

Police Conduct Oversight Commission Minutes

Regular Meeting

October 12, 2021 - 6:15 pm

Online Meeting

A regular meeting of the Police Conduct Oversight Commission was convened at this date and time.

Pursuant to Minnesota Statutes Section 13D.021, the meeting was held by electronic means and Board Members and staff participated remotely due to the local public health emergency (novel coronavirus pandemic) declared on March 16, 2020.

1. Roll Call.

Members Present: Abigail Cerra, Jordan Crockett, Kerry McGuire, Robert Pineau, Jordan Sparks, and John Sylvester (Quorum: 4)

Andrew Hawkins, Department of Civil Rights, convened the meeting due to vacancies in the positions of Chair and Vice Chair. He recommended that before proceeding to the agenda, the body elect an acting Chair to lead the meeting.

Pineau moved to appoint Cerra as Acting Chair. On roll call, the motion passed.

Aye: Cerra, Crockett, McGuire, Pineau, Sparks, Sylvester (6)

Nay: (0)

Abstain: (0)

Absent: (0)

2. Adoption of the agenda.

Cerra moved to adopt the agenda, including the following additional items, to be discussed after the elections of Chair and Vice Chair:

1. Update on Civil Rights Department and Office of Police Conduct Review staffing.
2. Quorum.
3. PCOC appointment process.
4. Staff interaction with PCOC.

On roll call, the motion passed.

Aye: Cerra, Crockett, McGuire, Pineau, Sparks, Sylvester (6)

Nay: (0)

Abstain: (0)

Absent: (0)

3. Acceptance of minutes

[Aug 10, 2021 Police Conduct Oversight Commission](#)

Sparks moved to accept the minutes of the Aug. 10, 2021, meeting. On roll call, the motion passed.

Aye: Cerra, Crockett, McGuire, Pineau, Sparks, Sylvester (6)

Nay: (0)

Abstain: (0)

Absent: (0)

4. Election of Chair and Vice Chair.

Pineau nominated Cerra to be Chair. On roll call, the motion passed.

Aye: Cerra, Crockett, McGuire, Pineau, Sparks, Sylvester (6)

Nay: (0)

Abstain: (0)

Absent: (0)

Pineau nominated Sparks to be Vice Chair. On roll call, the motion passed.

Aye: Cerra, Crockett, McGuire, Pineau, Sparks, Sylvester (6)

Nay: (0)

Abstain: (0)

Absent: (0)

5. General public comments

The following persons spoke during the general public comment period:

1. Dave Bicking: Mr. Bicking congratulated the new Chair and Vice Chair. He stated his concerns regarding who is running the Civil Rights Department and the Office of Police Conduct Review, as well as his concerns regarding the cancellation of the September meeting due to lack of quorum, which he felt was an egregious error on the part of the clerk.

2. Emma Pederson: Ms. Pederson stated that she is looking forward to hearing the discussion about the PCOC appointment process.

6. Update on Civil Rights Department and Office of Police Conduct Review staffing.

Andrew Hawkins, Department of Civil Rights Chief of Staff, introduced Carolina Amini, who is the Manager of Investigations, and explained that she is the director's designee until the Mayor appoints a new director.

7. Quorum.

Ken Dahler, Office of the City Clerk, clarified that the confusion around quorum at the September meeting arose from the consideration that the Council had established that this body have nine members. Now that the body has six members, quorum is four. He stated that the Clerk's Office would work expeditiously to ensure that the new quorum number was reflected on agendas going forward.

8. PCOC appointment process.

Andrew Hawkins reviewed the appointment process that was undertaken last year, which involved assistance from the City's Race and Equity staff and which resulted in appointment of the most diverse commission in the history of the PCOC. Discussion ensued regarding applicant requirements and the participation of MPD personnel in the interview process.

Cerra moved to recommend to the Mayor and City Council that the requirement that Police Conduct Oversight Commission applicants have no pending complaints against the Minneapolis Police Department be removed. On roll call, the motion passed.

Aye: Cerra, Crockett, McGuire, Pineau, Sparks, Sylvester (6)

Nay: (0)

Abstain: (0)

Absent: (0)

Cerra moved to recommend to the Mayor and City Council that Minneapolis Police Department officers not participate in the Police Conduct Oversight Commission applicant interviews. On roll call, the motion passed.

Aye: Cerra, Crockett, McGuire, Pineau, Sparks, Sylvester (6)

Nay: (0)

Abstain: (0)

Absent: (0)

9. Staff interaction with PCOC.

Cerra referenced communications she had seen or received from the City Attorney's Office and the Office of the City Clerk that she characterized as dismissive and vitriolic. Discussion ensued amongst commissioners.

10. Audit Subcommittee, Subcommittee Chair Pineau.

Pineau reported that the Audit Subcommittee had a presentation from Christopher Band, Civil Rights staff, on the quantitative analysis he's doing on non-announced search warrants within the City's jurisdiction. Pineau expects that this work will be completed by the end of the year. The subcommittee is also continuing to discuss coaching, although that conversation has been limited by ongoing legal matters. Cerra asked about the status of the research and study opened in conjunction with the Trans Equity Council. Pineau agreed to make inquiries and report back.

The Audit Subcommittee report was received and filed.

11. Policy & Procedure Subcommittee, Subcommittee Chair Cerra.

Cerra reported that the Policy & Procedure subcommittee has been talking with HCMC about medical training and HCMC has offered to provide ride along opportunities for interested commissioners. She explained that she would be representing the PCOC at a meeting with Jones Day regarding their work with the City of Minneapolis on negotiating the labor contract for MPD. She also stated that she had had conversations with City Attorney Rowader and Assistant City Attorney Joel Fussy regarding the PCOC's access to data and they confirmed that PCOC could have access to non-identifying demographic data but not to private personnel data.

The Policy & Procedure Subcommittee report was received and filed.

12. Case Summary Review Process

1. Review revised recommended process on case summaries.

2. Consider adoption of revised recommended process on case summaries.

Britta Momanyi and Carolina Amini, Civil Rights staff, presented the revised case summary process that incorporated the changes requested by the commissioners at the August meeting.

Sylvester moved to adopt the new case summary process. On roll call, the motion passed.

Aye: Cerra, Crockett, McGuire, Pineau, Sparks, Sylvester (6)

Nay: (0)

Abstain: (0)

Absent: (0)

13. Consider proposed PCOC Operating Rule 10 amendment.

Cerra opened the public hearing.

There was one person wishing to speak:

1. Dave Bicking

The hearing was closed.

Pineau moved to approve the amendment. On roll call, the motion passed.

Aye: Cerra, Crockett, McGuire, Pineau, Sparks, Sylvester (6)

Nay: (0)

Abstain: (0)

Absent: (0)

With no further business to transact, the meeting was adjourned at 8:15 p.m.

Reported by Lisa Brock, Clerk