

**COUNCIL STUDY SESSION
MEETING**

City Hall Council Chambers
January 27, 2025

AGENDA



-
- 1. Call to Order - 6:00 p.m.**
 - 2. Council Miscellaneous Discussion Items**
 - a. Resolution 2021-73
 - 3. City Manager Miscellaneous Discussion Items**
 - a. Proposed Work Session Items
 - 4. Adjournment**

Council Regular Meeting

DATE: 1/27/2025
TO: Council Study Session
FROM: Barb Suciu, City Clerk
THROUGH: Daren Nyquist, Deputy City Manager
BY: Barb Suciu, City Clerk
SUBJECT: Resolution 2021-73

Requested Council Action:

Council requested additional dialogue on Resolution 2021-73

Background:

City Council requested additional discussion on the permanent Brooklyn Center Community Safety and Violence Prevention Commission prior to making appointment recommendations.

Budget Issues:

No Budget Issues

Inclusive Community Engagement:

Antiracist/Equity Policy Effect:

Strategic Priorities and Values:

ATTACHMENTS:

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Timeline

- 02.13.23 – Study Session – Discussion Minutes
- 03.13.23 – Work Session – Community Safety and Violence Prevention Committee
DOCUMENTS: Minutes, Resolution 2021-73 and draft Resolution defining duties and responsibilities of the Brooklyn Center Community Safety and Violence Prevention Committee Therefor
- 03.27.23 – City Council Meeting – DKIC Expanded Response City Council presentation
DOCUMENTS: Minutes, presentation
- 6.12.23 – Study Session – Discussion Minutes
- 6.26.23 – Work Session – City Traffic Stop and Consent Work
DOCUMENTS: Minutes, presentation
- 08.14.23 – Study Session – Discussion Minutes
- 08.28.23 – Work Session – Resolution Amendment – Resolution 2021-73
DOCUMENTS: Minutes, Mockup resolution 2021-73 and presentation
- 10.9.23 – Study Session – Discussion Minutes
- 10.23.23 – Study Session – Discussion Minutes
- 10.23.23 – City Council Meeting – Resolution Directing the Adoption of Traffic Stop and
DOCUMENTS; Minutes, Consent Search Policies for the Brooklyn Center Police Department
- 01.22.24 – City Council Meeting – Resolution Directing the Adoption of Traffic Stop and Consent Search
DOCUMENTS: Minutes, Resolution Consent Search Policy and Resolution Traffic Stop
- 05.13.24 – City Council Meeting – Resolution Recognizing the Contributions and Service Completed by the Daunte Wright and Kobe Dimock-Heiser Implementation Committee
DOCUMENTS: Minutes
- 06.10.24 – Work Session - Resolution 2021-73 review 1-4
DOCUMENTS: Minutes, Resolution 2021-73 and Mockup Resolution
- 06.24.24 – Work Session – Resolution 2021-73 review 5-10
DOCUMENTS: Minutes, Resolution 2021-73 and Mockup Resolution
- 07.08.24 – Study Session - Resolution 2021-73 review 5-10
DOCUMENTS: Minutes, Resolution 2021-73 and Mockup Resolution
- 08.12.24 - Study Session - Resolution 2021-73

9.23.24 - Work Session - Brooklyn Center Community Safety and Violence Prevention Commission
DOCUMENTS: Minutes, BCCSVP Commission Resolution and presentation

10.14.24 – Work Session - Brooklyn Center Community Safety and Violence Prevention Commission
DOCUMENTS: Minutes, BCCSVP Commission Resolution

11.25.24 – Work Session – Brooklyn Center Community Safety and Violence Prevention Commission
DOCUMENTS: Minutes, BCCSVP Commission Resolution

12.9.24 – City Council Meeting - Brooklyn Center Community Safety and Violence Prevention
Commission
DOCUMENTS: Minutes, BCCSVP Commission Resolution

EXCERPT FROM 2.13.23 STUDY SESSION

CITY COUNCIL DISCUSSION OF AGENDA ITEMS AND QUESTIONS

Councilmember Lawrence-Anderson added the list of upcoming Work Sessions states the rental license review was referred to the Parks and Recreation Commission. However, it was supposed to be referred to the Housing Commission. She noted the Council also wants to discuss the Daunte Wright and Kobe Dimock-Heisler Community Safety and Violence Prevention Act, so that should be added to the list.

EXCERPT FROM 3.13.23 WORK SESSION

COMMUNITY SAFETY AND VIOLENCE PREVENTION COMMITTEE

Dr. Edwards introduced the item and invited Director of Community Prevention, Health and Safety LaToya Turk to continue the Staff presentation.

Director of Community Prevention, Health and Safety LaToya Turk explained The Daunte Wright and Kobe Dimock-Heisler Community Safety and Violence Prevention Act called for the creation of a Community Safety and Violence Prevention Committee. The City Council/EDA requested that staff present for discussion on the make-up and potential committee candidates who will serve on the Community Safety and Violence Prevention Committee prior to making appointment recommendations.

Ms. Turk stated per Resolution No. 2021-73, a majority of the committee members must be City residents with direct experience being arrested, detained, or having other similar contact with Brooklyn Center Police, or have had direct contact with one or more of the other services to be provided by the new Department. Staff is seeking direction from the City Council/EDA regarding the make-up of the Community Safety and Violence Prevention Committee.

Councilmember/Commissioner Butler asked if there is a timeline adding people to the Community Safety and Violence Prevention Committee. Mayor/President Graves stated the Community Safety and Violence Prevention Committee has yet to be established.

Councilmember/Commissioner Lawrence-Anderson asked if the Community Safety and Violence Prevention Committee refers to the fifth item in The Daunte Wright and Kobe Dimock-Heisler Community Safety and Violence Prevention Act. Ms. Turk confirmed the if the Community Safety and Violence Prevention Committee refers to the fifth item in The Daunte Wright and Kobe Dimock-Heisler Community Safety and Violence Prevention Act.

Councilmember/Commissioner Lawrence-Anderson stated she would like to see the recommendations of the Implementation Committee be presented to the City Council/EDA prior to the creation of Community Safety and Violence Prevention Committee. Also, it would be pertinent to see the results of the community survey.

Councilmember/Commissioner Lawrence-Anderson noted she is hesitant to start another commission prematurely. She would like to see the Community Safety and Violence Prevention Committee come to fruition.

Mayor/President Graves stated some people confuse the Implementation Committee and the Community Safety and Violence Prevention Committee. They are both called for in The Daunte Wright and Kobe Dimock-Heisler Community Safety and Violence Prevention Act, but they have separate purposes. The Implementation Committee is tasked with moving forward recommendations for the traffic violations and alternative response model. She added there is a date set for the Implementation Committee to present additional findings to the City Council/EDA.

Mayor/President Graves asked when the presentation will be held. Ms. Turk stated the City Council/EDA will receive recommendations on expanded response strategies at the next Council meeting.

Mayor/President Graves stated there would likely be more town hall meetings after that presentation. She asked if those had been set up yet. Ms. Turk stated a town hall meeting is up to the discretion of the City Council/EDA.

Mayor/President Graves asked if the City Council/EDA would be interested in hosting town hall meetings regarding expanded response strategies. She pointed out most Councilmembers were nodding their heads. Councilmember/Commissioner Jerzak stated he would like to hear the presentation prior to scheduling any community meetings.

Mayor/President Graves asked what the next steps are for the Implementation Committee after the next presentation. Ms. Turk stated she would like to leave that up to the discretion of the City Council/EDA. A Staff recommendation could be compiled and presented to the City Council/EDA during a Work Session.

Councilmember/Commissioner Jerzak pointed out the Implementation Committee has been working on their recommendations for approximately one year, and they have tackled difficult topics. It is

important to get the Community Safety and Violence Prevention Committee right. Also, out of respect for the Implementation Committee, the City Council/EDA should hear their recommendations and the direction of the new strategies prior to creating a Community Safety and Violence Prevention Committee.

Councilmember/Commissioner Jerzak added he would like the Community Safety and Violence Prevention Committee to be representative of the diversity of Brooklyn Center. Once they know the direction of the recommendations, then they can look into relevant parties. For example, they may need a participant familiar with collective bargaining. Also, Staff and City Council/EDA need to prepare clear expectations for the Community Safety and Violence Prevention Committee.

Councilmember/Commissioner Jerzak noted the Implementation Committee still has meetings scheduled into July, so it is likely they have work to continue to do. If the intention of the Community Safety and Violence Prevention Committee is to replace the Implementation Committee, then the Implementation Committee needs to complete its work first for a replacement to make sense.

Mayor/President Graves asked what the timeline would be for onboarding folks for the Community Safety and Violence Prevention Committee. Ms. Turk stated she would like to do some community education, community engagement, and recruitment over a longer period of time. It is important for folks to understand the different role of the Community Safety and Violence Prevention Committee in comparison to the Implementation Committee. Additionally, there may need to be training for people that are new to committee work. Overall, it would take a minimum of 90 days of active recruitment and training.

Mayor/President Graves asked if the 90 days would begin after consensus from the City Council/EDA on the topic at hand. Ms. Turk confirmed it would not begin. It is merely a discussion for Staff to prepare recruitment and engagement strategies.

Councilmember/Commissioner Jerzak stated The Daunte Wright and Kobe Dimock-Heisler Community Safety and Violence Prevention Act guides so much of what the City Council/EDA is doing. Out of respect for all parties involved, he suggested the item be tabled. Additionally, The Daunte Wright and Kobe Dimock-Heisler Community Safety and Violence Prevention Act should be revisited. He has no intention of repealing it, but there are three new positions on the City Council/EDA that could use another look at and discussion of The Daunte Wright and Kobe Dimock-Heisler Community Safety and Violence Prevention Act. He noted he has concerns about the financial feasibility.

Councilmember/Commissioner Jerzak added it is important for the other commissions to be fully supported and able to meet quorum before putting work into a new committee.

Mayor/President Graves stated she started to have discussions about The Daunte Wright and Kobe Dimock-Heisler Community Safety and Violence Prevention Act with the Implementation Committee at their last meeting, particularly regarding financial feasibility. For example, they discussed the call for three new departments.

Mayor/President Graves explained the Implementation Committee understood and supported the first page of The Daunte Wright and Kobe Dimock-Heisler Community Safety and Violence Prevention Act. The second page addresses three new departments: Community Response Department, the Traffic Enforcement Department, and the Department of Community Safety and Violence Prevention. The responses for expanded response are not necessarily for a department but for a response team, with the tentative name of REACH.

Mayor/President Graves stated as for the originally Department of Community Safety and Violence Prevention, there has been a new office created called the Office of Community Prevention, Health, and Safety. The Office of Community Prevention, Health, and Safety is led by Director of Community Prevention, Health and Safety LaToya Turk, and it currently oversees the Implementation Committee. The Office also will potentially oversee the expanded response team.

Mayor/President Graves explained, in short, there is a shared understanding amongst the Implementation Committee that the spirit of The Daunte Wright and Kobe Dimock-Heisler Community Safety and Violence Prevention Act is being upheld with different names and offices.

Mayor/President Graves added there was discussion at the Implementation Committee regarding the Community Safety and Violation Prevention Committee and the requirements that a majority of the committee members must be City residents with direct experience being arrested, detained, or having other similar contact with Brooklyn Center Police, or have had direct contact with one or more of the other services to be provided by the new Department. There was discussion and consensus that City residents make up the majority of the Committee, but the majority of the Committee does not necessarily need to have experience interaction with Brooklyn Center Police or other services. For example, it would be vital for someone on the committee to have experience with public health.

Councilmember/Commissioner Jerzak thanked Mayor/President Graves for her efforts in engaging with the Implementation Committee. He explained he would like to revisit The Daunte Wright and Kobe Dimock-Heisler Community Safety and Violence Prevention Act to address the details. For example, he asked what the unarmed response will be, what they will respond to, if they need a separate Department and Director, or if they need separate vehicle or other equipment. There could be issues having an unarmed responder handling investigation of a nonviolent incident with unintended consequences and insurance as there are Statutory requirements regarding investigations being completed by sworn law enforcement.

Mayor/President Graves stated her understanding of a resolution is that it is more of a values statement than a rulebook. She asked the City Attorney for clarification. City Attorney Jason Hill stated there is a distinction between a resolution and an ordinance. An ordinance is the City Council/EDA creating a law for the City. A resolution is more in line with a policy. Both can be changed as needed. He added while there is a specific difference between the Implementation Committee and the Community Safety and Violation Prevention Committee, The Daunte Wright and Kobe Dimock-Heisler Community Safety and Violence Prevention Act doesn't specify that one be before or after the other.

Mayor/President Graves asked if the City Council/EDA is bound by The Daunte Wright and Kobe Dimock-Heisler Community Safety Act to create a Community Response Department because that is the language used in the resolution. As it stands, there would be a Community Response Team instead.

There is a similar issue with the Office of Community Prevention, Health, and Safety in comparison to the Department of Community Safety and Violence Prevention.

Mr. Hill stated if they don't change the wording on The Daunte Wright and Kobe Dimock-Heisler Community Safety Act, then the City should stick to the wording in it. Amending the resolution to call for an Office of Community Prevention, Health, and Safety would work for the Office to continue as is.

Ms. Turk stated Staff will still discuss and determine the fiscal and operational feasibility of any of the recommendations from the Implementation Committee and provide a report to City Council/EDA.

Councilmember/Commissioner Kragness stated she would like to discuss The Daunte Wright and Kobe Dimock-Heisler Community Safety Act because she was not on the City Council/EDA when it was implemented. She asked how the City has determined priorities from The Daunte Wright and Kobe Dimock-Heisler Community Safety Act as not all items have timelines. Mayor/President Graves stated the City has prioritized what they could do.

Councilmember/Commissioner Kragness noted she assumed it was intentional to not have timelines for all items in The Daunte Wright and Kobe Dimock-Heisler Community Safety Act. Mayor/President Graves stated Councilmember/Commissioner Kragness would have to ask former Mayor Elliott for that information.

Dr. Edwards stated Staff created the Office of Community Prevention, Health, and Safety in the budget. The intent was to then seek out grants to pilot programs for an alternative response model and civilian traffic enforcement. There was not available money to implement the departments as called for in The Daunte Wright and Kobe Dimock-Heisler Community Safety Act. He pointed out there was also a labor study being completed within the Brooklyn Center Police Department at the time that would provide insight into the pilot programs and police staffing.

Councilmember/Commissioner Jerzak noted Dr. Edwards previously pointed out the operational issue of having one director reporting to another director, as called for in The Daunte Wright and Kobe Dimock-Heisler Community Safety Act.

Councilmember/Commissioner Jerzak added the Implementation Committee has mentioned the possibility of bringing forth an ordinance. The ordinance has been vetted by legal, but the ordinance may be deemed invalid if it is not aligned with statutes. He cited the case 152 N.W.2d 739 (1967). A. C. E. Equipment Company, Appellant, v. Donald A. Erickson.

Councilmember/Commissioner Jerzak stated the Implementation Committee has done an excellent job and tackled difficult topics. They have been misled previously, and they don't deserve that to happen to them again. He asked if the ordinance has been reviewed by legal. Mr. Hill stated the Implementation Committee has created one ordinance, and Staff is working on created a response to the proposed ordinance. The ordinance was regarding the vehicle stop and consent searches, as presented to City Council/EDA. There is nothing unlawful about it.

Councilmember/Commissioner Lawrence-Anderson stated each member of the City Council/EDA should reassess the fifth item in The Daunte Wright and Kobe Dimock-Heisler Community Safety Act.

There is an immense amount of responsibility placed on the Community Safety and Violence Prevention Committee. The current responsibilities are broad and cover numerous specialties, and the City Council/EDA should create clear expectations to set up the Community Safety and Violence Prevention Committee for success.

Dr. Edwards stated Staff could bring the fifth item in The Daunte Wright and Kobe Dimock-Heisler Community Safety Act back to the City Council/EDA in a Work Session. He pointed out it would be the first time the Council would have an in-depth conversation about any element of The Daunte Wright and Kobe Dimock-Heisler Community Safety Act.

Councilmember/Commissioner Jerzak stated he would like to review the fifth item, but the entire resolution needs review. Mayor/President Graves noted her agreement with the suggestion, but the Act is very long. The fifth item is a good starting point, and the other items can be discussed later on. Councilmember/Commissioner Jerzak stated it would likely take multiple Work Sessions to address the entire The Daunte Wright and Kobe Dimock-Heisler Community Safety Act, so he agreed with the approach suggested by Mayor/President Graves.

Councilmember/Commissioner Butler stated she would like to review each item in The Daunte Wright and Kobe Dimock-Heisler Community Safety Act, details on what has been done on the item, and what steps are needed next for each item. Mayor/President Graves noted the suggestion was great. It would also show the City Council/EDA if there are any gaps in implementation and what could feasibly be completed since the Act was passed.

Mayor/President Graves added there was a previous presentation on use of force that was insightful. She asked for a similar presentation be scheduled as there are new Councilmembers.

Councilmember/Commissioner Jerzak stated the new document should specify the organizational chart of new positions and divisions. Mayor/President Graves noted the organizational chart created by Dr. Edwards is nonconventional. It is not hierarchical, but it is focused on equity and hearing more voices. She added autonomy and growth opportunity are key for creating an equitable culture.

Councilmember/Commissioner Jerzak stated most people that look at the chart don't understand it. He understands the explanation and supports the principle. However, it needs to be easy for everyone to understand it in order for the principles to be effective.

Councilmember/Commissioner Jerzak added Staff deserves an answer to their original question on direction, but the Council is not currently in a position to provide further direction.

Dr. Edwards stated Staff will work on language differences in The Daunte Wright and Kobe Dimock-Heisler Community Safety Act, create a chart of what has been completed for each item in The Daunte Wright and Kobe Dimock-Heisler Community Safety Act and what has yet to be done, support the Implementation Committee in its work for creating recommendations, and prepare the fifth item for a Council/EDA Work Session.

Member Butler introduced the following resolution and moved its adoption:

RESOLUTION NO. 2021-73

RESOLUTION ADOPTING THE DAUNTE WRIGHT AND KOBE DIMOCK-
HEISLER COMMUNITY SAFETY AND VIOLENCE PREVENTION ACT

WHEREAS, the City of Brooklyn Center (“City”) can create a safer, healthier, more just, and more thriving community by promoting a diversity of responses to our community’s safety needs that do not rely solely on our armed law enforcement officers; and

WHEREAS, many approaches have proven to be safe and effective for responding to non-moving traffic offenses, low-level violations, to people with mental health needs or disabilities, and to other similar situations that do not involve armed law enforcement officers; and

WHEREAS, creating alternative responses in these situations will allow our law enforcement officers to focus their time, training, and expertise on serious threats to the immediate safety of our residents; and

WHEREAS, relying on our armed law enforcement officers as first responders in these situations has in some circumstances resulted in escalation, harm, and the tragic and potentially avoidable loss of life for our residents, including Daunte Wright and Kobe Dimock-Heisler; and

WHEREAS, a diversity of approaches will improve overall public safety, better address the root causes of many systemic issues, promote racial justice, better protect vulnerable members of our community, and more efficiently allocate public resources while recognizing there is still work to be done to address policing mindset and culture; and

WHEREAS, the residents of Brooklyn Center have demanded change in our City and will help co-create new approaches to health and safety in our community, and this Act affirms our commitment to an intentional, inclusive and collaborative process that involves City leadership and the community working together to fully implement the intent this Act; and

WHEREAS, the City Council will be drawing upon the best aspects of many different existing models and polices from all across the country in order to adapt them for our City with the help of residents, experts and data analysis, and the City is committing to all of these measures in a single, unified Act to deliver true transformational change for our community; and

WHEREAS, the City Council is committed to putting in the work necessary to bring about changes as quickly as possible in how the City provides public safety while recognizing that some of these measures will take longer to implement than others, and that additional work remains to be done to create a healthier and more equitable community even beyond this Act.

