



SAINT PAUL
MINNESOTA

**Police Civilian
Internal Affairs
Review
Commission
2021**



ANNUAL REPORT



Police Civilian Internal Affairs Review Commission



The [Police Civilian Internal Affairs Review Commission \(PCIARC\)](#) is an essential element to enhance the trust between police and the community they serve. Established in 1993, the PCIARC reviews investigations and makes disciplinary and policy recommendations to the Saint Paul Chief of Police on civilian-initiated complaints concerning police conduct. [The PCIARC ordinance](#) outlines which complaints alleging police misconduct will be reviewed through the PCIARC process:

The Commission shall review all complaint investigations concerning members of the police department who are certified by the Minnesota Board of Peace Officers Standards and Training, completed by the internal affairs unit of the police department and subsequent investigations thereof related to alleged acts of excessive force, inappropriate use of firearms, discrimination, as defined in Chapter 183.02 of this Code, racial profiling, poor public relations and such other complaints as may be referred to it by the mayor, the chief of police, or the director of the Department of Human Rights and Equal Economic Opportunity. (102.01 (b)).

In 2001, the United States Department of Justice mediated an [agreement](#) between the Saint Paul Police Department (SPPD) and the Saint Paul Chapter of the NAACP to address concerns related to biased-based policing and improve relations between police and community. As result of the agreement, there were changes made to the complaint and intake process, in addition to mandating the Commission to hold community meetings. The PCIARC does not replace civil or criminal court, but makes recommendations to the Chief of Police regarding investigation findings and potential discipline of officers subject to the Minnesota Peace Officer Discipline Procedures Act (Statute 626.89) and related state labor laws. The Chief of Police has the final authority over any disciplinary action imposed against a police officer.

Commission Members

PCIARC is composed of nine Saint Paul residents from diverse backgrounds, representing a variety of Saint Paul neighborhoods, races, cultures, abilities, and incomes. After completing an application process, residents are recommended to serve on the PCIARC by the Director of Human Rights and Equal Economic Opportunity (HREEO), appointed by the Mayor, and lastly approved by City Council. Members of the Saint Paul Police Federation and their immediate family members are not eligible to serve on the PCIARC.

Prior to serving as a voting member, PCIARC Commissioners (Commissioners) must complete ride-alongs with patrol officers and training related to police work, investigation, relevant law, cultural competency, racial equity, implicit bias, sexual orientation, gender identity, physical disability, mental illness, and the emotional impact of abuse.

The PCIARC Commissioners in 2021 were:

- Sierra Cumberland
- Charles Deneen
- Munira Esmael
- Eric Forstrom
- Travis Grundy
- Alex Halverson
- Stefan Landreau-Vellenga
- Jilla Nadimi

The current PCIARC Commissioners are:

- Erin Hayes (Chair)
- Charles Deneen (Vice Chair)
- Eric Forstrom
- Nancy Rodenborg
- Shaval Webb

PCIARC Coordinator

The PCIARC has a dedicated staff member to assist in receiving complaints from the public. The PCIARC Coordinator is in the City's HREEO department, hired by the Director of HREEO in consultation with the Chief of Police. This individual works to build trust in the complaint investigation process, increase transparency and public access to the process, lead outreach efforts, and serve as a City liaison to the PCIARC. Julian Roby served as the Coordinator for the PCIARC from January 2021 – July 2021. Sierra Cumberland served as Acting Coordinator of the PCIARC from July 2021 – June 13, 2022. Kevin Carlisle is now serving as the PCIARC Coordinator. He began his tenure on June 13, 2022.

Saint Paul Police Department – Internal Affairs Unit Staff

The Internal Affairs (IA) Unit of the SPPD is the investigative arm of the police administration and the PCIARC. The IA Unit is comprised of both civilian support staff and sergeant investigators and is led by a Senior Commander who reports directly to the Chief of Police. The function of the IA Unit is to impartially collect case evidence, interview witnesses, and provide a complete report to the PCIARC and the police administration for review and disposition. Senior Commander Nicole Spears currently leads the IA Unit.



