members leave office, there is still a policy that
20 has to be changed later. Like a comprehensive plan. All the other departments
21 have plans and policies that become city policies and they’re not tied to anybody
22 else, except that department where those policies are always tied to the Mayor and
23 the Chief.
24
- 25 • When there’s a change in both, there is a dramatic shift. When Chief Harteau and
26 Deputy Chief Halverson were in office, the Department of Justice came in and there
27 was a whole new plan. When the new Mayor and Chief came in, it fell on the back
28 burner. One example is MPD 2.0 is now gone.
29
- 30 • There are provisions in both that would be unacceptable not just to Council Member
31 **Gordon** but to most everybody.
32
- 33 • That is not to say if they came back and preserved most of what was in there but
34 have a couple more words that might be some kind of compromise that folks could
35 work off of.
36
- 37 • A lot of people are concerned about the word “nay” in the Division of Law
38 Enforcement. It is important to some Council members to have the flexibility in case
39 it is needed. Council Member **Gordon** sees that as a way to have leverage with the
40 Police Union, but also let City Council contract out services if that makes more sense
41 for a future Council to have that option.
42

43 *Chair **Foroozan** asked if Council Member **Gordon** agreed with Charter Commissioner*
44 ***Abbott’s** proposal to distinguishing between the legislative and operational control over the*
45 *MPD. Does the City Council agree with having legislative control but not operational control*
46 *over the MPD.*
47

- 48 • Council Member Gordon explained that is what is being done now with every other
49 department, so he does not believe this will be a problem. He gave the example that
50 he cannot call Fire State No. 7 and tell them to send four (4) people to Fire Station
51 No. 11 because he wants more coverage there that day.

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- There is no operational control except when they lay down a policy and say when it snows 10” in 24 hours, the Director has to determine whether to declare a snow emergency. So there will be operational guidance in their policies.
 - Another example of operational guidance in their policies is when someone wants to change zoning. The City Council has written an ordinance that a certain amount of notice has to be given to a certain amount of people, and there needs to be a public hearing.
 - But we’ve done it at the high end where we are dealing policy guidance because we think it that important and rises to that level. I think there was a day, and there still can be a day, when there’s Aldermanic Privilege.¹⁹ But that is never in anyone’s procedures or policies. There are some vestiges of it; Council members get to sign off when there’s a no parking zone created. But it has to be recommended and pass the ordinance test and then there’s a sign-off that occurs. That is also operational but that’s part of the process.
 - Council Member Gordon believes that is fine, that is how it is, and that’s how the new charter will deem us. It does not give operational control.
 - The old charter actually hired and fired whoever they wanted. There is even a provision in the old charter allowing the Mayor to hire a temporary force. That was written when a lot of strikes were happening, and they needed to quickly hire as riots were going to happen. Council Member Gordon does not even know if the old charter makes sense. What is usually done now is delegate those kinds of decisions through policy to the department heads who the Council hires and appoints.
 - Council Member Gordon is not sure what Charter Commissioner Abbott is thinking of but he might have a misconceived notion. Essentially right now every department is going to see the Mayor as having some kind of executive oversight. The Mayor can be there for instructions but they’re going to think the operations are up to them, maybe except for the Police because you’ll hear the Mayor decide what kind of training they can and can’t have, after something happens so that’s unusual and not something the Mayor could do with public works or the Fire Department or anything else.
 - Council Member Gordon believes it’s a moot point because it’s already happening but it is absolutely a good point. The City Council is not going to be tied up in all the operations, they’re going to be tied up in policy making and voting on ordinances, resolutions, and staff directions.

44 *Vice Chair **Gokey** encouraged Council Member **Gordon** and the Council members to find a*
45 *way to work with PCOC and their new subcommittee that is going to be looking at the*
46 *oversight ordinance. We look forward to that collaboration.*
47

¹⁹ <http://www.encyclopedia.chicagohistory.org/pages/2197.html>

1 Council Member **Gordon** expressed his eagerness for either him and/or his policy
2 staff to attend those meetings and expressed a desire to also have staff member(s)
3 from the Civil Rights Department become engaged in the meetings.
4

5 **Closing Comments - Council Member Gordon**

6 In closing Council Member **Gordon** expressed his appreciation for PCOC's work.
7 This time is a historic opportunity for the City of Minneapolis and it's going to take
8 everybody helping to figure out how to leverage this for the most good.
9

10 Although there are only four (4) Commissioners on the Commission right now,
11 Council Member **Gordon** appreciates them all attending this meeting. He looks
12 forward to working with them in the weeks, months and some of them, hopefully,
13 years ahead.
14

15 **Brief Notice to the Public About Referenced Documents**

16 Chair Foroozan reminded the public that there are links to referenced documents on
17 PCOC's public agenda and also the meeting minutes.

