

MINUTES

Community Police Commission (CPC)

April 24th, 2013 9:00 am – 12:00 p.m. at El Centro de la Raza

Attendees: Lisa Daugaard, Co-Chair; Diane Narasaki, Co-chair; Kate Joncas; Jay Hollingsworth; Jennifer Shaw; Tina Podlowski; Kip Tokuda; Rev. Harriett Walden; Rev. Aaron Williams; Marcel Purnell; Bill Hobson

Absent: Joseph Kessler, Kevin Stuckey, Claudia D'Alegri

Presenters: Merrick Bobb, Monitor; Ron Ward Asst. Monitor

Staff: Glenn Harris, Karinda Harris

Public: Onya Canmore, Sheri Day

ANNOUNCEMENTS

Diane welcomed everyone and had brief introductions.

Action items: N/A

PROPOSED AMENDMENT TO BYLAWS

Presentation by Commissioner Jay Hollingsworth (Lisa Daugaard and Marcel Purnell)
Jay presented amendment to bylaws on Commission Vacancies and Extended Absence (See attached Bylaws). The amended language follows:

"CPC recommendations to the Mayor and City Council regarding nominations for open Commission positions will adhere to the same criteria of the demographic attributes or other relevant constituencies represented by the Commissioner who previously served in the vacant position, and will recommend that nominees reflect those attributes or constituencies unless others are determined by the CPC to be more pressing priorities for representation."

Action items:

1. VOTE: All in favor of the amendment?

YES: Unanimous (11)

NO: 0

ABSTAIN: 0

REPLACEMENT COMMISSIONER

Diane led a discussion on potential new Commissioners and issues of representation. Commissioner raised concern regarding participation on the Commission who was convicted of violent crimes and the desire to give people who are victims of crimes a seat at the table. Commissioners discussed using the existing pool of applicants. Commissioner expressed interest in bringing on a person of color with experience in the criminal justice system, similar to the departing Commissioner, John Page.

Commissioner expressed the need for someone who has experience in dealing with police in communities of color.

Action items:

1. VOTE: Add the CPC Selection Criteria to the Bylaws as an attachment.
YES: Unanimous (11) NO: 0 ABSTAIN: 0
2. VOTE: In favor of reopening the Commissioner candidate pool, and conducting outreach to constituencies representing the outgoing Commissioner?
YES: Unanimous (11) NO: 0 ABSTAIN: 0
3. VOTE: Is the Commission willing to agree to the language used in the CPC Selection Criteria: "Individuals who have faced arrests or convictions and taken significant steps toward rehabilitation should be strongly considered for positions on the Commission. A candidate who demonstrates this type of personal growth in addition to meeting other criteria for the position would be an invaluable voice for a Commission that truly seeks to create meaningful reform."
YES: 10 NO: 1 ABSTAIN: 0
Dissenting Opinion: Concern raised about an individual with a violent crime background participating on the Commission, but supports the position of the Commission on the issue.
4. Staff will begin a search for a new Commissioner using broad outreach and targeted outreach for individuals with experience in the criminal justice system.
5. Staff will ask John Page (outgoing Commissioner) for potential candidate ideas.

BUDGET & STAFFING

Presentation by Glenn Harris

Glenn shared the overall CPC office budget and cost savings for 2013 based on hiring deadlines. Commissioner suggested adding additional dollars to the CPC Budget for consulting and staffing. Commissioners made changes to the Director job description.

Action Items:

1. Staff will make changes to Job Description and begin search for candidate.

DISCUSSION OF WORK PLANS FOR WORKGROUPS

Presentation by Karinda Harris and Glenn Harris

Karinda presented a draft timeline and work plan for discussion. Commissioners expressed the need to bring in additional community voices to review the work, i.e. Youth Undoing Institutional Racism and other commissions in the City. Commissioner suggested hiring additional staff for public engagement and coordination. Commissioner suggested the need for a mechanism to collect data and review the information with OPA to look for biased policing.

Commissioners expressed a strong need for resources for workgroups, and the need for researching best practices and other national models. Commissioners discussed the need for workgroups to have additional community participation. Each workgroup should discuss their resource and consultant needs as part of developing their workplan. The Community Engagement group should take on the overall plan and process for community participation.

Action Items:

1. Community engagement work group will provide recommendations on overall plan and process for community participation.
2. Staff will look into hiring consultant(s) to support workgroups.

MONITOR UPDATE

Presentation by Merrick Bobb, Monitor

The Monitor will release their initial report on Friday, April 26th. The Monitor invited the Commission to review the report and submit their own report as needed. The Monitor also shared that the Mayor will be announcing the new OPA Director this week. The Monitor stressed his interest in supporting the Commission. Commissioner requested information on what other communities have done around the country.

