

# MINUTES

## Community Police Commission (CPC)

**August 14, 2013, 9:00 am – 12:00 p.m.**

Seattle Municipal Tower

700 - 5th Avenue

**CPC Attendees:** Lisa Daugaard, Diane Narasaki, co-chairs; Claudia D'Allegri, Bill Hobson, Jay Hollingsworth, Joseph Kessler, Diane Narasaki, Tina Podlodowski, Jennifer Shaw, Kevin Stuckey, Rev. Harriett Walden

**CPC Absent:** Kate Joncas, Marcel Purnell, Rev. Aaron Williams

**CPC Staff:** Betsy Graef, Glenn Harris, Karinda Harris

### REVIEW AGENDA AND APPROVE MINUTES / ANNOUNCEMENTS

Lisa Daugaard welcomed everyone and there were brief introductions.

**Moved, seconded, and passed (11-0-0):** "To approve with no changes the draft 7/31/13 CPC board meeting minutes."

### AGENDA ITEMS

#### Community Engagement Workgroup Update –

Glenn Harris provided an overview about each of documents distributed to the board. He highlighted the tight Phase I timeline and that a decision was needed on the scope and budget for Phase II work.

Diane Narasaki provided context for the discussion, noting the critical importance of the CPC's work in community engagement. She reminded the group of its concerns about the limitations of the Monitor's survey, which heightens the importance to the CPC that its engagement efforts successfully reach deep into the communities most concerned with police issues and reform. The engagement process needs to both educate about the reform structure and process, and obtain useful feedback on CPC recommendations and ways to improve police-community relations and trust. Diane told the group that a fall summit was considered, but that time and budget constraints may mean that a large gathering should be held later, perhaps in early 2014. Instead, the Phase II work between now and December should focus on making sure the CPC partners connect deeply with community groups and meet the key obligation of listening to and reporting community views. The Community Engagement workgroup will draft a final Phase II scope of work and prepare a proposal for consultant and community outreach services. These will be voted on by the CPC at its August 28th meeting.

Glenn went over the budget for Phase II and the funds available through the end of the year for community engagement work.

**Moved, seconded, and passed (11-0-0):** "To approve the Community Engagement workgroup's recommended budget for Phase II, authorizing up to \$215,000 in expenditures, \$95,000 for consultant services and \$120,000 for outreach by community partners. "

The group also was asked to approve a tagline that will be used in CPC collateral materials. The community engagement workgroup proposed: "Our City. Our Safety. Our Police. Better Together." After discussing possible variations on the proposed tagline, the group agreed that the CPC should use the proposed language.

*ACTION item below*

### **Bias Free Policing Workgroup Update –**

Jay Hollingsworth led the discussion of the proposed revisions by the workgroup to the bias free policing policy drafted by SPD and the DOJ (and it was also noted that SPD and the DOJ may still make some language changes to their draft). The revisions proposed by the workgroup were discussed. A key change is the addition of language that addresses unintentional bias, or systemic practices that result in discriminatory disparate impact. Workgroup members spoke of how adopting a policy that addresses discriminatory outcomes will allow Seattle to be a model for the rest of the country because few, if any, cities have so far addressed the issue in their policies. The workgroup believes supporting a disparate impact policy will give the CPC an opportunity to make a truly meaningful difference. The workgroup also would like community feedback on the proposed policies and agreed that the community engagement workgroup should determine the process and timing for obtaining that feedback.

Much of the discussion concerned the need for sufficient time to digest the proposed changes, to ask and resolve important questions (among other things: definitions of terms, data to be used and metrics for determining illegitimate disparate impact, challenges in operationalizing the policy and in structuring accountability, liability and other possible legal considerations). Some members cited the importance of using care in choosing terms. For example, such terms as "equality," "equity," and "trustworthy" are used in different ways, so care should be taken in defining and using them. Also, is the policy clear and specific enough that SPD can implement and enforce it?

Others noted that the proposed disparate impact policy could serve as a value statement of SPD and the City. Glenn Harris suggested that the language is equivalent to the City's Race and Social Justice Initiative (RSJI) policy. By adopting this policy, the City can show it's committed to actively seeking to mitigate discriminatory outcomes (and indeed, may limit its legal exposure by having such a policy in effect). It was noted that it is difficult to prove intent, while outcome is more obvious; also by focusing on outcomes and the practices at a system level that may contribute to those outcomes, we can get at the *cultural* factors at play in situations of institutional bias.

The group asked that the community engagement workgroup develop a plan for release of the proposed policy and for getting public feedback. Glenn was asked to forward RSJI material to the workgroup as background. CPC members (as well as DOJ, SPD and other City representatives, including Law) were asked to provide feedback to the

workgroup by August 23. The workgroup will consider that input and bring a new version of the policy to the August 28 board meeting. A vote on the policy is planned for that meeting.

*ACTION items below*

### **Co-Chair Updates –**

#### CPC Response to Draft Use of Force Policy

A draft letter to Judge Robart asking for a schedule delay to allow CPC time to review and comment on SPD's proposed Use of Force policy was distributed and discussed.

Lisa Daugaard detailed the timeline on the Monitor's plan to approve and file the policy with Judge Robart, and the informal discussions the CPC has had with the Monitor about its desire to comment on the policy. While the CPC recently received a copy of the draft, the time allowed for review is limited since Merrick Bobb plans to make a decision on the policy before the end of August.

