

# STANDARD OPERATING PROCEDURES

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**Police Civilian Internal Affairs Review  
Commission (PCIARC) Complaint Process**

## Table of Contents

Introduction .....	2
Complaint Intake.....	2
Notice to Complainant That Their Complaint Was Received .....	4
Complaint Sent to the Saint Paul Police Department (IAU) .....	5
PCIARC Case Review.....	5
PCIARC Meeting .....	7
After PCIARC Meeting .....	10
Recommendation(s) Memo to the Chief of Police.....	10

### Introduction

The Police Civilian Internal Affairs Review Commission (PCIARC) reviews and makes disciplinary and policy recommendations to the Saint Paul Chief of Police on civilian-initiated police conduct complaints. Composed of up to nine Saint Paul residents, the commission is essential to the trust between police and the communities they serve. The PCIARC does not replace civil or criminal court, but makes recommendations to the chief of police regarding investigation findings and potential discipline, subject to the Minnesota Peace Officer Discipline Procedures Act and related state labor laws. The chief of police has the final authority over any disciplinary action imposed against a police officer.

This document contains the standard operating procedures for the intake of all civilian-initiated police conduct complaints submitted through the Department of Human Rights and Equal Economic Opportunity (HREEO). Complaint Centers, as outlined in the Agreement between the City of Saint Paul Police Department and the Saint Paul National Association for the Advancement of Colored People (NAACP) will follow the same standard operating procedures for the intake of a complaint.

The Bylaws and Special Rules of Order (*see Appendix J*) that govern PCIARC procedures cannot conflict with these standard operating procedures. In the event of any conflict, these standing operating procedures control.

### Complaint Intake

Complainants have multiple ways to submit a complaint to HREEO. A complaint form may be submitted online, via a paper form, or with assistance as needed. This section outlines the complaint intake process through all these options available to a complainant.

- I. Online Complaint Form
  - A. Complainant submits complaint at [www.stpaul.gov/pciarc](http://www.stpaul.gov/pciarc)
  - B. Once the complaint has been submitted, complainant receives an automated email message from the complaint intake system confirming receipt
  - C. The complaint intake system sends email to PCIARC email [civilianreview@ci.stpaul.mn.us] stating: "A New PCIARC Complaint has been received" with a link to the complaint
  - D. The Review Coordinator evaluates the complaint form for completeness.
    1. The complaint will be deemed not complete if the complainant's contact information and signature are missing
    2. If the complaint form is not complete, the Review Coordinator will contact the complainant and ask them to fill out a new complaint. The complainant may view their previously-submitted complaint when submitting a new online complaint form



- II. Complainant Walk-In to HREEO (City Hall (CH) 240)
  - A. Review Coordinator explains the complaint process to the complainant and the option to request an accommodation(s) to ensure equal access for all persons
  - B. If an accommodation(s) is requested, the Review Coordinator will provide an accommodations request form and conduct the appropriate review of the accommodation(s) request, see *Appendix A- Complaint Intake Process for Individuals Making Accommodations Requests*
  - C. The complainant completes the complaint form either (a) online on a computer in a Human Rights Conference room (CH 240) or (b) using the paper complaint form
  - D. If the complaint is completed online, go to step (I)(A)
  - E. If the complaint is completed using the paper complaint form, the Review Coordinator scans and uploads the complaint form into the complaint intake system and the hard copy is couriered to Internal Affairs. Internal Affairs may decide to pick up the hard copy complaint form from the Review Coordinator. While the hard copy complaint form is in the HREEO Offices (CH 240), the complaint form will be kept in a secure, locked file cabinet
- III. Complaint phone call or email to HREEO
  - A. Review Coordinator explains the options for filing a complaint and the option to request accommodation(s) to ensure equal access for all persons
  - B. If an accommodation is requested, the Review Coordinator will conduct the appropriate review of the accommodation(s) request, see *Appendix A- Complaint Intake Process for Individuals Making Accommodations Requests*
  - C. Options for filing a complaint:
    - 1. If the complainant opts to use the paper complaint form and does not want to download it off the website, the Review Coordinator will get their address and using certified mail, will mail the paper complaint form to them with a stamped, preaddressed, return envelope to the HREEO Offices (CH 240)
    - 2. If the complainant opts to use the online complaint form, the Review Coordinator will (a) provide the website ([www.stpaul.gov/pciarc](http://www.stpaul.gov/pciarc)) over the phone or (b) send the website link via email to the complainant.
    - 3. If the complainant opts to come to HREEO Offices (CH 240), the Review Coordinator will schedule a convenient time to meet and follow the process outlined in section (II)
    - 4. The Review Coordinator may also direct the complainant to an authorized complaint center to file a complaint
    - 5. Additional options will be made available in accordance with an accommodations request form, if approved
  - D. For tracking purposes, the Review Coordinator will enter contact information from each inquiry into the complaint intake system



## STANDARD OPERATING PROCEDURES

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1. Seven (7) days following the initial contact, the Review Coordinator will follow up with the complainant to ensure they have received the requested documentation if no complaint form has been received. Complainants will be advised their complaint will be put into a “suspended” status until a completed complaint form has been received by the Review Coordinator. The Review Coordinator will use the following prioritized methods of communication, based on the contact information provided by the complainant
  - a. Certified mail
  - b. Email
  - c. Phone call
2. Thirty (30) days following the initial contact, if no complaint form has been filed, the Review Coordinator will contact the complainant letting them know that their complaint has been “suspended” until such time that a formal complaint is filed. The Review Coordinator will use the same method of communication as was used after seven (7) days

### IV. Complaint Center

- A. HREEO, in partnership with the Saint Paul Police Department, provides community partner(s), who operate the Complaint Center, with:
  1. The standard operating procedures for the intake of a complaint
  2. Paper complaint forms in all available languages
  3. Training on proper intake procedures including accommodation requests. Accommodation request forms will also be provided
  4. Biannual meetings to review standard operating procedures and collect feedback on the process
- B. Complaint Center either directs complainant to Review Coordinator OR
  1. Explains the complaint process and the options for accommodations to ensure equal access for all persons
  2. If an accommodation is requested, then secures necessary assistance
  3. Complainant fills out complaint form either at a computer at the complaint center or using paper form
  4. If the complaint form is submitted online, go to step (I)(A)
  5. If a paper complaint form is submitted, the complaint center staff will either
    - (a) scan and email the complaint form to [civilianreview@ci.stpaul.mn.us]; or
    - (b) fax to 651-266-8962 and send the hard copy via certified mail to Review Coordinator

### Notice to Complainant That Their Complaint Was Received

## STANDARD OPERATING PROCEDURES

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- I. Once the complaint form has been submitted to IAU, the Review Coordinator sends a letter explaining the process and providing their contact information to the complainant should they have any questions about the process, see *Appendix D- Letters to Complainants*
- II. The Review Coordinator uploads a copy of the letter to the complainant into the complaint intake system

### Complaint Sent to the Saint Paul Police Department (IAU)

- I. The Review Coordinator assigns complaint to Internal Affairs in the complaint intake system, which generates an email to Internal Affairs Unit (IAU) [iau@ci.stpaul.mn.us] stating: "A New PCIARC Complaint has been assigned to you" with a link to the complaint form
- II. IAU checks off in the complaint intake system that they have received the complaint
- III. IAU exports the complaint, reviews the complaint, and sends a letter to the complainant regarding the status of their complaint. If the complaint will not be heard by the PCIARC, IAU will advise the complainant of that in the letter
- IV. IAU will send a copy of the letter to the Review Coordinator who will mark in the complaint intake system that the complaint is "investigating" or "closed"

### PCIARC Case Review

- I. PCIARC Meeting Preparation- two and a half weeks prior to PCIARC meeting
  - A. IAU loads the following information onto the Commissioners laptops:
    1. Disposition/discipline handout
    2. Case line-up
    3. Case file(s)
    4. Any media pertaining to the case file(s) with viewing instructions, if necessary
    5. Up to date SPPD Policy Manual
  - B. IAU sends the Review Coordinator contact information for complainants whose cases will be heard at the upcoming meeting. Contact information will include, if available:
    1. Mailing address(es)
    2. Email address(es)
    3. Phone number(s)
  - C. IAU notifies the Review Coordinator via email [civilianreview@ci.stpaul.mn.us] when the laptops are ready for to be picked up
  - D. The Review Coordinator goes to SPPD headquarters and picks up laptops
  - E. The Review Coordinator brings the laptops to HREEO Offices (CH 240) and confirms
    1. Ability to log on