The report will cover the use of force review boards and offers background information on use of force, and Crisis Intervention Training (CIT). The settlement agreement requires officers receiving more CIT.

Action Items:

1. Staff will email the report to the full Commission.

FUTURE AGENDAS/EMERGING ISSUES

Diane shared that the Community Engagement Workgroup has been charged with determining a process for addressing “emerging issues.”

Asst. Monitor, Ron Ward shared the example of car videos – “timing is essential to the credibility of the Commission.” Recommendation is that the CPC should weigh in on this issue. The Monitor also suggested that the CPC weigh-in. Commissioner stressed the importance that data and technology systems play with SPD. Commissioner expressed interest in taking on the issue of in-car video. Commissioner asked about storage and retention challenges of video data.

Commissioner expressed concerns regarding weighing in on “incidents,” as opposed to issues related to the workgroup areas. Commission needs time to get their work together.

Commissioner asked who’s task is it to make sure the Commission has information that fits into the work of the CPC. Monitor team should present/surface issues that the CPC should consider. The Monitor shared that everyone is responsible for getting the information needed – “Commissioners, Mayor’s Office, Monitor, SPD, everyone.”

Commissioner hopes that we would set up a process that people add their information and briefings for Commission to hold emerging issues. Commissioner stressed the importance of people putting forward items for the Commission to consider, including issues like CIT.

Commissioner expressed concern on the time limitations of the workgroups.

Commissioner suggested that Staff could help with coordination with the Monitor, SPD and others.

Action Items:

1. Staff should check in with Monitor, MO, Council, SPD, etc. for agenda items.
2. Co-Chairs will work with the MO and Council to ensure that items coming up related to SPD and/or police reform are shared with the Commission.
3. Next meeting the Commission will discuss criteria for how and whether the CPC engages on particular issues and the mechanism for MO, Council, Monitor and community to bring issues to the Commission.

OTHER BUSINESS

Diane shared that CM Harrell had to cancel due to discussions with SPOG. Commission agreed that the Monitor attend the next meeting. Commissioners discussed the Police Chief selection process for future meetings. Commissioner expressed need for a conversation on public disclosure/open meetings act and Police Chief selection process for a future meeting. Concerns were raised regarding not spending too much time on the Chief selection process. Commissioners agreed that deep community engagement was critical for the selection process.

Commission extended a 10 minute public comment period:

- Community member suggested having one meeting weighted toward public comment and one meeting weighted toward work plan items.
- Community member expressed concerns regarding police use of in-car video and personal cell phones.

Action Items:

1. Invite CM Harrell to attend the next meeting.
2. Invite Monitor to attend the next meeting.
3. Invite MO staff to layout timeline for Police Chief selection process timeline. First find out when MO will start.
4. Community Engagement Workgroup will follow-up on the work.

NEXT MEETING
Wednesday, May 8th
9 am – 12 pm

CITY OF SEATTLE COMMUNITY POLICE COMMISSION BY-LAWS ***(Adopted 4-10-13/Amended 4-24-13)***

PREAMBLE

Whereas the Seattle Community Police Commission is authorized by Ordinance 124021 to organize, elect officers, and adopt such rules and administrative procedures consistent with the City Charter and said Ordinance as are necessary for the conduct of its affairs and performance of its functions and responsibilities prescribed in Section 3 of said Ordinance; Now, therefore, the organization and rules of procedures of the Seattle Community Police Commission shall be as follows:

ARTICLE I: COMMISSIONERS

Expectations

Commissioners are expected to:

- Attend regularly scheduled Commission meetings
- Attend and participate in community meetings, forums, and other events as a Commissioner
- Serve on at least one standing committee
- Volunteer to serve on ad hoc committees as needed
- Respond in a timely manner to communications that require a response
- Act as informal liaisons to the community, to listen to concerns, get input and feedback on Commission activities

Terms of Office

Members of the Commission are appointed for the duration that the Settlement Agreement and MOU are in effect.

Resignation

A Commissioner who wishes to resign from the Commission shall notify the Co-Chairs in writing prior to the Commissioner's resignation.

Commission Vacancies

Should a vacancy on the Commission occur, the Co-Chairs, after consultation with the Commission, shall present options for replacement to the Mayor and Council. CPC recommendations to the Mayor and City Council regarding nominations for open Commission positions will adhere to the same criteria of the demographic attributes or other relevant constituencies represented by the Commissioner who previously served in the vacant position, and will recommend that nominees reflect those attributes or constituencies unless others are determined by the CPC to be more pressing priorities for representation.