18 **Public Comment**

19 Public comments are limited to two (2) minutes per caller.
20

21 **1231**

22 No response.
23

24 **1072**

25 Lucas Kaster, from Nichols Kaster PLLP, listened on behalf of Twin Cities Diversity
26 in Practice. He thanked everybody for having the meeting and for bringing forth all
27 the different presentations. It is appreciated.
28

29 **4121**

- 30 • Dave Bicking from Minneapolis shared his desire to send everyone the CUPB
31 paper on the charter amendment. The CUPB opposes the charter amendment.
32 The CUPB does like the idea of removing the limit on how many officers, but
33 otherwise the amendment makes the Police Department less accountable, and
34 the CUPB believes the amendment is not well thought out.
35
- 36 • He expressed his appreciation to Council Member **Gordon's** interest in the
37 PCOC. That is way, way, way overdue but better now than never. The principle
38 of the CRA being totally civilian, and the connection between those reviewing
39 cases and those reviewing policy are both very important aspects of the two
40 groups meeting together.
41
- 42 • Mr. Bicking sent the PCOC complaint data from the OPCR. The data shows that
43 in the last 6 months only 1 officer has been disciplined through the OPCR, and
44 that is for both internal and external complaints. One officer in the last six (6)
45 months received a ten (10)-hour suspension based on a complaint filed by a
46 member of the public *in 2015*.
47

- 1 • They are not keeping up and they are not discipling, and something should have
2 been done about this long, long before now when George Floyd was killed. A
3 terrible tragedy that could have been prevented. Mr. Bicking hopes the PCOC
4 will review the data and work with Council Member **Gordon** on any changes he
5 is considering to civilian oversight.
6

7 **8793**

8 Chuck Turchik expressed the following comments.
9

- 10 • Further to Council Member **Gordon's** story about the taser policy disappearing
11 from the Policy and Procedure Manual, the person who was on the CRA Board at
12 that time and who pointed out the disappearance to the City Council was none
13 other than Dave Bicking. For this reason, Mr. Bicking's comments should be
14 taken seriously.
15
- 16 • Mr. Turchik sent an email to the PCOC regarding the state statute (at Minnesota
17 Statute 626.89²⁰, especially Subdivision 17²¹) signed by then-Governor Dayton in
18 2012. Although Mr. Turchik had earlier sent an email, and it was discussed at
19 the June 9, 2020 PCOC meeting, Mr. Turchick wanted to present this topic. Mr.
20 Turchick is referring to the comments made by Chair **Foroozan** at the June 9,
21 2020 PCOC meeting on the statute being signed by then-Governor Dayton in
22 2012 right as Minneapolis was trying to reform its civilian oversight of police. It
23 was passed seemingly to limit the very reforms Minneapolis was discussing.
24
- 25 • Mr. Turchik pointed out in his recent email to the PCOC, in the CRA Board
26 Meeting Minutes of April 4, 2012, pages 2-3 City Attorney Susan Segal states
27 their new proposal would not be changed in substance at all by the changed
28 state statute. All it would mean was they would have to change the
29 recommendations on the merit and the Findings of Fact, the factual bases for the
30 recommendation on the merits, would have to be changed.
31
- 32 • His point is even the City Attorney said there was no change in their proposal
33 that was claimed by the state statute.
34
- 35 • It was two (2) years and four (4) days ago, July 10, 2018, when Mr. Turchik first
36 brought the suggestion to the PCOC to inquire as to what happened to the OJP
37 report, to which Chief **Arradondo** referred, dated January 2015.
38
- 39 • What happened to the recommendations that came from the Implementation
40 Committees that were formed after that report was published? Chief **Arradondo**
41 mentioned the Implementation Committee for one of the five committees that was
42 formed. However, he has been trying for two (2) years to get an update or for a

²⁰ <https://www.revisor.mn.gov/statutes/cite/626.89>

²¹ 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.

1 PCOC Commissioner, City Council member, or someone from the Mayor's office,
2 to request an update.

- 3
- 4 • What happened with those implementation recommendations?
- 5
- 6 • The PCOC Minutes of May 14, 2019 state that Deputy Chief Halverson promised
7 Vice Chair Laura Westphal an update. Vice Chair Westphal was not meeting
8 with Deputy Chief Halverson on her own, rather she was meeting on behalf of the
9 PCOC. The PCOC should demand that update from Deputy Chief Halverson. It
10 has been *fourteen* (14) months now since he promised the PCOC that update.
- 11

12 5043

13 Maddie Peterson called to thank the PCOC for finally bringing up the [Use of Force](#)
14 Policy. That is something she and her family have been pushing for review over the
15 last few years.

16
17 Another aspect of the Use of Force Policy that should be reviewed is the escort hold
18 and where that falls in the use of force. Currently, escort holds, which mainly means
19 when an officer puts their hands on somebody to move or "escort" them, is not
20 translated as use of force. The definition of an escort hold is very vague, causing it
21 to mean a lot of things as Maddie and her family have witnessed. Approximately
22 one year ago, Maddie and her family witnessed as officer doing quite an aggressive
23 hold on a man at a community event, using the escort hold. The officer did not have
24 to report that aggressive hold as use of force. This policy is something that should
25 be looked at.

26
27 Maddie reaffirmed Chuck Turchik's comment and remembers Laura Westphal
28 reporting at the May 14, 2019 PCOC meeting on her meeting with Deputy Chief
29 Halverson and his promise to provide an update. Maddie agrees this is something
30 that definitely needs to be investigated.

31
32 Maddie brought out the point about discipline being a part of the Early Intervention
33 System. The Early Intervention System should also include officer discipline.
34 Former Police Chief Harteau's discipline rate was around 7%. Currently, Chief
35 **Arradondo**'s discipline rate is around 1.4%. These numbers clearly show the
36 discipline process needs to be reviewed because this is what holds the Police
37 Department accountable. The current police system is not there right now.

38 39 Adjournment

40
41 With all the items on the agenda completed, Chair **Foroozan** made a **motion to adjourn**.
42 **Motion moved by Commissioner Pineau; Motion seconded by Commissioner Cerra**
43 All in favor, none opposed.

44
45 Chair **Foroozan** adjourned the meeting at 8:30 PM