

DRAFT MINUTES

Community Police Commission (CPC)

September 02, 2020, 9:00am – 10:30am
Via Zoom Conference Call

CPC Attendees: Prachi Dave (Co-Chair), Rev. Harriett Walden (Co-chair), Rev. Aaron Williams (Co-chair), Scott Bachlar, LaRond Baker, Suzette Dickerson, Colleen Echohawk, Erin Goodman, Esther Lucero, Natasha Moore, Mark Mullens, Alina Santillan, Joseph Seia, Douglas Wagoner

CPC Staff: Brandy Grant (I.E.D.), Nick Christian, Nia Franco, Jesse Franz, Shayleen Morris, Luiza Montesanti

Review Agenda / Announcements

A Agenda was sent to CPC Commissioners, Staff, and Stakeholders

The CPC voted to approve 09/16/2020 CPC meeting agenda.

“Approve the 09/16/2020 CPC meeting agenda.”

Moved: Suzette Dickerson

Seconded: Douglas Wagoner

Yes: 11

No: 0

Abstentions: 0

Not present, did not vote: 6

The CPC voted to approve 09/02/2020 CPC Minutes.

“Approve the CPC meeting minutes from 09/02/2020.”

Moved: Suzette Dickerson

Seconded: Rev. Harriet Walden (stepped away from Chair)

Yes: 11

No: 0

Abstentions: 0

Not present, did not vote: 6

DOJ/Monitor Update

DOJ Update – The DOJ has no updates.

Monitor – Ron Ward on behalf of the Monitor.

- On 09/08/2020, Judge James Robart appointed new monitor, after resignation of Merrick Bob, who served as Monitor since 2012.

- New Monitor, Antonio M Oftelie, Executive Director of Leadership for a Network World, and involved in academics at Harvard University.
- Monisha Harrell appointed at Deputy Monitor. Board Chair of Equal Rights Washington.
- Ron Ward and Matthew Barge reappointed to the Monitor Committee.

City Council – Newell Aldrich, Legislative Aide for CM Lisa Herbold, reports,

- On Friday 09/11/2020 the Public Safety and Human Services Committee heard briefings from CPC, OPA, and OIG regarding recommendations of use of Crowd Control Weapons
- District Court submittal from the City of Seattle due 10/03/2020

Mayor's Office – no updates.

CPC Updates

Co-Chair Updates-

- (Co-Chair) Rev. Harriet Walden calls attention to News Briefing e-mail sent on Mondays and Thursdays by CPC Staff Jesse Franz. Recommends reading articles from sent on 09/14/2020 regarding the resignation of Merrick Bob and opions of former Mayor of Seattle Mike McGinn.
- Co-Chairs and IED Grant recognize Monisha Harrell for her contributions as a Commissions for the CPC.
- IED Grant poses meeting with new Monitor team to Co-Chairs.

Governance Committee Update-

- Commissioner Erin Goodman reports next Governance meeting scheduled for 09/18/2020.
- Reviewing updated Bylaws from City Attorney, report out expected at 09/23/2020 CPC Meeting.
- E-mail was sent from Jesse Franz regarding permanent ED search. Responses requested by EOD 09/16/303, in order to schedule small group meetings with the firm conducting search.
- (Co-Chair) Prachi Dave suggests using time in CPC meeting to outline Commissioner involvement in permanent ED search.
 - o (Co-Chair) Prachi Dave, (Co-Chair) Rev. Harriet Walden, (Co-Chair) Aaron Willians, Suzette Dickerson, Douglas Wagoner, Colleen Echohaw, Esther Lucero, LaRond Baker sign up verbally to participate in search.

Work Group Updates- State Legislative Agenda

In order to accommodate CM Andrew Lewis' presentation, workgroup updates were split into two sections during the meeting.

- Commissioner Colleen Echohawk reports out, working meeting to occur 09/18/2020. Invites additional Commissioners to join.
- Final report out due to OIR the week of 09/21/2020.
- CPC will receive drafted legislative agenda at 09/23/2020 CPC Meeting for a vote.
- Current focuses: Collective Bargaining, De-escalation, Decertification, Qualified Immunity
- IED Brandy Grant and Commissioner LaRond Baker continue efforts towards CPC creating Legislative Agenda independent of the City of Seattle

Discussion with CM Andrew Lewis (District 7)

CM Lewis presents on ways his office is proposing to restructure first response in Seattle.