Removal of Commissioners

Commissioners can be recommended for removal from the Commission for due cause at a regular meeting of the Commission, provided that at least seven (7) days written notice of such intent is given to all Commission members. The motion to consider removal shall be made at the first meeting following the required notice. The motion to remove shall be voted on and requires a three-quarter (3/4) majority vote, by secret ballot, of all voting Commissioners (*not* 3/4 of Commissioner's present) to pass. The Mayor can remove a Commissioner for cause.

ARTICLE II: OFFICERS

Election of Officers

The Commission shall elect two Co-Chairs from the Commission membership, each of whom shall be elected annually in January.

Co-Chairs

The Co-Chairs shall preside at all meetings of the Commission, shall sign all official documents of the Commission, appoint all committees and committee chairs of the Commission based on the preferences of the Commissioners. In the event that both Co-Chairs are absent or unable to perform their duties, their duties will be assumed by their designee, or by a member approved by the majority of members present.

The Co-Chairs shall be responsible for setting the meeting agendas, meeting dates, times, and locations, and ensuring, along with staff, minutes are recorded for each meeting and distributed well in advance of the following Commission meeting.

Removal of Co-Chairs

Any Commission member may make a motion to consider the removal of either Co-Chair from office for due cause at a regular meeting of the Commission, provided that at least seven (7) days written notice of such intent is given to all Commission members. The motion to consider removal shall be made at the first meeting following the required notice. The motion to remove shall be voted on and requires a three-quarter (3/4) majority vote, by secret ballot, of all voting Commissioners (*not* 3/4 of Commissioner's present) to pass.

ARTICLE III: MEETINGS

Time and Place

Regular meetings of the Commission shall be held at least once each month at such time and place as the Commission Co-Chairs shall designate. Commission meetings are open to the public and shall be advertised a minimum of two weeks prior to the meeting date.

Special Meetings

Special meetings of the Commission shall be held upon the call of the Commission Co-Chairs or upon the request of five Commissioners. Said special meetings shall be called for a specific purpose or purposes and shall not take the place of a regular Commission meeting unless so determined at a prior regular meeting.

Quorum

A simple majority of currently appointed Commissioners shall constitute a quorum for the transaction of business.

Telephone Meeting

In special circumstances such as illness or travel, Commissioners may participate in a meeting of the Commission by means of a conference telephone or similar telecommunications device, which allows all persons participating in the meeting to hear each other. Participation by telephone shall be equivalent to presence in person at the meeting for purposes of determining if a quorum is present.

ARTICLE IV: ATTENDANCE

It is the responsibility of each Commissioner to attend all scheduled meetings of the Community Police Commission. In special circumstances, the Commission may grant a short leave of absence not to exceed three (3) months. (see Extended Absence).

An excused absence shall be defined as an absence due to one or more of the following:

- Illness
- Family leave
- Out of town trip
- Emergency
- Seattle Community Police Commission related business

To request an excused absence, Commissioners shall notify the Seattle Community Police Commission staff member and the Co-Chairs prior to the Commission meeting, stating the specific reason for the request. If the circumstances prevent a Commissioner from notifying staff or Co-Chairs prior to the meeting, the Commissioner will notify staff and the Co-Chairs as soon as possible.

When any Commissioner has not participated for a two month period in Commission business, the Commission Co-Chairs shall contact the absent Commissioner, discuss the absence and then recommend an action to the Commission if needed.

Appeal Process

If a Commissioner is recommended for removal but desires to continue serving on the Commission, she or he must appeal in writing within three weeks of the date of notice to the Co-Chairs indicating an intention to continue serving on the Commission. If a Commissioner has appealed but misses another meeting, the Co-Chairs shall notify the member and the appointing authority requesting the member's resignation or removal.

Extended Absence

If a Commissioner anticipates an extended absence from their Commission activities, they shall submit a written request for a leave of absence of not more than 3 months to the Commission Co-Chairs. The written request shall state the reasons for the request and the expected date of return to active participation on the Commission. The Co-Chairs will then make a recommendation to the Commission on the future participation of the member. After consultation with the Commission, if needed, the Co-Chairs shall present options for replacement to the Mayor and Council. (See procedures in Article I: Commissioners, section "Commission Vacancies")

ARTICLE V: COMMITTEES

Ad hoc committees may be formed by a majority of Commissioners to accomplish specific tasks or work outside of regularly scheduled meetings of the full Commission.

Chairs of committees will be appointed by the Co-Chairs.