NOW, THEREFORE, the City Council of the City of Brooklyn Center, Minnesota, resolves as follows:

1. Act Adopted. The Daunte Wright and Kobe Dimock-Heisler Community Safety and Violence Prevention Act (“Act”) is hereby adopted for the City.
2. Community Response Department. The City will create an unarmed Community Response Department to respond to all incidents where a City resident is primarily experiencing a medical, mental health, disability-related, or other behavioral or social need, including by the creation of a Community Response Department consisting of trained medical and mental health professionals, social workers; or other staff and volunteers, and by a dispatch system routing appropriate calls to the Community Response Department and not to the Police Department; and by any other appropriate changes in ordinance, practices or policies.
3. Traffic Enforcement Department. The City will create an unarmed civilian Traffic Enforcement Department to enforce all non-moving traffic violations in the City, including by creating the civilian Traffic Enforcement Department and by any other appropriate changes in ordinance, practices or policies, including restricting or eliminating the types of traffic offenses enforced by the City’s armed law enforcement patrol officers.
4. Department of Community Safety and Violence Prevention. The City will create a new Department of Community Safety and Violence Prevention (the “Department”) that will be responsible for overseeing all city agencies and city efforts regarding community health and public safety, and ensuring a well-coordinated, public health-oriented approach throughout our city that relies upon a diversity of evidence-based approaches to public safety, and with a Director who has appropriate credentials and experience including public health expertise, and that at minimum the following existing and to-be-created City agencies will all report directly to the Department and be subject to the authority of its Director: the Police Department, the Fire Department, the Traffic Enforcement Department, and the Community Response Department.
5. Community Safety and Violation Prevention Committee. The City will create a permanent Community Safety and Violence Prevention Committee. The Director will provide the Mayor with a list of candidates to serve on the committee and the Mayor will recommend candidates to the City Council for appointment. A majority of the committee members must be City residents with direct experience being arrested, detained, or having other similar contact with Brooklyn Center Police, or have had direct contact with one or more of the other services to be provided by the new Department. The City Council may appoint City staff to serve as liaisons to the committee, but no City staff member will have a vote on the committee. The committee will: review and make recommendations regarding the policing response to recent protests; review the current collective bargaining agreement between the City and the Police Department and make recommendations prior to the renegotiation of the agreement and before its final approval; recommend the City Council create a separate and permanent civilian oversight committee for the new Department; review Chapter 19 of the City Code and make recommendations with regard to repealing or amending provisions or penalties therein, including fines and fees; and periodically make any other recommendations to the City Council related to initiating programs or policies to improve community health in the City.

6. Use of Force. The City will review and update its policies, practices and training to more appropriately regulate the use of force by its armed law enforcement officers including, for example, by requiring de-escalation, exhaustion of reasonable alternatives before using deadly force, prohibitions on using deadly force in certain situations including firing upon moving vehicles, prohibiting certain uses of force or other policing tactics during First Amendment protests and assemblies, and additional revisions as needed.
7. Citation and Summons for Low Level Offenses. To immediately prevent any further harm and to better protect the peace and safety of all City residents while this Act is being fully implemented, the City Council directs the City Manager to implement forthwith a citywide “citation and summons” policy requiring officers to issue citations only, and prohibiting custodial arrests or consent searches of persons or vehicles, for any non-moving traffic infraction, non-felony offense, or non-felony warrant, unless otherwise required by law, and the Implementation Committee will make recommendations regarding making these policy changes permanent and/or modifying them as needed, including by appropriate changes in ordinance, practices or policies.
8. Implementation Committee. The City will create a Community Safety and Violence Prevention Implementation Committee (“Implementation Committee”), including residents from the City and other local, state and national experts in public health-oriented approaches to community safety, to be chaired by the Mayor, and with members recommended by the Mayor and confirmed by the City Council, that will propose amendments, ordinances, resolutions, policies, guidelines or other recommendations for the review, adoption and/or implementation by City Council or City staff, as appropriate, that would fully implement the will and intent of City Council as expressed in this Act. The City Council may appoint City staff to serve as liaisons to the Implementation Committee, but City staff shall not have a vote on the committee. The Implementation Committee shall provide its recommendations directly to the City Council.
9. Community Involvement. The Implementation Committee will ensure the community has the opportunity to review and comment upon the all implementation plans, including by making periodic progress reports in open City Council meetings monthly, or more frequently upon the Council’s request; that the Implementation Committee is empowered to explore external sources of funding to implement the Act and that the City may retain additional counsel, temporary staff, and consultants as reasonable and necessary to enable the Implementation Committee to complete its work; and the Implementation Committee will present recommendations to City Council for initial consideration not later than 180 days from the date of this Act.
10. Implementation and Staff Support. The directives contained in this Act shall be carried out in compliance with the law and the City Charter. The City Attorney, City Manager, Chief of Police and other City personnel are authorized and directed to provide all necessary assistance and support to all committees created pursuant to this Act, including by supplying the committees with any and all data necessary to perform their duties, including confidential or private data as requested with appropriate protections, and budgetary, staffing or other

information, and assisting with the crafting of amendments, ordinances, or policies as requested by the Implementation Committee. This Act authorizes, to the greatest extent possible, the implementation of the measures identified herein without further policy approvals from the City Council. To the extent additional approvals are needed, or legal barriers are identified, in the implementation of these measures or the recommendations of the Implementation Committee, the City Manager or City Attorney are directed to bring those issues to the City Council's attention for further direction or action as needed.

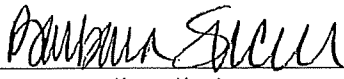
May 15, 2021

Date



Mike Elliott, Mayor

ATTEST:



City Clerk

The motion for the adoption of the foregoing resolution was duly seconded by member
Graves

and upon vote being taken thereon, the following voted in favor thereof:

Butler, Elliott, Graves, Ryan

and the following voted against the same:

Lawrence-Anderson

whereupon said resolution was declared duly passed and adopted.

RESOLUTION DEFINING DUTIES AND RESPONSIBILITIES OF THE BROOKLYN
CENTER COMMUNITY SAFETY AND VIOLENCE PREVENTION COMMITTEE
THEREFOR

WHEREAS, the City of Brooklyn Center can create a safer, healthier, more just, and more thriving community by promoting a diversity of responses to our community's safety needs that do not rely solely on our armed law enforcement officers; and

WHEREAS, a diversity of approaches will improve overall public safety, better address the root causes of many systemic issues, promote racial justice, better protect vulnerable members of our community, and more efficiently allocate public resources while recognizing there is still work to be done to address policing mindset and culture; and

WHEREAS, the residents of Brooklyn Center have appealed to the City for change in the City and to help co-create new approaches to health and safety in our community,

WHEREAS, the City of Brooklyn Center is committed to putting in the work necessary to bring about changes as quickly as possible in how the City provides public safety while recognizing that some of these measures will take longer to implement than others, and that additional work remains to be done to create a healthier and more equitable community

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Brooklyn Center, Minnesota, that there is hereby established within the City of Brooklyn Center an advisory Public Safety and Violence Prevention Committee with duties and responsibilities as follows:

Subdivision 1. Title: This organization shall be known as the Brooklyn Center Community Safety and Violence Prevention Committee (BCSVP).

Subdivision 2. SCOPE: The scope of activity of this Committee shall consist of advising the City Council and other Brooklyn Center advisory Committees regarding matters relevant to Safety and Violence Prevention functions.

Subdivision 3. Purpose: The general purpose of the Committee is to act in an advisory capacity to the City Council on issues related to Public Safety and Violence Prevention

Subdivision 4. DUTIES AND RESPONSIBILITIES: In fulfillment of its purpose, the duties and responsibilities of the Committee are as follows:

1. Advise, recommend and upon adoption by City Council monitor the execution of a Public Safety and Violence Prevention comprehensive plan and recommend amendments to the plan as warranted relevant to Public Safety and Violence Prevention matters in the City of Brooklyn Center.

2. Provide insight and be responsive to the changing diverse community needs and concerns in matters of Public Safety and Violence Prevention.
3. Annually report to the City Council regarding achievements toward fulfillment of such comprehensive plan and recommend amendments to the plan as warranted.
4. Assist the City in reviewing and discussing Public Safety and Violence Prevention policies for the City of Brooklyn Center, and make recommendations to the City Council with regards to Public Safety and Violence Prevention in the City.
5. Work closely with City staff and other Commissions on matters regarding Public Safety and Violence Prevention in the City of Brooklyn Center.
6. Understand current City, Safety and Violence Prevention initiatives, practices and policies.
7. Work with neighborhood advisory committees to understand the Safety and Violence Prevention needs of each area in Brooklyn Center.
8. Identify high priority areas of need for Public Safety and Violence Prevention in the community.
9. Serve as a forum for the citizens of Brooklyn Center to voice their concerns and opinions regarding Public Safety and Violence Prevention matters.
10. Investigate and recommend new and innovative concepts in Public Safety and Violence Prevention for the community to the City.
11. Advise, review and make recommendations to the City's response to protests.
12. Review the current collective bargaining agreement between the City and the Police Department and make recommendations prior to the renegotiation of the agreement and before its final approval.
13. Recommend the City Council create a separate and permanent civilian oversight committee for the Office of Community Prevention, Health and Safety.

14. Review Chapter 19 of the City Code and make recommendations with regard to repealing or amending provisions or penalties therein, including fines and fees.

15. Periodically make any other recommendations to the City Council related to initiating programs or policies to improve community health in the City.

Subdivision 5. COMPOSITION: The Committee shall be composed of a Chairperson and six (6) members, all of whom shall be appointed and serve as set forth in Subdivision 6.

Subdivision 6. MEMBERS METHOD OF SELECTION-TERM OF OFFICE-REMOVAL:

Chairperson: The Chairperson shall be elected by majority vote of the Safety and Violence Prevention Committee membership. The election shall be conducted at the first regular meeting of the calendar year, or, in the case of a vacancy, within two regularly scheduled Safety and Violence Prevention Committee meetings from the time a vacancy of the Chair occurs. The Chairperson may be removed by majority vote of the Safety and Violence Prevention Committee membership. The Chairperson shall assure fulfillment of the following responsibilities in addition to those otherwise described herein:

1. Preside over meetings of the Committee;
2. Appear or appoint a representative to appear, as necessary, before City advisory Committees and the City Council to present the viewpoint of the Committee in matters pertaining to safety and violence prevention as it relates to business under consideration by said Committees or City Council;
3. Review all official minutes of the City Council and other advisory Committees for the purpose of informing the Safety and Violence Prevention Committee of matters relevant to housing;
4. Provide liaison with other governmental and voluntary organizations on matters relevant to Safety and Violence Prevention.

Vice Chairperson: A Vice Chairperson shall be appointed annually by the Chairperson from the members of the Committee. The Vice Chairperson shall perform such duties as may be assigned by the Chairperson and shall assume the responsibilities of the chair in the absence of the Chairperson.

Members' Term of Office: The Office of Community Prevention, Health and Safety will provide the Mayor with a list of Committee candidates to serve on the Committee and the Mayor will recommend candidates to the City Council for appointment. Members of the Committee shall be appointed by the Mayor. The terms of office shall be staggered two-year terms, except that any person appointed to fill a vacancy occurring prior to the expiration of the term for which his or her predecessor was appointed shall be appointed only for the remainder of such term. Upon

expiration of his or her term of office, a member shall continue to serve until his or her successor is appointed and shall have qualified. Terms of office for members of the Committee shall expire on December 31 of respective calendar years.

In the event an appointed Committee suffers from an extended illness, disability, or other activity preventing proper fulfillment of duties, responsibilities, rules and regulations of the Committee, the Committee may be temporarily replaced during the temporary leave by an interim Committee appointed by the Mayor with majority consent of the City Council.

Qualifications for Membership: A majority of the committee members must be City residents with direct experience or contact with Brooklyn Center Police, or have had direct contact with one or more of the other services to be provided by the Office of Community Prevention Health and Safety. The City Council may appoint City staff to serve as liaisons to the committee, but no City staff member will have a vote on the committee.

Representation Requirements: Due regard shall be given by the Mayor and City Council in appointing Committee members which will take into consideration geographical distribution within the City, as described in Subdivision 11, and the representative nature of the Committee in terms of gender, religion, ethnic, racial, age, handicapped, employee, and employer groups.

Conflict of Interest: No Committee shall take part in the consideration of any matter wherein he or she is the applicant, petitioner, or appellant, nor in the consideration of any application, petition, or appeal wherein his or her interest might reasonably be expected to affect his or her impartiality.

Initial Appointment: The Committee under this resolution shall become effective March 30, 2023, and shall consist of three members appointed for a term through 2025, three members appointed for a term through 2024.

Resignations-Removal from Office-Vacancies: Committee members may resign voluntarily or may be removed from office by the Mayor with consent by majority vote of the City Council. Three consecutive unexcused absences from the duly called Committee meetings or unexcused absences from a majority of duly called Committee meetings within one calendar year shall constitute automatic resignation from office. The City Council liaison shall inform the Mayor and City Council of such automatic resignations. Vacancies in the Committee shall be filled by Mayoral appointment with majority consent of the City Council.

The procedure for filling Committee vacancies is as follows:

1. Notices of vacancies shall be posted for 30 days before any official City Council action is taken;
2. Vacancies shall be announced in the City's official newspaper;
3. Notices of vacancies shall be sent to all members of standing advisory Committees;

4. Applications for Committee membership must be obtained in the City Clerk's office and must be submitted in writing to the City Clerk;
5. The City Clerk shall forward copies of the applications to the Mayor and City Council;
6. The Mayor shall identify and include the nominee's application form in the City Council agenda materials for the City Council meeting at which the nominee is presented;
7. The City Council, by majority vote, may approve an appointment at the City Council meeting at which the nominee is presented.

Compensation: Commiteeers shall serve without compensation.

Subdivision 7. RULES AND PROCEDURES: The Committee shall adopt such rules and procedures not inconsistent with these provisions as may be necessary for the proper execution and conduct of business.

Subdivision 8. MEETINGS: The initial meeting of the Committee shall be convened at the call of the Chairperson during 2023. Thereafter, regular meetings shall be held with date and time to be determined by the Committee. Special meetings may be called by the Chairperson.

Subdivision 9. STAFF: The City Manager shall assign one member of the administrative staff to serve as staff to the Committee. The staff member assigned shall perform such clerical and research duties on behalf of the Committee as may be assigned by the Chairperson or the City Manager.

Subdivision 10. EX OFFICIO MEMBERS: The Mayor or his or her Council person appointee shall serve as an ex officio member of the Committee, privileged to speak on any matter but without a vote, and shall provide a liaison between the Committee and the City Council.

Subdivision 11. NEIGHBORHOODS:

Neighborhood Advisory Committees: Commiteeers shall be assigned by the Chairperson as liaison to neighborhood advisory committees of the Safety and Violence Prevention Committee. It will then be a responsibility of each neighborhood advisory committee of the Safety and Violence Prevention Committee to review safety and violence prevention matters and present the neighborhood opinions and concerns on general and specific safety and violence prevention programs directly affecting that neighborhood.

Neighborhoods Described:

Southeast Neighborhood: The Southeast neighborhood shall be bordered on the south by the south city limits; on the east by the Mississippi River; on the north by FAI-94; and on the west by Shingle Creek. Northeast Neighborhood:

The Northeast neighborhood shall be bordered on the south by FAI-94; on the east by the Mississippi River; on the north by the north city limits; and on the west by Shingle Creek. Northwest Neighborhood:

The Northwest neighborhood shall be bordered on the south by FAI-94; on the east by Shingle Creek; on the north by the north city limits; and on the west by the west city limits. West Central Neighborhood:

The West Central neighborhood shall be bordered on the south by County Road 10; on the east by Brooklyn Boulevard; on the north by FAI-94; and on the west by the west city limits. Central Neighborhood:

The Central neighborhood shall be bordered on the south by County Road 10; on the east by Shingle Creek; on the north by FAI-94; and on the west by Brooklyn Boulevard. Southwest Neighborhood:

The Southwest neighborhood shall be bordered on the south by the south city limits; on the east by Shingle Creek; on the north by County Road 10; and on the west by the west city limits.

DRAFT

Brooklyn Center Community Safety & Violence Prevention Committee

LaToya Turk, Director of the Office of
Community Prevention, Health, and Safety



City Council Work Session – 3.13.2023

1

Brooklyn Center Community Safety & Violence Prevention Committee

- In May 2021, the City Council passed resolution No. 2021-73 (The Daunte Wright and Kobe Dimock-Heisler Community Safety and Violence Prevention Act).
- Resolution No. 2021-73 called for the creation of a Community Safety and Violence Prevention Committee.
- Over the past several months efforts were initiated to seek candidates to serve on the Community Safety and Violence Prevention Committee.
- The City Council requested that staff present for discussion on the make-up and potential committee candidates who will serve on the Community Safety and Violence Prevention Committee prior to making appointment recommendations.



2

*Brooklyn Center Community Safety & Violence Prevention Committee***Committee Makeup:**

- Majority of members must be City residents
- Must have direct experience being arrested, detained, or having other similar contact with Brooklyn Center Police
- Must have had direct contact with one or more of the other services (i.e. health, prevention, and public safety)



3

*Brooklyn Center Community Safety & Violence Prevention Committee***Council Direction Questions:**

Does the Council have an opinion on the make-up of the committee?



4

EXCERPT FROM 3.27.23 CITY COUNCIL MEETING

DKIC EXPANDED RESPONSE CITY COUNCIL PRESENTATION

Dr. Edwards introduced the item and explained the Daunte Wright and Kobe Dimock-Heisler Community Safety and Violence Prevention Implementation Committee along with community partners and public safety consultants have prepared a presentation to present to the City Council to address #2 of resolution 2021-73. He invited the Director of Community Prevention, Health, and Safety LaToya Turk to continue the presentation.

Ms. Turk explained she is the assigned liaison to the Daunte Wright and Kobe Dimock-Heisler Community Safety and Violence Prevention Implementation Committee. The presentation was created in collaboration between several local organizations and entities, Staff, and community members. There was facilitation and assistance provided by Law Enforcement Action Partnership (LEAP).

Ms. Turk stated there is an Implementation Committee, and the presentation is from a subset of the group, the Expanded Response Work Group. The Implementation Committee is chaired by Mayor Graves and co-chaired by Bishop Julia Gibson. There are several professionals in the group. Amity Dimock is the Chair of the Expanded Response Work Group. Other members of the Work Group include John Solomon, Mark Viste, Julie Bourque, and the Implementation Committee Manager Amina Dedefo.

Expanded Response Work Group Chair Amity Dimock introduced herself and stated the Work Group has created an expanded response recommendation called Response Engagement and Crisis Help (REACH Team). The name can be changed if desired. Brooklyn Center should create the REACH team to improve community and police relations, connect calls for service with an appropriate responder, allow police to focus on serious crime, and increase cost efficiency. For example, CAHOOTS has saved millions of dollars annually on public safety costs.

Ms. Dimock stated the Work Group researched several community responder programs throughout the country. After an incident occurs and 911 is called, the call can be dispatched to the police or community responders. REACH is intended to be a first responder rather than after police clear a scene. Responders would be trained on police radio dispatch to call for backup if needed.

Ms. Dimock showed a list of current community responder teams in cities such as Eugene, Olympia, Denver, Albuquerque, San Francisco, San Diego, Rochester, Amherst, Dayton, Minneapolis, and Madison. CAHOOTS of Eugene has been around for over 30 years and has the support of law enforcement. There is a community in California where the police union has called for an alternative response program. Brooklyn Park is also planning an alternative response team in collaboration with Hennepin County.

Ms. Dimock noted only 2.2 percent of CAHOOTS calls required any police follow-up, and only 0.2 percent required immediate police backup. In 30 years of operation, PERT of San Diego has never had a responder injury of any kind. Denver's STAR is in its first year, and no calls have required additional police support.

Ms. Dimock pointed out, Eugene, Denver, and Olympia use a regular 911 dispatch. Durham, Houston, and Austin have a specialized dispatcher embedded in the 911 call center. Baltimore uses an outside agency for dispatch. The Work Group recommends using the regular 911 dispatch as it is the simplest and most efficient way to integrate alternative response to the current method.