## STANDARD OPERATING PROCEDURES

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- a. If issues are identified, Review Coordinator submits service desk ticket [servicedesk@ci.stpaul.mn.us] with the word "PCIARC" in the subject line, ccing the civilian review email [civilianreview@ci.stpaul.mn.us] outlining issue
      - b. The Office of Technology and Communications (OTC) resolves issue
      - c. Review Coordinator verifies the issue has been resolved. If the issue has not been resolved, the Review Coordinator will notify OTC right away
    2. Internet access
      - a. If issues are identified, Review Coordinator submits a service desk ticket [servicedesk@ci.stpaul.mn.us] with the word "PCIARC" in the subject line, ccing the civilian review email [civilianreview@ci.stpaul.mn.us], outlining issue
      - b. OTC resolves issue
      - c. Review Coordinator verifies the issue has been resolved. If the issue has not been resolved, the Review Coordinator will notify OTC right away
  - F. Setup completion of commissioner's laptops
    1. In conjunction with the Chair, the Review Coordinator finalizes the following meeting materials:
      - a. Previous meeting minutes
      - b. Meeting agenda
      - c. Any special materials the Chair may need
    2. Review Coordinator loads meeting materials (above) onto the laptops. In addition to these meeting materials and the materials loaded on by IAU the laptops will also have on them:
      - a. The Commission's Bylaws and Special Rules of Order
      - b. A link on the desktop to the PCIARC SharePoint Site
    3. The Review Coordinator puts the Commissioners' laptops into the laptop bags with any needed materials, including power cords
    4. The Review Coordinator notifies the Commissioners via email that the laptops are ready to be picked up at HREEO's office (CH 240). If needed, the Review Coordinator will arrange delivery to the Commissioner
- II. Commissioner Case Review- Two weeks prior to the PCIARC meeting
- A. The Review Coordinator posts the PCIARC meeting agenda on [www.stpaul.gov/pciarc](http://www.stpaul.gov/pciarc) and sends the agenda through the Early Notification System (ENS)
  - B. The Review Coordinator sends meeting materials to IAU via email
  - C. The Review Coordinator sends a letter (see Appendix D- Letters to Complainants) to each complainant identified in the case file(s) via certified mail and email, if available, notifying them of the following:



## STANDARD OPERATING PROCEDURES

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1. That the PCIARC will be hearing their case with the date, time and location of the meeting
2. Their option to testify at the PCIARC meeting
3. The process for testifying
4. The Complainant Notice
- D. The Review Coordinator sends a letter (*See Appendix E- Letters to Officers*) to each principal officer identified in the case files notifying them of the following:
  1. The PCIARC will be hearing their case with the date, time and location of the meeting
  2. Their option to testify at the PCIARC meeting if a complainant provides testimony
  3. The process for testifying
  4. Notice to Officer (*See Appendix I*)
  5. Meeting logistics
- E. Review Coordinator confirms OTC personnel who will be on hand for the PCIARC meeting
- III. A week and a half prior to the PCIARC meeting
  - A. The Review Coordinator follows up with each Commissioner via email to ensure accessibility of the laptop and all files on the laptop
- IV. Questions pertaining to the case file(s)
  - A. Commissioners submit any questions or requests regarding the case(s) via the PCIARC secure database site no later than two days prior to the meeting
  - B. Each time a question is submitted an automatic email is sent to the Review Coordinator [civilianreview@ci.stpaul.mn.us], stating: "A new PCIARC question has been submitted"
  - C. The Review Coordinator will review the question and if appropriate will release to IAU, which generates an email to IAU [IAU@ci.stpaul.mn.us], stating: "A new question has been submitted to IAU"
  - D. IAU checks off on the secure database site that they have received the question
  - E. IAU answers questions during the private portion of the PCIARC meeting following the relevant case summary. IAU will decide based on the questions asked whether additional subject matter experts are needed at the meetings. Other participants will be approved by the Chair of the Commission and the Director of the HREEO in consultation with the police chief

### PCIARC Meeting

- I. Regular meetings of the PCIARC are scheduled for the first Wednesday of the month at 6:00 PM. If the meeting date changes or an additional meeting has been added during a given month, this process will still begin two and a half weeks prior to the meeting.
  - A. Commissioners have the authority to call a meeting on a different date and/or time

## STANDARD OPERATING PROCEDURES

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- B. Any date changes will be reflected on website, ENS and in the letter to the complainant with two (2) weeks' notice
  - C. The Commission shall meet a minimum of quarterly and up to twice a month as determined by a majority of the Commission
- II. The Review Coordinator is responsible to ensure that the planned meeting location(s) meets the PCIARC room requirements prior to scheduling the meeting (See *Appendix F- PCIARC Meeting Location Requirements*) **Through the remainder of 2017, all PCIARC meetings will be held in Ramsey County Board Chambers (Suite 220) of the Ramsey County Courthouse/Saint Paul City Hall (15 Kellogg Blvd W.)**
- III. Commissioners shall arrive at least fifteen (15) minutes prior to 6:00 PM to
  - A. Log on to their computer
  - B. Plug the laptop into power strip(s)
  - C. Connect the laptop to the wireless network
    - 1. OTC will be available beginning at 5:00 PM to troubleshoot technology-related issues
  - D. Complete and sign the stipend reimbursement form (See *Appendix G- PCIARC Stipend Reimbursement Form*). The Review Coordinator is responsible for collecting and turning the completed stipend reimbursement forms in for reimbursement
- IV. Public Portion of the PCIARC Meeting
  - A. When appropriate and relevant, SPPD may provide an overview of the changes and updates to the SPPD Manual and SPPD policies. SPPD may provide training for Commissioners during this time.
  - B. Commissioners may invite guests to discuss relevant topics
  - C. A HREEO employee will make an announcement at the end of public portion of the meeting: "The meeting will now go into closed session. If you are here regarding a specific case, please check in with me outside the room to discuss next steps."
  - D. The HREEO employee will check in with complainants in attendance and see if they are interested in providing a statement
  - E. Following complainant check-in, the HREEO employee will proceed to the designated officer waiting location and inform them of complainant's intent to testify. If the complainant is not in attendance or does not intend to testify the Officer will be excused at that time. HREEO employee will then return to the Commission meeting room
- V. Closed Portion
  - A. While the complainant(s) is outside the meeting room, IAU provides a summary of their case to PCIARC. If no complainant(s) is waiting outside the meeting room, proceed to M below.
  - B. After the completion of the summary, a HREEO employee brings the complainant into the room. If there is more than one complainant in attendance for a single case, only one complainant will enter the Commission meeting to testify at a time unless specified in an approved accommodations request.



## STANDARD OPERATING PROCEDURES

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- C. The Review Coordinator reads, on the record, the Complainant Notification to the complainant, refer to *Appendix H- Notice to Complainant Regarding Testimony*
  - D. Complainant signs the Notice to Complainant Regarding Testimony, states their name for the record and makes their statement. Prior to the complainant statement, the Chair may impose sensible time limits on the complainant's statement
  - E. The complainant will not take any questions from the Commission
  - F. Following the complainant's statement, a HREEO employee escorts the complainant(s) out of the room and provides them with an information sheet regarding next steps in the process, see *Appendix D- Letters to Complainants*
  - G. After escorting the complainant out of the room, the HREEO employee will proceed to the designated officer location. If the officer(s) is not in attendance or does not want to provide a statement skip to L
  - H. If the officer(s) is present and decides to provide a statement, the HREEO employee will escort them to the Commission meeting. If there is more than one officer in attendance for a single case, only one officer will enter the Commission meeting to testify at a time. The Review Coordinator reads, on the record, the Officer Notification to the officer, refer to *Appendix I-Notice to Officer Regarding Testimony*
  - I. The officer states their name for the record and makes their statement. Prior to the officer statement, the Chair may impose sensible time limits on the officer's statement.
  - J. The officer will not take any questions from the Commission
  - K. The HREEO employee will escort the officer out of the room
  - L. The case will be tabled for further discussion and will be presented back to the Commission after:
    - 1. HREEO has provided IAU an official transcript of the testimony of both the complainant and the officer, if applicable
    - 2. The official transcript has been reviewed by IAU to determine if new facts have been introduced that are required to be investigated and the investigation has been completed
    - 3. Questions regarding the complainant(s) and/or the officer(s) testimony from the Commissioners, which have been gathered either during or post the PCIARC meeting by the Review Coordinator, have been reviewed by IAU
  - M. IAU will respond to all the questions that have been previously submitted through the Review Coordinator
  - N. The Commission may request IAU to gather such additional information and/or further investigate as may be needed. Commissioners may table the case to a future meeting as needed
- VI. See proposed Bylaws and Special Rules of Order for meeting policies and procedures, *Appendix I- Proposed Bylaws and Special Rules of Order of the Police Civilian Internal Affairs Review Commission. The commission will be adopting their official standing rules and procedures prior to reviewing their first case from IAU.*



## STANDARD OPERATING PROCEDURES

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- VII. The Review Coordinator will track all recommended policy changes and share those with the Chief of the Police. The recommendations will also be tracked and shared in the PCIARC annual report. The Review Coordinator will ensure that no private data is provided as part of any recommendation.