All committees will meet until their designated task has been accomplished. Committee Chairs will be responsible for submitting minutes of meetings and keeping attendance. Copies of the minutes and attendance will be sent to the designated support staff person. Committee Chairs will provide to the staff person a copy of the current membership of their committees.

Committee Chairs and members may not speak on behalf of the Seattle Community Police Commission without the express permission of the Co-Chairs.

ARTICLE VI: AMENDMENTS

Amendment(s) to the rules of the Commission shall be made by written resolution adopted by a vote of not less than two-thirds of the membership of the Commission, which resolution shall be presented at the meeting prior to any vote taken thereon.

ARTICLE VII: DECISION MAKING

Decisions shall be made by group consensus whenever possible. In the event that consensus cannot be reached, a vote with a simple majority of those present will prevail. Dissenting opinions will be entered as part of the minutes if requested.

The Commission acknowledges that organizations represented by Commission members may disagree with actions taken by the Commission. In these instances, Commission members must

act on those disagreements in a transparent and respectful way that furthers our goal of building community trust in the Commission and the Police Department.

Proxies

Members are not allowed to vote in advance or by proxy for issues raised at Commission meetings.

Electronic Voting

Between Commission meetings, Commissioners are allowed to vote via email in a timely manner on the following items:

- Content of letters and other written documents discussed and/or voted on at a previous Commission meeting and where final approval is needed

Co-Chairs will email the material to Commissioners for feedback and final approval. Content must be approved by a majority of current Commissioners.

Emergency Actions

From time to time the Commission will need to act quickly in response to a crisis situation. Emergency actions will require a special meeting in person or by phone in accordance with our bylaws and public meeting laws.

ARTICLE VIII: MEDIA

The Co-Chairs shall act as the official spokespersons for the Commission on official Commission positions to the media, Mayor, City Council, or other governmental entities unless another spokesperson is chosen by the Commission or the Co-Chairs. Commissioners may speak on behalf of the Commission in other circumstances; however, in all cases they shall represent the majority position of the Commission.

Commission members will notify the Chairs if they are asked to speak on behalf of the Commission. Commissioners are free to speak to the community in their capacity as a Commissioner member, but they must be clear if they are speaking as a Commissioner, a community member or on behalf of an organization.

ARTICLE IX: STAFF

As provided in the city budget, the Seattle Community Police Commission shall provide staff and meeting facilities for the Commission. Staff shall notify the Co-Chairs when asked to represent the positions or policies of the Commission and in all cases act in accordance with directions and positions of the Commission.

ARTICLE X: ENDORSEMENTS

The Community Police Commission shall not entertain any requests for endorsements.

ATTACHMENT 1: CPC Selection Criteria and Framework

Screening

The Mayor should establish a clear screening and selection process and announce this as part of an application process with a clearly specified time limit:

- Applications must be sent to an email address or depository specifically designated for the application process; and
- Specific screening criteria need to be established to reflect the highest possible level of response to the items noted below under the Selection heading. □

Selection □

The following items should be considered for each potential candidate in order to increase the Commission's potential for success and productivity:

- Demonstrated experience working with communities that have been impacted by excessive use of force by the police;
- Demonstrated knowledge of policing policies, procedures and the specific areas noted in the MOU (including the DOJ Findings, the MOU, and the Consent Decree);
- Ability to demonstrate experience with creating, or articulate ideas for creating, a culture of policing that is community-based and constitutional;
- Demonstrated experience working effectively with diverse populations;
- An firm grasp of the concept of municipal jurisdiction;
- An understanding of how City departments function in relation to one another;
- An understanding of how labor negotiations work, from either a legal or a rank-and-file perspective;
- Ability to articulate a precise vision for the role of the Commission and describe how its work might positively impact the very communities it is designated to serve;
- Knowledge of, or experience with, the principles of the Race and Social Justice Initiative, including Undoing Racism and the Restorative Justice Circles. □

Applicants should be required to submit the following:

- A resume that demonstrates an ongoing commitment to local communities and to issues that bear a rational relationship to the concepts of police oversight and reform;
- A cover letter that contextualizes this ongoing commitment and specifically addresses the points above, in addition to the following: □
 - Demonstrated experience with police accountability issues and department policies and standards on use of force and bias-free policing; and, □
 - A statement about the demographics and socioeconomic conditions of the communities with whom they have worked or personally identify. □

Note: Individuals who have faced arrests or convictions and taken significant steps toward rehabilitation should be strongly considered for positions on the Commission. A candidate who demonstrates this type of personal growth in addition to meeting other criteria for the position would be an invaluable voice for a Commission that truly seeks to create meaningful reform.