Community Intake Centers

As part of a 2001 agreement between the SPPD and the Saint Paul Chapter of the NAACP, community complaint intake centers were created. Starting in 2017, the PCIARC began working to update and expand the list of complaint centers. A list of the complaint intake centers is available on the [PCIARC website](#). The PCIARC Coordinator is working to confirm that the community intake centers listed on the PCIARC website are still committed to providing this service to the City's residents and the PCIARC process. If your organization is interested in learning more, contact the PCIARC Coordinator at civilianreview@ci.stpaul.mn.us or 651-266-8970.

Case Review

[PCIARC Process Ordinance, Chapter 102 of the Administrative Code](#)

The PCIARC follows a set process detailed in the ordinance.

1. An initial allegation of police misconduct is received by HREEO, SPPD IA Unit, or a complaint intake center.
2. A complaint is made official only when signed by a complainant, per [Minnesota Statute 626.89](#)
3. Once SPPD receives a signed complaint, the complaint is reviewed to ensure that the subject of the complaint is an SPPD employee and to determine what policy violation is to be investigated. The IA Unit then begins the investigation process.
4. When the investigation is complete, the IA Unit notifies the PCIARC Coordinator that the case will be presented to the PCIARC Commissioners at the next meeting. Case materials are made available to the Commissioners and the Coordinator for review two weeks prior to the meeting.
5. The PCIARC meets to review the case. Complainants can make a statement or provide testimony at the PCIARC meeting. If a complainant(s) elects to make a statement, the corresponding officer(s) listed in the complaint will also be given the opportunity to make a statement to the PCIARC.
6. After review, the PCIARC will, by majority vote, recommend a final disposition and disciplinary action, when warranted, to the Chief of Police. Along with its recommendation, the PCIARC may include suggested policy changes for the police department's consideration.
7. Upon receiving the recommendations from the PCIARC, the Chief of Police will make a final decision on the case.
8. If the Chief disagrees with the recommended action of the PCIARC, the Chief must notify the Coordinator in writing of the actions they intend to take regarding the case.
9. The Coordinator notifies the PCIARC Chair who shall have five business days to discuss any concerns they might have with the Chief before any action is finalized.
10. If discipline is imposed, the officer(s) has the option to appeal.
11. Once a case has reached final disposition, the complainant is notified by the IA Unit as to the result of their complaint.

Please note: Only complaints involving Saint Paul Police Officers that are outlined in the [PCIARC Ordinance](#) have the potential to undergo the entirety of this process. If a complaint does not involve a Saint Paul Police Officer or does not fall within the categories listed in the ordinance, the SPPD IA Unit may close the case without forwarding to the PCIARC for review. All remaining SPPD investigations resulting from external complaints are referred to the PCIARC for review.

Additionally, only complaints filed directly with HREEO are reviewed by the PCIARC Coordinator for completeness before they are referred to the IA Unit for investigation. Cases filed directly with the SPPD IA Unit are not reviewed by the PCIARC Coordinator until the investigation is complete and only if a case is referred to the PCIARC for review and consideration. In addition, the PCIARC ordinance (102.01 (b)) outlines which investigations resulting from internal SPPD complaints will be reviewed by PCIARC.

Only complaint investigations regarding alleged acts that fall into the following categories will be considered:

- Excessive force
- Improper conduct
- Improper procedure
- Inappropriate use of firearms
- Discrimination (as defined by Saint Paul Legislative Code 183.02)
- Racial profiling
- Poor public relations
- Complaints referred by the Mayor, Chief of Police, and/or the Director of HREEO

PCIARC Commissioners will recommend a final disposition on investigations they review and further recommend disciplinary action when warranted. In all cases, the Chief of Police will be the final authority on case dispositions and discipline as outlined in the Minnesota Police Officer Discipline Procedures Act (PODPA).

Possible Dispositions for Allegations

1. **Unfounded:** Allegation is false or not factual.
2. **Exonerated:** Alleged incident or complaint occurred but was lawful and proper.
3. **Not Sustained:** Insufficient evidence either to prove or disprove the allegation
4. **Sustained:** Allegation is supported by sufficient evidence.
5. **Policy Failure:** Allegation is factual and officer followed proper departmental procedures, which have been proven to be faulty.