Only Commissioners, the Review Coordinator, the Deputy Director of HREEO who supervises the Review Coordinator, and employees of Internal Affairs division of the Saint Paul Police Department can view confidential materials provided to the Commissioners before, during and after the deliberation process. Any other access to confidential materials must be approved on a case-by-case basis by the City Attorney's Office.

### After PCIARC Meeting

- I. IAU staff collects the Commissioner's laptops after each meeting
- II. The Commissioner's laptops are brought to SPPD headquarters where they are wiped of case files, held and securely stored
- III. The Review Coordinator will retain their computer until the recommendation(s) memo and any meeting with the Chief of Police has been completed. After that, the Review Coordinator will deliver their laptop to SPPD headquarters to be wiped
- IV. Commissioners will turn in all handwritten notes regarding cases to the Review Coordinator to be destroyed

### Recommendation(s) Memo to the Chief of Police

- I. Within five business days following the meeting, the Review Coordinator prepares and sends the memo to the Chief of Police (*see Appendix K- Recommendations Memo Template*)
- II. Recommendation(s) memo contains:
  - A. Vote(s) taken
  - B. Vote totals
  - C. Discipline recommendations
  - D. Policy recommendations
- III. If the Chief of Police would like additional information regarding the Commission's rationale, he may arrange a meeting with the Review Coordinator to discuss the Commission's rationale
- IV. If the Chief of Police disagrees with the Commission's recommended actions, the Chief will notify the Review Coordinator in writing who will notify the Chair. The Chair shall have 5 working days to discuss any concerns they may have with the Chief before the action is finalized

## STANDARD OPERATING PROCEDURES

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- V. The Review Coordinator notes the outcome of the case in the complaint intake system and that the case is “closed”, meaning the case is no longer pending a recommendation from the Commission

### Notification to Complainants

When there is a final disposition, IAU sends a letter to the complainant letting them know the case has been closed and to contact IAU should they have questions. The letter includes IAU’s contact information.

## **Appendices**



**Appendix A**

**Complaint Intake Process for Individuals Making Accommodations  
Requests**

### Complaint Intake Process for Individuals Making Accommodations Requests

- 1) If at any time an individual identifies need for an accommodation(s), the Review Coordinator will review accommodations request form and make reasonable efforts to provide the requested accommodation(s) using HREEO's approval process (see *Appendix B- Accommodations Request Form*)
- 2) If possible, the Review Coordinator will secure services as per the accommodations request
- 3) Any complaint intake completed with special accommodations will be audio recorded by the Review Coordinator and uploaded into the complaint intake system
- 4) If the complainant needs an interpreter (hearing impaired, language assistance, etc.):
  - a) The Review Coordinator will, if aware ahead of time, schedule an interpreter to be available during the meeting
  - b) If a complainant walks into HREEO without an appointment, the Review Coordinator will follow the approved HREEO LEP policy or reschedule to provide reasonable accommodation(s)
  - c) The Interpreter will assist the Review Coordinator explain the complaint process to the complainant
  - d) If required, the interpreter will assist the complainant complete the complaint form, either online or using the paper complaint form. The interpreter and/or the complainant may use the complaint form in either English or the complainant's native language, if available. The complaint will be written in English.
  - e) The signed completed complaint form will be uploaded to the complaint intake system
- 5) If the complainant is physically incapable of writing complaint, has a cognitive accessibility need (such as dyslexia), limited literacy or other identified need that requires the Review Coordinator to complete the complaint form:
  - a) The Review Coordinator will utilize an audio recording device to record the conversation as they complete the complainant form on behalf of the complainant
  - b) The Review Coordinator will go through the complaint form (either online or on paper) line by line, and will write down verbatim the complainant's responses
  - a) Once the complaint form has been completed, the Review Coordinator will upload the accommodations request form and any audio recording into the complaint intake system.
  - b) If required, IAU will be responsible for translating the audio recording
  - c) If the complainant has ongoing accommodation(s) request as part of the complainant process, the request will be included on the accommodation(s) request form

**Appendix B**  
**Accommodations Request Form**





**City of Saint Paul**  
**Request for Access to Services, Programs, or Activities**  
**Under the Americans with Disabilities Act (ADA)**

**REQUESTOR INFORMATION**

**Name:** \_\_\_\_\_

**Address:** \_\_\_\_\_ **Apt. No.:** \_\_\_\_\_

**City:** \_\_\_\_\_ **State:** \_\_\_\_\_ **ZIP Code:** \_\_\_\_\_

**Telephone:** \_\_\_\_\_ **Other Phone:** \_\_\_\_\_

**E-mail:** \_\_\_\_\_

**NATURE OF THE REQUEST**

**City Department Involved:** \_\_\_\_\_

**Date(s) Access Needed:** \_\_\_\_\_

**Description of Desired Service, Program, or Activity:**

**Requested Action of City to Create Access to Service, Program, or Activity:**

**Signature:** \_\_\_\_\_ **Date:** \_\_\_\_\_

**Return to:** Alyssa Wetzel-Moore, ADA Coordinator  
Department of Human Rights and Equal Economic Opportunity (HREEO)  
240 City Hall  
15 West Kellogg Blvd.  
St. Paul, MN 55102  
Telephone: (651) 266-8965 Fax: (651) 266-8962  
E-mail: ADACoordinator@stpaul.gov

Revision Date 09/01/2010

**Office Use Only**

**Action Provided:** \_\_\_\_\_

**Date Provided:** \_\_\_\_\_



## **Appendix C**

### **Evidence Handling**



### **Evidence Handling**

If a complainant wants to submit additional documents, photos or video with their complaint, the Review Coordinator will advise the complainant to hold on to their evidence.

The complainant will be advised to note all such evidence on the complaint form.

IAU will collect the evidence from the complainant as part of the investigation.

If evidence is mailed to the HREEO office (CH 240), IAU will be contacted to collect the provided evidence and complete the appropriate chain of custody paperwork.

**Appendix D**  
**Letter to Complainant(s)**





## Appendix D- Complainant Intake Letter

DEPARTMENT OF HUMAN RIGHTS AND  
EQUAL ECONOMIC OPPORTUNITY  
Human Rights Division  
Jeff Martin, Deputy Director



### CITY OF SAINT PAUL

*Christopher B. Coleman, Mayor*

240 City Hall  
15 West Kellogg Boulevard  
Saint Paul, MN 55102-1681

Telephone: (651) 266-8966  
Facsimile: (651) 266-8962  
TDD: (651) 266-8977

DATE

NAME

ADDRESS

ADDRESS

Dear NAME,

This letter is to notify you that we have received your complaint involving a Saint Paul Police Department officer. Thank you for coming forward to share your experience and help us improve our Police Department. Each complaint is taken seriously.

The City has a strong process in place to review complaints. Your complaint has been forwarded to the Saint Paul Police Department's Internal Affairs Unit. You should expect to receive a second letter from the Internal Affairs Senior Commander confirming their receipt of your complaint and citing details of the investigative process.

The Internal Affairs Unit will conduct an in-depth investigation by gathering evidence and interviewing those with information about the incident. Following the investigation, the City's Police Civilian Internal Affairs Review Commission (PCIARC) reviews most cases.

The PCIARC is a group of nine civilians appointed by the Mayor. Prior to their meeting to review your case, you will receive a letter inviting you to give a statement at the meeting. The choice to attend and give a statement is optional. After case review, the Commissioners make a recommendation to the Chief of Police, who will make the final decision on complaint disposition and discipline. When the process is complete, you will receive a letter notifying you the case resolution. The timeline of this process can vary.