- Fundamental questions: What are the new services? If not police then who responds?
- Using model from Eugene, OR for best practices: Assistance Helping Out in the Streets (CAHOOTS)
 - Program is approximately 30 years old.
 - Run out of White Bird Clinic in Eugene (analogous to Downtown Emergency Services Center (DESC))
 - Hardwired into 911 dispatch. A van that goes out to low acuity 911 calls: behavioral/mental health crisis, substance abuse, extreme Poverty, public health, welfare check
- STAR from Denver, CO. CAHOOTS-like pilot started in June 2020.
- Seattle model would not respond to crimes, Criminal calls to remain with SPD. Would serve 56% of calls for service that are non-criminal.
- Seattle currently has Health One program, housed in Seattle Fire Department
 - CM Lewis to schedule ride along for he and staff.
 - Currently a single vehicle, operating during business hours.
 - CM Lewis working to double Health One program: adding second vehicle, moving closer to 24-hours service, and expanding service area beyond Pioneer Square and Downtown,
- Biggest struggle more backend investments. Need services/physical locations people can be delivered to: possible shelter space or public health facility.
- Public Defender Association (PDA) identified as possible partner.
- \$50,000 from rebalance budget to go towards research/development best practices
- Dispatchers Guild interested in exploring CAHOOTS model
- SPD working on analysis of number of calls that could go to a low acuity response team

Questions/Comments from Commissioners

- Commissioner Alina Santillan, questions how the program will address racial and economic disparity in 911 calls, when prejudice or bias lead to the false accusations of criminal behavior. Points to incident where Seattle Parks staff called 911 on Community run school supply drive in early September of 2020.
 - CM Lewis, racial disparity in policing does go beyond diversifying types of first response. Need cultural shift. Beyond the capacity of CAHOOTS. Need new criteria and procedures for 911 dispatch. Request from Decriminalize Seattle, making 911 independent from SPD, for quality control and accountability.
- Commissioner Alina Santillan questions how to build supportive infrastructure to adequately
 - CM Lewis agrees more infrastructure needed. Seattle has a lot of outreach without scalable mental health or housing systems. Passing Jumpstart will help address this, in talks with Third Door for scaling permanent supportive housing. CM Lewis office working on landuse regulations to change costs associated with building permanent supportive housing. Could save 70-80k per unit built.
- IED Brandy Grant asks what tools and training have been considered to ensure non-violent resolutions of crisis situations. And what partnership with mental health agencies and providers look like, as 20-50% of fatal encounters with Law Enforcement involve individuals with mental health diagnosis?

- CM Lewis responds with desire to increase number of mental health providers in the field. Goal to remove expectations that SPD is primary responder. Crisis Intervention Team currently have 5 Mental Health Workers embedded in team, with officers that have all had 40-hour CIT training, Exploring ongoing crisis training to officers. Possible CIT career path, including matching hours of clinicians. CAHOOTS model requires 500 hours of training.
- IED Brandy Grant clinical points to 3000 hours required for some therapists, and had concerns about law enforcement acting as therapists
 - CM Lewis agrees that clinicians do any therapy. Proposed baseline for CAHOOTS model, staffed by non-police service providers, could be 500 hours. Partnering with DESC, Dan Malone, to define next steps and training. DESC currently has Mobile Crisis Intervention Team, county wide program. Only triggered in situations where police responded first and elect to involve civilian mental health clinicians. New model would not up to discretion of officers.
- Commissioner Esther Lucero points to desires to decenter police from crisis response and concerns with the City of Seattle's relationship between King County and organizations like DES; they do not spread responses across BIPOC and LGTBQ+ communities. Has concerns about the hoarding of resources, Would like to see more established MOUs with community based organizations. Clarifies that Thunderbird Treatment Center is still in possession of Seattle Indian Health Board but is in the process of being sold to Mt. Baker.
 - CM Lewis to follow up with PDA and Lisa Daugaard for clarification on the building. CAHOOTS model inherently abolitionist, clarifies the he not advocating for police to be embedded as mental health responders. No models currently exist that have entirely replaced a police department. In Communication with Commissioner Colleen Echohawk about diversifying provider pool. Shares concern about over-dependence on select providers.
- Co-Chair Rev. Harriett Walden questions how to CAHOOTS model will be scaled to fit Seattle with more racial and economic diversity than Eugene, OR
 - CM Lewis looking into this issue. Read auditor report from New York that explored demographic concerns. Oakland, CA and Denver, CO both adopting models. Believes it can be adopted for Seattle population

Updates from the Office of Police Accountability

OPA Executive Director Andrew Myerberg presents on open Officer Involved Shooting (OIS) investigations and Memorial and Labor day protest cases.