Possible Disciplinary/Corrective Actions

1. **Oral Reprimand:** An oral reprimand is a verbal order to correct a member for a violation of a department rule, regulation, or procedure, which is then reduced to writing.
2. **Written Reprimand:** The written reprimand is the sustained findings of a complaint against an officer where more than an oral reprimand, but less than a suspension, is judged the adequate punishment.
3. **Retraining:** A recommendation that the member be retrained in an area that precipitated or contributed to the cause for complaint against the member. A recommendation for retraining will supplement the other actions available to the PCIARC and cannot be a singular disposition.
4. **Suspension:** Unpaid; not to exceed 30 days.
5. **Demotion:** A reduction in rank.
6. **Termination:** A recommendation that the employee be dismissed from employment.



PCIARC Meeting Policies

PCIARC meetings are held on the first Wednesday of each month at various venues throughout Saint Paul. Up to nine Commission members, the PCIARC Coordinator, the Director of HREEO or their designee, and IA Unit personnel attend the meetings.

There are two portions of each PCIARC meeting – an open portion and a closed portion. The open portion of a meeting includes administrative business, updates from the SPPD, HREEO and community organizations, and training. Members of the public are welcome to attend the open portion of PCIARC meetings. These meetings are also live-streamed and recorded. Visit the PCIARC website for meeting dates and locations. The closed portion of each PCIARC meeting consists of case review of alleged misconduct by individual SPPD officers and is regulated by state data privacy laws. The closed portion of the meeting is not open to the public. The audio is recorded.

The PCIARC may:

- Request that individuals who filed the complaint or witnesses to the alleged incident appear before the Commission to state facts to supplement files.
- Request IA Unit gather additional information as may be needed for a determination by the Commission.
- As provided by a City contract, hire a private investigator as approved by the Mayor or Director of HREEO.

The PCIARC Chair will preside over all meetings and conduct meetings:

- Consistent with and subject to all City ordinances and published policy directives.
- Subject to statutes regarding state government data practices, PODPA, and related law.

Data Privacy

The investigatory materials prepared by the IA Unit of the police department and/or independent investigators under contract to the City are considered investigative data and will be reviewed by the PCIARC. The meetings of the PCIARC on such matters will be closed pursuant to Minnesota Statute 13D.05 [Subdivision 2](#).

Minnesota Statute 13D.05: Meetings Having Data Classified as Not Public.

Subd. 2. When meeting must be closed.

a) Any portion of a meeting must be closed if expressly required by other law or if the following types of data are discussed:

(2) active investigative data as defined in section 13.82 subdivision 7, or internal affairs data relating to allegations of law enforcement personnel misconduct collected or created by a state agency, statewide system, or political subdivision:

(b) A public body shall close one or more meetings for preliminary consideration of allegations or charges against an individual subject to its authority. If the members conclude that discipline of any nature may be warranted as a result of those specific charges or allegations, further meetings or hearings relating to those specific charges or allegations held after that conclusion is reached must be open. A meeting must also be open at the request of the individual who is the subject of the meeting.

Community Meetings

During the public portion of the monthly meetings, members of the public are invited to ask Commissioners about the PCIARC process and procedures. The public is also invited to relay any concerns that they have about the PCIARC and recommend improvements and/or changes to the PCIARC and/or the police department. Some trainings that the PCIARC receives are held during the public portion of their monthly meetings. The PCIARC is mandated by ordinance to hold an annual summit to review the PCIARC Annual Report, release summary data, and evaluate the effectiveness of the PCIARC.



2021 Summary

In January 2017, the PCIARC made the transition from being housed in the SPPD to being housed in HREEO as 2016 ordinance amendments went into effect. In the years since, the PCIARC made enormous gains including onboarding new Commissioners, participating in numerous local festivals and community events to inform the public of their work, and continually being trained in the best practices of civilian oversight. It has also worked to strengthen communication channels among stakeholders.