Ms. Dimock showed a slide with two ways calls are screened for community responders. There would be several call types meant for community responders such as suicide, housing crisis, mediation, noise complaint, and welfare checks. The call taker would check for red flags such as a weapon present, serious injury, or for a police report to be filed. Any red flags would warrant transfer to Brooklyn Center Police Department. The same method would be used for Brooklyn Park.

Ms. Dimock stated the categories of calls that are handled by alternative response groups throughout the United States are for mental or behavioral health, intoxicated persons, homelessness, verbal disputes, noise complaints, or a suspicious person. Different jurisdictions have specific terms that fall under various categories. Verbal disputes could include disputes at businesses or within a family unit or with a loud dog.

Ms. Dimock added some programs to supervise custody exchanges and perform death notifications. Mental health calls require a particular response to be following State Statute, which would require the REACH Team to be led by a mental health professional and include mental health response training.

Ms. Dimock showed a slide with call narratives that could have been rerouted to REACH in a given year. The REACH Team would generally handle calls for a welfare check, unwanted person, civil matters, assistance/police, disturbance, suspicious act, mental problem, narcotics complaints, harassment, customer trouble, loud music, animal complaint, trespassing, drunk problem, juvenile problem, safety check, drug overdose, runaway, escort, and unknown problem. Thousands of calls would fall under these categories in a given year. She pointed out some of the call types have an offensive name and are not necessarily supported by the Work Group, but it is how certain calls are referred to.

Ms. Dimock stated LEAP created a call analysis to determine which primary responder skills are required by Brooklyn Center calls. 74 percent of the calls required conflict resolution. Almost 10 percent of calls required mental health skills. Around 5 percent of calls required skills regarding substance use, medical, and case management.

Ms. Dimock stated training required for responders would include operational training, scenario-based training, mental health assessment, substance use disorder assessment, mediation, restorative justice, and cultural competency. Not every responder would be proficient in every training type previously mentioned. Instead, it would be a team effort.

Ms. Dimock pointed out community responders would not need specific academic qualifications. Mental health responders will need qualifications as outlined in Minnesota Statute 256B.0624. The team should also be reflective of Brooklyn Center's demographics.

Ms. Dimock noted LEAP analyzed call data, and the REACH Team could be eligible to respond to almost 7,000 of the 29,000 calls for service. That is approximately 24 percent of the calls. Police could focus their efforts on investigations and engage in other calls.

Ms. Dimock explained Minnesota requires emergency response services be all hours of the day. She showed a graph of how many calls were received per hour in 2019. The Work Group recommends the REACH Team be available at all hours, but with minimal or on-call staffing when there are the fewest calls. The graph showed the fewest calls are between 2:00 a.m. and 8:00 a.m. If the REACH Team isn't available at certain hours, it would ultimately hurt the community's trust in the program.

Ms. Dimock stated the overwhelming majority of alternative response teams have a two-responder model. The only exception is a few that have a three-person team. The Work Group recommends a two-person team for the REACH program.

Ms. Dimock showed a graph with the annual operating budget for community response programs in Portland, Austin, Eugene, and Rochester. The operating expenses are only a fraction of their respective city's public safety budget.

Ms. Dimock showed a slide with the expected operating budget for REACH's first year. The first six months would be training and the second six months would be operational. The total cost for paying responders, a manager, office space, vehicle purchase and maintenance, training, and other supplies are estimated to be \$729,567 for the first year. Almost three-fourths of the costs go to training and paying responders. The approximate budget is less than other response teams across the nation.

Ms. Dimock stated the REACH Team would be on the same operating channel as law enforcement. Co-Response involves a response by both law enforcement and mental health crisis responders who arrive together and collaborate on-scene. Law enforcement clears the scene and turns over the call to mental health crisis responders.

Ms. Dimock noted alternative response teams are so effective in part because of case management services for high utilizers. Such services exist in Hennepin County. REACH responders would in stabilizing people in their homes, arrange admission into 24-hour stabilization centers or drug treatment facilities, follow up later with people involved in calls, and refer frequent utilizers to county social services.

Ms. Dimock stated if the Council were to move forward with the recommendation, there are a series of next steps. April and May 2023 would include gathering feedback from the community. The final approval by the Council would be in May. June would be the time to hire a manager. July would be onboarding the manager and integration with County dispatch. August-September would be the hiring of responders, equipment acquisition, and planning of the training. October-November would be the training for new responders. December 2023 would be a soft launch and community marketing. The official launch would be in January 2024.

Mayor Graves thanked Ms. Dimock for the presentation.

Councilmember Kragness noted the pie chart budget is missing a label on the 1.4 percent portion. She asked what it was referring to. City Clerk Barb Suciú stated the portion applies to other supplies for the program.

Councilmember Butler thanked Ms. Dimock and the Work Group for their time and effort. The Council received a presentation from the County about a similar program. She asked if the City would receive funding from the County at all. Dr. Edwards stated Staff wanted to receive the presentation, discuss options with the County, and Staff will return opportunities to collaborate with the County and better leverage resources.

Mayor Graves pointed out Brooklyn Park's community response program is called ART for Alternative Response Team. Brooklyn Center has the opportunity to learn from Brooklyn Park and other programs to make the best program for Brooklyn Center.

Mayor Graves asked how Brooklyn Park is handling the 24-hour response requirement. Police Chief Kellace McDaniel stated Ms. Dimock did a great job with the presentation. Brooklyn Park is doing a similar staffing model as what Ms. Dimock presented.

Mayor Graves asked how expensive Brooklyn Park's ART program will be. Chief McDaniel stated Brooklyn Park's is slightly cheaper due to grants and the embedded social worker. However, Brooklyn Center may be able to access similar resources.

Julie Bourque apologized for not being present. She was supposed to present the recommendations to Ms. Dimock. However, she had a personal conflict. She asked Dr. Edwards to provide more information on the grant money that is available for the REACH program.

Dr. Edwards stated Brooklyn Center has money from Blue Cross Blue Shield and Pohlád that is intended for a pilot alternative response program or other recommendations from the Duante Wright and Kobe Dimock-Heisler Implementation Committee. There is around \$550,000 in funds available from those grants for the alternative response team. Staff is trying to determine the best method to obtain grant dollars and leverage long-term resources to share programming with the County or other programs.

Councilmember Butler noted it would be difficult to have thorough conversations with the County before the proposed May decision date proposed by Ms. Dimock. Also, the Council would need to know the final cost to prepare for the 2024 budget discussions which start in June, along with the long-term costs of the program.

Mayor Graves thanked the Expanded Response Work Group and the Implementation Committee for their hard work. She stated the Council asked for additional community engagement after the other Implementation Committee presentation. She asked if the Council would like additional engagement regarding the expanded response.

Councilmember Kragness stated she would like there to be additional community engagement. Councilmember Butler added it is important to have input and final answers regarding the program before budget discussions.

Mayor Graves asked Ms. Turk if community engagement could be completed and presented to the Council before May. Ms. Turk confirmed that could be completed and asked how many meetings.

Mayor Graves stated only one would be needed as there is more community buy-in on this topic. Ms. Turk stated she would work to have a community engagement session held by the end of April.

Councilmember Butler moved and Councilmember Kragness seconded to accept of The Duante Wright and Kobe Dimock-Heisler Implementation Committee Expanded Response Work Group presentation.

Motion passed unanimously.

Final Recommendations

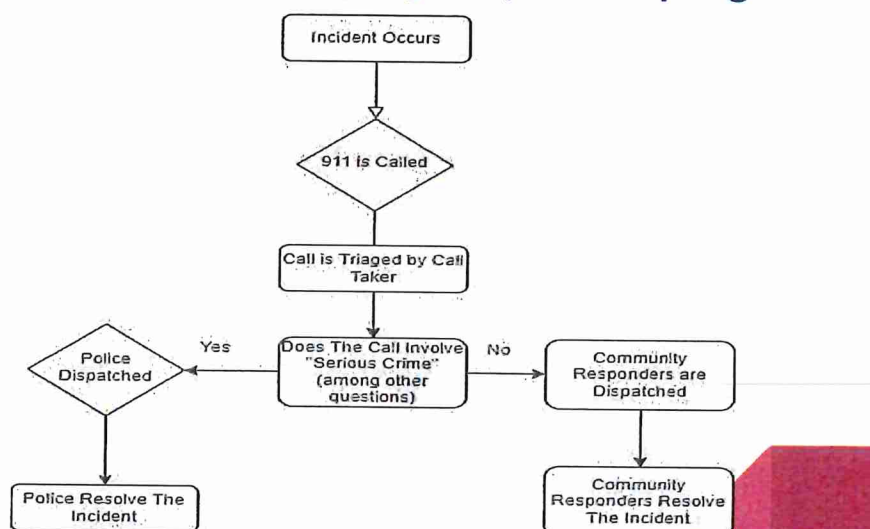
Brooklyn Center Expanded Response Working Group:
Response Engagement And Crisis Help (REACH Team)

Why should Brooklyn Center create the REACH Teams?

- ❖ Improve community and police relations
- ❖ Connect calls for service with an appropriate responder
- ❖ Allow police to focus on serious crime
- ❖ Cost efficient

3.27.23

What is a community responder program?



Where is it being done already?

- ❖ CAHOOTS- Eugene
- ❖ CRU Team- Olympia
- ❖ STAR Team- Denver
- ❖ ACS- Albuquerque
- ❖ SCRT- San Francisco
- ❖ PERT- San Diego
- ❖ PIC Team- Rochester
- ❖ CRESS- Amherst
- ❖ MRU- Dayton
- ❖ BCR- Minneapolis
- ❖ CARES- Madison
- ❖ Brooklyn Park (in planning)



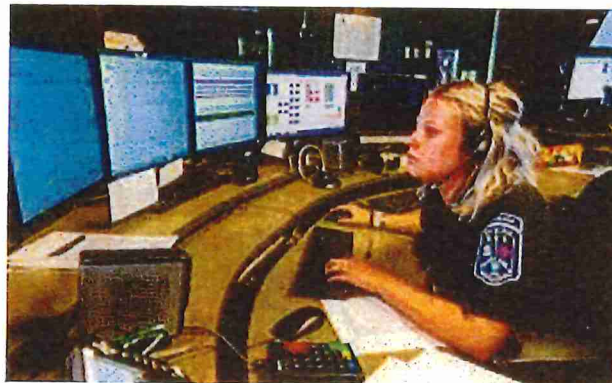
Is it safe?

- ❖ **Only 2.2%** of CAHOOTS calls required any police follow-up, and **only 0.2%** required immediate police backup.
- ❖ In 30 years of operation, PERT has never had a responder injury of any kind.
- ❖ STAR's first year required **0 calls for police backup**

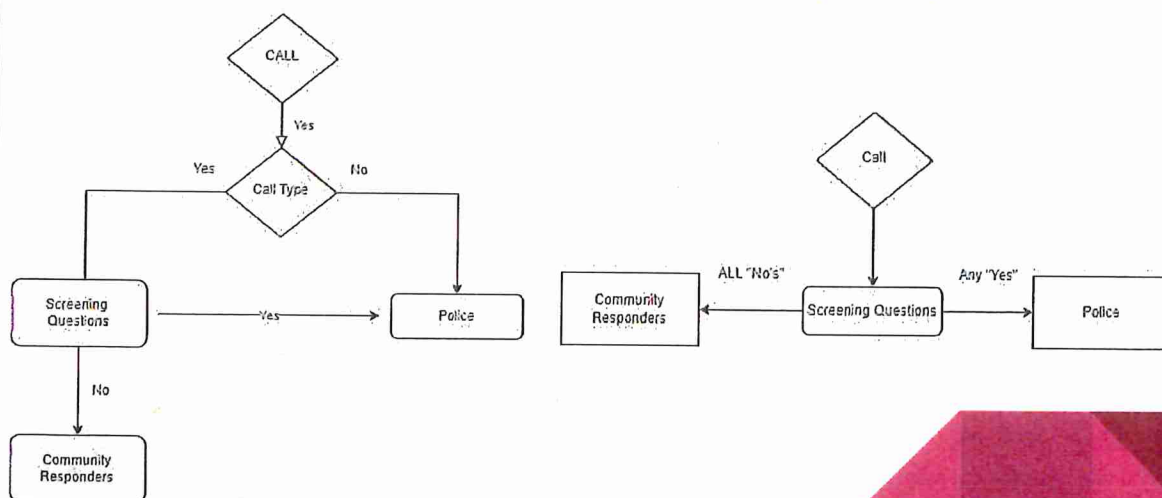
How do existing programs dispatch calls to responders?

1. Regular 911 dispatch
 - ❖ Eugene CAHOOTS
 - ❖ Denver STAR
 - ❖ Olympia CRU
2. Specialized dispatcher embedded in 911 center
 - ❖ Durham CCD
 - ❖ Houston CCD
 - ❖ Austin EMCOT
3. Outside agency dispatch
 - ❖ Baltimore BCRI

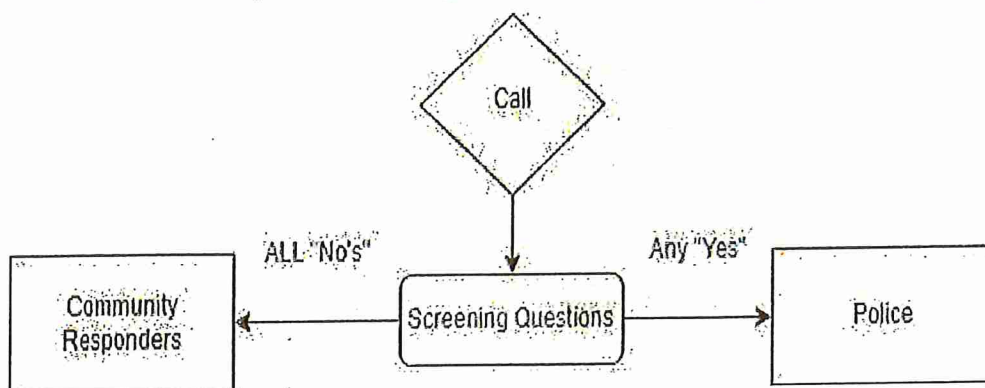
How should the REACH Team be dispatched?



Call Screening for Community Response



How will Hennepin County screen Brooklyn Center calls?



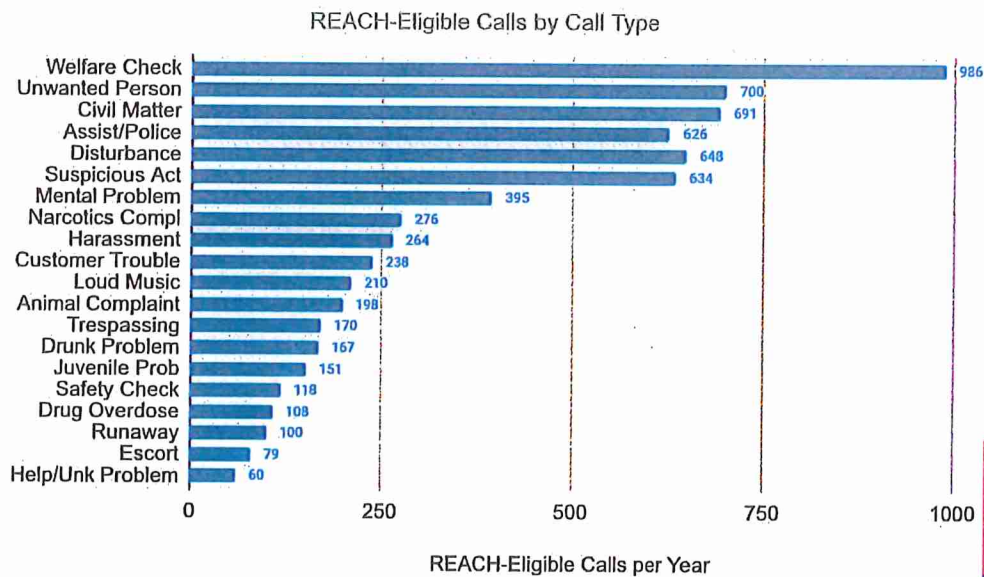
Screening Question Examples

- ❖ Is there a need for emergency medical aid?
- ❖ Has there been or is there a physical altercation or threats?
- ❖ Are weapons present on the scene?
- ❖ Is there a need for a police report to be filed?

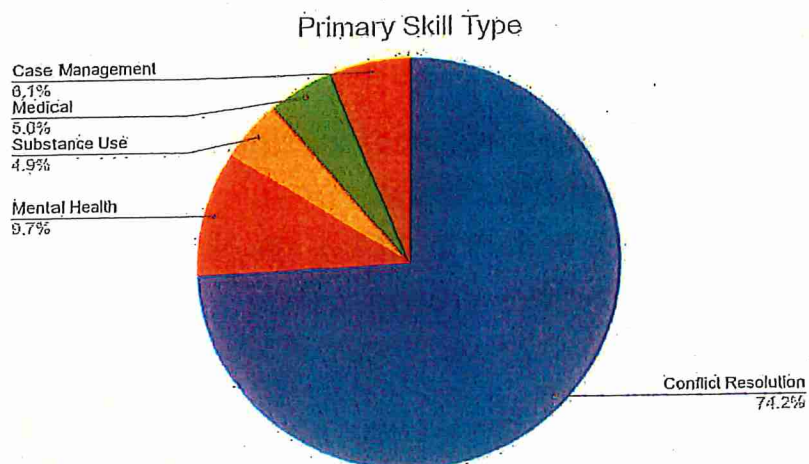
What call types do existing programs handle?

- ❖ Mental/Behavioral Health
- ❖ Intoxicated Person
- ❖ Homelessness
- ❖ Verbal Disputes
- ❖ Noise Complaints
- ❖ Suspicious Person

What call types should the REACH Team handle?



What primary responder skills do Brooklyn Center's calls require?



What types of training are most important for responders?

- ❖ Operational Training
- ❖ Scenario-based training
- ❖ Mental health assessment
- ❖ Substance use disorder assessment
- ❖ Mediation and Restorative Justice
- ❖ Cultural competency

REACH Team Responder Qualifications

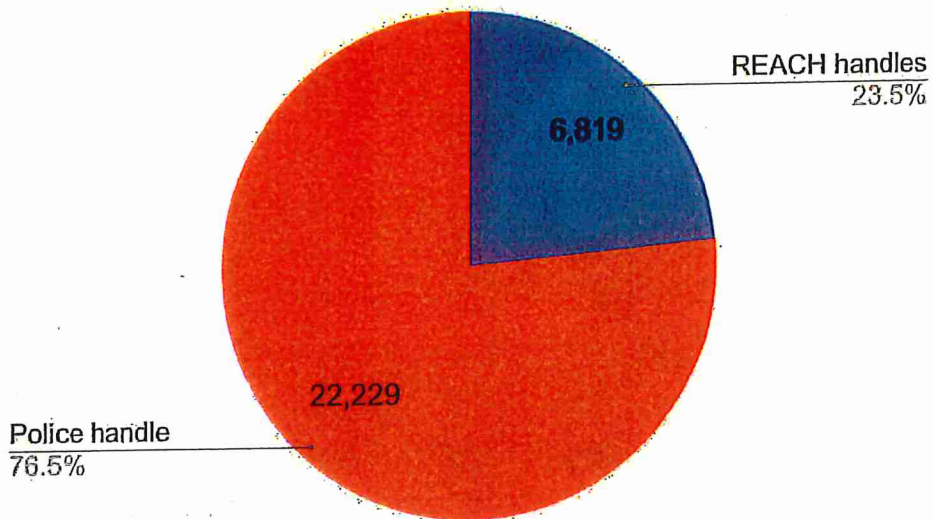
- ❖ Community responders will not need specific academic qualifications
- ❖ Mental health responders will need qualifications as outlined in MN Statute 256B.0624
- ❖ Cultural competence including largely people of color, in line with Brooklyn Center's demographics

How many calls do we expect the program to handle?

