

Falcon Heights City Council Workshop

**City Hall
2077 W Larpenteur Ave.
6:30 P.M.**

**AGENDA
Wednesday, May 3, 2017**

- 1) Review and Discuss Task Force Recommendations
Regarding Policing**

If you have a disability and need accommodation in order to attend this meeting, please notify City Hall 48 hours in advance between the hours of 8:00 a.m. and 4:30 p.m. at 651-792-7600. We will be happy to help.

Falcon Heights Task Force on Policing & Inclusion

Report to City Council Conveying Recommendations on Policing

May 3, 2017

About these Recommendations

These recommendations lay out a set of goals for policy implementation and change relating to restoring mutual safety and trust for community members and police. The Task Force on Inclusion and Policing was charged by the City Council of Falcon Heights to articulate our values as a community to be inclusive and welcoming environment for residents and guests of Falcon Heights, with an emphasis on policing values, policies and procedures, and to recommend policies and programs to improve policing and inclusion.

We have deliberated thoughtfully to fulfill our charge, including by gathering extensive community feedback (through four community conversations, the results of which are summarized on the City website) and by consulting with subject matter experts in four priority areas (policing, police-community relationships, citizen oversight boards, and joint powers authorities).

The following recommendations set forth goals and frameworks for strengthening the realization of community values for public safety and policing. We preface them with a few caveats about what they do *not* include:

- § We recognize that some of the following practices are already common practice in some police departments, while others are quite new. Collectively, we believe these practices are good foundations for ongoing, continual improvement in policing.
- § Our charge includes making recommendations on inclusion more broadly, as well as on policing specifically. In about a month, the Task Force will convey its recommendations for additional work on transforming our community to continually combat stereotyping and prejudice and advance mutually respectful relationships and inclusion of all.
- § We recognize that there is much work to be done to spell out the operational details for implementing these policing recommendations. In some cases, we are able to convey some more detailed implementation suggestions based upon the input of our expert panels and our review of the literature, although generally such work probably exceeds our domain of expertise and our compressed timeframe as a Task Force comprised of community volunteers. Furthermore, the police department serving Falcon Heights should be involved in sorting out the finer aspects of implementation. Clearly, however, the Task Force is invested in the accomplishment of these goals, and we ask the City Council to commit to implementation. Specifically, we suggest the City promptly enter into an agreement with subject matter experts in equity, policing, and public policy to work with the City Council and police department to develop a 2-year work plan and a 5-year strategy to implement these recommendations.

Culture and Values

Anti-discrimination culture. Everyone – residents, city government leaders, police officers, and others - need to actively acknowledge the long history and current reality of racism and other forms of discrimination in our country. In City Council meetings, community conversations, and our Task Force meetings, many people have spoken to their lived experience of stereotyping and bias, yet privilege allows some people to even deny that stereotyping and bias exist and are problems. The Task Force was charged to look at policing. We recognize that policing reform is needed in our country. However, we emphasize also the need for work throughout the community to recognize and address inequity, injustice, and discrimination. (The Task Force is still developing recommendations on the broader topics of building a culture of inclusion, confronting racism, and restorative justice. We present these separately to the City Council in May.)

Respect for Life. Respect for life and minimizing harm to all are our highest priorities in public safety and policing. The mutual safety and well-being of the public and police officers are essential.

Community Values. Our community, including our public safety officers, should uphold and advance all of our community values. A statement of these values should be included in any contract for police services.

Anti-profiling. Policing patterns that could be construed as profiling are contrary to our community values and damage community-police trust and the protection of everyone’s well-being. We strongly affirm the obligation to treat all people fairly and equally under the law, without discrimination on the basis of race, color, creed, religion, national origin, gender, marital status, familial status, disability, public assistance status, age, or sexual orientation.

Police-Community Relationships

Mutual Safety through Mutual Trust. We care about mutual safety of community members and officers, and feel this is enhanced through mutual trust. We want to know our officers, to have them know and be attached to our community, and for community members to feel protected by police and officers to feel that our community is a desirable and safe duty location. Falcon Heights should continue to have law enforcement officers who work routinely in Falcon Heights and get to know our community. The city’s website should include a link to photos and short introductions to officers working in Falcon Heights, to help residents and visitors become familiar with the officers serving our community.

Ownership. Falcon Heights needs to have significant authority with the police department serving our community, beyond annual reporting. This is a foundation for realizing all of the implementation recommendations we are making, particularly when it comes to building strong community-police relationships and trust, living our community values, and training. It is also an essential foundation to ensure that city leaders may respond in a timely and effective fashion if there is a serious (acute or persistent) concern about a public safety issue or policing performance.