Over the course of 2021, the PCIARC:

- Held 10 case deliberation meetings.
- Appointed two new Commissioners to serve.
- Hosted its fifth annual summit online due to the COVID-19 pandemic.
- Utilized a grant from the Saint Paul Foundation to host two additional community events, reaffirming its commitment to community engagement and public accessibility.
 - o The Youth Townhall was held online April 22, 2021, with the goals of connecting with youth community members and sharing about the PCIARC process. Information on the Community Ambassadors Initiative was shared.
 - o The PCIARC Limited English Proficiency Summit was hosted at Marydale Park in September 2021. HREEO staff and PCIARC Commissioners held this event in person with a variety of language interpreters and PCIARC brochures in several languages to spread the word about the PCIARC and complaint filing process.
- Four Commissioners and two HREEO staff members participated in the 2021 National Association for Civilian Oversight of Law Enforcement, engaging in offerings on national best practices of civilian oversight techniques and strategies and networked with other oversight agencies across the country.

2021 Annual Summit

The PCIARC held its annual summit virtually on June 22, 2021. The video from this event is available through the PCIARC website. The summit opened with introductions, a detailed dive into the PCIARC process, and a review of summary data from the previous year. As the City of Saint Paul underwent a lengthy community engagement process around Mayor Carter's vision for Community First Public Safety, the Citizens League Team comprised of Executive Director Kate Cimino and Director of Public Policy Amanda Koojbeharry presented on these topics related to the effort's findings and process:

- Develop alternative first response options to priority four and priority five calls for service.
- Recommend approaches for ongoing community involvement in the City's community-first public safety framework.
- Consider the creation of a city-staffed office to drive and integrate community-first public safety initiatives and strategies.

Next, the summit provided an opportunity for community members to ask the PCIARC Commissioners questions and to receive feedback. Mayor Carter also provided some remarks to the community members in attendance and answered questions regarding public safety in Saint Paul.



2021 HREEO Complaint Data

In 2021, HREEO received 29 complaints. These complaints came in online, in person at the HREEO Office, and via the U.S. mail. Complaints filed directly with SPPD are not included in these numbers. In 2021, the PCIARC saw a decrease in the number of complaints that it reviewed. Of the 29 total cases filed with the PCIARC Coordinator regarding allegations of police officer misconduct, the PCIARC reviewed 21 cases with complete investigations in 2021. The remaining eight cases were still under investigation as the at the end of 2021. Summary data below reflects the 21 cases reviewed by the PCIARC, as well as disposition and disciplinary decisions recommended on behalf of the PCIARC.

Of the 21 cases the PCIARC reviewed, there were 35 allegations that included 26 SPPD officers.

The complaint classification "Improper Procedure" was the most common type of complaint received.

Of the reviewed cases, "Sustained" was the most frequently recommended disposition.

Cases

Each case reviewed by the PCIARC can have multiple allegations (ex: improper conduct, improper procedure, and public relations) and can also have multiple officers listed in the case. Each officer listed could be considered for one allegation listed in the complaint, or multiple. The data below is identified by the number of allegations in complaints in 2021 (Allegations) and the number of allegations assigned to officers (Total Allegations). Firearms cases are included in allegations, however, have a separate set of dispositions and are therefore separated from that data.

Cases Reviewed	Officers	Allegations	Total Allegations	Firearms Cases
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21	26	26	35	1
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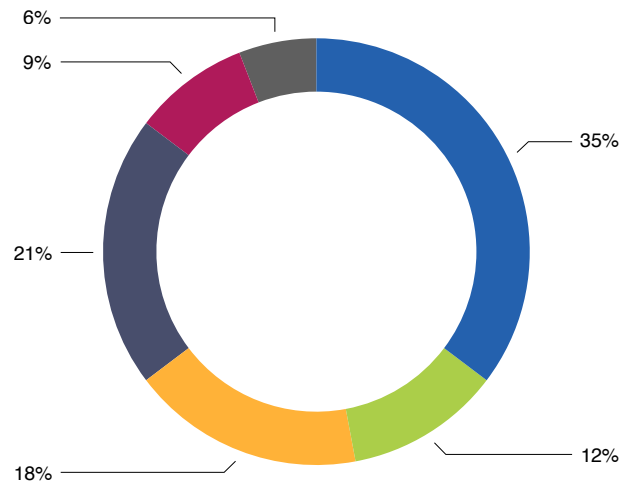
Allegation Type	Excessive Force	Discrimination	Improper Procedure	Improper Conduct	Poor Public Relations
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Total	10	9	16	7	8
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Recommended Disposition

