

# Police Conduct Oversight Commission

## *Minutes*

Regular Meeting August 8, 2017

Starting at 6:00 p.m.

350 Fifth Street, Room 319, Minneapolis, MN 55407

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**Commission Members Present:** Andrea Brown (Chair), Jennifer Singleton (Vice Chair), Afsheen Foroozan, Luke Davis, Laura Westphal, and Jeffrey Wade.

**Commission Members Absent:** None.

**Staff Present:** Velma Korbel –Civil Rights Director, Imani Jaafar - OPCR Director, Ryan Patrick, Ryan Franson, and Gabriel Ramirez.

**Chair Brown called the meeting to order at 6:05 p.m.**

**A quorum of the Commission was present.**

**Wade moved to adopt the meeting agenda**

Seconded.

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

**The motion carried.**

**Wade moved to adopt the meeting minutes from June 15, 2016.**

Seconded.

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

**The motion carried.**

Chair Brown asked for a moment of silence for Commissioner Buss, who passed away the previous month.

## Public Comment

*Dave Bicking*

- Recognized the efforts of Commissioner Buss
- Passed out body camera fact sheet
- Stated that it was unfortunate that the MPD had not accepted the PCOC recommendations on body camera activation. Noted that it was only after the Justine Damond shooting that public opinion required that the MPD adopt an activation policy that was at least closer to what the PCOC (and the public) had recommended.
- Noticed that MPD stated that they were working on revised camera policy for months but didn't inform PCOC
- Stated that absent strong policy and strong enforcement, MPD will not turn on cameras

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*Chuck Turchick:*

- Stated that Buss was the commissioner who was most instrumental in setting up the queue for the topics on case summaries
- Doesn't believe that OPCR or PCOC try to cover up for police
- Doesn't believe that the system was set up so that police misconduct gets covered up
- Stated that there are people in the community who think the people in the organization are attempting to cover up for the police
- When case summary results are dismissals, there should be enough facts to convince someone who believes the system is rigged that it was a legitimate dismissal
- Should include enough evidence that would convince police officers that a sustained allegation is fair

*Clarence Falk (unknown spelling)*

- Mostly hears about training of police officers, but rarely hears about screening, behavioral or psychological
- One is gaining a group of skills, the other is to find out if you are fit for the job
- Was in peace corps, 12-15 page evaluation, members were sent into community to find out about the individual and do background check
- Peace Corps had significant evaluation by psychiatrists and evaluators
- Should be like this for police
- Like Peace Corps members, police should have to go into a community to build relationships and meet people
- Should have to live with someone in the city while they go through training
- Rumor that there is one person who decides whether someone should be a candidate
- You need a team or group to determine whether a candidate is qualified
- Golden opportunity with screening to minimize the number of bad apples you get.

## New Business

### Comments from Civil Rights Director Velma Korbel

*Below are Director Korbel's comments:*

Good evening, Madame Chair and Commissioners

My name is Velma Korbel. I am the Director of the Minneapolis Department of Civil Rights.

- My thoughts and prayers are with the family of Commissioner Andrew Buss, who passed away in June. My prayers are for their peace and comfort as they mourn his loss. Commissioner Buss's sudden passing has given me an opportunity to reflect, as loss often

## *Pending Approval*

does, on the unpredictability of life and how we need to take more opportunities to appreciate one another. In my reflecting, I realize that I don't take enough opportunities to say how much I appreciate you – as individuals, as public servants and as champions for justice. Thank you for your service to the City of Minneapolis.

- As we approach the end of 2017, I know that some of you are considering whether or not you wish to seek a reappointment to the Police Conduct Oversight Commission. I am probably not the first to say this, but I hope you will consider coming back. There is still much work to be done in shaping the future of police/community relations in Minneapolis. You've only scratched the surface.
- Last month's tragic events have, once again, put a spotlight on the ongoing conversation in our community about the future of policing in Minneapolis, and has galvanized leaders to take action. Some of that productive conversation happened at a community listening session hosted by Council Member Linea Palmisano that my Department participated in. Elected leadership support is crucial in this moment because for any system of oversight to be effective, elected officials need to be invested in its success.
- I am encouraged after conversations with the mayor, council members and leadership throughout the City that the enterprise is supportive of the Office of Police Conduct Review and is invested in seeing it succeed.
- The Office of Police Conduct Review was created the same year the Minnesota legislature, with heavy lobbying from the police federation, passed some very police-friendly legislation that could have discouraged us and potentially weakened civilian oversight to the point that to continue would have been meaningless. But we came back from St. Paul with a re-commitment that civilian oversight is not a luxury – it is a necessity, especially in a city that seeks to be one of the most progressive but is still plagued by severe and significant community policing issues.
- We have had to work hard to make people believers in the OPCR and PCOC process. The work has not stopped – Smart trained staff matter. Efficient processes matter. Effective relationships matter. Accurate data matters. Facts matter.
- And speaking of facts, in recent weeks, there have been some comments made about the OPCR that are inaccurate. I recently posted a blog entry to correct some of those misconceptions. Some of the misinformation out there seemed to suggest that the OPCR is failing and that the former Civilian Review Authority was a more effective civilian oversight resource. While I have much respect and appreciation for the work done by the former Civilian Review Authority, based on the current numbers, OPCR is a much more effective model. OPCR has seen more disciplinary action result from its cases in the last 2 years than in the last 10 years of the CRA. Despite having a good board and a good staff – and its best efforts – work out of the CRA resulted in no discipline in the last 3 years of its existence.