Thank you again for taking the time to submit your complaint. Your coming forward will assist the City of Saint Paul and the Saint Paul Police Department in attaining its stated goal of achieving excellence and providing trusted service with respect. Please don't hesitate to contact me with questions throughout this process.

Sincerely,

Libby Kantner  
Police Civilian Internal Affairs Review Commission (PCIARC), Coordinator  
Department of Human Rights and Equal Economic Opportunity  
15 Kellogg Blvd W., Suite 240  
Saint Paul, MN 55102  
[Libby.kantner@ci.stpaul.mn.us](mailto:Libby.kantner@ci.stpaul.mn.us)  
(651) 266-8970



**Appendix D- Complainant Notification of PCIARC Meeting**

ssi Kingston, Director

Christopher B. Coleman, Mayor

240 City Hall  
15 Kellogg Boulevard West  
Saint Paul, MN 55102-1659

Telephone: (651) 266-8900  
Facsimile: (651) 266-8919  
TDD: (651) 266-8977



DATE

NAME

ADDRESS

ADDRESS

Dear NAME,

This letter is to notify you that the Police Civilian Internal Affairs Review Commission (PCIARC) will be reviewing the complaint that you filed regarding a St. Paul police office on DATE TIME.

The PCIARC is a group of nine civilians appointed by the Mayor who make recommendations to the Chief of Police regarding civilian-initiated complaints and officer discipline. These recommendations are advisory and the Chief of Police makes all final decisions.

You have the right to make a statement to the Commission when they review your complaint. Section 102.4 (b) of City of Saint Paul Ordinance 16-49 states in part "*Complainants shall be notified when a case they have submitted will be heard by the commission and shall be permitted to provide testimony.*" Under state law it is a crime to report police misconduct when you know the information you are providing is false.

Your attendance is not mandatory nor is it required for the Commission to consider your complaint and the corresponding investigation that was conducted by the St. Paul Police Department's Internal Affairs Unit. If you do choose to attend you will have the opportunity to make a voluntary statement which will be recorded. If you choose to make a statement, the officer(s) listed in your complaint will also have the opportunity to give a statement and the length of time to complete the review process may increase. In addition, your statement may be made available to the Saint Paul City Attorney's Office, the Department of Human Resources, and the Saint Paul Police Department as allowed by law. It may become part of a police officer disciplinary action or released pursuant to a court order.

Following your statement, the Commission will not ask you any questions. You will be escorted out of the room. If the officer listed in your complaint is present and interested in making a statement, he/she will be escorted into the room to make his/her statement. Following the statements the Commission will begin case discussion. This discussion involves private employee data and thus this part of the meeting is closed pursuant to Minnesota Statutes 13D.05, subd. 2 (a) (2). Because it involves private employee data, you cannot know the outcome of the PCIARC meeting.



## CITY OF SAINT PAUL

*Christopher B. Coleman, Mayor*

## DEPARTMENT OF HUMAN RIGHTS AND EQUAL ECONOMIC OPPORTUNITY

Jessi Kingston, Director



240 City Hall

15 Kellogg Boulevard West

Saint Paul, MN 55102-1659

Telephone: (651) 266-8900

Facsimile: (651) 266-8919

TDD: (651) 266-8977

The Commission will make a recommendation to the Chief of Police who will make the final decision. Should that decision include discipline, the officer(s) has the opportunity to grieve the decision. When that process is complete, you will receive a letter notifying you of how the case was resolved. The timeline of this process can vary.

Should you choose to attend, the meeting it will be held DATE at TIME at Saint Paul City Hall (15 Kellogg Blvd W., Saint Paul, MN 55102) in Suite 220. **Please let me know by DATE whether you plan on attending and making a statement so we can plan accordingly.**

Please let me know if you plan to attend the Commission Meeting and if you have any questions regarding the meeting, your right to testify, or the complaint process.

Sincerely,

Libby Kantner

Police Civilian Internal Affairs Review Commission (PCIARC), Coordinator

Department of Human Rights and Equal Economic Opportunity

15 Kellogg Blvd W., Suite 240

Saint Paul, MN 55102

[Libby.kantner@ci.stpaul.mn.us](mailto:Libby.kantner@ci.stpaul.mn.us)

(651) 266-8970



## Appendix D- Complainant Post Testimony Next Steps

DEPARTMENT OF HUMAN RIGHTS AND

EQUAL ECONOMIC OPPORTUNITY

CITY OF SAINT PAUL

Libby Kantner, Director

Christopher B. Coleman, Mayor

280 City Hall

15 Kellogg Boulevard West

Saint Paul, MN 55102-1659

Telephone: (651) 266-8900

Facsimile: (651) 266-8919

TDD: (651) 266-8977

Dear Sir or Madam,

Thank you for taking the time to make a statement to the Police Civilian Internal Affairs Review Commission (PCIARC). This letter is to inform you of the next steps in the complaint process.

### Officer Response:

Tonight, the officer(s) named in your complaint will be given the opportunity to provide a statement to the Commission. The Commission will not ask the officer(s) any questions.

### Statements Made Today:

1. Your statement and that of the officer(s) named in your complaint, should they choose to make one, will be transcribed and sent to the Saint Paul Police Department's Internal Affairs Unit.
2. Internal Affairs will review the transcript for any new facts that need follow-up investigation. They may contact you with questions.

### What Happens Next:

1. After the above steps have been completed, your case will be returned to the PCIARC for further deliberation.
2. The Commission will discuss the case and, if applicable, make a recommendation on the complaint to the chief of police.
3. The chief will receive both the PCIARC's and Internal Affairs' recommendations. The chief will make the final decision. Officers have the right to appeal disciplinary action.

When the process is complete you will receive a letter from Internal Affairs letting you know the outcome of your case.

Thank you for your patience during this process. Should you have any questions, please don't hesitate to reach out to me or Internal Affairs.

Sincerely,

Libby Kantner,  
Police Civilian Internal Affairs Review Commission (PCIARC), Coordinator  
Department of Human Rights and Equal Economic Opportunity  
15 Kellogg Blvd W., Suite 240  
Saint Paul, MN 55102  
[Libby.kantner@ci.stpaul.mn.us](mailto:Libby.kantner@ci.stpaul.mn.us)  
(651) 266-8970





**Appendix E**  
**Letter to Officer(s)**



## Appendix E- Officer Notification of PCIARC Meeting

DEPARTMENT OF HUMAN RIGHTS AND  
EQUAL ECONOMIC OPPORTUNITY  
Jessi Kingston, Director

CITY OF SAINT PAUL

Christopher B. Coleman, Mayor

240 City Hall  
15 Kellogg Boulevard West  
Saint Paul, MN 55102-1659

Telephone: (651) 266-8900  
Facsimile: (651) 266-8919  
TDD: (651) 266-8977



DATE

NAME

367 Grove St.  
Saint Paul, MN 55101

Dear NAME,

This letter is to notify you that the Police Civilian Internal Affairs Review Commission (PCIARC) will be discussing an Internal Affairs investigation regarding a complaint filed against you on DATE at TIME.

The PCIARC is a group of nine civilians appointed by the Mayor who make recommendations to the Chief of Police regarding civilian-initiated complaints and officer discipline. These recommendations are advisory and the Chief of Police makes all final decisions.

You may have the right to make a statement to the Commission regarding the complaint against you. Section 102.4 (b) of City of Saint Paul Ordinance 16-49 states in part "*Complainants shall be notified when a case they have submitted will be heard by the commission and shall be permitted to provide testimony.*" If the complainant provides testimony to the Commission, you will also be provided the opportunity to make a statement.

Your attendance is not mandatory and any statement you choose to make is voluntary. You will be allowed to testify only if a complainant first provides testimony. After the complainant's testimony, you will be admitted to appear before the Commission. Your voluntary statement will be recorded. In addition, your statement may be made available to the Saint Paul City Attorney's Office, the Department of Human Resources, and the Saint Paul Police Department as allowed by law. It may become part of a disciplinary action or released pursuant to a court order.

Following your statement, you will be escorted out of the room and the Commission will begin case discussion. The Commission's discussion will include private employee data and the Minnesota Government Data Practices Act requires that part of the meeting is closed pursuant to Minnesota Statutes 13D.05, subd. 2 (a) (2).