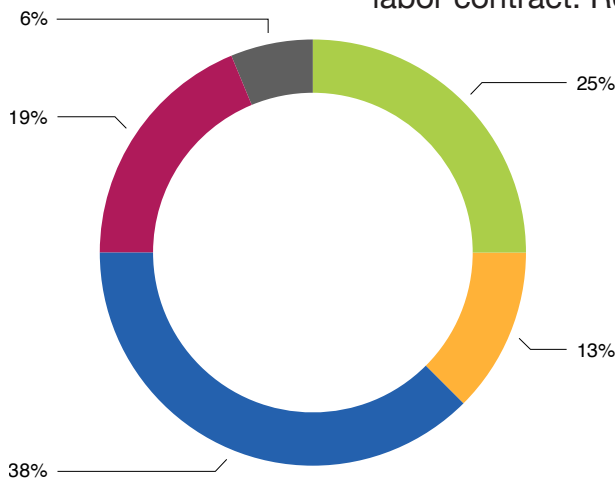
Total # of Officers Subject to Each Allegation

- Sustained 12 (35%)
- Not Sustained 4 (12%)
- Exonerated 6 (18%)
- Unfounded 7 (21%)
- Policy Failure 3 (9%)
- Tie Vote - No Action 2 (6%)



Discipline

Below is the recommended discipline the PCIARC voted for in 2021. Retraining and supervisory counsel are not defined discipline in the SPPD labor contract. Retraining must be paired with other discipline.



- Supervisory Counsel 0
- Retraining 4 (25%)
- Oral Reprimand 2 (13%)
- Written Reprimand 6 (38%)
- Suspension 4 (19%)
- Termination 1 (6%)

In 2021 the Chief of Police modified the Commission's discipline recommendation seven times.



Firearm Case Data

Firearm Disposition	Justified	Not Justified
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Total	0	1
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Firearm Type	Human	Animal	Accidental
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Total	1	0	1
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Demographic Information

On the complaint intake form, complainants have the option of providing demographic information. Not all complainants choose to do so. This information helps HREEO and SPPD identify trends and patterns that can help improve services being provided, both in terms of policing and in terms of complaint intake.

Gender	No answer	Male	Female	Gender Nonconforming	Other
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Total	3	10	16	0	0
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Race	No answer	Black or African American	White (Caucasian)	Hispanic or Latino	Asian	American Indian	Two or more races	Other
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Total	1	4	17	3	0	0	2	2
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Income Level	No answer	Less than \$20,000	\$20,000 to \$34,999	\$35,000 to \$49,000	\$50,000 to \$74,999	\$75,000 to \$99,999	Over \$100,000
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Total	23	3	1	1	1	0	0
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Age	No answer	0-18	19-25	26-34	35-54	55-64	65+
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Total	11	1	1	2	4	1	9
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Disability Status	No answer	Blind / Low Vision	Deaf / Hearing Impaired	Other (Non-Disclosure)
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Total	22	0	2	5
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Attention. If you want help translating this information, email michele.severson@ci.stpaul.mn.us.

Atención. Si desea recibir asistencia gratuita para traducir esta información, envíe un correo electrónico a michele.severson@ci.stpaul.mn.us.

Haddii aad dooneyso in lagaa kaalmeeyo turjumidda akhbaartan, email u dir michele.severson@ci.stpaul.mn.us.

Ceebtoom. Yog koj xav tau kev pab txhais daim ntawv no, email michele.severson@ci.stpaul.mn.us.



SAINT PAUL **MINNESOTA**

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