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- Since the beginning of OPCR I have heard concerns about the fact that the OPCR works alongside the police department. As I said earlier facts matter:
  - OPCR is a division inside the Minneapolis Department of Civil Rights with work relationships with the Internal Affairs Unit of MPD.
  - OPCR has direct data access to body camera footage, police reports, and all necessary evidence to do its work.
  - OPCR also has the ability to compel testimony from officers without the need for subpoena. None of this access would be possible if OPCR did not work alongside MPD.
  - And while the Minneapolis Police Department and the Minneapolis Department of Civil Rights might work for the same enterprise we don't have to be on the same side - and oftentimes are on opposite sides - of the issue. Just because you don't see it play out in the press or on social media doesn't mean serious and significant discussions aren't occurring.
- The entire staff and myself as the Director are committed to taking stances on cases that protect the rights of everyone involved and to making sure that complainants are heard and have access to justice.
- OPCR is a strong model that has shown results and has even more potential to expand civilian oversight. You can see all the OPCR results on our website and there is a fact sheet available with the web address for those who would like it.
- We hope that both the community and the City enterprise will work with us to make sure the public has the strongest voice possible in police misconduct issues and that those who are wronged will be heard and the cops that perpetrate those wrongs will be held accountable.

Thank you.

### Update from Law Enforcement Analyst Ryan Patrick

*Law Enforcement Analyst Ryan Patrick provided commissioners with information regarding the body camera audit being performed by the Internal Audit Department.*

### Presentation from Chief Medaria Arradondo

*Chief Arradondo provided commissioners with information regarding the new data dashboard to be released by MPD. It is located at <http://insidempd.com/datadashboard/>*

### Unfinished Business

## *Pending Approval*

### Audit Committee Update

*Commissioner Singleton addressed the Commission:*

- Noted that Commissioner Buss was the chair of the Audit Committee and Commissioner Singleton would temporarily take over the role.
- No meeting occurred due to a lack of quorum.

With the conclusion of the update from Commissioner Singleton, the Commission moved to the next agenda item.

### Outreach Committee Update

*Commissioner Westphal addressed the Commission.*

- Discussed the community forum that occurred prior to the meeting.
- Wanted to issue a formal invitation to the MPD commander in charge of training.

*With the conclusion of the update from Commissioner Westphal, the Chair moved to the next item on the agenda.*

### Policy and Procedure Committee

*No Policy and Procedure Committee meeting occurred in the prior month.*

### 2017 Selected Case Summaries: July Case(s) 1, 3, and 5

Case 1:

*Commissioner Foroozan asked whether there was a lost and found for guns, whether any steps were taken to inventory the weapon, why the officer waited to notify the complainant about the gun, and whether it was recorded that the officer informed dispatch about the gun.*

*Commissioner Davis inquired whether there was a policy for stopping someone with a carry and conceal weapon Permit.*

**Westphal moved to send the issue of policy related to a carry and conceal permit to the Policy and Procedure committee.**

Seconded.

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

**The motion carried.**

**Singleton moved to send the issue of training recruits and screening applicants to the MPD to the Policy and Procedure committee.**

## *Pending Approval*

Seconded.

**Foroozan moved to amend the motion to split the issues of training recruits and screening applicants to the MPD into two separate items.**

Commissioner Wade suggests prioritizing screening.

All-in-favor. None opposed.

**The motion carried.**

Case 3:

*Singleton stated that the officer showed a lack of respect. Would like to see those cases coached more. The coaching audit is in the works.*

*Wade noted that officers should be respectful but could be having a bad day. Not defending the officers but doesn't need to be more of an issue than it deserves. Should focus on extreme behavior. A partner or a supervisor should tell them to relax.*

*Brown stated that the coaching study should cover this type of behavior.*

*Foroozan agrees that this is on the lower end of the language issue but that people expect officers to be respectful.*

Case 5:

*Davis stated that sometimes officers can prejudge a situation and come in with a judge and jury attitude. Stated that the officers escalated the situation unnecessarily and created a situation that was unnecessary. Officer could have avoided this.*

### Audit Summary and New Case Selection

Davis: 1, 6, 10

Foroozan: 1, 6, 10

Singleton: 6, 1, 9

Wade: 3, 8, 9

Westphall: 1, 6, 9

Brown: 1, 6, 8

Chair Brown indicated the new case selections for discussion at the August 2017 meeting are **case numbers 1, 6, and 9** as the top picks, which were then selected by **unanimous consent of the Commissioners.**

## Adjournment

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

**Foroozan moved to adjourn.**

Seconded.

*Pending Approval*

All-in-favor. None opposed.

**The motion carried.**

**Chair Brown adjourned the meeting at 7:32 p.m.**