

## 2018 Police Civilian Internal Affairs Review Commission (PCIARC) Annual Summit Feedback

The PCIARC held its 2018 Annual Summit on Tuesday, November 13, 2018. Approximately 50 community members attended to learn about the complaint process, receive an update on what the commission had done in the year since the ordinance change, and meet the two new Commissioners.

Below are their comments and questions following the presentation in **black**. Responses to community questions on behalf of HREEO and the PCIARC are in **blue**. If you have additional questions or comments, please contact the Civilian Review Coordinator at (651) 266-8970 or [civilianreview@ci.stpaul.mn.us](mailto:civilianreview@ci.stpaul.mn.us).

### Guided Questions:

#### **1. After hearing this presentation, do you feel you understand the complaint process, and other services available?**

- I still don't understand it. It's set up to be a screen it looks and sounds good, but it's not making a difference in our community. It's not reaching our young people; it's not respecting the community. If you run into a police officer as a person of color you are treated less than.
- It's super important to get police out of the review. The fact that steps two and three are all in internal affairs hands. Listening to Senior Commander Thomasser he said won't follow upon a complaint from a person in jail. But someone in jail on a bogus charge is exactly the person you should be hearing from first. Anything coming from someone under charges should be brought out and not handled internally. Need to make it clear to the community in a big way that the commissioner will handle complaints and not allow it to be handled by the internal affairs division.
- There are six discharge of firearm of weapons in the report and they were all justified. It's pattern in the city. The community doesn't feel comfortable because the record speaks for itself and everything comes out that the commission is just another arm of the police, you are going to go along with anything they say.
- Really need to feel the autonomy and not an extension. More perceived that you are there to satisfy the community. No one in the community knows the commission is no longer housed under PD.
- Among the handouts, we would have liked to one that details the step by step complaint process.
- Get a professional facilitator one that is detached from the PCIARC.
- Be clearer on what the goals of the PCIARC complaint process are.

#### **2. Would you feel comfortable using it to file a complaint or recommending it to a friend or family member?**

- No, there is easy to whistle blow. There isn't the support by and large to bring those whistle blowers forward.

- It erroneous to think you will get any young person to file a complaint or any adults due to the fear factor. They can harass me they have my name and address. Most adults in our community would struggle. Most aren't aware of the protections so how do you bridge that.
- I am comfortable filing a complaint but I am not afraid, I am involved in the community and I have the support.
- I would not suggest it to my friends, and family.
- Folks are scared to file complaints. Need to give folks confidence that there is a community support behind them through the process.
- List all organizations on the website on the website that will help filing complaint.
- Police is the last place to go to file complaint.
- Have print out forms that have the complaint process and the phone numbers they should call.
- Would be helpful to give an example of how the process works, if an example of how the process works was given, it would make more sense.

### **3. *What if any concerns do you have about PCIARC?***

- The image hasn't changed. An arm of the police.
- The police federation has always been an obstacle because of their political influence. Leaders with courage have helped make that change.
- Decision need to have more gravity.
- Are PCIARC receiving all the cases they're supposed to?
- More cases should be funneled to PCIARC.
- 63 cases seem kind of low.
- Not being able to talk to a person one on one with an opportunity to give an in depth explanation of what happened during the initial draft of a complaint may cause investigators not to take the complaint seriously.

### **4. *What would you like to see from the PCIARC moving forward?***

- What outreach do you do to youth? Get into high schools?
- Get into parks and recreation centers to build a rapport and trust.
- Irreducible Grace Foundation-Natalia Davis they can work in front of groups to present in a respectful way.
- Have a commissioner come out to a neighborhood watch and community groups. They need to see you; they need to know who you are.
- The training for the police and the commission needs to be multicultural, everything leads back to training. We need to get a grip on this because of the level of respect is decaying.
- There are eight complaints that are sustained they need to be multicultural; everything leads back to the community. Once you bring that to the public there is a story of success for people to latch onto. If I am a trouble kid there is a huge power differential.
- More know your rights cards into the community. Make sure things that were established in the NAACP agreement are still being enforced and done.

- Needs to be a wider scope in how.
- Not in the community where people need to sign in or can't park.
- Better outreach, community centers only get a small portion of the population. You have to put the resources to get the word out there.
- Highest priority is getting to younger kids. Get these forums into the high schools. Educate those kids about the criminal justice system, gun violence.
- Create partnerships.
- Bring these meetings back to grassroots. Somewhere that feels safe and secure that the community trusts.
- Chief Finny would release a list of officers that were disciplined. That needs to get out into the community now. Over the years that has disappeared.
- Want more big events on the Eastside, around Payne Phalen area there is a lot of need so a large event similar to this vent would be beneficial. Word of mouth from here will help.
- Social Media really highlighted police incidents, hoping the PCIARC can help.
- More frequent reporting of statistics (biannually, quarterly)
- Get PCIARC more involved in the community (Geriatric, Underrepresented Communities)
- Increase Transparency
- Complaints by geography, more complaints in the inner city.
- Work on relationships with the public
- Meeting the community where they are instead of them coming to you.
- Bring a copy of the complaint form.

