



**U.S. DEPARTMENT OF JUSTICE - CRS**  
Midwest Regional Office  
55 West Monroe Street, Suite 420  
Chicago, Illinois 60603  
312-353-4391  
Fax 312-353-4390



## **AGREEMENT**

### **BETWEEN**

### **ST. PAUL POLICE DEPARTMENT AND ST. PAUL CHAPTER OF THE NAACP**

The St. Paul Chapter of the NAACP and the St. Paul Police Department met together on March 19, 2001, April 12, 2001, May 9, 2001 and June 19, 2001. The meetings were convened by the Community Relations Service of the United States Department of Justice to assist in efforts to address concerns impacting race relations and relations between citizens and the police in the City of St. Paul, Minnesota.

The representatives of the City of St. Paul Minnesota, the St. Paul Police Department and the St. Paul NAACP and other African American community organizations have proposed remedial measures in the following Mediation Agreement to address concerns related to biased based policing and to improve relations between the police and community in the City of St. Paul, Minnesota.

The remedial measures as part of this Mediation Agreement are contained in three categories:

#### **Racial Profiling Police Civilian Internal Affairs Review Commission Police Relations in Communities of Color**

Nothing in this agreement should be taken as an admission of wrongdoing by either party. This agreement is a result of voluntary mediation between the parties and is not the result of duress, coercion or undue influence.

## THE AGREEMENT

### RACIAL PROFILING

The Saint Paul Police Department has and will continue to maintain and publicize its policy that prohibits racial profiling. Our history and tradition encourages and requires officers to take law enforcement action based on behavior and not appearance.

1. The Saint Paul Police Department will enhance its early warning system to include identification of officers who are at risk of engaging in racial profiling.
2. The Saint Paul Police Department, in concert with the NAACP and other community organizations, will continue to recruit, hire and make all attempts to retain officers of color.
3. The Saint Paul Police Department will continue to work with, and elicit ongoing feedback from communities affected by special police enforcement initiatives, i.e. HEAT.
4. The Saint Paul Police Department agrees to continue dialogue with community organizations and citizens to improve policies and practices dealing with racial profiling including: expanded data collection and measurement, complaints and investigations, recruitment and training, and stops, searches and seizures, to which further amendments to this agreement may be forthcoming.

#### 5. Use of Business Cards

The Saint Paul Police Department is committed to having all of its officers identify themselves by name to the people they serve. To provide this identification, the Saint Paul Police Department will facilitate the use of business cards by every officer. All officers must obtain and carry City approved and printed business cards. The primary response officer on scene, and any other officer as requested, will be required to provide their business card:

- When anyone asks for the officer's name, badge number or business card.
- At all traffic stops.
- To any identified victim or complainant at all calls for service.

It is the responsibility of all supervisory personnel to ensure that officers acquire, carry and employ the business cards while performing duties of police officer. The back of the business card should contain the following statement, "If you have a comment or concern about the service you have received, you may report it to the Saint Paul Police Department, the Police-Civilian Internal Affairs Review Commission or one of the organizations listed below. [List and phone numbers of organizations.]"

#### 6. Consent Search Advisory

The Saint Paul Police Department will initiate a policy that requires officers to give individuals a consent search advisory before asking to conduct a search of their person or vehicle, when this search

is based solely on a request for consent. Obviously, searches pursuant to reasonable suspicion, probable cause or incident to arrest will not require this advisory. The advisory will make it clear to the individual that they have the right to refuse to give consent to the officer to search their person or vehicle. It will also inform the individual that when they give permission they can stop the search and withdraw their permission at any time. Finally, it will make it clear to the individual that should they grant permission for the search and the officer finds illegal items, the individual is likely to be arrested and prosecuted.

The Consent Search Advisory reads as follows:

### **Consent Search Advisory**

I would like to search you (or your vehicle).

You should know that you have the right to refuse to allow me to search you and your vehicle.

If you do grant me permission, you may stop the search at any time.

If I find anything illegal, you will likely be arrested and prosecuted.

Do you understand what I have just told you?

May I search you? May I search your vehicle?