The Commission will make a recommendation to the Chief of Police who will make the final decision on the complaint and any disciplinary action(s).

Should you choose to attend, the meeting it will be held DATE at 6:00PM at Saint Paul City Hall (15 Kellogg Blvd W., Saint Paul, MN 55102) in Suite 220. During the meeting, please wait in the designated waiting area in the City Annex Building (25 W. 4<sup>th</sup> St.). The waiting area is on the second floor directly outside of the Human Resources offices. There

## CITY OF SAINT PAUL

*Christopher B. Coleman, Mayor*



## DEPARTMENT OF HUMAN RIGHTS AND EQUAL ECONOMIC OPPORTUNITY

Jessi Kingston, Director

240 City Hall

15 Kellogg Boulevard West

Saint Paul, MN 55102-1659

Telephone: (651) 266-8900

Facsimile: (651) 266-8919

TDD: (651) 266-8977

will be identifying signage to direct you to the correct location. After the public portion of the meeting has adjourned, a staff member will come to the waiting location and check in with you. **Please let me know by DATE whether you plan on attending so we can plan accordingly.**

Please let me know if you plan to attend the Commission Meeting and if you have any questions regarding the meeting, your right to testify, or the complaint process.

Sincerely,

Libby Kantner

Police Civilian Internal Affairs Review Commission (PCIARC), Coordinator

Department of Human Rights and Equal Economic Opportunity

15 Kellogg Blvd W., Suite 240

Saint Paul, MN 55102

[Libby.kantner@ci.stpaul.mn.us](mailto:Libby.kantner@ci.stpaul.mn.us)

(651) 266-8970

## **Appendix F**

### **PCIARC Meeting Location Requirements and Meeting Room Setup**



## STANDARD OPERATING PROCEDURES

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### **PCIARC Meeting Location Requirements and Meeting Room Setup**

In order for Commissioners to do their work effectively, adequate planning and preparation must be done to ensure a professional, accessible meeting location and setup. The Commission's Review Coordinator will be responsible for meeting preparation and setup.

#### **PCIARC Meeting Location Checklist**

- Located on a bus line
- Ability to stay open until deliberations are complete
- Adequate parking for Commissioners and the public
- Ample power outlets
- Handicapped-accessible
- Has wireless internet access
- Has a room that can be quickly converted from public to private
- Ability to cover any windows, close doors, etc. to make the room sound-proof and visual-proof
- Ability to accommodate visitors during public portion
- Appropriate waiting area for complainant(s)
- Appropriate waiting area for officer(s)
- When possible, two separate entrances to limit interaction between complainant(s) and principal officer(s)

#### **Review Coordinator Responsible for Bringing**

- Extension cords
- Coordinator laptop
- Directional signage
- Blue tape
- Project, screen and speakers, if needed
- Wireless hotspot
- 2 audio recorders with back up batteries
- Snacks and water
- Name table tents for Commissioners and staff
- PCIARC stipend reimbursement forms (*See Appendix GF*)
- Sign in sheets for the public with option to sign up to receive future Commission meeting agendas (sign in is optional)
- Roll call vote sheets

## STANDARD OPERATING PROCEDURES

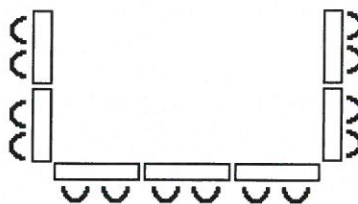
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### Location Setup

- Set up complete one hour prior to meeting start
- Ample signage placed directing Commissioners and the public to meeting location
- Signage directing attendees to waiting locations

### Room Setup

Commissioners will be seated in a U-Shape at tables with access to power strips. Members of the public will be seated in rows across from the U shape or on the sides of the room. If necessary, a screen, projector and speakers will be set up.



*U-Shaped*

### 2017 Meetings

For the remainder of 2017 Commission meetings will be held at the Ramsey County Courthouse/ Saint Paul City Hall (15 Kellogg Blvd W., Saint Paul, MN 55102) in the Ramsey County Board Room (Suite 220).

### Security

The Courthouse is a secure building and requires guests to pass through security when entering the building. Commission meetings are held the first Wednesday of the month, which coincides with Saint Paul City Council meetings. As such, security staff will be on hand at all three entrances of the Courthouse (Kellogg Boulevard, 4<sup>th</sup> Street, and the skyway) at the start of the Commission meeting. Should the City Council meeting end before the Commission meeting, Courthouse Security will have one guard stay on duty at the 4<sup>th</sup> Street entrance. The Human Rights and Equal Economic Opportunity Department will cover the additional cost of one security guard staying past the City Council meeting conclusion.

### Parking

Commissioners will be issued green parking placards, allowing them to park on the south side of Kellogg Boulevard between Wabasha Avenue and Minnesota Street for free OR they can park in the Victory Ramp parking garage (344 Wabasha St. N., Saint Paul, MN 55102) and get reimbursed. If Commissioners choose to park in the Victory Ramp they should retain a copy of their receipt and send a picture of it to the Review Coordinator following the meeting.

### Complainant Logistics

## STANDARD OPERATING PROCEDURES

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Complainants will be asked to enter the Courthouse using the Kellogg Boulevard entrance. From there they can take the stairs or the elevators to the second floor to the Ramsey County Board Room (suite 220). A HREEO employee will make an announcement at the end of public portion of the meeting: "The meeting will now go into closed session. If you are here regarding a specific case, please check in with me outside the room to discuss next steps." At that point complainants will check in with the HREEO employee and take a seat directly outside the County Board Room in the waiting area.

The HREEO employee will remain in the complainant waiting area to check in complainants who arrive after the closed portion of the meeting begins. Prior to hearing any case, the Review Coordinator will check in with the HREEO employee to verify if the complainant(s) is present and interested in testifying.

Complainants will be escorted into the County Board Room by the Review Coordinator when it is time for them to make their statement. Following their statement, the complainant(s) will be escorted out of the room by the Review Coordinator.

### *Officer Logistics*

Officers will be asked to wait in the designated waiting area in the City Annex Building (25 W. 4<sup>th</sup> St.). The waiting area is on the second floor directly outside of the Human Resources offices. There will be identifying signage to direct officers to the correct location. After the public portion of the meeting has adjourned and a HREEO employee has checked in with complainants, the HREEO employee will go to the designated officer waiting location and check in with the officer(s). After speaking with the officer(s,) the HREEO employee will return to the County Board Room.

If the complainant is not in attendance or does not want to give a statement, the officer will be excused by the HREEO employee without giving a statement.

If the complainant is in attendance and planning to testify, the officer, if interested, may give his/her statement following the complainant. The officer will wait in the designated officer waiting location until the HREEO employee comes to get them. The HREEO employee will then escort them to the County Board Room where they will make their statement. Following their statement they will be escorted out of the County Board Room by the Review Coordinator.

**Appendix G**  
**PCIARC Stipend Reimbursement Form**



**PCIARC Stipend Reimbursement Form**

**POLICE CIVILIAN INTERNAL AFFAIRS REVIEW COMMISSION  
ATTENDANCE RECORD**

I, \_\_\_\_\_, HEREBY CERTIFY THAT I WAS IN  
ATTENDANCE FOR  
(Print name)

THE \_\_\_\_\_ MEETING OF THE POLICE CIVILIAN INTERNAL  
AFFAIRS  
(month/date/year)

REVIEW COMMISSION.

\_\_\_\_\_  
Commissioner's Signature

Do Not Write Below This Line

---

Vendor # \_\_\_\_\_  
Commodity \_\_\_\_\_ C-10391 \_\_\_\_\_  
Council File # \_\_\_\_\_ Ord 16-49 \_\_\_\_\_  
Accounting Unit \_\_\_\_\_ 10015400 \_\_\_\_\_  
Accounting Unit Manager \_\_\_\_\_ Sarah Satterberg \_\_\_\_\_  
Amount \_\_\_\_\_ \$50.00 \_\_\_\_\_



**Appendix H**  
**Notice to Complainant Regarding Testimony**

**Notice to Complainant Regarding Testimony**

Now is your opportunity to make a statement to the Commission. Under state law it is a crime to report police misconduct when you know the information you are providing is false. Your statement today is completely voluntary, meaning you are not required to make one. Your statement will be subject to reasonable time limits. Your statement will be recorded. The officer(s) will be allowed to respond to these statements, and the length of time to complete the review process may increase. In addition, your recorded statement may be made available to the City Attorney's Office, the Department of Human Resources, and the Saint Paul Police Department as allowed by law. It also may become a part of a police officer's disciplinary action, or released pursuant to a court order.