- Received several complaints about the shooting death of Terry Carver. Some received in June 2020 amongst the 18,000 e-mail complaints regarding the Memorial Day protests.
- Does not affect the 180-day deadline for the investigation. Contractual deadline remains in January 2021.
- Waiting for Force Investigation Team (FIT) and Force Review Board (FRB) to do their investigations, then OPA will move forward on investigation.
 - Intake already completed.
 - 3 officers names in the case. All three accused of failure to de-escalate.
 - 2 officers who fired upon Mr. Caver also to be investigated for use of deadly force
- Investigation of shooting death of Sean Fuhr is ongoing. Also waiting for FIT an FRB to finish their investigations.

- Intake already completed.
- (Co-Chair) Rev. Harriet Walden asks if OPA automatically investigates all OIS, or if a complaint must be filed to trigger an investigation.
 - Director Myerberg clarifies that OPA does not automatically investigate all OIS. Process formerly required a complaint from a directly involved party. Process changed, under ED Myerberg, so that complaint can come from someone not directly involved. OPA can self-trigger investigation as well.
- Co-Chair) Rev. Harriet Walden suggests possible policy change, possible CPC recommendation
 - ED Myerberg points out that CPC looked at closed cases in the past. Recommends reviewing of closed cases, OPA developing to update CPC within 30 days of cases being closed, without redactions.
- Douglas Wagoner asks about relationship between an OPA investigation and the King County inquest process. Additionally, ask for update on 18,000 complaints about protests.
 - ED Myerberg clarifies OIS investigation process: FIT, the administrative body for all OIS, responds to scene of OIS to begin investigation,
 - FRB reviews this investigation to decide whether OIS adheres to SPD policy.
 - OPA, if a complaint is received, investigates once administrative investigations are done
 - County Inquest is separate. New processes being developed, and thusly occur substantially after all internal SPD investigations. No significant relationship between OPA and inquest process.
- Commissioner Colleen Echohawk raises emotional triggering over OIS that involve knives, because of John T Williams. Raises concerns about lack of de-escalation of those in crisis with knives. Questions about the use/efficacy of tasers.
 - ED Myerberg confirms OPA will be looking at tactics, de-escalations, and whether another force tool that could have been used.
- Commissioner Ofc Mark Mullens asks for clarification about specific concerns with cases involving knives
 - Commissioner Colleen Echohawk restates concerns about the presence of a knife on someone in being used to justify the loss of life
 - (Co-Chair) Rev. Harriet Walden and Commissioner Esther Lucero share the concerns of Commissioner Colleen Echohawk and point to Charleena Lyles case as further example of lack of de-escalation in practices.
- OPA currently has about 100 protest related cases from 05/20/202 to present.
- Rolling out first 6 findings on Friday 09/18/2020.
- 8 Complaints from Labor Day protests
 - 6- excessive force related
 - 1- Professionalism/de-escalation related
 - 1- Professionalism concerning officers antagonizing the crowd.
- 18,000 complaints received about 05/30/2020 weekend protests
- 14,000 complaints received were regarding the pepper spraying of a child
- Original proposed timeline of 90 days was not feasible due to number of complaints, but 180 days contractual deadline will be met.

Executive Session

For the purpose of discussing complaints made about a public employee, and discuss the performance of a public employee

Workgroup Updates

Due to limited meeting time, update from Defund Workgroup report out was abbreviated.

- Commissioner Esther Lucero extends open invitation to Commissioners to joining 09/18.2020 meeting
- Discussion about maximizing Community voices and perspective of defund
- Presentation about Council Resolution regarding defund given at 09/11/2020 meeting
- Workgroup drafting recommendations to bring to full Commission for a vote
- Commissioner Esther Lucero and (Co-Chair) Rev Harriet Walden to make calls regarding Commissioner engagements regarding defund.
- Mayor Durkan's budget speech scheduled for 09/29/20. Committee working to complete recommendation before speech.

Meeting Adjourned