Call Type	# police calls (citizen-initiated only)	% REACH-eligible	# REACH-eligible	% of total calls
Total	29,048		6,856	23.60%
Welfare Check	1,146	86.0%	986	3.39%
Unwanted Person	942	74.3%	700	2.41%
Civil Matter	824	83.9%	691	2.38%
Assist/Police	1,179	56.3%	663	2.28%
Disturbance	797	81.3%	648	2.23%
Suspicious Act	1,038	61.1%	634	2.18%
Mental Problem	442	89.5%	395	1.36%
Narcotics Compl	320	86.2%	276	0.95%
Harassment	303	87.2%	264	0.91%
Customer Trouble	357	66.7%	238	0.82%
Loud Music	210	100.0%	210	0.72%
Other	2,374	34.4%	1,150	3.96%

How many calls do we expect the program to handle?

Future Handling of Today's Citizen-Initiated Police Calls for Service

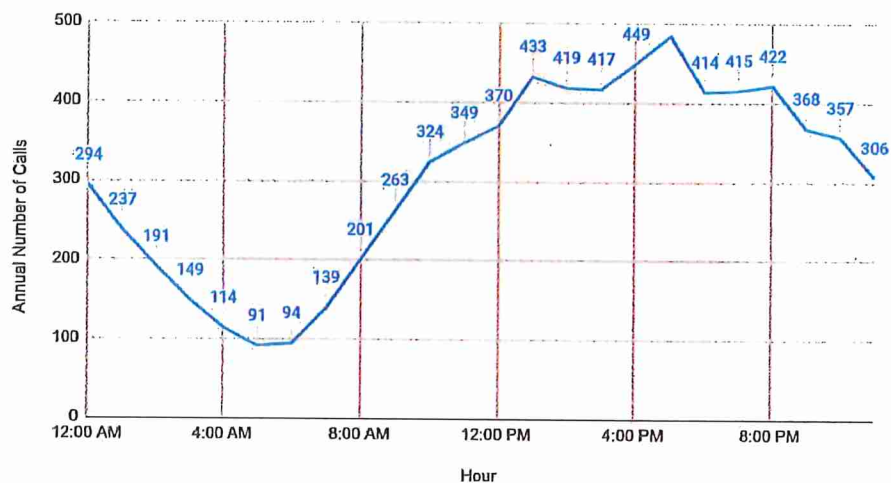


Hours of Operation

HOURS OF OPERATION		
MON		to
TUES		to
WED		to
THUR		to
FRI		to
SAT		to
SUN		to

How many hours should responder teams operate in Brooklyn Center?

Annual REACH-Eligible Calls in each Hour, 2019



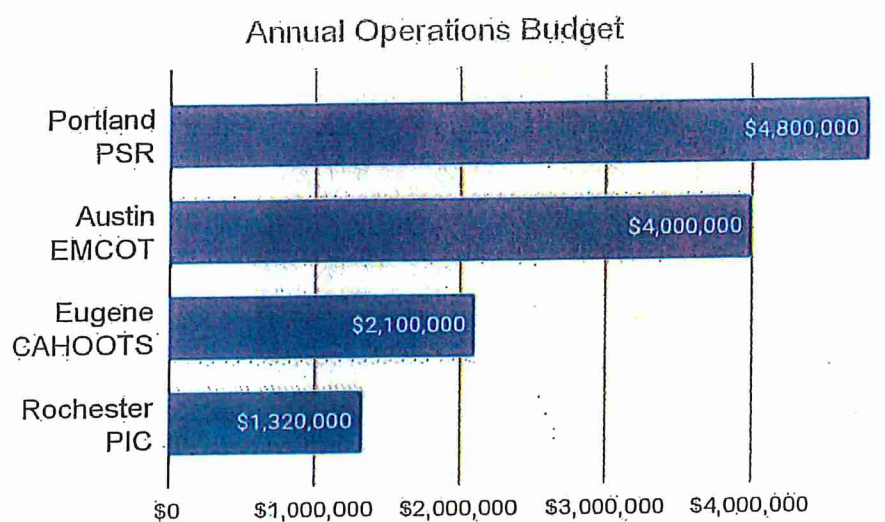
How many responders do existing programs have on a team?

- ❖ **2 responder model-** Eugene CAHOOTS, Olympia CRU, Denver STAR, Albuquerque ACS, Austin EMCOT, Dayton MRU, Amherst CRESS
- ❖ **3 responder model-** San Francisco SCRT, Durham CRT

How many responders should be on a REACH Team?



What are the budgets of existing programs?

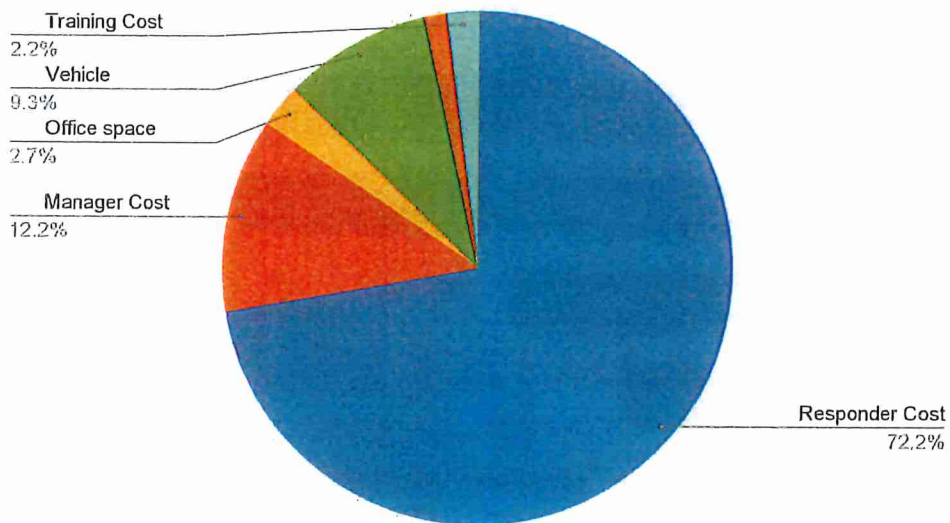


REACH Team Expected Budget

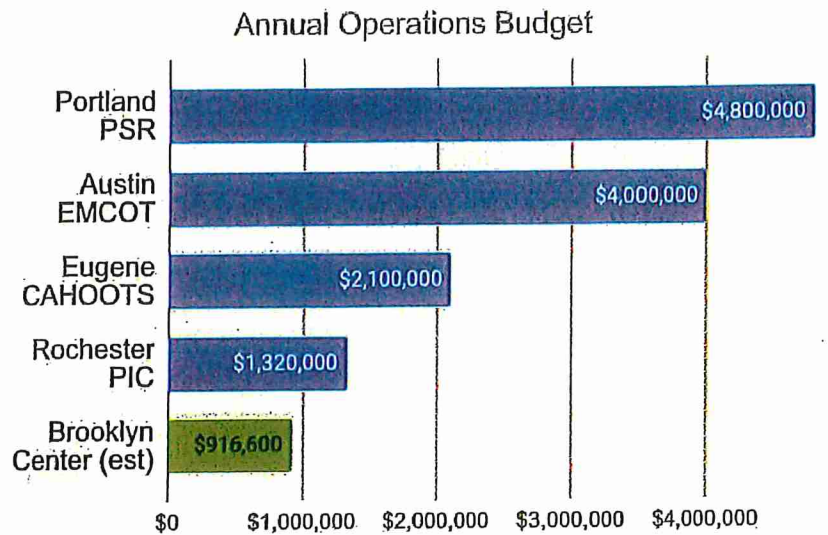
Budget category	REACH Budget, Year 1	1st 6 mo. (Training)	2nd 6 mo. (Operation)
Responder Cost	\$526,667	\$131,667	\$395,000
Manager Cost	\$89,000	\$44,500	\$44,500
Office space	\$20,000	\$10,000	\$10,000
Vehicle purchase/maint.	\$68,000	\$62,000	\$6,000
Other Supplies	\$9,900	\$7,100	\$2,800
Training Cost	\$16,000	\$16,000	\$0
Total	\$729,567	\$271,267	\$458,300

What budget should we expect for the REACH Team?

24/7 Community Responder Budget, Year 1



How does Brooklyn Center's budget compare?



How should Brooklyn Center handle mental health crisis calls involving a weapon or threat?

Co-Response involves a response by both law enforcement and mental health crisis responders who arrive together and collaborate on-scene. Law enforcement clears the scene and turns over the call to mental health crisis responders.

What key mental health services should REACH connect people to?

1. Stabilize people in their homes
2. Arrange admission into 24-hour stabilization center or drug treatment facilities
3. Follow up later with people involved in calls
4. Refer frequent utilizers to county social services

What implementation timeline should Brooklyn Center plan for?

- ❖ March: Present to City Council
- ❖ April-May: Community feedback
- ❖ May: City Council approval
- ❖ June: Program manager hiring
- ❖ July: Program manager onboarding, integration with county dispatch
- ❖ August - September: Responder hiring, equipment acquisition, plan training
- ❖ October - November: Responder training
- ❖ December: Soft launch, market to community
- ❖ January: Launch!

Questions?

EXCERPT FROM 6.12.23 STUDY SESSION

MISCELLANEOUS

Councilmember Jerzak pointed out that the Council had previously considered revisiting the Daunte Wright and Kobe Dimock-Heisler Community Safety and Violence Prevention Act which would be important to do prior to budget discussions.

Mayor Graves stated she would like to hold off on that conversation until the staff presents their recommendations. Mayor Graves asked if there were any legal requirements with timing. City Attorney Jason Hill stated there are no legal requirements related to timing and the Daunte Wright and Kobe Dimock-Heisler Community Safety and Violence Prevention Act.

Councilmember Jerzak asked if the Council was still waiting for the Implementation Committee's presentation. If so, he asked when that would be held. Mayor Graves stated the presentation was supposed to be on May 8, 2023. However, it was postponed. There is a desire for LaToya Turk and the Police Chief to do a joint presentation on the topic. However, they have not had an opportunity to meet and prepare for a presentation.

Dr. Edwards stated a date would likely be set for the traffic stop presentation by the next Council meeting. As for the alternative response recommendations, staff has been in communication with Hennepin County regarding their embedded response program.

Councilmember Jerzak noted he asked about the Daunte Wright and Kobe Dimock-Heisler Community Safety and Violence Prevention Act because of grant funding the City has received for pilot programs and the potential need for budget discussions regarding funding for programming.

EXCERPT FROM 6.26.23 WORK SESSION MEETING

CITY TRAFFIC STOP AND CONSENT SEARCH WORK SESSION

City Manager Reggie Edwards introduced the item and commended staff and the Implementation Committee for their hard work over the years. He invited Brooklyn Center Police Chief Kellace McDaniel and Director of the Office of Community Prevention, Health, and Safety LaToya Turk.

Police Chief Kellace McDaniel thanked the Implementation Committee and Ms. Turk for their work. Director of the Office of Community Prevention, Health, and Safety LaToya Turk added it has been a privilege to work on the project with community members and staff.

Ms. Turk explained on September 26th, 2022, the Daunte Wright and Kobe Dimock-Heisler Implementation Committee (DKIC) presented a proposed recommendation for a traffic stop and consent search ordinance to Brooklyn Center's City Council. City staff convened to assess the implementation of the proposed recommended ordinances intent. The DKIC proposed recommended ordinances were vetted by City staff to formulate a concise response to the proposed traffic stop and

consent search ordinances. Assessments included evaluation of the proposed ordinance's purpose, legality, and operational impact on the City.

Ms. Turk noted the expressed intent and purpose of the DKIC recommendations is to elevate public safety and the general welfare of the people of the City by reducing unnecessary traffic stops and building community trust in the activities of Brooklyn Center law enforcement. DKIC acknowledges that traffic stops create a high-risk situation for both the public and law enforcement officers that can lead to unwanted tragic circumstances. "The idea is to eliminate a small category of stops that tend to have particularly large racial disparities," said Maria Ponomarenko, an associate professor at the University of Minnesota Law School and co-founder of the Policing Project at New York University, which works with law enforcement and community groups to promote better policing.

Ms. Turk stated the recommendation from DKIC is for vehicles to no longer be stopped solely for the following violations: inoperative windshield wipers, excessive window tinting, improperly displayed license plate or permit sticker, improper operational condition, broken or improperly used headlights, tail lights, or turn signals, invalid or expired registration, no functioning license plate light, no operative muffler, exceeding vehicle noise rules of the pollution control agency, cracked or discolored windshield or rearview mirror decorations.

Ms. Turk pointed out another recommendation is that no operator or owner-passenger of a motor vehicle shall be requested to consent to a search by a law enforcement officer of his or her motor vehicle unless there exists probable cause of criminal activity. A search warrant must be obtained whenever it is practical to do so prior to a search of a motor vehicle. Searches of motor vehicles may be conducted without a warrant only if there is probable cause to believe the vehicle is carrying contraband or illegal merchandise.

Ms. Turk stated the Council tasked staff with reviewing the recommendations. Brooklyn Center Police Department, City Attorney, City Administration, Office of Community Prevention, Health and Safety as well as community partners convened regularly with LEAP, DKIC chairs, and community partners to share information and insight on the proposed policy recommendations. All parties participated in the community town hall meetings, weekly briefings, and preparation for the City's response.

Ms. Turk explained City staff from various Departments collaborated from June 2022 to March 2023, to evaluate recommendations and solutions to meet the intent of the proposed DKIC recommended ordinances, which was to "protect the public safety and general welfare of the people of the City, to reduce unnecessary traffic stops and to build community trust in the activities of Brooklyn Center law enforcement. Traffic stops create a high-risk situation for both the public and law enforcement officers that can lead to unwanted tragic circumstances."

Ms. Turk noted interactions between law enforcement officers and civilians, particularly those who have been historically harmed by law enforcement, are important in building trusting relationships. However, while traffic stops are the most common way civilians interact with law enforcement, for some the encounters have been deadly. Nationwide in 2020, 120 people were killed during routine traffic stops, according to Mapping Police Violence. With the intent to provide address public concerns, new policies will help address racial inequities while not compromising public safety.

Chief McDaniel stated the City rigorously assessed the purpose, intent, legality, and operational implications of the proposed recommended traffic stop ordinance. He showed a table of traffic stop safety ratings. Minimum safety ratings include expired registration, no rear plate lamp, no muffler, suspended object, improper plate and registration, and broken head and taillights. Vehicle noise has a moderate safety rating. Traffic stop reasons that have a high safety rating include inoperative windshield wipers, window tint, and improperly used turn signals.

City Attorney Jason Hill explained the proposed ordinance does not allow something that is prohibited by State law, or change penalties for the underlying traffic or equipment violations. The proposed ordinance also allows for citations to be issued for the listed equipment violations either by mail or by placing them on the vehicle in violation.

Mr. Hill pointed out an issue discussed by staff was that of how this ordinance would be enforced, and what the consequences for a violation may be. There are no Minnesota laws that restrict what cities may deem an appropriate response to an ordinance violation. There are several cities that offer an administrative civil penalty for ordinance violations as opposed to a criminal misdemeanor penalty.

Mr. Hill stated an ordinance is a local municipal statute that creates consequences for certain behavior. Most ordinances have as the relevant consequence a misdemeanor, with a fine and perhaps jail time of up to 90 days. Generally speaking, a municipal ordinance is to put the public on notice to do or not do something or to face consequences. They cover topics like building codes, administrative codes, and local liquor laws. Ordinances can also cover city operational practices such as the annual budget and designated city public notice locations.

Mr. Hill noted policies operate differently from that of an ordinance. Policies are internal documents that direct employee behavior and employees can face consequences for not following adopted policies. This includes technology and vehicle use policies for all employees. It includes sexual harassment and cell phone reimbursement policies. In public safety-related services, policies cover many aspects of their day-to-day operations because they are necessary for those departments to remain effective and have uniform procedures for their employees to follow out of safety concerns and the areas of law that they deal with.

Councilmember Lawrence-Anderson asked if other cities have used policies or ordinances to implement similar changes. Mr. Hill stated other municipalities have utilized policies.

Chief McDaniel stated consent searches are searches made by law enforcement officers in the United States based on the voluntary consent of the individual whose person or property is being searched. The simplest and most common type of warrantless searches in the United States are searches based upon consent.

Chief McDaniel explained consent searches related to traffic stops occur after the traffic stop has taken place. *State v. Fort*, 660 N.W.2d 415 (Minn. 2003), requires that within Minnesota, a law enforcement officer may only pursue a consent search of a motor vehicle if they can articulate reasonable suspicion. This threshold creates what officers believe is an appropriate level of exception to the 4th Constitutional Amendment and upholds two justifiable search exceptions in two ways. First, consent searches promote efficient and effective law enforcement. Second, consent searches are a valid

exception to the warrant requirement because it allows citizens to choose whether or not they wish to exercise their constitutional rights.

Ms. Turk stated the first staff recommendation is to separate traffic stops and consent searches in the subject matter. If an ordinance or policy is to be written, staff believes they should be separate, so that said regulations are clear and distinguishable in regulation from the other. DKIC agrees with the recommendation. Ms. Turk noted staff recommends regulation for traffic stops and consent searches be controlled by policy and not ordinance.

Chief McDaniel added a recommendation from staff that law enforcement officers shall refrain from stopping a vehicle for original causes as the sole reason that are minimum safety risks. Law enforcement officers may stop a vehicle for original causes as sole reason alone that are moderate or high risks.

Ms. Turk noted another recommendation is that consent searches comply with state law, in which a law enforcement officer may only pursue a consent search of a motor vehicle if they can articulate reasonable suspicion. Also, interactions between law enforcement officers and the community, particularly community groups who have historically been harmed by law enforcement should be encouraged because, especially in the correct venue, will lead to improved public safety and trust.

Ms. Turk added, similarly, between law enforcement and the community particularly, community groups who have historically been harmed by law enforcement should be encouraged, so there may be shared understandings of perspectives, understanding, expectations, hopes, and desires. The interactions should be encouraged in venues and spaces such as non-enforcement, interactions should be various community engagement opportunities, educational opportunities where law enforcement officers and community partners can explain policies and procedures, the legal foundation for law enforcement officers' actions, law enforcement officers' roles, responsibilities and transparency on accountability.

Councilmember Kragness asked for data on the impact of inoperable windshield wipers on traffic safety in comparison to the interaction between the public and law enforcement it would cause. Chief McDaniel stated he would ask the crime analysts to obtain that specific data.

Dr. Edwards noted experiences of law enforcement were heavily utilized beyond just data.

Councilmember Lawrence-Anderson noted it is State law that windshield wipers should be on during snow and rain. Also, it is a law that tabs need to be on vehicles. She asked if the City would have any liability risk for not enforcing certain rules if they result in bodily harm. Mr. Hill stated the City has no liability.

Mayor Graves pointed out there were a few additional recommendations of unnecessary traffic stops in the recommendation from DKIC that were not included in the current presentation. She added a policy as recommended by staff would not prohibit law enforcement from citing someone for one of the traffic violations. Instead, the policy doesn't allow law enforcement to pull someone over solely on the basis of an included traffic violation.

Councilmember Kragness asked if an individual was driving in a rain storm without their windshield wipers on, during which circumstances would law enforcement pull them over. Chief McDaniel stated he would pull the person over for a safety issue to inform the person that their wipers aren't on.

Councilmember Jerzak asked how the rank and file feel about the proposed policy. Chief McDaniel stated it is hard to recruit a new officer that would already be trained on not issuing certain citations. The Department would very likely lose some of the current officers.

Mayor Graves asked for the audience to remain quiet during the presentation.

Ms. Turk pointed out the intention of the policy is to improve safety for both law enforcement and residents.

Councilmember Jerzak stated a concern of his is that with the multiple jurisdictional law enforcement in the area, such as County Sheriffs, highway patrol officers, and Metro Transit police, there would be wildly inconsistent enforcement of such a policy. Also, it may escalate the situation even more if an external law enforcement agency were to not follow the policy as Brooklyn Center Police Department personnel would have to.

Councilmember Jerzak added some constituents have expressed concerns that they pay for their tabs, but the policy would excuse others from paying their tabs. Also, a driver could be confrontational with another jurisdiction's officers if they were cited for tabs while they didn't have to pay for tabs in Brooklyn Center.