#### **Additional Questions:**

##### **5. *What kind of outreach would you like to see?***

- If an individual is arrested and booked, they should be automatically given some PCIARC information.

##### **6. *Concern with diverse community that is fiercely afraid culturally. Lots of Karen, Hmong, Somali, English as a second language. What is being done to connect with them?***

- The complaint intake form is online translated into different languages including [Hmong](#), [Oromo](#), [Somali](#), [Spanish](#), and [Vietnamese](#). Additionally the PCIARC brochure has been translated into Spanish, and will have additional brochures in these languages in 2019.
- If you have an event that you would like the PCIARC to attend please contact the review coordinator.

##### **7. *How are Commission Members selected?***

- Individuals that desire to serve on the commission can apply [online](#), after their application is reviewed they are invited for an interview. After the interview they

are recommended by the director of the Department of Human Rights and Equal Economic Opportunity to the Mayor. Individuals are appointed by the Mayor and approved by Saint Paul City Council.

**8. Why only 9 members? What are the specified roles?**

- The commission consists of nine (9) voting members appointed by the mayor and approved by city council. All the members shall be residents of the City of Saint Paul. Members shall to the extent possible be representative of the city's diversity of neighborhoods, races, and cultures, abilities, incomes, and sexual orientation.
- The commission reviews materials and reports on investigations of complaints concerning members of the police department who are certified by the Minnesota Board of Peace Officers Standards and Training.

**9. How do you get the punishment for officers that are sustained cases?**

- The Commission reviews cases, and make a recommendation to the Chief of Police. The Chief of Police has the decision making power on whether or not to impose discipline on an officer. In the event the chief does decide to impose discipline the officer has the opportunity to appeal and go through a grievance process.

**10. What are cases concentrated on?**

- The Commission reviews the investigation file of the complaint case which can include but not limited to complainant statement, officer statements, witness statements, body worn camera footage, and in car camera footage.

**11. Why only 26 cases for a whole year?**

- HREEO only received 39 complaints in 2017 and the Commission reviewed 29 cases.

**12. What constitutes criminal vs. non-criminal investigation? And who investigates each the Police or the PCIARC?**

- Parallel investigations would not happen at the same time by Police and being reviewed by the PCIARC.
- PCIARC are reviewing civilian bases complaints. Police can and have referred investigations to PCIARC to investigate.

**13. Vast majority of PCIARC cases are in agreement with Chief's recommendation. Rarely disagree between PCIARC and the Police on recommendations, but has happened.**

- When there is a disagreement the Chair and Coordinator meet with the Chief of Police to in order to communicate the commissions rational and decision making in their recommendation.

**14. Will there be any outreach to different communities, ethnic communities, in St Paul such as (libraries, nonprofits, community centers, NAACP, WSCO, etc.)?**

- There are various complaint centers throughout Saint Paul, in addition to various outreach events that PCIARC participates in. Commissioners and staff are continuously working to build relationships in all of Saint Paul's diverse communities. Through improved relationships we hope to build trust and awareness about the process. If you know of an organization or individual that we should reach out to, please [contact us](#).
- We are working on improving the outreach and engagement to our community members. We are increasing the number of intake sites to reach this population in addition to attending more community events and meetings.

**15. Is there an outreach marketing budget to help get the word out?**

- The PCIARC does have a statement of purpose, and have an outreach plan where members of the commission and staff participate and attend community events, and meetings.

**16. Is there a way to include top 5 types of complaints so public will know what to report?**

- A complaint can be classified into five different allegation types which can include (Excessive Force, Discrimination, Improper Procedure, Improper Conduct, and Poor Public Relations. The most common allegation reviewed by the PCIARC is "Improper Procedure". This is a wide-ranging category that can include any policy violation such as failure to write a police report or failure to collect evidence; this data is available in the annual report.

**17. Should the summit be earlier in the year so that data can be presented for the prior year? Meeting/ Summit in November is not a good time for a Summit.**

- The annual summit will be in the spring beginning in 2019, to better coordinate with the annual report release. Please check back on the website in early 2019 for more information.

**18. 2017 was when PCIARC transferred from Police Department to HREEO?**

- Yes, the PCIARC [Ordinance](#) was voted to be approved by to be Saint Paul City Council that moved the PCIARC from SPPD into HREEO Department beginning in January 2017.

**19. Commissioners serve 3 year terms?**

- Yes commission members serve three (3) year terms, and can serve up to two (2) terms in a lifetime for a total of six (6) years.

**20. How often does the PCIARC commissioner meet?**

- The commission meets the first Wednesday of every month at various community centers, and libraries around the City of Saint Paul to review cases. Upcoming meeting information can be found [online](#).