Question 1: Did you understand what I just read to you?

Question 2: Would you still like to make a statement?

Question 3: Do you have any questions?

Please sign a copy of this notice which has been provided to you, and please state your name for the record.

Printed Name: \_\_\_\_\_

Signature: \_\_\_\_\_

Date: \_\_\_\_\_

**Appendix I**  
**Notice to Officer Regarding Testimony**

**Notice to Officer Regarding Testimony**

Now is your opportunity to make a statement to the Commission. Your statement today is completely voluntary, meaning you are not required to make one. Your statement will be subject to reasonable time limits. Your statement will be recorded. Your recorded statement may be made available to the City Attorney's Office, the Department of Human Resources, and the Saint Paul Police Department as allowed by law. It also may become a part of a disciplinary action, or released pursuant to a court order.

Question 1: Did you understand what I just read to you?

Question 2: Would you still like to make a statement?

Question 3: Do you have any questions?

Please sign a copy of this notice which has been provided to you, and please state your name for the record.

Printed Name: \_\_\_\_\_

Signature: \_\_\_\_\_

Date: \_\_\_\_\_

## **Appendix J**

### **Proposed Bylaws and Special Rules of Order of the Police Civilian Internal Affairs Review Commission**





**DRAFT BYLAWS AND SPECIAL RULES OF ORDER OF THE  
POLICE CIVILIAN INTERNAL AFFAIRS REVIEW COMMISSION  
OF THE  
CITY OF SAINT PAUL**

**Originally Adopted:** \_\_\_\_\_

**ARTICLE 1. OFFICERS**

The officers of the Commission shall consist of a Chair and a Vice-Chair.

The officers shall be elected by the Commission when a vacancy occurs.

The Chair shall preside at all meetings. The Vice-Chair shall preside in the absence of the Chair.

**ARTICLE 2. COMMISSIONERS**

The Commission shall consist of nine (9) voting members appointed by the mayor. All members shall be appointed to three-year terms not to exceed two terms. A member's term may be extended to allow a new member to meet the criteria to become a voting member.

All Commissioners shall complete training on the topics detailed in Chapter 102.03 of the Saint Paul Legislative Code and pass a CJIS-compliant background check and CJIS certification training prior to receiving and voting on a case.

Members of the Commission shall receive fifty dollars (\$50.00) per meeting attended. Each member must fill out a reimbursement form at each meeting.

**ARTICLE 3. REVIEW COORDINATOR**

The Commission's Review Coordinator shall be in attendance at Commission meetings to facilitate Commission review, serve as the custodian of the Commission files and record the proceeding of the Commission on audio tape.

Prior to a Commissioner's first meeting, the Review Coordinator will meet with them to explain the work of the Commission and review the standing rules, policies, and procedures of the Commission.

**ARTICLE 4. MEETINGS**

Regular meetings of the Commission shall be held at 6:00 PM on the first Wednesday of the month. Commissioners will arrive at least fifteen (15) minutes prior to 6:00PM.

The first meeting in each calendar year shall be both a regular meeting and an organizational meeting. At that meeting, the Commission will review the Bylaws and Special Rules of Order and make any needed changes and review compliance with training requirements detailed in Chapter 102.03 of the Saint Paul Legislative Code.

In accordance with the Minnesota Open Meeting Law, a meeting occurs when a quorum of the Commission, which is defined as a simple majority of the seated Commissioners, is present and business is discussed.

Commissioners shall conduct their meetings in accordance with the City of Saint Paul's Workplace Conduct Policy: A Policy Against Discrimination, Violence, Harassment, and Offensive Behavior in the Workplace. A copy of this policy is attached as Exhibit A.

The portion of the meeting where private/confidential data is discussed will be closed pursuant to Minnesota Statutes 13D.05, subd. 2 (a) (2). The Review Coordinator, Commissioners and such other participants as approved by the Chair and the Director of the Department of Human Rights and Equal Economic Opportunity ("Director") in consultation with the Chief of Police will facilitate the review process of the Commission at the closed portion of the meetings.

No less than one time per year, the Commission shall hold an annual summit in order to review the annual report publicly and evaluate the effectiveness of the Commission. All Commissioners shall attend and participate in this summit. This meeting, and all other meetings of the Commission, shall be audio recorded.

## **ARTICLE 5. ORDER OF BUSINESS**

Meetings of the Commission shall be structured in the following way:

- I. Call to Order
- II. Approval of the Agenda
- III. Approval of Minutes
- IV. Chair's Report
- VI. Old Business
- VII. New Business
- VIII. Adjourn to Closed Door Session
- IX. Chair's Report (private portion- case specific)
- X. Case Review
- XI. Adjourn

## **ARTICLE 6. VOTING**

The Commission shall abide by the following process when voting on cases:

1. Internal Affairs (IAU) provides a summary of their case to PCIARC. If present, the complainant will remain outside the meeting room during this part of the meeting. If no complainant testimony has been given, skip to step 13
2. After the completion of the summary, the Review Coordinator brings the complainant into the room
3. The Review Coordinator reads, on the record, the Complainant Notice to Testifying Complainant(s) to the complainant
4. Complainant states their name for the record and makes their statement
5. The complainant will not take any questions from the Commission
6. Following the complainant's statement, the Review Coordinator escorts the complainant(s) out of the room and provides them with an information sheet regarding next steps in the process
7. At this time, if in attendance and interested in providing testimony the principal officer will be brought into the room by the Review Coordinator. If the officer is not in attendance, skip to step 12
8. The Review Coordinator reads, on the record, the Notice to Officer Regarding Testimony to the officer
9. Officer states their name for the record and makes their statement
10. The officer will not take any questions from the Commission
11. Following the officer's statement, the Review Coordinator escorts the officer out of the room and provides them with an information sheet regarding next steps in the process
12. The case will be tabled for further discussion and will be presented back to the Commission after:
  - a) HREEO has provided IAU an official transcript of the testimony of both the complainant and the officer, if applicable
  - b) The official transcription has been reviewed by IAU to determine if new facts have been introduced that are required to be investigated and the investigation has been completed
  - c) Questions regarding the complainant(s) and/or the officer(s) testimony from the commissioners, which have been gathered either during or post the PCIARC meeting by the Review Coordinator, have been reviewed by IAU
13. IAU will respond to all the questions that have been previously submitted through the review coordinator
14. In rotating order, as determined by the Chair, each Commissioner will be given the opportunity to state the determination they believe is appropriate and their reasoning behind it
15. During this time Commissioners may ask follow up questions of IAU
16. A motion can be made after each Commissioner has had an opportunity to speak
17. Further discussion, if necessary
18. Vote on complaint determination motion
19. If the complaint is sustained, IAU shares the principal's commendation and discipline history with Commissioners

20. Commissioners vote on recommended disciplinary action

In the meeting, the Commission may also request that IAU staff gather such additional information as may be needed for a recommendation by the Commission. Commissioners may also table the case to a future meeting to allow for additional discussion.

The adoption of any proposed recommendation to the Chief of Police shall be final when passed by a majority vote of the Commission. Failure of the Commission to reach a majority decision shall cause the case to be tabled until the next meeting for further discussion. If following the next meeting the Commission has still failed to reach a majority decision, the case shall proceed directly to the Chief of Police for determination and disposition.

For each complaint reviewed by the Commission, the Commission shall make one of the following recommendations:

1. Complaint is **sustained**, meaning that the allegation is supported by sufficient evidence
2. Complaint is **not sustained**, meaning that there is insufficient evidence either to prove or disprove the allegation
3. Complaint is **unfounded**, meaning that the allegation is false or not factual
4. Officer(s) **exonerated**, meaning that the incident occurred but was lawful and proper
5. Complaint revealed a **policy failure**, meaning that the allegation is factual and followed proper procedure, however, that procedure has proven to be faulty.

If the Commission recommends sustaining a complaint, they may make one of the following recommendations for action to the Chief of Police:

1. Oral reprimand
2. Written reprimand
3. Suspension (up to 30 days)
4. Demotion
5. Termination

In addition to contractual disciplinary measures, Commissioners may recommend additional training for officers.