## **POLICE CIVILIAN INTERNAL AFFAIRS REVIEW COMMISSION**

### **7. Complaint Intakes and Processing**

The Saint Paul Police Department has modified the Internal Affairs complaint intake process and complaint review process to include the following (see Appendix):

- Facilitate the creation of complaint centers in the community to include the NAACP, the Urban League, the Council on the Hearing Impaired, the Indian Affairs Council, the Chicano Latino Affairs Council and the Saint Paul Human Rights Department.
- All citizen-initiated complaints and investigations will be reviewed by the Police Civilian Internal Affairs Review Commission (PCIARC).
- The Saint Paul Police Department's Internal Affairs Unit and the PCIARC will take appropriate steps to reduce investigation time and be more responsive to complainants.
- The PCIARC and police department, in cooperation with the community, will adopt methods to better identify and review for race-based policing and racial profiling.
- The PCIARC will inform the complainant of the disposition and the explanation for the decision.

8. In cooperation with the NAACP and other community organizations, the Saint Paul Police

Department Police Community Internal Affairs Review Commission will hold three public meetings at locations across the city to be determined in consultation with community organizations. The first meeting will be held in September of 2001. In addition to these three community meetings, an annual summit meeting will be held with key stakeholders including members of the Saint Paul Police Department, Police Community Internal Affairs Review Commission and community organizations. The purpose of this summit will be to discuss mutual issues in the interest of forwarding community policing, improving community relations and to review this Agreement.

## **POLICE RELATIONS IN COMMUNITIES OF COLOR**

9. The Saint Paul Police Department will maintain a file of strip search reports in the Inspection Unit, Office of the Chief. The NAACP will have access to public data contained therein. The Chief of Police or designee will review the file as part of the early warning system.
10. The Saint Paul Police Department will hold accountable officers who work off-duty, according to all departmental policies.
11. The Saint Paul Police Department will support efforts to develop opportunities to support community-based crime prevention programs in an effort to improve relations with African American youth.
12. The Saint Paul Police Department will review policies for the risk of disparate racial treatment.

## **COMMUNITY RELATIONS**

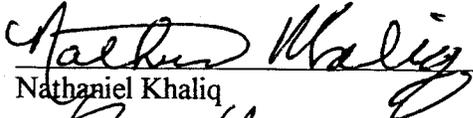
13. The Saint Paul NAACP recommends that the Saint Paul African American Leadership Council provide candidates to the Mayor for the Saint Paul Police Department's Police Civilian Internal Affairs Review Commission. The Saint Paul Police Department agrees to support the Saint Paul African American Leadership Council's recommendation for mayoral appointments to the Police Civilian Internal Affairs Review Commission.
14. The NAACP will support the Saint Paul Police Department in its efforts to provide services to the people of Saint Paul in the pursuit of justice.
15. The NAACP, St. Paul Urban League and St. Paul Human Rights Department will be contact points to receive Internal Affairs complaints. Their role in this process will be to only record names, addresses and phone numbers of complainants and witnesses, a summary of the complaint, and names or identifiers of any officers involved if possible. The NAACP, Urban League and St. Paul Human Rights Department will expeditiously forward this information to the PCIARC, where the information will be treated as a complaint and processed in the usual manner.
16. The Saint Paul NAACP, Urban League and Saint Paul Human Rights Department agree that

they will not comment on nor release any information of police misconduct until the allegation has been first reported to the police department and an investigation into the allegation has been resolved.

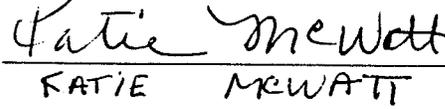
17. The NAACP agrees to participate in efforts to educate the community relative to police policies, procedures and other pertinent issues.
  
18. The Saint Paul NAACP agrees to develop and provide community/police relations training to the Saint Paul Police Department's Police Civilian Internal Affairs Review Commission members and to Saint Paul Police Department officers with a community-based perspective. The Saint Paul Police Department will assist with resources to deliver training.

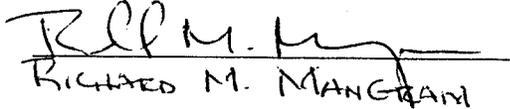
The above affirmations and commitments are hereby agreed to as signed and witnessed this day June 20, 2001.