Councilmember Jerzak explained there would be robust community education prior to implementing any new policy. The staff has already discussed strategies on how education can be ongoing within Brooklyn Center.

Councilmember Jerzak asked how the City should handle non-residents that travel through Brooklyn Center. Chief McDaniel stated the policy wouldn't be applicable to any other law enforcement agency. He foresees that the Department could receive calls asking who pulled someone over in violation of the policy.

Councilmember Butler thanked DKIC and the staff for their effort. She stated there are several incorrect perceptions about the purpose of the policy. Many opponents don't understand what it's like to be a person of color or to be targeted while simply driving. There needs to be some changes in the way policing works.

Councilmember Butler added there is a misconception that the policy would make the community less safe. However, fewer traffic stops would allow law enforcement to focus their efforts on more serious crimes. As for the concern about paying for tabs, the real issue at hand is safety. No one shows up to someone's door with a gun to ask why they haven't paid their housing taxes.

Councilmember Butler requested for members of the audience to be quiet or they risk being removed from the meeting.

Councilmember Lawrence-Anderson asked for staff to make the PowerPoint available to the public. Dr. Edwards confirmed that would be done.

Mayor Graves pointed out there were slides regarding town hall feedback in the PowerPoint that were skipped over. She asked for those to be reviewed.

Ms. Turk stated common themes from the town hall meetings included: restoring trust between the community and law enforcement with the hope that this may help rebuild trust by limiting negative interactions with law enforcement, accountability, limiting traffic stops for equipment violations will allow law enforcement to be more efficient and focus on more serious crimes, a number of the equipment violations are dangerous or will hinder law enforcement, the idea of "fix-it tickets" were very popular to fix vehicles and create positive interactions with law enforcement if the City council does nothing will further erode trust, people should pay for their tabs, and noise and pollution are also negative side effects of allowing equipment violations to continue.

Mayor Graves noted the Council agrees with the recommendation to increase interactions between law enforcement and the community, particularly community groups who have historically been harmed by law enforcement should be encouraged in venues and spaces such as non-enforcement, interactions should be: various community engagement opportunities, educational opportunities where law enforcement officers and community partners can explain policies and procedures, the legal foundation for law enforcement officers' actions, law enforcement officers' roles, responsibilities and transparency on accountability.

Mayor Graves asked if there was a consensus to separate the traffic stops and consent search subjects. There was no objection from the Council.

Mayor Graves asked if there was consensus from the Council to regulate consent searches via policy. Ms. Turk stated the staff recommendation is for consent searches to comply with State law, in which a law enforcement officer may only pursue a consent search of a motor vehicle if they can articulate reasonable suspicion. There would be robust community education on what the stops should look like and individuals' rights.

Mayor Graves stated she has had her vehicle searched via consent. Otherwise, there needs to be probable cause or a search warrant for a search to be legal. Dr. Edwards stated all searches would require reasonable suspicion.

Mayor Graves noted she would prefer no consent searches be done. Ms. Turk asked Chief McDaniel to walk them through a traffic stop.

Chief McDaniel stated the first concern during a traffic stop is safety. If they are assisting another agency, he would not search unless the other agency gave him clear probable cause. In the case of a consent search, he would ask the driver for permission for the vehicle to be searched. The recommendation is for both the community and law enforcement to receive further education on consent searches. There needs to be a clear reason for an officer to ask for consent to search.

Mayor Graves asked Council if they should allow consent searches or not. There was no response.

Chief McDaniel recommended the City Attorney speak to if they can create a policy against consent searches that would still comply with State law.

Mayor Graves asked if an individual was pulled over for a consent search, does the driver know why there would be probable cause to ask for a consent search. Chief McDaniel stated an officer must have a clear and concise reason to ask for a consent search. The officer may or may not share a clear and concise reason with the driver.

Mayor Graves stated there would be a thirty-minute public comment opportunity.

Dr. Edwards noted the traffic stop policy recommended by staff was put together to promote both community member and law enforcement safety. Part of the settlement at hand requires that the City addresses traffic stops. Ten traffic stop items are detailed in the settlement agreement, so the City doesn't have discretion in that area.

Councilmember Lawrence-Anderson stated she has been involved in all of the settlement sessions, and she has not heard about the requirement to address ten specific traffic stop issues. Dr. Edwards stated they are unable to discuss the settlement during an open session.

Councilmember Jerzak asked if there was consensus from the Council regarding a policy in comparison to an ordinance. He asked what could be commented on by the public.

Councilmember Jerzak added the staff recommendation includes an explanation that they hope to promote the spirit and intent of The Daunte Wright and Kobe Dimock-Heisler Community Safety and Violence Act. However, he has asked for the opportunity to review the Act multiple times without a response. He noted his agreement with Councilmember Lawrence-Anderson as he was unaware of the requirement of the settlement.

Mayor Graves stated there was time for a twenty-minute public comment opportunity. She asked for the commenters to be respectful and concise.

Mayor Graves opened the public comment period at 8:30 p.m.

John S. noted his appreciation of the presentation. DKIC's recommendations were regarding the actions of the Brooklyn Center Police Department in order to establish a sense of trust. He doesn't have any concerns about other jurisdictions. Law enforcement needs more training in working with the diverse population reflected in the City. Brooklyn Center needs to stay in touch with the data and trends of policing from across the nation.

Emma P. stated she has a Master's in public policy and was a Police Explorer for over five years. She explained the role of the Council is to create laws, and they don't need to consider the feelings of the law enforcers. She urged the Council to stop consent searches entirely in Brooklyn Center. She explained a study about the impact of training on consent. Ultimately, law enforcement have a level of authority that most people submit regardless of training. It is practically a violation of Fourth Amendment rights.

Adam L. stated that he is a Ph.D. candidate in political science. DKIC has thoroughly reviewed the data. Traffic stops unfairly target certain populations and promote distrust between the public and law enforcement. Traffic stops are unsafe for all involved parties.

Lori B., member of the DKIC, noted the two Chairs of the DKIC were not present at the meeting. DKIC presented the recommendations to the Council in September 2022 after several delays. DKIC was informed at the last minute, and the staff was well-aware that the Chairs were unable to attend that evening. DKIC could have answered most of the questions raised by the Council.

Lori B. shared a quote from a mother of a person killed by law enforcement about cultural conditioning and systemic change. A traffic stop should never end a life.

Maddie P. stated she has worked in law enforcement settings for almost ten years. There are racist people within law enforcement, and policies need to be implemented to counteract that truth. Traffic stops are frightening even for white women like herself, and it is even scarier for people of color.

Zedarius introduced himself as a community advocate. He stated a policy would likely not have enough teeth for enforcement and could easily be changed down the line. On the other hand, an ordinance can have repercussions and takes a lot more effort to change. If something is legal as a policy, it is legal as an ordinance. Brooklyn Center had been leading the charge to implement change, but they are falling behind now.

Zedarius pointed out a large majority of traffic stops do not result in a larger charge. It creates a great deal of unsafe situations instead. He shared an experience of being pulled over and how fearful he was.

Joylenna G., a member of DKIC, noted her agreement with the comment about ordinances being preferred over policies. There is more external accountability.

Joylenna G. stated the published packet includes stats on recovered guns, but that was not covered in the presentation to Council. The stats didn't have any dates or timelines. DKIC always showed any sources or relevant dates when presenting data.

Joylenna G. shared that her biracial son is regularly pulled over while she is not.

Joylenna G. stated the role of Metro Transit police is to patrol transit vehicles and not personal vehicles. Concerns about jurisdiction confusion for Metro Transit police are invalid. People are also very aware of where they are driving due to the reputations of neighboring jurisdictions.

Joylenna G. added the historic data shows time and time again that people of color are pulled over more regularly. Other places that have implemented a similar policy for traffic stops have seen a significant decrease in racial disparities.

Randy C. noted he attended the town hall meetings. He asked how the policy recommendations create more trust within the community or more positive interactions with law enforcement. He explained he is looking for safety in his city. Traffic violations can have a large impact on traffic safety. The "fix-it"

tickets are a great option. The Council needs to consider the safety of all residents rather than only those represented by historical data.

Mark V., a member of DKIC, noted there was a graph included in the DKIC presentation to the Council that showed that the vast majority of traffic stops in Brooklyn Center were conducted by Brooklyn Center officers.

Julie B., a member of DKIC, stated they are having this discussion because a young man was killed by a Brooklyn Center police officer. Chief McDaniel has previously expressed interest in community policing. However, the presentation was focused on the impact on police officers rather than on the impact on the community if something doesn't change. The community has financially invested in Brooklyn Center, but the police get to go home to other cities when their shift is done.

Julie B. noted the dashboard is rather clunky. Many community members feel as though law enforcement is unable to do their job, but that is not true.

Jeff L. noted his appreciation of the community education component. He stated the traffic violations that impact safety need to be enforced. It doesn't make sense for law enforcement to choose which laws to enforce and which ones to not enforce. The "fix-it" tickets are a great option.

Mayor Graves closed the public comment period at 9:05 p.m.

Tanya J. asked why she didn't get an opportunity to speak. Mayor Graves stated there were a number of people who didn't have the chance to speak.

Mayor Graves stated St. Paul implemented a similar policy in September 2021. They have had a large reduction in traffic stops and also in the racial disparities of stops. The Ramsey County Attorney confirmed the statistics show a significant change.

Mayor Graves asked if there is a consensus of the Council to regulate traffic stops and consent searches. She pointed out she would like to see regulation via policy. It was recommended by the staff and tangible impacts have been seen elsewhere.

Councilmember Lawrence-Anderson asked who would write the policy. Mayor Graves stated staff would draft a policy and bring it back to the Council for discussion and review.

Councilmember Jerzak explained he could support a policy, but it would be more difficult to support an ordinance. It would be important for staff to consult with police unions to craft something that supports all parties.

Councilmember Butler stated she wouldn't support a policy or an ordinance for consent searches. However, she is on the fence about traffic stops.

Councilmember Kragness noted she works in a different City and was pulled over for a moving violation. The officer asked if she had been drinking, but she said she hadn't. The officer then left. If he had asked to search her vehicle, she would likely have felt required to consent, and it would have been

terrifying. It is important for the public to know their options and legal rights. Overall, she was in support of a search policy.

Councilmember Lawrence-Anderson agreed she supports a policy for traffic stops, as long as it is a collaborative effort between administrative staff and law enforcement. She is unsure about consent searches.

The majority consensus of the City Council was to pursue a policy regarding traffic stops. There is an interest in seeing some more information and drafted language regarding consent searches.

Dr. Edwards added staff is still wondering if there is a consensus to move forward with the tiered traffic stops recommendation. The recommendation is essentially to write a policy that law enforcement would make a good-faith effort to avoid traffic stops with low safety impacts. There is then discretion for law enforcement to pull over higher safety impact traffic stops. Ultimately, the primary reason for pulling someone over cannot be a minor vehicle violation.

Councilmember Kragness stated she would like to see language regarding “good faith judgment” as that is contradictory to building trust in the community. Mayor Graves noted her agreement.

Dr. Edwards confirmed the policy would be crafted and returned to the Council.

Councilmember Lawrence-Anderson asked if the Implementation Committee is done with their work now or if they would continue to provide input. Mayor Graves agreed the Implementation Committee deserves a decision from the Council on both recommendations they presented before officially disbanding. She stated she would provide an update to the Implementation Committee and bring information back to the Council again.

Councilmember Kragness noted her appreciation for all staff and community members who have stepped up and participated in the process. Mayor Graves agreed.

Policy Workgroup Recommendations

Daunte Wright & Kobe Dimock-Heisler

Community Safety & Violence Prevention Resolution

Why Policy Change in Brooklyn Center Is Important: Vehicle Stops

- Excessive stops for minor equipment issues erode community trust in law enforcement
- Minimal Effectiveness in finding evidence of larger crimes
- Racial disparities in enforcement
- Deadly outcomes

Vehicle Stop Policy Recommendation:

- Vehicles would no longer be stopped solely for the following violations:
 - Invalid or expired registration
 - No functioning license plate light
 - No operative muffler
 - Exceeding vehicle noise rules of the Pollution Control Agency
 - Cracked or discolored windshield or rearview mirror decorations

Vehicle Stop Policy Recommendations:

- Vehicles would no longer be stopped solely for the following violations (cont.):
 - Inoperative windshield wipers
 - Excessive window tinting
 - Improperly displayed license plate or permit sticker
 - Improper operational condition
 - Broken or improperly used headlights, tail lights, or turn signals
- Vehicles can be stopped solely for the above listed offenses under the following conditions:
- Officers may pull someone over if the windshield is so heavily damaged that it poses a dangerous condition.
- Officers may pull someone over if the car's equipment poses a dangerous condition.

Vehicles can be stopped solely for the above listed offenses under the following conditions:

- Vehicles can be stopped solely for the above listed offenses under the following conditions:
- Officers may pull someone over if the windshield is so heavily damaged that it poses a dangerous condition.
- Officers may pull someone over if the car's equipment poses a dangerous condition.

Change in Vehicle Stops Policy Established Elsewhere:

Several cities have already adopted a changed vehicle stop policy, including:

- Minneapolis
- Lansing, Michigan
- Philadelphia
- Pittsburgh
- Seattle
- Los Angeles
- Virginia (state law)

Research Related to Vehicle Stop Policies :

- An extensive study at Stanford found that black and hispanic drivers were stopped and searched at a higher rate than white drivers.
- Data after 1M stops studied with various jurisdictions from 2011 - 2018
 - *A large scale analysis of racial disparities in police stops across the United States*, Nature Human Behavior, Vol 4, July 2020
- A [Vera Institute report](#) from October 2021 found that:
 - When researchers examined statistics surrounding “must stop” situations that presented a clear danger and lower-level stops that did not, they found that virtually all of the racial disparities in stops could be attributed to the lower-level stops.
- Non-public safety stops also expose police officers to unnecessary danger.
- The [most common proactive policing activity](#) preceding a fatality is an officer-initiated traffic stop.

EXCERPT FROM 08.14.23 – STUDY SESSION

Councilmember Jerzak noted The Daunte Wright and Kobe Dimock-Heisler Community Safety and Violence Prevention Act needs to be reviewed because a lot of the Resolution has budgetary implications. Mayor Graves pointed out the Implementation Committee also wanted to discuss the Resolution with the Council.

EXCERPT FROM 08.28.23 – WORK SESSION

RESOLUTION AMENDMENT - THE DAUNTE WRIGHT AND KOBE DIMOCK-HEISLER COMMUNITY SAFETY AND VIOLENCE PREVENTION ACT

During the Study Session, Mayor/President April Graves noted that the City Council/EDA reached a consensus to switch Work Session Item 3. Resolution Amendment - The Daunte Wright and Kobe Dimock-Heisler Community Safety and Violence Prevention Act and Work Session Item 2. Review and Discussion of a Community Benefits Agreement Template and Equity Development Framework, Draft Appendices to the Opportunity Site Master Plan to become Work Session Item 2. Resolution Amendment - The Daunte Wright and Kobe Dimock-Heisler Community Safety and Violence Prevention Act and Work Session Item 3. Review and Discussion of a Community Benefits Agreement Template and Equity Development Framework, Draft Appendices to the Opportunity Site Master Plan.

City Manager Reggie Edwards explained the purpose of the presentation is to create time for the City Council/EDA to review and discuss the Daunte Wright and Kobe Dimock-Heisler Community Safety and Violence Act. He noted he envisioned a few sessions to complete a robust discussion.

There was a brief recess due to technology issues.

Dr. Edwards shared a quote from Kathleen Kennedy Townsend, the daughter of Robert Kennedy, from the March on Washington, "Sad that people had to die and that violence moved people. Sad that my dad, uncle, and children had to die to fuel the Civil Rights Act and Voting Rights Act to be passed."

Dr. Edwards stated the City Council/EDA passed the Daunte Wright and Kobe Dimock-Heisler Community Safety and Violence Act in 2021 with Resolution 2021-73. After that, the Implementation Committee is formed. Before 2021, there was a report on the use of force and a report on citations on summons compiled after the formation of the Implementation Committee. The Office of Community Prevention, Health, and Safety was formed, and Staff obtained grant funding for alternative response and traffic stops pilot programs.

Dr. Edwards stated in 2023, there was initial incremental budgeting started for prevention and intervention programming. The Implementation Committee recommended traffic stops, consent searches, and an alternative response model. Also, the settlement terms from the Duante Wright civil case were agreed upon.

Dr. Edwards pointed out three "whereas" clauses that reflect the spirit of the Act. First, he said, "Whereas, the City of Brooklyn Center ('City') can create a safer, healthier, more just,

and more thriving community by promoting a diversity of responses to our community's safety needs."

Dr. Edwards stated the second highlighted clause was "Whereas, a diversity of approaches will improve overall public safety, better address the root causes of many systemic issues, promote racial justice, better protect vulnerable members of our community, and more efficiently allocate public resources while recognizing there is still work to be done to address policing mindset and culture."

Dr. Edwards stated the second highlighted clause was, "Whereas the City Council is committed to putting in the work necessary to bring about changes as quickly as possible in how the City provides public safety while recognizing that some of these measures will take longer to implement than others and that additional work remains to be done to create a healthier and more equitable community even beyond this Act."

Dr. Edwards stated sections 1 and 2 allowed for the adoption of the Act and the call for creating a Community Response Department. Sections called for creating an Unarmed Civilian Traffic Enforcement Department to enforce all non-moving traffic violations in the City.

Dr. Edwards explained that the fourth section calls for the City to create a new Department of Community Safety and Violence Prevention responsible for overseeing all City agencies and City efforts regarding community health and public safety and ensuring a well-coordinated, public health-oriented approach. Dr. Edwards pointed out there are not currently any departments that have been created due to the Act.

Dr. Edwards noted the fifth section called for the creation of a permanent Community Safety and Violence Prevention Committee to review and make recommendations regarding the policing response to recent protests, review the current collective bargaining agreement between the City and the Police Department and make recommendations, recommend the City Council/EDA create a separate and permanent civilian oversight committee for the new Department, and review Chapter 19 of the City Code and make recommendations.

Dr. Edwards stated the sixth section called for the City to review and update its policies, practices, and training regarding the use of force. Section 7 required the City Council/EDA to direct the City Manager to a citywide "citation and summons, " the Implementation Committee will make recommendations regarding making these policy changes permanent and modifying them as needed. This item was addressed in 2022, already underway before the Act was passed.

Dr. Edwards stated Section 8 called for the creation of the Implementation Committee with the responsibility to "propose amendments, ordinances, resolutions, policies, guidelines or other recommendations for the review, adoption and implementation of the will and intent expressed in this Act."

Dr. Edwards noted Section 9 emphasized the need for community involvement in efforts while Section 10 authorized and directed Staff to provide all necessary assistance and support to all committees created according to the Act.

Dr. Edwards noted four basic reflections he gathered from conversations with Staff. First, there is a

request for the City Council/EDA to establish a time to develop an amended or new resolution, which would include all elements of the existing Act. There is a request for the City Council/EDA to identify functional or service units and build upon the City's efforts and actions already taken. Lastly, Staff would like to be included in the process.

Dr. Edwards left the City Council/EDA with three main questions. First, he asked how the City Council/EDA would like to proceed regarding the discussion. Second, he asked what critical sections of the Act the City Council/EDA would like to explore for amending. Lastly, he asked if there were pressing questions by the City Council/EDA regarding the Act that need to be researched or answered before the next work session discussion.

Councilmember/Commissioner Lawrence-Anderson asked if Section 6 has been completed. If so, it could be shortened. Dr. Edwards stated the City had already reviewed, updated, and reported its use of force policies before passing the Act. There could be an amendment that states a requirement for the City to continue to report its use of force policies with a potential timeline for review and updating.

Councilmember/Commissioner Kragness stated she doesn't want to lose the heart of the Act. Some wording is reactionary, so it needs to be cleaned up and edited with long-term feasibility in mind.

Councilmember/Commissioner Jerzak noted his agreement with Councilmember/Commissioner Kragness. There are a number of items that are unaffordable and unenforceable. It should not be a rushed process to review and update the Act.