Community engagement. We recommend several actions to build mutual trust and appreciation and to reduce separation between “the community” and “the police” and to break down “us vs. them” boundaries. Police supervisors’ and officers’ duties should include participating regularly in community conversations involving the interested public and police and other community events. We recommend that the police department frequently host workshops (with the public or with culturally competent liaisons who will work directly with diverse communities) to explain what people’s civil rights are, in the event that they should have an interaction with police. This is a relationship-building opportunity to build trust through positive interactions and very visibly demonstrating the police department’s commitment to civil rights. Similarly, we recommend that be community-led and community-oriented trainings, for police officers and any interested member of the public, to familiarize officers with the challenges that residents and visitors face when it comes to public safety or policing. (Please refer to the full set of training recommendations, below.)

Community-Police Commission: This is a structure, independent of the police department, to enable ongoing communication and relationship-building, timely response to emerging problems in public safety and policing, and advocacy for changes in policies and resources to advance continual improvements in public safety and policing. It is not a structure for performing investigations of complaints about police misconduct. While a majority of members should be from the community, we strongly encourage the involvement of a senior member of the police department and preferably at least one other police officer in every meeting, to facilitate mutual learning from one another’s knowledge and experiences about the contexts of crime and policing, to build relationships and trust, and to have shared ground for working together on culture change to improve mutual safety and trust.

The three purposes of the Community-Police Commission are:

- § To serve as a channel for community members to give positive or negative feedback or register complaints on police conduct. As an entity independent of the police department, this committee provides an alternative option for anyone who would prefer not to present their feedback directly to the police department. In addition, this provides a forum for conveying concerns that may not reach the threshold for a full investigation by the internal affairs unit of the police department, yet nonetheless deserve attention. This function of the Commission allows those issues to become visible and get attention. If the Commission detects a pattern in these reports, it should offer recommendations to respond to the problem.
- § To support public safety by monitoring trends in public safety and policing. At least quarterly, the committee should receive and review the department’s aggregate data on crime, enforcement activities, complaints, and critical incident reports. This provides a mechanism for timely detection of emerging trends regarding public safety, biases or other problems in enforcement, and other issues. If issues are found, the Community-Police Commission might respond by continuing to monitor or by recommending to the City Council that they negotiate with the police department to make changes – for example, in programs, training, staffing, equipment, or budgets – to improve public safety and policing.
- § To safeguard the procedural integrity of the police department’s internal affairs process for investigating and resolving complaints. We believe that it is in everyone’s interest to have an

investigation system that is trusted for investigating complaints in a timely and procedurally fair way; this is essential to trust in the police department and to the safety of the community and officers. At least quarterly, the committee should receive a report on all police conduct investigations, at a level of detail to protect confidential information and yet permit monitoring of the completeness and timeliness of police conduct investigations and yet with sufficient transparency to reveal any persistent pattern of complaints about particular types or locations of policing activity or officers. At least annually, the Community-Police Commission should make a written report to the City Council and police department about whether programs and resources for training and the complaint handling procedure should be sustained or changed.

The Commission needs to have teeth to accomplish any of these goals. The reviews it makes of complaints, trends, and the procedural integrity of the police department must be consequential for the Commission to have legitimacy and trust. That means that any recommendations that come of these reviews should need to be acted on with fidelity to the purposes they are meant to accomplish. It is hoped that direct communication between the civilian members and police department representatives would proactively and easily resolve any issues. However, the Commission might sometimes also report concerns or make recommendations – for example, for changes in community programs, training, staffing, equipment, or budgets – to City Council, in its capacity as a steward for the wellbeing of community members and employees (or contracted employees), authorizer of the policing contract, and decision-maker about policies and budgets. We request that the City Council support well substantiated recommendations made by the Commission. If the City Council subsequently acts on the Commission recommendations by making a request to the police department, and the police department does not respond by implementing the request or by explaining its inability to do so, the police department should be considered to be out of compliance with its contract with the City of Falcon Heights.

Training and Capacity

Mental health for mutual safety and well-being. The city should arrange to have, on call at all times, professionals with extensive training in social work or mental health to provide timely support for de-escalation of policing situations, support for the mental health of police officers, and mental health assistance to community members interacting with the police.

Training: Officers should have regular, high-quality training to build their capacity for de-escalation of themselves and others and for recognizing and preventing bias (including implicit bias). As mentioned above, community-led and community-oriented training about the challenges that community members face in public safety and policing is a key component of strengthening community-police relationships generally, as well as for building police officers' skills for community engagement. the content of these workshops might include, for example, training on bias, matters relating to race, community-led guidance about cultural norms for interacting respectfully with diverse groups in Falcon Heights, or the historic origins of some persistent prejudices or disparities. We strongly suggest that these forms of capacity building should receive attention on a par with the more conventional forms of required training for law

enforcement officers (e.g., on use of force or procedures for emergency vehicle operations). Training for what is sometimes called a “warrior” mindset does not serve our community values and the mutual safety and trust of the public and officers.