The Monitoring Team will determine if a court hearing is scheduled related to the planned filing, and will report back to the CPC.

The group agreed on the importance of the policy, given that use of force is at the crux of the entire settlement. Diane Narasaki noted that it is vital that the community have an opportunity to weigh in and that it would be a mistake to not allow the CPC, representing the community, to review and comment on the policy before it is adopted. Jennifer Shaw noted that the judge had specifically cited the review role of the CPC and that the judge should be reminded of that. Jay Hollingsworth stated that regardless of the judge's decision, the CPC should undertake a review of the policy.

Staff will update the draft to reflect several items discussed (CPC's routine engagement of SPD representatives in policy review; a suggested November 15 date for submitting CPC comments, and an explanation that the policy and CPC's comments would be incorporated into its plans for community feedback this fall).

**Moved, seconded, and passed (11-0-0):** "To approve the sending of a letter to the court expressing the CPC's view that it has a vital role to play in reviewing and commenting on the draft Use of Force policy and asking for more time to conduct that review."

*ACTION item below*

#### CPC Follow-Up on Monitor Survey

After a brief discussion of the CPC's concerns about the limitations of the Monitor's planned survey, the group agreed that the CPC would send a letter to the Monitor requesting that he not release the results of his survey until the CPC completes its community engagement activities in the fall. The letter will also ask that the Monitor not characterize the results of his survey as a "baseline" since it will not adequately reflect the views of the populations most directly impacted by the police.

*ACTION item below*

### Qualifications for Commissioner Vacancy

The group discussed the qualifications it most values in candidates to fill Kip Tokuda's position. Members noted that while Kip brought valuable knowledge about the development of policy and law, his most important contribution was his experience, the values he held about the involvement of community, and his way of thinking about community. Kip had deep insight about community representation and the role of the CPC in ensuring the community is heard on police issues. Ideally, candidates will bring policy skills and because of their background, keen understanding and knowledge of the importance of the community voice. The group agreed that many community sectors are not now directly represented on the CPC, so good candidates might come from any number of such sectors. It was specifically noted that individuals with a significant grassroots—rather than professional—background, might be good and that a grassroots person possibly from one of our immigrant and refugee communities could bring a needed perspective. Finally, the group agreed that the individual selected would ideally be someone Kip himself would enthusiastically support.

*ACTION item below*

### **Staff Updates –**

Betsy Graef provided the staff update, highlighting several items from the written staff report. She noted that the written report provides commissioners with a status summary of a number of items previously identified as needing follow-up.

Commissioners were invited to submit suggested questions for the next round of director interviews, and were asked to send these to Glenn by 8/19. Staff will draft a final set and obtain co-chair approval by 8/23.

A poll of commissioners indicates support for the proposed "equity stipend policy". Staff will work with the City to finalize details of a written policy and ensure it meets City guidelines. The plan is to implement 9/1.

Staff will review Sharepoint capabilities with DoIT and establish any administration or maintenance provisions before moving forward to adopt it and train CPC members. Tina Podlodowski suggested that, alternatively, the CPC might want to just use Drop Box to sidestep any complications resulting from accessing Sharepoint through the City.

*ACTION item below*

<b>PUBLIC COMMENT</b>
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- A community member shared that she is concerned about an article in the Stranger on police officer behavior.
- A community member shared his concerns about commissioners representing the black community. He wants the CPC to be a strong advocate for the black community.

## **SUMMARY OF ACTION ITEMS**

1. The Community Engagement workgroup will re-draft a proposed Phase II scope of work and finalize recommendations for contracting for consultant and community outreach services. These items will be voted on at the August 28 board meeting.
2. At its August 22 meeting, the Community Engagement workgroup will develop a plan for release of the proposed Bias Policing policy and for getting public feedback on the policy.
3. Staff will forward RSJI material to the Bias Free Policing workgroup as background.
4. CPC members (as well as DOJ, SPD and other City representatives, including Law) will provide feedback on the proposed Bias Free Policing policy by August 23.
5. Staff will revise the draft Use of Force letter and prepare it for transmittal.
6. Staff will draft a letter to the Monitor concerning the schedule for releasing the results and expressing a desire that he not characterize the results as "baseline".
7. CPC members will submit suggested questions for the next round of director interviews to Glenn Harris by August 19.
8. Staff will share with Mayor's Office CPC suggestions/observations about desired qualifications of a new commissioner and discuss with the Mayor's staff a plan for seeking qualified candidates.
9. Staff will develop and vet a stipend policy, with a goal of implementing September 1.
10. Staff will investigate administrative/maintenance issues related to Sharepoint and alternatives (Drop Box), with a goal of implementing a system in September that allows CPC members to share files.

## **POTENTIAL ITEMS FOR UPCOMING CPC BOARD AGENDA**

1. Bias Free Policing Policy Recommendations
2. Stops and Detentions Policy Recommendations
3. Director Hiring Process
4. Community Engagement Phase II (RFQ for Community Partners)
5. Use of Force Update

**NEXT MEETING**  
**Wednesday, August 28, 9:00am to 12:00pm**  
**Rainier Vista Boys & Girls Club**  
**4520 Martin Luther King Jr. Way South**