Councilmember/Commissioner Jerzak added Mayor/President Graves is in a difficult position as she has worked closely with the Implementation Committee, the Council/EDA, and the settlement. The City Council/EDA needs to hear presentations from relevant parties to share actionable options. The work could have a sunset date at the end of 2023. It is time for action.

Councilmember/Commissioner Butler stated some of the issues from 2021 remain in 2023. There have been minor improvements, but there is a way to go. Countless innocent people have been harmed by the Brooklyn Center Police Department. There is a problem with how some officers engage with the community. Crime needs to be addressed, but there are additional problems on top of that. She added there needs to be actionable items rather than continued discussions. It was her preference to edit the Act rather than to write a new one.

Councilmember/Commissioner Butler added members of the Implementation Committee need to be included in the editing process. It would be insulting to continue the process apart from them.

Mayor/President Graves agreed the Implementation Committee needs to be involved. She noted there needs to be some minor edits, including the use of language that can be functional. For example, it isn't feasible or necessary to create three new departments, as the Act calls for. It is also a priority to develop a permanent advisory committee.

Mayor/President Graves noted it appears that the City Council/EDA is trying to take action apart from the recommendations from the Implementation Committee, which is not the case. The Council/EDA's vote on the recommendations from the Implementation Committee is forthcoming.

Mayor/President Graves pointed out she has had preliminary discussions with the Implementation Committee about potential edits. There were some opinions shared about particular wording or how the units would be structured. The discussion also pointed out the Act could be edited to include additional efforts the City has undertaken in the spirit of the Act.

Mayor/President Graves stated, ultimately, that the goal of editing the Act is to create clarity for the community and Staff. The hope is that the language will be representative of the collective voice of the community.

Mayor/President Graves added the first step is to work with Staff to create a space to hold conversations between the City Council/EDA, Implementation Committee, and relevant Staff regarding potential edits. Some portions of the Act have been implemented, but there are unknown variables to consider and nail down for clarity and direction. Sections 6-10 are well underway.

Councilmember/Commissioner Lawrence-Anderson suggested the next step be to dive into Section 5. There needs to be clarification between the role of the Implementation Committee and the Community Safety and Violence Prevention Committee—also, the differences between a Committee and a Commission need to be considered.

The majority consensus of the City Council/EDA was to move forward with editing Resolution No. 2021-73, The Duante Wright and Kobe Dimock-Heisler Community Safety Prevention Act. There is a desire by the City Council/EDA to set up a conversation time with the Implementation Committee and to create a shared understanding of how to create action.

Councilmember/Commissioner Lawrence-Anderson noted she would like the Director of Fiscal and Support Services, Angela Holm, to be present in clarifying conversations to share information on feasibility. When the Act was passed, the City Council/EDA already knew Sections 2-4 were not fiscally possible.

Councilmember/Commissioner Jerzak stated the City Council/EDA wants to reduce harm in the community, particularly for communities of color. He hopes various Staff and Implementation Committee members can bring that shared interest together to create a clear, actionable Act that benefits the community. The dream of perfection should not get in the way of doing good.

Member Butler introduced the following resolution and moved its adoption:

RESOLUTION NO. 2021-73

RESOLUTION ADOPTING THE DAUNTE WRIGHT AND KOBE DIMOCK-
HEISLER COMMUNITY SAFETY AND VIOLENCE PREVENTION ACT

WHEREAS, the City of Brooklyn Center ("City") can create a safer, healthier, more just, and more thriving community by promoting a diversity of responses to our community's safety needs that do not rely solely on our armed law enforcement officers; and

WHEREAS, many approaches have proven to be safe and effective for responding to non-moving traffic offenses, low-level violations, to people with mental health needs or disabilities, and to other similar situations that do not involve armed law enforcement officers; and

WHEREAS, creating alternative responses in these situations will allow our law enforcement officers to focus their time, training, and expertise on serious threats to the immediate safety of our residents; and

WHEREAS, relying on our armed law enforcement officers as first responders in these situations has in some circumstances resulted in escalation, harm, and the tragic and potentially avoidable loss of life for our residents, including Daunte Wright and Kobe Dimock-Heisler; and

WHEREAS, a diversity of approaches will improve overall public safety, better address the root causes of many systemic issues, promote racial justice, better protect vulnerable members of our community, and more efficiently allocate public resources while recognizing there is still work to be done to address policing mindset and culture; and

WHEREAS, the residents of Brooklyn Center have demanded change in our City and will help co-create new approaches to health and safety in our community, and this Act affirms our commitment to an intentional, inclusive and collaborative process that involves City leadership and the community working together to fully implement the intent this Act; and

WHEREAS, the City Council will be drawing upon the best aspects of many different existing models and policies from all across the country in order to adapt them for our City with the help of residents, experts and data analysis, and the City is committing to all of these measures in a single, unified Act to deliver true transformational change for our community; and

WHEREAS, the City Council is committed to putting in the work necessary to bring about changes as quickly as possible in how the City provides public safety while recognizing that some of these measures will take longer to implement than others, and that additional work remains to be done to create a healthier and more equitable community even beyond this Act.

NOW, THEREFORE, the City Council of the City of Brooklyn Center, Minnesota, resolves as follows:

1. Act Adopted. The Daunte Wright and Kobe Dimock-Heisler Community Safety and Violence Prevention Act ("Act") is hereby adopted for the City.
2. Community Response Department. The City will create an unarmed Community Response Department to respond to all incidents where a City resident is primarily experiencing a medical, mental health, disability-related, or other behavioral or social need, including by the creation of a Community Response Department consisting of trained medical and mental health professionals, social workers; or other staff and volunteers, and by a dispatch system routing appropriate calls to the Community Response Department and not to the Police Department; and by any other appropriate changes in ordinance, practices or policies.
3. Traffic Enforcement Department. The City will create an unarmed civilian Traffic Enforcement Department to enforce all non-moving traffic violations in the City, including by creating the civilian Traffic Enforcement Department and by any other appropriate changes in ordinance, practices or policies, including restricting or eliminating the types of traffic offenses enforced by the City's armed law enforcement patrol officers.
4. Department of Community Safety and Violence Prevention. The City will create a new Department of Community Safety and Violence Prevention (the "Department") that will be responsible for overseeing all city agencies and city efforts regarding community health and public safety, and ensuring a well-coordinated, public health-oriented approach throughout our city that relies upon a diversity of evidence-based approaches to public safety, and with a Director who has appropriate credentials and experience including public health expertise, and that at minimum the following existing and to-be-created City agencies will all report directly to the Department and be subject to the authority of its Director: the Police Department, the Fire Department, the Traffic Enforcement Department, and the Community Response Department.
5. Community Safety and Violation Prevention Committee. The City will create a permanent Community Safety and Violence Prevention Committee. The Director will provide the Mayor with a list of candidates to serve on the committee and the Mayor will recommend candidates to the City Council for appointment. A majority of the committee members must be City residents with direct experience being arrested, detained, or having other similar contact with Brooklyn Center Police, or have had direct contact with one or more of the other services to be provided by the new Department. The City Council may appoint City staff to serve as liaisons to the committee, but no City staff member will have a vote on the committee. The committee will: review and make recommendations regarding the policing response to recent protests; review the current collective bargaining agreement between the City and the Police Department and make recommendations prior to the renegotiation of the agreement and before its final approval; recommend the City Council create a separate and permanent civilian oversight committee for the new Department; review Chapter 19 of the City Code and make recommendations with regard to repealing or amending provisions or penalties therein, including fines and fees; and periodically make any other recommendations to the City Council related to initiating programs or policies to improve community health in the City.

6. Use of Force. The City will review and update its policies, practices and training to more appropriately regulate the use of force by its armed law enforcement officers including, for example, by requiring de-escalation, exhaustion of reasonable alternatives before using deadly force, prohibitions on using deadly force in certain situations including firing upon moving vehicles, prohibiting certain uses of force or other policing tactics during First Amendment protests and assemblies, and additional revisions as needed.
7. Citation and Summons for Low Level Offenses. To immediately prevent any further harm and to better protect the peace and safety of all City residents while this Act is being fully implemented, the City Council directs the City Manager to implement forthwith a citywide “citation and summons” policy requiring officers to issue citations only, and prohibiting custodial arrests or consent searches of persons or vehicles, for any non-moving traffic infraction, non-felony offense, or non-felony warrant, unless otherwise required by law, and the Implementation Committee will make recommendations regarding making these policy changes permanent and/or modifying them as needed, including by appropriate changes in ordinance, practices or policies.
8. Implementation Committee. The City will create a Community Safety and Violence Prevention Implementation Committee (“Implementation Committee”), including residents from the City and other local, state and national experts in public health-oriented approaches to community safety, to be chaired by the Mayor, and with members recommended by the Mayor and confirmed by the City Council, that will propose amendments, ordinances, resolutions, policies, guidelines or other recommendations for the review, adoption and/or implementation by City Council or City staff, as appropriate, that would fully implement the will and intent of City Council as expressed in this Act. The City Council may appoint City staff to serve as liaisons to the Implementation Committee, but City staff shall not have a vote on the committee. The Implementation Committee shall provide its recommendations directly to the City Council.
9. Community Involvement. The Implementation Committee will ensure the community has the opportunity to review and comment upon the all implementation plans, including by making periodic progress reports in open City Council meetings monthly, or more frequently upon the Council’s request; that the Implementation Committee is empowered to explore external sources of funding to implement the Act and that the City may retain additional counsel, temporary staff, and consultants as reasonable and necessary to enable the Implementation Committee to complete its work; and the Implementation Committee will present recommendations to City Council for initial consideration not later than 180 days from the date of this Act.
10. Implementation and Staff Support. The directives contained in this Act shall be carried out in compliance with the law and the City Charter. The City Attorney, City Manager, Chief of Police and other City personnel are authorized and directed to provide all necessary assistance and support to all committees created pursuant to this Act, including by supplying the committees with any and all data necessary to perform their duties, including confidential or private data as requested with appropriate protections, and budgetary, staffing or other

information, and assisting with the crafting of amendments, ordinances, or policies as requested by the Implementation Committee. This Act authorizes, to the greatest extent possible, the implementation of the measures identified herein without further policy approvals from the City Council. To the extent additional approvals are needed, or legal barriers are identified, in the implementation of these measures or the recommendations of the Implementation Committee, the City Manager or City Attorney are directed to bring those issues to the City Council's attention for further direction or action as needed.

May 15, 2021

Date

A handwritten signature in black ink, appearing to read "Mike Elliott", is written over a horizontal line.

Mike Elliott, Mayor

ATTEST:

A handwritten signature in black ink, appearing to read "Patricia Sullivan", is written over a horizontal line.

City Clerk

The motion for the adoption of the foregoing resolution was duly seconded by member
Graves
and upon vote being taken thereon, the following voted in favor thereof:
Butler, Elliott, Graves, Ryan
and the following voted against the same:
Lawrence-Anderson
whereupon said resolution was declared duly passed and adopted.

RESOLUTION NO. 2021-73 (Amended 2023-01)

RESOLUTION ADOPTING THE DAUNTE WRIGHT AND KOBE DIMOCK"
HEISLER COMMUNITY SAFETY AND VIOLENCE PREVENTION ACT

WHEREAS, the City of Brooklyn Center ("City") can create a safer, healthier, more just, and more thriving community by promoting a diversity of responses to our community's safety needs that do not rely solely on our armed law enforcement officers; and

WHEREAS, many approaches have proven to be safe and effective for responding to non-moving traffic offenses, low-level violations; to people with mental health needs or disabilities, and to other similar situations that do not involve armed law enforcement officers; and

WHEREAS, creating alterative responses in these situations will allow our law enforcement officers to focus their time, training, and expertise on serious threats to the immediate safety of our residents; and

WHEREAS, relying on our aimed law enforcement officers as first responders in these situations has in some circumstances resulted in escalation, harm, and the tragic and potentially avoidable loss of life for our residents, including Daunte Wright and Kobe Dimock-Heisler; and

WHEREAS, a diversity of approaches will improve overall public safety, better address the root causes of many systemic issues, promote racial justice, better protect vulnerable

members of our community, and more efficiently allocate public resources while recognizing there is still work to be done to address policing mindset and culture; and

WHEREAS, the residents of Brooklyn Center have demanded change in our City and will help co-create new approaches to health and safety in our community, and this Act affirms our commitment to an intentional, inclusive and collaborative process that involves City leadership and the community working together to fully implement the intent this Act; and

WHEREAS, the City Council will be drawing upon the best aspects of many different existing models and polices from all across the country in order to adapt them for our City with the help of residents, experts and data analysis, and the City is committing to all of these measures in a single, unified Act to deliver true transformational change for our community; and

WHEREAS, the City Council is committed to putting in the work necessary to bring about changes as quickly as possible in how the City provides public safety while recognizing that some of these measures will take longer to implement than others, and that additional work remains to be done to create a healthier and more equitable community even beyond this Act.

NOW, THEREFORE, the City Council of the City of Brooklyn Center, Minnesota, resolves as follows:

1. Amend the Adopted Act ~~Adopted~~. The Daunte Wright and Kobe Dimock-Heisler Community Safety and Violence Prevention Act ("Act") is hereby adopted for the City.
2. Community Alternative Response government unit ~~Department~~. The City will create an unarmed Community Alternative Response government unit ~~Department~~ to respond to all incidents where a City resident is primarily experiencing a medical, mental health, disability-related, or other behavioral or social need. ~~including by the creation of a The~~ Community Alternative Response government unit ~~Department~~ shall provide consisting of trained medical and mental health professionals, social workers or other staff and volunteers. ~~, and by a Services provided by the Community Alternative Response government unit shall be dispatched by the Hennepin County 911 call system. system routing appropriate calls to the Community Response Government Unit Department and not to the Police Department; and by any other appropriate changes in ordinance practices or policies;~~
3. Non-Moving Traffic Violation Enforcement government unit ~~Department~~. The City will create an unarmed ~~civilian~~ Non-Moving Traffic Violation Enforcement government unit ~~Department~~ to enforce all non-moving traffic violations in the City. ~~including by creating the civilian Traffic Enforcement Department and by any other appropriate changes in ordinance, practices or policies, including restricting or eliminating the types of traffic offenses enforced by the City's armed law enforcement patrol officers.~~
4. Community Prevention, Health, and Safety government unit ~~Department of Community~~

~~Safety and Violence Prevention.~~ The City will create a new government unit Department of Community Prevention, Health, and Safety ~~and Violence Prevention~~ (the "government unit Department") that will be responsible for coordinating with ~~overseeing~~ all city agencies and citywide efforts regarding community prevention, health and public safety and ensuring a well-coordinated, public health-oriented approach throughout our city that relies upon a diversity of evidence-based prevention and intervention approaches to public safety, and with a Director who has appropriate credentials and experience including public health expertise, community prevention and intervention in public safety, and that at minimum the following will have oversight of governmental units of Community Alternative Response and Non-Moving Traffic Violation Enforcement ~~existing and to be created~~ City agencies will all report directly to the Department and be subject to the authority of its Director: the Police Department, the Fire Department, the Traffic Enforcement Department, and the Community Response Department.

5. Community Health, Safety and Violence Violation Prevention Commission Committee. The City will create a permanent Community Safety and Violence Prevention Commission Committee. The Director will provide the Mayor with a list of candidates to serve on the Commission Committee and the Mayor will recommend candidates to the City Council for appointment. A majority of the Commission Committee members must be a majority of City residents with direct experience being arrested, detained, or having other similar contact with ~~Brooklyn Center~~ Police, or have had direct contact with one or more of the other services to be provided by the new government unit Department. The Director of Department of Community Prevention, Health, and Safety government unit and Violence Prevention shall

serve as liaison to the Commission and with collaboration of all related city governmental units (i.e. police, recreation, fire, community development, etc.).

~~The City Council may appoint City staff to serve as liaisons to the committee, but no City staff member will have a vote on the committee.~~ The Commission committee will review and make recommendations regarding the policing response to ~~recent~~ protests; review the current collective bargaining agreement between the City and the Police Department and make recommendations prior to the renegotiation of the agreement ~~and before its final approval~~; recommend the City Council create a separate and permanent civilian oversight committee for the new Government Unit Department; review Chapter 19 of the City Code and make recommendations with regard to repealing or amending provisions or penalties therein, including fines and fees; and periodically make any other recommendations to the City Council related to initiating programs or policies to improve community health and safety in the City.

6. Use of Force. The City will review and update its policies, practices and training to more appropriately regulate the use of force by its aimed law enforcement officers including, for example, by requiring de-escalation, exhaustion of reasonable alternatives before using deadly force, prohibitions on using deadly force in certain situations including firing upon moving vehicles, prohibiting certain uses of force or other policing tactics during First Amendment protests and assemblies, and additional revisions as needed.

7. Citation and Summons for Low Level Offenses. To immediately prevent any further harm and to better protect the peace and safety of all City residents while this Act is being fully implemented, the City Council directs the City Manager to implement forthwith a citywide "citation and summons" policy requiring officers to issue citations only, and prohibiting custodial arrests or consent searches of persons or vehicles, for any non-moving traffic infraction, non-felony offense, or non-felony warrant, unless otherwise required by law, and the Implementation Committee will make recommendations regarding making these policy changes permanent and/or modifying them as needed, including by appropriate changes in ordinance, practices or policies.

8. Implementation Committee. The City will create a Community Safety and Violence Prevention Implementation Committee ("Implementation Committee"), including residents from the City and other local, state and national experts in public health-oriented approaches to community safety, to be chaired by the Mayor, and with members recommended by the Mayor and confirmed by the City Council, that will propose amendments, ordinances,

resolutions, policies, guidelines or other recommendations for the review, adoption and/or implementation by City Council or City staff, as appropriate, that would fully implement the will and intent of City Council as expressed in this Act. The City Council may appoint City staff to serve as liaisons to the Implementation Committee, but City staff shall not have a vote on the committee. The Implementation Committee shall provide its recommendations directly to the City Council.

9. Community Involvement. The Implementation Committee will ensure the community has the opportunity to review and comment upon the all implementation plans, including by making periodic progress reports in open City Council meetings monthly, or more frequently upon the Council's request; that the Community Health, Safety and Violence Prevention Commission is empowered to assist the City in exploring external sources of funding to implement the Act ~~that the Implementation Committee is empowered to explore external sources of funding to implement the Act~~ and that the City may retain additional counsel, temporary staff, and consultants as reasonable and necessary to enable the Implementation Committee to complete its work; and the Implementation Committee will present recommendations to City Council for initial consideration not later than 180 days from the date of this Act.

10. Implementation and Staff Support. The directives contained in this Act shall be carded out in compliance with the law and the City Charter. The City Attorney, City Manager, Chief of Police and other City personnel are authorized and directed to provide all necessary assistance and support to all committees created pursuant to this Act, including by supplying the committees with any and all data necessary to perform their duties, including confidential or

private data as requested with appropriate protections, and budgetary, staffing or other information, and assisting with the crafting of amendments, ordinances, or policies as requested by the Implementation Committee.

This Act authorizes, to the greatest extent possible, the implementation of the measures identified herein without further policy approvals from the City Council. To the extent additional approvals are needed, or legal barriers are identified, in the implementation of these measures or the recommendations of the Implementation Committee, the City Manager or City Attorney are directed to bring those issues to the City Council's attention for further direction or action as needed.

	Mayor
	Date
ATTEST:	
	City Clerk

The motion for the adoption of the foregoing resolution was duly seconded by member
and upon vote being taken thereon, the following voted in favor thereof:
whereupon said resolution was declared duly passed and adopted.

Daunte Wright and Kobe Dimock-Heisler Community Safety and Violence Act

Work Session – Resolution Amendment



City Council Meeting 8/28/2023

Policy Questions:

1. How would the Council like to proceed on a discussion process?
2. What are the key sections of the resolution that Council would like to explore for amending?
3. Are there pressing questions by the Council regarding the resolution that need to be researched or answered by the next work session discussion?