Hiring and workforce. The police department should continually strive to have a diverse workforce, preferably one that reflects the diversity of residents and visitors in Falcon Heights.

Data and Transparency

Data collection: The police department should collect comprehensive data on all police interactions and crime. Emerging research on best practices for building police-community trust suggest it is especially beneficial to collect these types of data: basic demographic information; the public safety concern, location, and context; the incident outcome (e.g., information given, warning issued, citation); and whether the suspect(s) had weapons. Summary reports should be made monthly to the City Council and published on the City’s website in as much detail as possible without violating privacy.

Public Feedback: The City of Falcon Heights should gather public feedback on policing through at least three mechanisms:

- § In every interaction, police officers should give the person with whom they are interacting a card that identifies the officer by name and provides a phone number and website to submit feedback (positive or negative), questions, suggestions, or complaints. Assuming the Community-Police Commission is instituted, it should be listed as an option, independent of the police department, to provide feedback.
- § On an annual basis, the city should conduct a survey of households to solicit feedback on policing.
- § At least semi-annually, the City Council, police department, and public should hold community conversations to enable continued communication about community values, public safety issues, and positive or negative feedback on policing.

Serious incidents: To build community trust, if serious incidents occur (e.g., public safety emergency, officer-involved shooting, or a serious allegation of police misconduct), the police department and City of Falcon Heights should communicate as promptly, thoroughly, and openly as possible.

Priorities for Policing Activity

Respect for all is the foundation for policing in our community. The highest priorities for policing activity are:

- § **Emergency response** to 911 calls and violent crimes are the highest priorities.
- § **Community policing.** Officers need to get to know people. Some steps to engage with people in non-enforcement activities include getting out of their cars, participating in community events, etc.

- § **Cultural competence and community engagement:** In an effort to build relationships, training for cultural competency must be linked with positive cultural and community engagement to build relationships.
- § **Informative policing.** In enforcement-related interactions, officers should promptly inform the individuals(s) involved about why they are being stopped (e.g., to explain that they were observed running a stop sign). This should improve compliance with laws, the safety of the public and officers, and community-police trust.
- § **Traffic policing:** Dangerous moving violations are high priority. Policing for other motor vehicle violations is a lower priority, and the policy for these should be to issue a warning. We recommend the City explore opportunities to proactively intervene in downward cycles associated with fines for minor violations. For example, the City might consider forgiveness options for fees for some offenses, or invest in a program -- like the Lights on! program found in several Twin Cities communities -- which provides drivers with financial assistance to take care of minor problems with vehicle equipment compliance.

Property crimes, although they are one of the most commonplace crimes in Falcon Heights, were not mentioned as a priority during community conversations. We do not assume that it is a low priority; possibly people did not mention it because they take this kind of policing for granted. This reinforces the value of our recommendations about data reporting and public safety trend monitoring to communicate and respond to public safety concerns and policing activities.

Ownership

Ultimately the City Council has authority and responsibility for keeping a contract with SAPD or moving to some other arrangement. In early April 2017, the City Council instructed the city administrator to begin a Request for Interest from other potential providers.

Many comments were submitted at the community conversations to the effect that increasing ownership and ensuring that the police department respects community values are more important than the specific structure of the arrangement.

When participants in the community conversations were asked to express and explain their preferences for different organizational arrangements for policing, the option of issuing a new Request for Proposals to contract a police department received much greater support than any other option. Two other options - renegotiating with SAPD (which received some support, while some people completely opposed it) or constituting a shared police department through a joint powers agreement -- were less well supported. There was very little support for creating a police department just for Falcon Heights.

On the basis of our consultations with subject matter experts and the literature on organizational options for policing, we recommend constructing the contract to:

- § Articulate community values as the foundation for public safety and policing.
- § Emphasize mutual safety through mutual trust. Build structure and routines for regular communication, mutually responsive consultation and problem-solving, and ongoing relationship-building between the community, city leadership, and police department.

- § Affirm the importance of ongoing, high-quality training – specifically including the forms of training on implicit bias, de-escalation, and community-oriented training on community experiences and to build cultural competence – and provide resources for this.
- § Ensure mechanisms for data collection and sharing, accountability, and compliance.
- § Provide clear and compelling consequences for non-compliance with the contract, which should be designed to incentivize a prompt remedy to problems, but if necessarily also provide an option to exit.