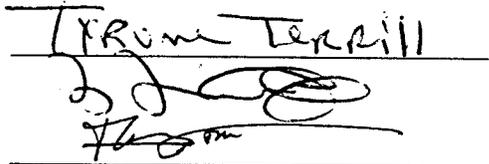
SAINT PAUL NAACP

  
Nathaniel Khaliq

  
ROBIN K. MAGEE

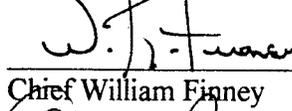
  
KATIE MCWATT

  
RICHARD M. MANGANI

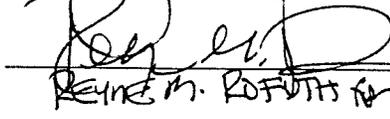
  
Trone Terrill

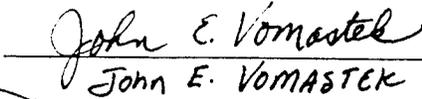
  
Arthur McPherson

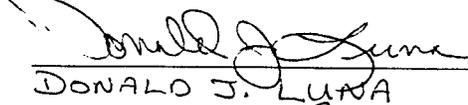
SAINT PAUL POLICE DEPARTMENT

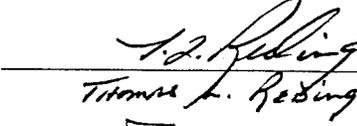
  
Chief William Finney

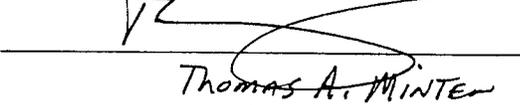
  
AMY BROWN

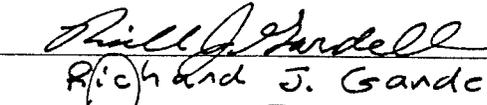
  
KENNETH M. ROBERTS for SPPD-ASSIST. CITY APO

  
JOHN E. VOMASTEK

  
DONALD J. LURA

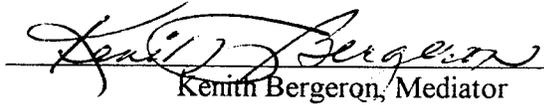
  
Thomas A. Reding

  
Thomas A. MINTER

  
Richard J. Gandell

  
DENNIS JENSEN

Witnessed by

  
Kenneth Bergeron, Mediator

Community Relations Service, United States Department of Justice

## **APPENDIX**

### **Internal Affairs Civilian Review Commission Update**

The following proposal addresses the issues of timeliness, follow-up, and accessibility when it comes to Internal Affairs and the Civilian Review Commission process. It identifies three major goals that the Department is moving towards in these areas, along with departmental policy changes to reflect this new direction. The first goal is the ability to provide an immediate response to a complainant with the assignment of a citizen intake number. Second, this plan provides for a more timely response to complainants with more follow-up and human contact (it also provides for additional entry points that citizens can use to bring forth a problem). Finally, this enhanced process also provides for a larger role of the Police Civilian Review Commission, giving them a broader look at those cases brought forth by citizens.

#### **Intake Form**

1. New form entitled "Citizen Intake Form" with an individual number printed on each one that will be given to the complainant when he or she calls. It will be a one-page form with four colored copies. Copies would go to the Chief of Police, IA, CRC coordinator and CRC chair. This form can be produced electronically in the new I.A. system as well.
2. Complaint intake for the Department would be at four separate points of entry. They would be Internal Affairs, ECC supervisor, Duty Officer, and the Civilian Review Coordinator. Although external groups such as the NAACP, Urban League etc. could bring a complaint forward, they would have to access the system through the four previously identified entry points. Official complaint packets would then be sent out by Internal Affairs the same day the intake form was received by IA.

#### **Timely response with more human contact**

3. After the complaint packet has been sent out, the case would be assigned a case "activity tracking form" and be entered into the computer system at CRC. It would also be tracked in Internal Affairs. Once the complaint packet has been returned, the case would also be assigned an Internal Affairs number. While in the Civilian Review Commission system, the coordinator would continue to track the case via computer and the attached activity tracking form. The coordinator would make the necessary human contact and follow-up as to returning complaints, case status, timeliness of investigations, and investigative response. The coordinator should have access to the internal affairs computer system, however, only if the computer that he is using is in a secure location.
4. In addition, if the coordinator was unavailable to take phone calls, a phone system will be set-up with a menu of options for the caller to choose from. That would include leaving a

message, which would alert the CRC coordinator via pager, or if the caller wants to talk with a live person the call would be routed to the Internal Affairs Unit secretary.

5. For investigations at the district level the immediate supervisor would do the investigation. It gives that supervisor an immediate insight into potential problems of someone he/she oversees, and brings some of those problems down to a level where they can best be handled.
6. Internal Affairs would provide additional training to district investigators to provide for a template investigative package for the Civilian Review Commission.

### **Larger role for the Civilian Review Commission**

7. The Civilian Review Commission would look at all complaints brought forth by citizens. This change puts CRC in the loop of looking at those investigations done at the district level, which was not done in the past.

*Departmental policy changes have been made to reflect changes in the Saint Paul Police Department.*