60 Years Ago – August 28, 1963 March on Washington

Kathleen Kennedy Townsend (Daughter of Robert Kennedy)

"Sad that people had to die and that violence moved people. Sad that my dad, uncle, and children had to die to fuel civil rights act and voting rights act to be passed." (American History C-Span Television, 8/27/2023)



Background

2021-2022

- City Council pass resolution 2021-73
- IC Committee is formed
- Report Use of Force (Prior to 2021)
- Report Citations and Summons
- Office of Community Prevention, Health and Safety
- Grant Funding for Alternative Response and Traffic Stops Pilots (Seeding)

2023

- Initial incremental budgeting started for prevention and intervention programming
- Implementation Committee Recommendations on Traffic Stops and Consent Searches
- Implementation Committee Recommends on Alternative Response
- Daunte Wright Legal Settlement Terms Agreed Upon



Preamble - Whereas

- **WHEREAS**, the City of Brooklyn Center ("City") can create a safer, healthier, more just, and more thriving community by promoting a diversity of responses to our community's safety needs.
- **WHEREAS**, a diversity of approaches will improve overall public safety, better address the root causes of many systemic issues, promote racial justice, better protect vulnerable members of our community, and more efficiently allocate public resources while recognizing there is still work to be done to address policing mindset and culture.
- **WHEREAS**, the City Council is committed to putting in the work necessary to bring about changes as quickly as possible in how the City provides public safety while recognizing that some of these measures will take longer to implement than others, and that additional work remains to be done to create a healthier and more equitable community even beyond this Act.



Section 1 & 2

Act Adopted - The Daunte Wright and Kobe Dimock-Heisler Community Safety and Violence Prevention Act ("Act") is hereby adopted for the City.

Community Response Department - The City will create an unarmed Community Response Department to respond to all incidents where a City resident is primarily experiencing a medical, mental health, disability-related, or other behavioral or social need.



Section 3 & 4

Traffic Enforcement Department - The City will create an unarmed civilian Traffic Enforcement Department to enforce all non-moving traffic violations in the City.

Department of Community Safety and Violence Prevention - The City will create a new Department of Community Safety and Violence Prevention (the "department") that will be responsible for overseeing all city agencies and city efforts regarding community health and public safety, and ensuring a well-coordinated, public health-oriented approach throughout the city.



Section 5 & 6

Community Safety and Violence Prevention Committee - The City will create a permanent Community Safety and Violence Prevention Committee to:

- Review and make recommendations regarding the policing response to recent protests
- Review the current collective bargaining agreement between the City and the Police Department and make recommendations
- Recommend the City Council create a separate and permanent civilian oversight committee for the new Department
- Review Chapter 19 of the City Code and make recommendations

Use of Force - The City will review and update its policies, practices and training.



Section 7 & 8

Citation and Summons for Low Level Offenses - City Council directs the City Manager to implement citywide forthwith a citywide "citation and summons" and the Implementation Committee will make recommendations regarding making these policy changes permanent and/or modifying them as needed.

Implementation Committee - The City will create a Community Safety and Violence Prevention Implementation Committee ("Implementation Committee"), that will propose amendments, ordinances, resolutions, policies, guidelines or other recommendations for the review, adoption and/or implementation of the will and intent expressed in this Act.



Section 9 & 10

Community Involvement - The Implementation Committee will ensure the community has the opportunity to review and comment upon the all implementation plans, including by making periodic progress reports in open City Council.

Implementation and Staff Support – The City Attorney, City Manager, Chief of Police and other City personnel are authorized and directed to provide all necessary assistance and support to all committees created pursuant to this Act.



Staff General Reflections

1. Council set an establish time to develop an amended or new resolution (including all elements of existing).
2. Generically identify functional or service units.
3. Council build upon efforts and actions already taken by the City.
4. Staff be included in the process.



Policy Questions:

1. How would the Council like to proceed on a discussion process?
2. What are the key sections of the resolution that Council would like to explore for amending?
3. Are there pressing questions by the Council regarding the resolution that need to researched or answered by the next work session discussion?



EXCERPT FROM 10.09.23 – STUDY SESSION

MISCELLANEOUS

Dr. Edwards added that the Council has discussed modifications to The Daunte Wright and Kobe Dimock-Heisler Community Safety and Violence Prevention Resolution. He planned three sessions about governance structure and cleaning up language to ensure financial feasibility. There also needs to be a discussion about a permanent committee, its makeup, and its scope.

Councilmember Lawrence-Anderson pointed out her preference is for discussion to be amongst Council without external participants.

Councilmember Butler noted she would prefer to discuss with the Implementation Committee as they have done much work and research on the topic.

Councilmember Jerzak stated the final decision is up to the Council, but input from the Implementation Committee would be beneficial. They need to find a decision that all parties support.

Councilmember Kragness noted her agreement with Councilmember Lawrence-Anderson but would welcome clarification from the Implementation Committee when needed.

Mayor Graves agreed there could be too many cooks in the kitchen, so a smaller subset of the Implementation Committee could be included. Also, they could consider only including the Implementation Committee in the initial session while the final session would be reserved for the Council.

Councilmember Kragness suggested the first and third meetings be the Council alone so they have a set direction. Then, the Implementation Committee could provide clarification at the second meeting.

Mayor Graves stated the Implementation Committee should be included in the discussion on the front end; otherwise, the Council would just be making decisions at the initial meeting without considering outside voices.

Councilmember Lawrence-Anderson stated she would like to refine her earlier preference. She suggested the first session include the Implementation Committee while the two subsequent meetings are just with the Council. Mayor Graves noted her agreement and suggested the Council remain flexible to see what is needed at the meetings.

Dr. Edwards noted the consensus from the Council was for the first meeting to be an opportunity to build a shared understanding of potential changes to The Daunte Wright and Kobe Dimock-Heisler Community Safety and Violence Prevention Resolution and would include the Implementation Committee. The following two meetings would be just the City Council.

EXCERPT FROM 10.23.23 – STUDY SESSION

CITY COUNCIL DISCUSSION OF AGENDA ITEMS AND QUESTIONS

Councilmember Jerzak inquired about the discussion of the proposed Public Safety Act Meeting dates prior to the proposed resolution adoption of the traffic stop and consent search policies.

Mayor Graves noted that the dates are focused on the permanent advisory committee rather than the resolution.

Councilmember Jerzak noted that he believes there was a misunderstanding as it was his impression the resolution would be reviewed before discussing the passing of it.

Mayor Graves stated she didn't believe it was the best use of time to go over the Daunte Wright and Kobe Dimock-Heisler Community Safety & Violence Prevention Act line by line. Some of the items have already been implemented. The fifth item from the Daunte Wright and Kobe Dimock-Heisler Community Safety & Violence Prevention Act has not been implemented, so staff has put together recommendations based on the recommendations of the Implementation Committee regarding traffic stop and consent search policies.

Councilmember Jerzak noted his understanding was the Council needed to discuss the second item as well. Mayor Graves stated there could be more discussion on the second item of the Act, but it won't change the recommendations the Council has already received.

Councilmember Lawrence-Anderson stated she hasn't received a document from the League of Minnesota Cities and the City Attorney to ensure Brooklyn Center is in compliance with everything. She pointed out she was also under the impression the Council would meet with the Implementation Committee before voting on anything. Also, the Council hasn't heard anything from the Police Chief on the traffic stops and consent searches.

Mayor Graves stated Police Chief Kellace McDaniel presented on consent searches and traffic stops with Director of Community Prevention, Health and Safety LaToya Turk a few months ago, which accounted for the staff presentation. Dr. Edwards confirmed staff was instructed to return to Council with a policy reflecting the staff recommendations made during the presentation by Chief McDaniel and Ms. Turk, which is Council Consideration Item 10. Resolution Directing the Adoption of Traffic Stop and Consent Search Policies for the Brooklyn Center Police Department on the Regular Session agenda.

Councilmember Lawrence-Anderson requested the two policies be separated for voting consideration. Mayor Graves asked Dr. Edwards why the policies were in one motion when it was the recommendation of staff to have two separate policies.

Dr. Edwards stated there are two separate policies, but there is one resolution to adopt the two policies. Mayor Graves asked if the Council only wanted to approve one of the policies. Dr. Edwards stated the resolution can be separated if that is the preference of the Council.

Councilmember Jerzak pointed out that the Council isn't allowed to talk about the settlement related to the Daunte Wright and Kobe Dimock-Heisler Community Safety & Violence Prevention Act. He asked how that can be reconciled with the policies.

Dr. Edwards stated the Daunte Wright and Kobe Dimock-Heisler Community Safety & Violence Prevention Act came before the settlement, so the settlement is not the final decider on the outcome of the Daunte Wright and Kobe Dimock-Heisler Community Safety & Violence Prevention Act. There are separate decisions made for each document.

Councilmember Lawrence-Anderson noted the Council hasn't discussed the consent search and traffic stops as a body. Mayor Graves stated they discussed the topic after the staff presentation. Councilmember Lawrence-Anderson stated there are some aspects of each policy she is uncomfortable with. Mayor Graves stated the Council can discuss the policies after the presentation on the agenda.

Mayor Graves explained the Council has received a presentation from the Implementation Committee and had a discussion, received a presentation from staff and had a discussion, and will receive another staff presentation. Also, each Councilmember has had the opportunity to review the policies and meet with Staff on their own time.

Councilmember Lawrence-Anderson pointed out that two members of the Council didn't vote on the Daunte Wright and Kobe Dimock-Heisler Community Safety & Violence Prevention Act originally and have requested to review the document.

Mayor Graves asked why the Daunte Wright and Kobe Dimock-Heisler Community Safety & Violence Prevention Act is more important than the subsequent policies. Councilmember Lawrence-Anderson stated the policies are a product of the Daunte Wright and Kobe Dimock-Heisler Community Safety & Violence Prevention Act. The traffic stops and consent searches are part of the Daunte Wright and Kobe Dimock-Heisler Community Safety & Violence Prevention Act, and all stakeholders need to be in consensus.

Mayor Graves stated Councilmember Lawrence-Anderson could make a motion to remove the item from the agenda if she wished.

Councilmember Jerzak stated not all parties have had everyone at the table and had a robust discussion. There needs to be consensus in order for there to be buy-in. It is unsettling to be forced into a vote that he is uncomfortable with.

Mayor Graves stated she thought the Council was ready to vote on it. She asked who else the Council wants to hear from. Councilmember Jerzak stated he wants to hear from law enforcement about any hesitations they have, particularly from the Police Chief.

Dr. Edwards pointed out Chief Kellace will be presenting Council Consideration Item 10. Resolution Directing the Adoption of Traffic Stop and Consent Search Policies for the Brooklyn Center Police Department on the Regular Session agenda.

Mayor Graves stated the item about the traffic stops and consent searches is on the agenda, and it is the policy that public commenters don't comment on Council Consideration Items from the agenda. She asked the Council for their opinion on waiving the policy for the evening.

Councilmember Lawrence-Anderson stated she isn't opposed to public comment as long as there are time restrictions. She noted her preference for removing the item from the agenda due to the lengthy agenda.

Councilmember Jerzak noted his agreement with Councilmember Lawrence-Anderson. Council Consideration Item 10. Resolution Directing the Adoption of Traffic Stop and Consent Search Policies for the Brooklyn Center Police Department on the Regular Session agenda deserves robust discussion.

Councilmembers Butler and Kragness agreed they were open to public comment on the item. Councilmember Kragness added she would have liked more information on Council Consideration Item 10. Resolution Directing the Adoption of Traffic Stop and Consent Search Policies for the Brooklyn Center Police Department on the Regular Session agenda and would like to hear directly from the Police Chief. As it stands, she is not comfortable voting on the item with the current information available to her.

Mayor Graves pointed out the staff recommendations have been reviewed and approved by the Police Chief. Councilmember Kragness stated she hasn't heard directly from the Police Chief, although he did co-present previously.

Mayor Graves stated she wants to keep the item on the agenda as it is the same set of staff recommendations just in policy form. The Police Chief has already presented the item, and the Council has already had opportunities to ask questions of the Police Chief, both at the aforementioned presentation and outside of Council meetings. She asked what questions remain unanswered for the rest of the Council.

Councilmember Lawrence-Anderson stated the Council has not discussed the different types of traffic stops nor the conflicting language with the settlement the Council is unable to openly discuss. Mayor Graves pointed out, as did Dr. Edwards, that the settlement is separate from the Daunte Wright and Kobe Dimock-Heisler Community Safety & Violence Prevention Act.

Councilmember Lawrence-Anderson stated she has read the settlement and understands its differences from the Daunte Wright and Kobe Dimock-Heisler Community Safety & Violence Prevention Act. However, the language used in the proposed policies is different from the language used in the settlement.

Councilmember Jerzak stated he wants to hear directly from the Chief that police officers have provided input into the policies and are committed to the process. He wants to hear the information from Chief Kellace alone without a co-presenter. Councilmember Jerzak stated he wants the policies to pass, but he cannot make a well-informed decision without hearing the potential concerns of the parties who will enforce the policies.

Mayor Graves asked if the Council could table the item after the planned presentation. City Attorney Jason Hill confirmed the item can be tabled after the presentation and prior to any vote approving or opposing the item.

Mayor Graves noted it was the consensus of the Council to allow public comment regarding Council Consideration Item 10. Resolution Directing the Adoption of Traffic Stop and Consent Search Policies for the Brooklyn Center Police Department. She stated the public comment period would begin at 6:30 p.m. to allow for more commenters.

EXCERPT FROM 10.23.23 CITY COUNCIL MEETING

RESOLUTION DIRECTING THE ADOPTION OF TRAFFIC STOP AND CONSENT SEARCH POLICIES FOR THE BROOKLYN CENTER POLICE DEPARTMENT

Dr. Edwards introduced the item and invited the Director of the Office of Community Prevention, Health and Safety, LaToya Turk and Police Chief Kellace McDaniel to make the staff presentation.

Ms. Turk explained in May 2021, the City Council of the City of Brooklyn Center adopted Resolution No. 2021-73, a resolution adopting the Daunte Wright and Kobe Dimock-Heisler Community Safety and Violence Prevention Act. Since February 28, 2022, the Implementation Committee has conducted regular meetings and worked with experts to gather data and consider City Code amendments, ordinances, resolutions, policies, and guidelines concerning public health-oriented approaches to community safety. In September 2022, the Committee developed and prepared policy recommendations regarding traffic stops and consent searches.

Ms. Turk pointed out that in June 2023, Staff made recommendations to the City Council regarding traffic stops and consent searches based upon a review of the recommendations made earlier by the Implementation Committee. Following the Staff's presentation, the Council directed Staff to bring back a resolution adopting a policy for traffic stops and consent searches based upon Council discussion consensus during the June meeting.

Ms. Turk stated it was the consensus of Staff to separate traffic stops and consent searches in the subject matter. Also, it was determined that regulation for traffic stops and consent searches was controlled by policy rather than ordinance.

Ms. Turk noted the traffic stop policy states law enforcement officers will use alternative traffic enforcement for original causes as the sole reason for minimum and moderate safety risk traffic stops. However, officers may stop a vehicle for original causes as the sole reason alone that they are high-risk traffic stops.

Chief McDaniel showed a table of traffic stop safety ratings. He stated when the police department was given this exercise, he and the Commanders put them in categories and talked about the minimum, moderate, and maximum safety ratings.

Chief McDaniel stated it is difficult for a Chief to tell his officers not to enforce certain State laws, as this policy would force him to do. He added he does discipline every day based on the actions of the officers. He would continue the presentation, but he is not comfortable implementing these policies. He added there are ways to do a teaching aspect for alternative traffic enforcement, but the ultimate training of law enforcement is to keep the community safe.

Mr. Hill stated that based on findings and studies conducted by the Committee and City staff, the recommended regulation of the initiation of traffic stops and consent searches is in accordance with the goals of the Daunte Wright and Kobe Dimock-Heisler Community Safety and Violence Prevention Act. The regulations should be enacted through the adoption of policies rather than ordinances, and standalone policies should be incorporated into the Brooklyn Center Police Department Policy Manual.

In order to allow for training and education timing, the effective policy date would begin in March 2024. The proposed resolution also requires the Council to make any amendments to the policy.

Councilmember Lawrence-Anderson stated she would like Chief McDaniel to be present when the Council meets with the Implementation Committee. She explained she supports most of the components, but a joint conversation with all parties is required for negotiations. She would like the City Council, Implementation Committee, Community, and Police Department. The Implementation Committee has worked very hard, and she wants to make sure the policies are properly written and implemented.

Councilmember Jerzak noted his agreement with Councilmember Lawrence-Anderson. He noted his preference to table the item until the Council meets with the Implementation Committee and to allow the Council to better understand the concerns of the Police Chief.

Councilmember Jerzak pointed out he would prefer the restrictions be made at the State level to allow for consistency in conduct by all law enforcement agencies.

Councilmember Butler stated she isn't opposed to allowing Councilmembers more time to consider the recommendation, though it is disappointing to hear that some Councilmembers aren't ready to implement the recommendation. She noted her appreciation of the comments made by Chief Kellace. Brooklyn Center has the opportunity to reimagine what public safety looks like. At the start of the process, the City was praised for its innovation, but it has failed to come to fruition thus far. Growing pains are expected, but the Council must make the tough calls. The process has already taken too long.

Councilmember Kragness stated she isn't comfortable with the recommendations due to the hesitancy noted by Chief McDaniel. She added that she has empathy for the community but does not want to be forced into making a decision that she doesn't feel is the right decision.

Councilmember Jerzak asked if the Council could have a consensus on a hard date of when the decision is going to be made. The process has taken a long time, and the Council needs to respect the Implementation Committee. Mayor Graves stated the present meeting was meant to be the hard date for a decision.

Mayor Graves pointed out there are some things the Council isn't going to agree upon. Similarly, the community likely has a very different perspective on policies than law enforcement does. She explained how the consent decree was implemented in Minneapolis. She would like to see a pretextual stop policy more similar to the one created in Minneapolis in conjunction with the Department of Human Rights.

Mayor Graves read a quote from the *Stanford Law Review* regarding pretextual stops and racial profiling. Pretextual stops are not a violation of the Fourth Amendment. Data shows a statistically significant disparity in pretextual stops between White people and BIPOC. However, the burden of proof is on the victim to show that law enforcement targeted someone based on race rather than traffic violations.

Mayor Graves asked if it is generally safer for someone with a broken taillight to drive around or for someone to potentially be racially profiled. She stated she and her loved ones have experienced racial profiling. The City has the opportunity to do better.

Mayor Graves stated some law enforcement may be hesitant, but that is to be expected when people are told to do something they are not used to. It seems as though the argument may be about power and control rather than safety.

Mayor Graves read the Fourth Amendment aloud. The presentation by Staff was a compromise between multiple parties. The policy prohibits people from being harassed, and it doesn't prohibit law enforcement from enforcing actual safety concerns.

Mayor Graves read another quote about warrants, probable cause, and consent to expose one's privacy. Many people do not know they have a Constitutional right to deny consent searches. Consent searches are very likely to be coerced. Probable cause gives permission for law enforcement to search based on the likelihood of productivity. Consent searches have no well-founded justifications for a search. Law enforcement should be promoting the Fourth Amendment rather than trying to get around it.

Mayor Graves stated she isn't going to call for a vote because it doesn't sound like the policy will pass based on the previous comments of the Council. It is unlikely that law enforcement will compromise more than they already have. The Staff's presentation is the product of countless conversations among Staff, Council, and community members.

Dr. Edwards noted the consensus of the Council was to not take a vote. He suggested tabling the item until after the Council has an opportunity to meet with the Implementation Committee.

Mayor Graves pointed out the community is clear on its preference. The lack of clarity is due to law enforcement's support of the policy. She stated the Council needs to speak directly with law enforcement leadership.

Dr. Edwards stated that Staff can vet the policy more and bring it back to the Council, but the Staff feels it has already completed that step.

Councilmember Lawrence-Anderson stated she wants to be present in the room where the discussions are happening because she is a decision-maker.

Councilmember Jerzak noted his agreement with the comments of Councilmember Lawrence-Anderson. He stated he was taken aback by the comments made by Chief Kellace during that evening's meeting. Councilmember Jerzak pointed out he has no desire to kill the policy, but he needs to hear the concerns of law enforcement directly.

