

**POLICE CONDUCT OVERSIGHT COMMISSION
POLICY AND PROCEDURE COMMITTEE
Minutes
Regular Meeting November 19, 2015
Starting at 6:00 p.m.
350 Fifth Street, Room 241, Minneapolis, MN 55407**

Committee members Present: Andrew Buss (Chair), Jennifer Singleton, and Laura Westphal (quorum 2).

Committee Members Absent: None.

Staff Present: Ryan Patrick, Police Conduct Operations Supervisor.

Chair Buss called the meeting to order at 6:00 p.m. A quorum of the Commission was present.

Singleton moved to adopt meeting agenda.

Seconded.

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

The motion carried.

Buss moved to adopt the meeting minutes from October 2015 with the following adjustments: on page two under the second bullet remove “not” from the second line and “Case Summary #6” should read “Case Summary #8.”

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

The motion carried.

Ongoing Business

Research and Study Updates, Pending Information Requests, and Tracking and Review of Cases and Topic Areas

Police Conduct Operations Supervisor, Ryan Patrick, addresses the Committee. The following are the main points from his update:

- The “Doesn’t Fit Any Crime” the data has been collected; of the 650 instances 241 were sampled in addition to 100 of those sampled analyzed patterns, practices and charging.
- In 85% of the instances there were no CAPRS code available, which supports the statement that this issue is largely due to database limitations.

Pending Approval

- No specific pattern emerged and the offenses varied widely, for instance smoking in prohibited areas, possession of cigarettes by a minor, illegal skateboarding, interfering with traffic, public nuisance, parking violations, removal of solid waste, and misuse of a stun gun, among others.
- The most frequent type of miscellaneous code was spitting, which is no longer a crime in the City of Minneapolis.
- There were several strange cases that came up during the analysis; adding another 50 or more codes, which could increase the current list to include approximately 175 to 225 codes.
- The month-by-month trend is overwhelmingly decreasing in suing miscellaneous as an offense; in 2013 there were approximately 85 instances between May and July whereas over the same period in 2015 there were only 15.
- 456 of the instances originate in the First Precinct on Nicollet Mall.
- In over 90% of the cases the employment category was populated; there is uncertainty with regard to why this is, however 60% of the time the individual was unemployed, 26% were employed, and 14% were students.
- 74 individuals were actually booked into jail, three went to HCMC with issues associated with drug and alcohol usage, and 100% had other charges – a large percentage of them were warrants and heavily concentrated in the afternoon and between 11:30 and midnight.
- We have color coded the most common offenses, but given the amount of variability we couldn't code them all, nevertheless you'll be able to visualize the trends on the Google map.
- There were seven instances where we couldn't pinpoint the issue involved and there is no access to MNCIS – either the information is just not entered, or we cannot tell if the case was dismissed; we may be able to look at public defender information, which could provide an interesting perspective if it correlates.
- 69% of those charged with miscellaneous were African Americans, but that percentage does not differ from other categories; 42 of the 47 spitting tickets were issued to persons of color.
- In a few instances there were codes available but the officers missed it and mistakenly coded them as miscellaneous.

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

Westphal – asked if the report is on schedule indicating that the City may ask the PCOC to look into the demographic details and amnesty type programs, similar to that of other cities, such as New York, and if there has been any contact with the ALCU.

Buss – expressed his appreciation that the report is supporting the original thought that these arrests are easily explained for database limitations.

Pending Approval

Singleton – asked if any of the arrests arose from protests and if the office has been in touch with the ACLU with regard to the findings of the research.

Patrick – stated that there were no arrests arising from protest activity and that the office has not been in contact with the ACLU; the next steps include MNCIS data correlation, contacting the MPD to allow them to respond to the report, and then reaching out to the ACLU. He also indicated that there is a qualitative component to the study. Although there is no pattern or a department statement, but there is narrative of the events and statements that are representative.

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

Pending Information Requests

Chair Buss indicated that a meeting needs to be arranged with the training department. With no further information available, the Chair moved to the next item on the agenda.

Cultural Awareness Training / Recommendations and Implementation Plan

Chair Buss addressed the Committee. The following are the main points from his update:

- Would like to explore other observation or monitoring opportunities similar to the training classes for cadets, which the Commissioners were invited to attend.
- Will be setting up an initial meeting with Training Commander Shoemberg.

With the conclusion of the update from Chair Buss, he opened the floor for discussion. With no further discussion on the matter the Chair moved to the next item on the agenda.

MPD Code of Conduct Policy

Commissioner Westphal addressed the Committee. The following are the main points from her update:

- Deputy Chief Arradondo will be coming to discuss implementation, but unsure which meeting he is scheduled to attend.
- The citizenry has been looking at matrices that are four to five years old and would like that information updated.

With the conclusion from the update from Commissioner Westphal, the Chair opened the floor for discussion. The following is a list of speakers and an abstract of their individual comments:

Pending Approval

Buss: the issue of outdated matrices has been on the agenda for quite some time and would like to see an updated policy. Asks if the discipline matrix has been posted online stating that the Committee has not seen the information and would like to have the information available to the public.

New Business

Proposed Study of EDP / MH Interactions

The Chair opened the floor for discussion. The following is a list of speakers and a brief abstract of their individual comments:

Buss – doesn't have any framework in mind but would like to explore how those calls are handled, being reacted to, and how those interactions are occurring indicating that perhaps the biggest problem is that it may be an underlying factor mixed together with other incidents.

Westphal – indicated that she will be attending a meeting in December, which may provide a good starting point to the new study.

Singleton – asked if it would be feasible to do a random sampling of cases and suggests a motion at the next Commission meeting to develop the methodology for this particular study.

Patrick – indicated that it is possible to look at EDP calls in isolation but there could be obstacles in that EDP is an underlying factor to another type of incident and the calls could be coded otherwise, but could start looking at who is ticketed. But as long as a representative population is represented and able to divide into yes or no questions, then it is possible to break down those situations and could provide the public access to information they would not have otherwise had access to. Suggests a preliminary review of data.

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

Referrals from the Commission to the Committee

With no new referrals from the Commission to the Committee, the Chair moved to the next item on the agenda.

Pending Approval

Future Meeting Schedule

The Chair indicated that the next Committee meeting has been moved to the following date:

- **Thursday, December 15, 2015 at 6:00 p.m.**

With the conclusion of the update from the Chair, the Chair opens the floor for discussion. With no further discussion on the matter, the Chair moved to the next item on the agenda.

Public Comment

The following is a list of speakers and an abstract of their individual comments:

Kathy Czech:

- There have been other jurisdictions that have studied EDP calls and some of the issues they have studied are as follows:
 - Waiting times at HCMC or hospital facilities
 - Repeat of services
 - Cost of calls [repeat services]
 - The cost of the use of jail facilities versus community health services to meet individual needs.
 - Use-of-force statistics.
 - Homelessness – approximately 64% of the homeless population has a mental illness

Adjournment

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

Singleton moved to adjourn.

Seconded.

All in favor. None opposed.

The motion carried.

Chair Buss adjourned the meeting at 7:13 p.m.