Issues to be considered in recommending appropriate discipline:

1. Reason for the rule/regulation violated
2. Impact of violation on the department/officer's ability to perform her/his job
3. Was officer aware of the rule?
4. Officer's disciplinary history
5. Impact on public trust
6. Officer's candor in their written responses to and/or interviews with Internal Affairs and/or other law enforcement agencies



If the complaint reveals a policy failure, the Commission may recommend a change to department policy.

#### **ARTICLE 7. BURDEN OF PROOF**

The Commission shall require a *preponderance of evidence* standard of proof to find merit in an allegation, meaning that it is more likely than not that the alleged actions occurred.

In determining whether an allegation has merit, Commissioners must rely only upon the evidence in the case, investigated and presented by the Internal Affairs Unit. Commissioners must not consider facts unrelated to the IAU case including but not limited to media coverage; alternative legal proceedings, etc. The Commission must decide whether a thorough investigation was conducted to properly show proof of the violation. The Commission may request IAU staff to gather such additional information as may be needed for a recommendation by the Commission.

#### **ARTICLE 8. COMPLAINANT STATEMENT**

Two weeks prior to the meeting where their case is reviewed, the complainant will receive notice of the time, date and location of the meeting and their ability to make a statement. The notice will include contact information for the Review Coordinator and information on how to request special accommodations (ex: interpreters) if needed.

Complainant(s) will be called into the meeting by the Review Coordinator after Internal Affairs has presented their case. The Review Coordinator will advise the complainant(s) with the Notice to Testifying Complainant(s) approved by the Saint Paul City Attorney's Office prior to making any statement.

Complainant statements will be time limited to ten (10) minutes.

#### **ARTICLE 9. OFFICER STATEMENT**

Two weeks prior to the meeting where their case is reviewed, the principal officer(s) will receive notice of the time, date and location of the meeting and their ability to make a statement if the complainant makes a statement. The notice will include contact information for the Review Coordinator and information on how to request special accommodations (ex: interpreters) if needed.

Officers(s) will be called into the meeting by the Review Coordinator after the complainant makes their statement. The Review Coordinator will advise the officer(s) with the Notice to Testifying Officer(s) approved by the Saint Paul City Attorney's Office prior to making any statement.

Officer statements will be time limited to ten (10) minutes.

## **ARTICLE 10. SUBPOENA POWER**

As stated in Chapter 102.03(f) of the Saint Paul Legislative Code, the Commission may request that individuals appear before it to state facts to supplement files. Any statement(s) made by a subpoenaed witness(es) will follow the same process outlined in Article 8 – Complainant Statement.

## **ARTICLE 11. DATA PRIVACY**

All complaint data and case file information is personnel data and all personnel data is private data on individuals except what is expressly listed in Minnesota Statutes Section 13.43. A violation of law regarding government data practices shall constitute cause for the Director to recommend to the Mayor the termination of a Commissioner's appointment.

Commissioners are expressly prohibited from discussing any cases with each other either before or after the closed portion of the meeting. Commissioners shall not discuss any confidential or private data related to a case with any person(s) outside of the closed portion of the meeting.

Only Commissioners, the Review Coordinator (their supervisor if assistance is needed or their alternate), and employees of Internal Affairs division of the Saint Paul Police Department can view confidential materials provided to the Commissioners before, during and after the deliberation process.

## **ARTICLE 12. MEDIA CONTACT**

All media requests should be directed to the Chair. The Chair will keep the Review Coordinator informed of all media requests. Commissioners are expressly prohibited from speaking to the media regarding specific cases and from providing detail that would reveal the nature or subject matter of the case.

## **ARTICLE 13. CONFLICTS OF INTEREST**

When a Commissioner believes that she or he has a conflict of interest, that member shall disclose the conflict and shall abstain from voting on or participating in the discussion of the matter. A conflict of interest is defined as a relationship, affiliation, or other interest that could create an inappropriate influence if the person is called on to make a decision or recommendation that would affect one or more of those relationships, affiliations, or interests. Commissioners shall recuse themselves from participating in the discussion and voting in all cases involving their immediate family members or cases where they themselves are the complainant. Immediate family members will be defined as a person's parents, spouses, or children

## **ARTICLE 14. ABSENTEEISM AND PREPAREDNESS**

Members of the Commission may be removed by the Mayor as recommended by Director following three absences in a year.

Commissioners will receive the relevant case files two weeks ahead of the meeting. All Commissioners must thoroughly review each case file in its entirety prior to the commission meeting, and be prepared to discuss each case in detail. If a Commissioner consistently fails to prepare for meetings the Chair and the Review Coordinator will conduct a preliminary performance meeting with that Commissioner. If the Commissioner's preparedness does not improve following the initial performance meeting, the Chair will issue a warning to the Commissioner. If the Commissioner's behavior does not improve following the warning, the review coordinator and Director shall ask the Commissioner to resign from the PCIARC. If the Commissioner chooses not to resign, the Director may recommend termination to the Mayor.

### **EXHIBIT A**

City of Saint Paul Workplace Conduct Policy A Policy Against Discrimination, Violence, Harassment, and Offensive Behavior in the Workplace

It is the policy of the City of Saint Paul to maintain a respectful work and public service environment. The City of Saint Paul will maintain a work and public service environment free from discrimination, violence, harassment, and offensive behavior. The City of Saint Paul will not tolerate retaliation or intimidation directed toward anyone who makes a complaint or participates in an investigation under this policy. This policy applies to each and every employee and official of the City of Saint Paul, including the Mayor, City Council members, and members of boards and commissions. The City of Saint Paul will not tolerate such behavior by or toward any employee or officer. Any employee or officer of the City of Saint Paul who engages in such behavior is subject to consequences, up to and including termination.

### **DEFINITIONS**

**Discriminatory behavior** includes inappropriate remarks about or conduct related to an employee's race, color, creed, religion, national origin, disability, sex, marital status, age, sexual orientation, gender identity, or status with regard to public assistance, Veteran's status, or any other reason protected by local, state, or federal law, ordinance or regulation.

**Violent behavior** includes the use of physical force, harassment, intimidation, or abuse of power or authority when the impact is used to control by causing pain, fear or hurt. Violent behavior also includes verbal abuse and/or acts, words, comments, or conditions that would lead a person to reasonably believe a violent act could occur.

**Harassing behavior** includes words or conduct that is severe or pervasive, and that a reasonable person would find abusive.

**Offensive behavior** includes words or conduct that a reasonable person would find reprehensible, although the conduct is neither severe nor pervasive.

**Other behavior** prohibited by this policy also includes requests to engage in illegal, immoral or unethical conduct.

**Conduct includes** acts and the dissemination or display of discriminatory, violent, harassing or offensive material at work, at work-related functions, or in work vehicles, computers, lockers, cubicles, emails, other written or electronic documents, and other work locations or functions. It also includes the dissemination or display of such material if it is located on an employee's personal equipment, like PDAs and cellphones, if that material is displayed or disseminated at work. Words and conduct prohibited by this policy can include discriminatory, harassing or offensive:

- Remarks, slurs, epithets, or jokes;
- Material displayed or disseminated in pictures, posters, cartoons or written or electronic communications, including emails, websites, social media posts, texts, and all other forms of communication; or
- Impeding movement, blocking, or intimidating conduct and acts.

**Sexual Harassment.** One specific kind of discriminatory and offensive behavior is sexual harassment. Sexual harassment, which can consist of a wide range of unwanted and unwelcome sexually-directed behavior, is defined as unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature when:

- Submitting to the conduct is made either explicitly or implicitly a term or condition of an individual's employment or of obtaining public services;
- Submitting to or rejecting the conduct is used as the basis for an employment decision affecting an individual's employment or the delivery of public services; or
- Such conduct has the purpose or results of unreasonably interfering with an individual's work performance or creating an intimidating, hostile, or offensive work or public service environment.

Behavior prohibited by this policy can include unwanted or unwelcome:

- Sexual remarks, jokes, slurs or compliments;
- Sexual innuendo or propositions;
- Sexually-suggestive facial expressions, leering or ogling;
- Display or dissemination of sexually oriented material in pictures, posters, cartoons or written or electronic communications, including emails, websites, social media posts, texts, and all other forms of communication;
- Kissing, touching, or other sexual physical contact; or
- Impeding movement, blocking, or intimidating conduct and acts.

All sexually harassing behaviors prohibited by this policy have not been explicitly covered herein. The examples used are for illustrative purposes and are not meant to be all-inclusive.