**21. How does the commission review the cases?**

- Commissioners receive a laptop pre-loaded with case files of complaints by the Internal Affairs Unit.

**22. Is your work influenced by police union?**

- PCIARC reviews materials and reports on investigations of complaints concerning members of the Saint Paul police department. The commission meets monthly and deliberates on cases; they make their recommendation to the chief of police who has the decision power.
- Pursuant to the Minnesota Peace Officer Discipline Procedures Act (626.89), an officer has the right to have a union representative and/or an attorney present when giving a formal statement to Internal Affairs. The PCIARC reviews the statement in the case file they receive.
- If a complaint is sustained by the Chief of Police and discipline is issued, an officer has the right to grieve (challenge) that decision as per their collective bargaining agreement.

**23. The public can file a complaint directly with PCIARC and not the Police Department.**

- Complaints can be filed at the HREEO department with the review coordinator, [online](#), or at one of the complaint intake centers.

**24. What is an example of a common complaint that becomes “exonerated”?**

- Exonerated means an incident complained of occurred, but was lawful and proper.

**25. What’s the average number of complaints the PCIARC reviews per month?**

- The number of complaint cases the commission can receive to deliberate for a month can range anywhere between 1 and 8 cases.

**26. How long is the process, to hear back for your review once it’s submitted?**

- This depends, on average an investigation can take up to 12 weeks before it is referred to PCIARC for review. Once PCIARC has made a recommendation to the Chief of Police, Saint Paul Police Department (SPPD) will notify the complainant of the decision once the complaint is in final disposition.

**27. Once you make a recommendation do you get to find out what the decision is after it goes through the chief?**

- A meeting occurs between the Chief of Police, Chair, and Review Coordinator upon disagreement on the commission’s recommendation.
- Complaints findings are only public with a sustained decision, and a disciplinary action is imposed.

**28. How many recommendations are actually followed by the chief of police?**

- In 2017, the Chief disagreed with the Commission’s recommendation one time.

**29. Do statistics come out annually?**

- The Commission releases a report annually, which gives summary data on complaint intake, and recommendations.

**30. What happens to repeat offenders? (Officers complained about multiple times)**

- When the Commission sustains a complaint against an officer, and are recommending discipline they view their file which shows previous incidents. This can influence the type of discipline the commission recommends. However, the Chief ultimately has the power to impose discipline.

**31. Are complaints allowed against off-duty police officers (working security for gigs for example)?**

- Yes, if the officer is a sworn Saint Paul Police Officer you can file a complaint even if they are working off duty for another gig.

**32. If complaint is made to a business, does the PCIARC receive the complaint?**

- Complaints can be filed [online](#) at [www.stpaul.gov/pciarc](http://www.stpaul.gov/pciarc) or in person at the Human Rights Offices (15 Kellogg Blvd W., Suite 280, Saint Paul, MN 55102) or at one of the community intake sites.

**33. Can the Commission send back the case if something is not clear?**

- Yes, the commission can request internal affairs re-examine cases that may deem incomplete, or missing details.

**34. Is it possible to bring up past incidents?**

- Yes, you can bring forward past incidents. There is no statute of limitations on complaints. Although individual(s) should keep in mind that the longer they wait to file a complaint it may be more difficult to investigate and/or the officer(s) employment status may have changed.

**35. How do people know this exist? How does the everyday person find out how this is done? How do they get to a basic level of understanding?**

- We have a variety of different methods for outreach and engagement in education the public. Some of these include attending community meetings, festivals, and other events to pass out information. The commission also has a number of intake sites around the City of Saint Paul where its information is available for community members to utilize. Finally the commissions' [website](#) is up to date on the history, process, and upcoming events the PCIARC has going on.

**36. What is the trend that would trigger a policy change, and what does that process look like?**

- By looking at complaint data will help inform policy recommendations. This can occur where data is showcases that a particular policy should be reviewed because it's come up quite a few times and should be looked into. Also what has been done in the past having an individual bring forward a policy concern either through the public portion of the meeting, or in the complaint case can bring forward a policy review and recommendation.

**37. What does SPPD data collection look like? How frequently is the data released? Can we get to a place where it is released more frequently?**

- Data collection by the police can be accessed here available for you can make a data request [here](#).

**38. Have there been any policy changes?**

- In 2017 the commission did not recommend a policy change in their deliberations.

***Additional Concerns:***

**39. There are some misunderstandings of things people think Police can't do, that they can.**

**40. More info about cases viewed by commission even if the cases are found to be unsustained.**

**41. Could utilize social media more to improve the outreach and engagement.**

**42. Clear majority of complaints are by white public v. other groups in 2017. Data for 2018 to be tabulated.**

**43. Issues of access to complaint process is a barrier to making complaints, bring forward awareness.**

**44. How can Saint Paul City Council members be more helpful**