**Retaliation** is the commission of an adverse action towards an employee who has either filed a complaint against or participated in an investigation of a complaint by one against whom a complaint was filed. Retaliation can be blatant or it can be subtle.

**Intimidation** is behavior that induces fear in another person through threats, insults, badgering, bullying or aggressive behavior.

*(All behaviors prohibited by this policy have not been explicitly covered herein. The definitions used are for illustrative purposes and are not meant to be all inclusive.)*

### **REPORTING AND SUPERVISORY RESPONSE**

Any person who feels he or she is being subjected to discriminatory, violent, harassing, or offensive behavior of any kind should object to the behavior, and shall report the behavior to their supervisor or to the Human Resources Director as soon as possible. In the case of violent behavior, the incident must be reported immediately after the incident. An employee that feels they have been subjected to such conduct by a non-employee third-party, such as a vendor or members of the general public, should report the conduct in the same manner.

Any supervisor who receives a complaint of discriminatory, violent, harassing or offensive behavior or who has reason to believe that such behavior is occurring shall report these concerns and forward the entire complaint to their Department or Office Director or to the Human Resources Director. A supervisor should not make an independent determination as to the validity of a complaint. A supervisor who fails to report the concerns as provided for in this paragraph is subject to consequences, up to and including termination of employment.

It is a violation of this policy to report a malicious or knowingly false claim.

### **INVESTIGATION AND RESOLUTION**

All complaints of discriminatory, violent, harassing or offensive behavior, retaliation, intimidation or filing a false or malicious claim will be investigated promptly, fairly, and completely. The facts shall determine the response to each complaint. Each situation will be handled as discreetly as possible consistent with applicable law.

The City of St. Paul will take prompt and effective remedial action to resolve complaints under this policy. The City of St. Paul may take immediate steps, at its discretion, to protect the complainant, other employees, or members of the public pending the completion of the investigation. Resolution of complaints can include, but is not limited to, an apology, transfer, direction to stop the offensive behavior, counseling or training, verbal or written warning, suspension with or without pay, or termination of employment.

In the event that offensive behavior recurs, it should immediately be reported to the appropriate Department or Office Director or to the Human Resources Director.

(Revised July 26, 2017)

*The foregoing is a statement of policy and is not intended by the City of Saint Paul to create a contract. The City of Saint Paul reserves the unilateral right to amend, rescind and otherwise modify the foregoing policy.*

DRAFT



## **Appendix K**

### **Recommendations Memo Template**





## CITY OF SAINT PAUL

*Christopher B. Coleman, Mayor*

280 City Hall  
15 Kellogg Boulevard West  
Saint Paul, MN 55102-1659

Telephone: (651) 266-8900  
Facsimile: (651) 266-8919  
TDD: (651) 266-8977

TO: Chief Todd Axtell

FROM: Libby Kantner, PCIARC Coordinator  
Police Civilian Internal Affairs Review Commission

SUBJ: **CASE REVIEW DELIBERATIONS**  
**[MEETING DATE] MEETING**

DATE: [DATE SENT]

On [MEETING DATE] the Police Civilian Internal Affairs Review Commission met to review completed Internal Affairs investigations and discharges of firearms cases. Those present during the review were:

[LIST COMMISSIONERS, HREEO STAFF AND IAU STAFF]

The PCIARC reviewed and deliberated the investigation, cast their vote, and now submits their recommendation to you.

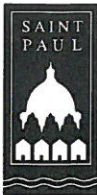
The PCIARC submits the following report for your review.

**A. CASE # [CASE NUMBER]**

Classification(s):	[CLASSIFICATION]
Complainant(s):	[COMPLAINANT]
Principal(s):	[PRINCIPAL OFFICER(S)]

**1. COMMISSION RECOMMENDATION:**  
**[CLASSIFICATION]- RECOMMENDATION**

**Commission Vote: Yes: [X] No: [X]**



**CITY OF SAINT PAUL**

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**Commission Recommended Disciplinary Action: [X]**

**2. COMMISSION RECOMMENDATION:**

**[CLASSIFICATION]- [RECOMMENDATION]**

**Commission Vote: Yes: [X] No: [X]**

**Commission Recommended Disciplinary Action: [X]**

**Commission Vote: Yes: [X] No: [X]**

Please let me know if you have questions or concerns. Should you disagree with the Commission's recommendation(s), I will notify the Chair, who shall have five (5) working days to discuss any concerns with you.

Respectfully,

Libby Kantner

Police Civilian Internal Affairs Review Commission (PCIARC), Coordinator  
Department of Human Rights and Equal Economic Opportunity  
15 Kellogg Blvd W., Suite 240  
Saint Paul, MN 55102  
[Libby.kantner@ci.stpaul.mn.us](mailto:Libby.kantner@ci.stpaul.mn.us)  
(651) 266-8970

## **Appendix L**

### **Complaint Intake Form**







## POLICE – CIVILIAN INTERNAL AFFAIRS REVIEW COMMISSION

[Clear Form](#)

### 1. Complainant Information

Name	Home Phone Number
Street Address	Work Phone Number
City, State, Zip	Cell/Other Phone Number
E-mail Address	
Contact Person (In Case We are Unable to Reach You)/ Relationship:	Phone Number

### 2. Location Details

Location of Incident:		Date and Time of Incident:
Police Department Case Number:		
Were You Injured? <input type="checkbox"/> Yes <input type="checkbox"/> No	Did You Seek Medical Treatment? <input type="checkbox"/> Yes <input type="checkbox"/> No	If Yes, When and Where
If Injured Describe Injury(s):		

### 3. Officer(s) Involved: (if unknown provide physical description)

Badge Number(s):	Vehicle Number(s):	Citation Number(s) if given:
------------------	--------------------	------------------------------

Name of Person(s) Arrested?	Charge(s):
-----------------------------	------------

**4. Describe Incident:**

## 5. Witnesses

Name (first and last)	Address	Contact Number (cell, home or work)

Complaint Filed with Another Agency?  <input type="checkbox"/> Yes <input type="checkbox"/> No	If Yes, please list agency name and date filed     
---	--

## 6. Demographics

<p><b><u>Gender</u></b></p> <p><input type="radio"/> Male</p> <p><input type="radio"/> Female</p> <p><input type="radio"/> Transgender</p> <p><input type="radio"/> Transsexual</p> <p><input type="radio"/> Other</p> <p><input type="radio"/> Not specified</p> <p><b><u>Disability</u></b></p> <p><input type="checkbox"/> Deaf / Hard of Hearing</p> <p><input type="checkbox"/> Blind / Visually Impaired</p> <p><input type="checkbox"/> Other _____</p> <p><b>Date of Birth:</b> _____</p>	<p><b><u>Race (check one or more)</u></b></p> <p><input type="radio"/> Black or African-American</p> <p><input type="radio"/> American-Indian or Alaska Native</p> <p><input type="radio"/> Native Hawaiian or Other Pacific Islander</p> <p><input type="radio"/> Hispanic or Latino</p> <p><input type="radio"/> Asian</p> <p><input type="radio"/> White (Caucasian)</p> <p><input type="radio"/> Two or more races</p> <p><input type="radio"/> Other</p> <p><input type="radio"/> Not specified</p> <p><b>Income (optional):</b> _____</p>
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## 7. Public and Not Public Information

You are being asked to voluntarily provide information that will be used to review your complaint. This information is subject to the Minnesota Government Data Practices Act. This law classifies certain information, which may include information about you, as public. Although it is not available to the public, you may access this statement provided by you. All other information collected or created in connection with this complaint is not public and not available to you. If there is final disciplinary action after a complete investigation, the reasons for imposing final discipline will be public and will be available to you.

## 8. True and Accurate Statement

The City seeks to ensure that officers perform their duties with professionalism. Honest feedback is essential to maintaining a police department that is trustworthy and responsive to the communities it serves. It is therefore crucial that truthfulness be maintained in the filing and investigation of complaints against the police.

Please be advised that Minnesota law (Minn. Stat. § 609.505) makes it a criminal offense to make a knowingly false and defamatory report of police officer misconduct.

## 9. Certification

\_\_\_\_\_  
Complainant Signature

\_\_\_\_\_  
Date

By [signing / electronically signing] this complaint, I certify that the information in this complaint is true and accurate to the best of my knowledge and belief. I understand that this is the first step to initiating an investigation and that I may be asked to provide additional information about my complaint or give a recorded statement.