Mayor Graves pointed out she has consistently kept her door open to meet with law enforcement. She hasn't felt welcome to do the same with law enforcement. The matter is meant to improve safety for all and not be adversarial.

Dr. Edwards stated there is a process for the Council to engage with the various Departments, which is for the Council to make requests of Staff and for Staff to return to the Council with the request

completed. He offered to facilitate a conversation between the Council and all relevant Staff. He would gather the availability of the Staff and Implementation Committee and return to the Council with potential meeting dates. He pointed out the entire Council won't be back together again until mid-December.

Mayor Graves requested the meeting have proper representation from law enforcement leadership.

Mayor Graves moved, and Councilmember Butler seconded to table consideration of a resolution adopting traffic stop and consent search policies for the Brooklyn Center police department.

Member _____ introduced the following resolution and moved its adoption:

RESOLUTION NO. 2023-_____

A RESOLUTION DIRECTING THE ADOPTION OF TRAFFIC STOP AND
CONSENT SEARCH POLICIES FOR THE BROOKLYN CENTER POLICE
DEPARTMENT

WHEREAS, the Brooklyn Center City Council adopted Resolution No. 2021-73 establishing the Daunte Wright and Kobe Dimock-Heisler Community Safety and Violence Prevention Act (“Act”) to direct the development and implementation of various reforms to improve the delivery of public safety services in the community; and

WHEREAS, the Act provides for the establishment of an Implementation Committee (“Committee”) to assist in the development of public safety measures, including authority to propose amendments, ordinances, resolutions, policies, guidelines or other recommendations for the review, adoption or implementation by the City Council or City staff, as appropriate, that would fully implement the will and intent of City Council as expressed in the Act; and

WHEREAS, the Committee was established in accordance with the Act, and following the completion of significant community engagement and lengthy and informative study of public safety measures, ordinances and policies, the Committee recommended the adoption of an ordinance regulating the initiation of traffic stops and requests for consent searches by the Brooklyn Center Police Department; and

WHEREAS, upon the request of the City Council, City Staff conducted meetings with the community to gather input from community members with regard to the Committee’s recommendation; and

WHEREAS, City Staff reviewed the input received from the community, and upon the request of the City Council, City Staff conducted its own review of the Committee’s recommendation; and

WHEREAS, City Staff recommended that (1) traffic stops and consent searches be controlled and regulated by policy rather than an ordinance, (2) traffic stop and consent search policies be separated rather than being part of a single policy, and (3) the initiation of traffic stops should be allowed for moderate and high risk equipment violations in the interests of protecting public safety; and

WHEREAS, City Staff prepared traffic stop and consent search policies, attached hereto as Exhibit A and Exhibit B respectively, to be incorporated into the Policy Manual for the Brooklyn Center Police Department; and

WHEREAS, the City Council finds and determines as follows:

1. Based upon the findings and studies conducted by the Committee and City Staff, the recommended regulation and control of the initiation of traffic stops and consent searches is in accordance with the goals of the Act, including the creation of a safer, healthier, more just and more thriving community, and the creation of diverse responses to non-moving traffic offenses and low-level violations;
2. The regulation and control of Brooklyn Center Police Department traffic stops and consent searches should be enacted through the adoption of policies rather than by City ordinance;
3. Given their distinctive subject matter, traffic stop and consent search policies should be stand-alone policies and those policies should be incorporated into the Policy Manual for the Brooklyn Center Police Department;
4. In the interests of public safety and the safety of the traveling public, moderate and high-risk equipment violations, as presented to the City Council, are sufficient to warrant the initiation of a traffic stop by officers with the Brooklyn Center Police Department;
5. In order to allow time for training and community education and engagement, the effective date of the traffic stop and consent search policies should be _____, 2024; and
6. It is in the best interests of the City that the traffic stop and consent search policies be adopted and incorporated into the Policy Manual for the Brooklyn Center Police Department.

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Brooklyn Center as follows:

1. The City Manager and City Staff are authorized and directed to adopt the traffic stop and consent search policies attached hereto as Exhibit A and Exhibit B respectively and to take any and all necessary actions to incorporate the policies into the Policy Manual for the Brooklyn Center Police Department.
2. The City Manager and City Staff shall provide officers with the Brooklyn Center Police Department a copy of the traffic stop and consent search policies, and officers shall certify by signing the prescribed form that the officer has been advised of the policies, is aware of and understands their contents, and agrees to abide by their provisions during the officer's term with the Brooklyn Center Police Department.
3. The effective date of the traffic stop and consent search policies shall be _____, 2024.

4. The traffic stop and consent search policies shall not be amended or revoked without the consent of the City Council.

Date

Mayor

ATTEST: _____
City Clerk

The motion for the adoption of the foregoing resolution was duly seconded by member
and upon vote being taken thereon, the following voted in favor thereof:
and the following voted against the same:
whereupon said resolution was declared duly passed and adopted.

EXHIBIT A
Traffic Stop Policy

[attached hereto]

EXHIBIT B
Consent Search Policy

[attached hereto]

_____.1 **PURPOSE AND SCOPE**

This policy establishes guidelines with regard to the initiation of traffic stops for certain equipment violations.

_____.2 **POLICY**

It is the policy of the Brooklyn Center Police Department, in promotion of public health, safety and the general welfare of the people of the City, to reduce unnecessary, high-risk traffic stops and to build community trust in the activities of the Brooklyn Center Police Department. The ultimate goal of traffic law enforcement is to reduce traffic collisions to protect the general welfare of the traveling public. Violations of certain equipment and other violations, identified herein, generally do not lead to or increase the frequency of traffic collisions. Additionally, traffic stops create a high-risk situation for both the public and law enforcement officers that can lead to unwanted, tragic circumstances. For these reasons, Brooklyn Center Police Department officers will not initiate a traffic stop solely for certain statutory violations as set forth herein.

_____.3 **DEFINITIONS**

Definitions related to this policy include:

Dangerous Condition - A condition where an improper or malfunctioning piece of motor vehicle equipment creates a substantial, identifiable risk and imminent threat to public safety.

Motor Vehicle - Motor vehicle as defined in Minnesota Statutes, section 168.002, subd. 18.

Motorcycle - Motorcycle as defined in Minnesota Statutes, section 169.011, subd. 44.

Trailer - Trailer as defined in Minnesota Statutes, section 168.002, subd. 35.

Vehicle - Vehicles as defined in Minnesota Statutes, section 168.002, subd. 42.

_____.4 **INITIATION OF A TRAFFIC STOP**

Subject to the exceptions set forth below, officers shall not initiate a traffic stop solely for a violation of any single, or any combination of, the following offenses:

- (a) Invalid or expired trailer or motor vehicle registration (Minnesota Statutes, section 168.09);
- (b) No functioning rear license plate lamp (Minnesota Statutes, section 169.50, subd. 2);

- (c) No operative muffler (Minnesota Statutes, section 169.69);
- (d) Exceeding motor vehicle noise rules adopted by the Minnesota Pollution Control Agency (Minnesota Statutes, section 169.693);
- (e) Objects suspended between the driver and the windshield, including, but not limited to rearview mirror decorations. (Minnesota Statutes, section 169.71, subd. 1);
- (f) Improperly displayed license plate or registration sticker (Minnesota Statutes, section 169.79); and
- (g) Driving with one operative headlight or rear light (Minnesota Statutes, sections 169.49, 169.63, 169.50, subd. 1, 169.55, subd. 1 and 169.57, subd. 1).

_____5 EXCEPTIONS FOR INITIATION OF TRAFFIC STOPS

Officers may initiate a traffic stop for the following, subject to the conditions set forth below:

- A. **Lights On! Program.** Officers may initiate a traffic stop with regard to a motor vehicle or motorcycle with no operative headlights, but they shall issue a Lights On! coupon or voucher in lieu of issuing a traffic citation.

If a Lights On! coupon or voucher is issued, the officer shall advise the driver or recipient of the location in which the repair can be made.

If Lights On! coupons or vouchers are not available, but the incident meets the Lights On! criteria, the officer shall:

- 1. Advise the driver of the equipment violation; and
- 2. Advise the driver to contact the Department to get a Lights On! coupon or voucher.

- B. **Dangerous Conditions.** Officers may initiate a traffic stop if a motor vehicle or motorcycle's equipment poses a dangerous condition. Examples of equipment conditions that pose a dangerous condition include, but are not limited to, the following:

- 1. A cracked or discolored windshield that is so heavily damaged that it poses a dangerous condition. An example of a dangerous condition related to a windshield includes, but is not limited to, (1) a spiderweb crack on the front windshield with a diameter greater than 3 inches that substantially impairs the driver's view, and (2) windshield displaying enough cracks that there is a substantial chance that it could collapse while the car is in operation.
- 2. A motor vehicle bumper that is damaged in such a way it has the potential to become dislodged or drag on the ground.

3. A motor vehicle or motorcycle exhaust pipe that is releasing smoke at a rate that substantially impairs or obstructs the vision of other drivers.
- C. Dangerous Conditions Citations. If a driver or motor vehicle or motorcycle owner is cited for a dangerous condition in violation of Minnesota Statutes, section 169.47, the officer must detail the dangerous condition on the citation.
- D. License Plate. Officers may initiate a traffic stop for the failure to display a visible, legible license plate anywhere on the motor vehicle.

_____.6 TRAFFIC STOPS FOR OTHER VIOLATIONS

Officers may issue citations for the offenses identified in section _____.4 above if the operator was stopped for another violation. If the operator of the motor vehicle is issued a citation for a more serious violation, the operator will not also be cited for the violation identified above. Rather, the operator will be given information with regard to the City's Diversion Solutions program and/or the Lights On! program, to the extent available and applicable.

_____.7 ISSUANCE OF CITATIONS BY MAIL OR PLACEMENT ON THE VEHICLE

Officers may issue citations for the violations identified in section _____.4 above by U.S. Mail by mailing the citation to the registered address for the vehicle, and if a vehicle is parked and unoccupied, an officer may issue a citation by U.S. Mail or by placing the citation on the windshield of the vehicle.

_____.8 TRAINING

All new members shall be provided with a copy of this policy as part of their orientation. The policy shall be reviewed with each new member. The member shall certify by signing the prescribed form that the member has been advised of this policy, is aware of and understands its contents, and agrees to abide by its provisions during the member's term with the Department.

All members shall receive annual training on the requirements of this policy and shall certify by signing the prescribed form that they have reviewed the policy, understand its contents, and agree that they will continue to abide by its provisions.

310.____ MOTOR VEHICLE SPECIFIC SEARCHES WITHOUT A WARRANT

A search warrant must be obtained whenever it is practical to do so prior to a search of a motor vehicle. Searches of motor vehicles may be conducted without a warrant under the following circumstances:

- (a) Officers may search a motor vehicle without a warrant if they have probable cause to believe the vehicle is carrying contraband or illegal merchandise.
- (b) In situations where officers have probable cause to search a motor vehicle for an object, they may conduct a warrantless search of every part of the vehicle and its contents, including all containers and packages that may conceal the object of the search. The scope of the search is not defined by the nature of the container in which the object is secreted. Rather, it is defined by the object of the search and the places in which there is probable cause to believe that it may be found. Officers may tow the vehicle to a Department station to conduct the search.
- (c) A probable cause determination must be based on objective facts that could justify the issuance of a warrant by a court, and not merely on the subjective good faith of the officer. It must be grounded on facts known by the officer which, in the judgment of a court, would make his or her faith reasonable.

If a lawful search of a motor vehicle is conducted without a search warrant, anything of evidentiary value is admissible whether or not it is related to the arrest, so long as it was found in an area reasonably likely to contain the contraband or illegal merchandise originally sought.

No operator or owner-passenger of a motor vehicle shall be requested to consent to a search by an officer of his or her motor vehicle, unless there exists probable cause of criminal activity.

EXCERPT FROM 1.22.24 – CITY COUNCIL MEETING

RESOLUTION NO. 2024-20; DIRECTING THE ADOPTION OF TRAFFIC STOP; RESOLUTION NO. 2024-21; CONSENT SEARCH POLICIES FOR THE BROOKLYN CENTER POLICE DEPARTMENT

City Manager Reggie Edwards introduced the item and provided a history of the resolution. He explained in May 2021, the City Council of the City of Brooklyn Center adopted Resolution No. 2021-73, a resolution adopting the Daunte Wright and Kobe Dimock-Heisler Community Safety and Violence Prevention Act. Since February 28, 2022, the Implementation Committee has conducted regular meetings, and working with experts to gather data and consider City Code amendments, ordinances, resolutions, policies, and guidelines with regard to public health-oriented approaches to community safety. In September of 2022, the Committee developed and prepared policy recommendations regarding traffic stops and consent searches.

Dr. Edwards pointed out in June 2023 that staff made recommendations to the City Council regarding traffic stops and consent searches based upon the review of the recommendations made earlier by the Implementation Committee. Following Staff's presentation, the Council directed Staff to bring back a resolution adopting a policy for traffic stops and consent searches.

Dr. Edwards noted Staff reviewed reasons for traffic stops and assigned safety ratings. The intention is to promote traffic safety while mitigating potentially dangerous interactions. They also separated the traffic and consent search policies. It was a recommendation from the Implementation Committee for the measures to be introduced as policies instead of ordinances. There was also a preference for community education on consent searches.

Dr. Edwards explained the item before the Council is to adopt both the traffic stop and consent search policies. They were drafted by City Attorney Jason Hill.

Mr. Hill noted the policies have been thoroughly reviewed by the City Staff, Council, and the Implementation Committee. There has been a large amount of community engagement. The first item before the Council is a traffic stop policy that eliminates seven reasons for traffic stops. The regulations would be enacted through the adoption of policies rather than ordinances, and standalone policies should be incorporated into the Brooklyn Center Police Department Policy Manual. He stated that there are seven specific items in here that are to be kept out as initiating a traffic stop. The language would be incorporated into the police department's manual. It includes a language that came out of the implementation committee and its original ordinance format.

Mr. Hill added the second resolution is regarding consent searches. As Dr. Edwards indicated, it's not a resolution adopting a specific policy at this time, but is more about gathering data and creating a tracking system than changing any current practices. There is also a direction to research and create a balance of powers statement for the Police Department to use during consent searches.

Mayor Graves stated a timeline needs to be established regarding the crafting of the balance of powers statement and the creation of the tracking system, should the resolutions pass. There was no disagreement from the Council.

Mayor Graves read a prepared statement to reflect on the process. "Too often in today's political and cultural climate, perspectives and voices become polarized. And because of this, policy and systems change become stagnant, services become inadequate and harmful, issues are left unaddressed, and relationships become sour, reducing the public trust. People shut down and walk away from important conversations because they get burned out and feel like their voices and perspectives are not valued.

They believe that it's a waste of time, that nothing will ever get done. Since becoming mayor last year, I have worked intentionally to try to change that pattern of interaction in Brooklyn Center. I always approach issues with an attitude of collaboration and coordination. Issues that impact the larger community should never be made in the vacuum.

And our own personal perspectives should never become the sole focus of our collective work to create a more just safe, healthy culture, community, and society. A willingness to compromise becomes crucial to progress. The recommendations we see before us today are the result of hours of research, many, many courageous conversations with community, staff, council, and a willingness to step into uncomfortable spaces and dialogue with people that we may not have in the past.

It has become an imperfect, it has been an imperfect process, and we are imperfect human beings. But I'm proud of the progress that we have made, and I'm proud of the recommendations that we have in front of us this evening. Make no mistake, these recommendations are a compromise. They are a balance between the larger recommended changes presented by the Dante Wright Colby Dimock Heisler Implementation Committee, and the alternative where we do nothing to enact changes that work to prevent further harm.

As leaders, public servants, elected officials, it is our duty to improve the way we serve our community. We know Brooklyn Center faces many of the same public safety challenges. and racial and economic disparities that are prevalent nationally. I know that there will be some people in this room that feel that these recommendations don't go far enough.

And I know that there will be some people here that believe that they go too far. But if nine plus years in public office has taught me anything, it is that it is impossible to please everyone all the time. Nonetheless, it is my hope that as the council votes tonight, that we can see clearly and value the important work that has been done to get us here.

We stepped out of our comfort zones, we worked to listen to understand one another, and we came up with recommendations that took multiple perspectives into account. I also hope that we can learn from what has worked, what hasn't worked, and that we can build upon this moment, sustain and grow our relationships, cultivate deeper understanding of another's lived experience, and hold ourselves and one another accountable to the continued and even more intentional collaborations across our differences.

I strongly believe if we do this, it will improve our collective ability to be compassionate and knowledgeable stewards of our community and to create a more safe, healthy, and just Brooklyn Center now and into the future. The collaborative work has been extremely important. Systems change can become stagnant, and community members may feel discouraged during the process. It has been her goal as Mayor to promote collaboration. Decisions should never be made in a vacuum, nor should

decisions reflect only one person's preferences. The recommendations before the Council are a result of countless research, community dialogues, and Staff review. She is proud of the progress and the recommended resolutions. She pointed out the resolutions are ultimately a compromise between various parties."

Councilmember Butler stated it is her eighth and final year on the Council, meaning she was on the Council for the deaths of both Daunte Wright and Kobe Dimock-Heisler. She regrets that the Council didn't have the courage following the death of Kobe Dimock-Heisler to implement any changes. It could have impacted the life of Daunte Wright.

Councilmember Butler recognized the courage of the mothers and the time they have contributed to improving the community. Also, the Implementation Committee spent a number of hours working with professionals and forming recommendations. They were criticized for their work, but they should be thanked for their efforts.

Councilmember Butler agreed the policies were a compromise and were not what she wanted to approve for the City. However, it will move Brooklyn Center in the right direction. Two years ago, they were going to be a leader in the Nation. The City has fallen behind, but it has learned what does and doesn't work in implementing change.

Councilmember Butler moved, and Mayor Graves seconded to adopt a Resolution adopting the traffic stop policy for the Brooklyn Center Police Department.

Councilmembers Jerzak, Kragness, and Lawrence-Anderson voted against the same. Motion failed.

Amity D. stated shame on you, shame on you. Swear to god, I hope your kids die.

Councilmember Butler moved and Mayor Graves seconded to adopt a Resolution adopting the consent search policy for the Brooklyn Center Police Department.

Councilmembers Jerzak, Kragness, and Lawrence-Anderson voted against the same. Motion failed.

Katie W. stated you guys are some sorry people and more people are going die and you can't do the right thing. She has been fighting for three years, and her son has been dead for two years and nine months, and you guys say no to a policy that is going to protect people. Why? Because Councilmember Jerzak is the most racist person on this city council and I am going to make sure everyone knows that.

Mayor Graves called for a recess.

Mayor Graves asked for a motion to adjourn the meeting.

Mr. Hill, stated there needs to be a motion to table item 10b.

Member _____ introduced the following resolution and moved its adoption:

RESOLUTION NO. 2024-_____

A RESOLUTION REGARDING CONSENT SEARCHES CONDUCTED BY THE BROOKLYN CENTER POLICE DEPARTMENT

WHEREAS, the Brooklyn Center City Council adopted Resolution No. 2021-73 establishing the Daunte Wright and Kobe Dimock-Heisler Community Safety and Violence Prevention Act ("Act") to direct the development and implementation of various reforms to improve the delivery of public safety services in the community; and

WHEREAS, the Act provides for the establishment of an Implementation Committee ("Committee") to assist in the development of public safety measures, including authority to propose amendments, ordinances, resolutions, policies, guidelines or other recommendations for the review, adoption or implementation by the City Council or City staff, as appropriate, that would fully implement the will and intent of City Council as expressed in the Act; and

WHEREAS, the Committee was established in accordance with the Act, and following the completion of significant community engagement and lengthy and informative study of public safety measures, ordinances and policies, the Committee recommended the adoption of an ordinance regulating requests for consent searches by the Brooklyn Center Police Department; and

WHEREAS, upon the request of the City Council, City Staff conducted meetings with the community to gather input from community members with regard to the Committee's recommendation; and

WHEREAS, City Staff reviewed the input received from the community, and upon the request of the City Council, City Staff conducted its own review of the Committee's recommendation; and

WHEREAS, City Staff recommended that (1) consent searches be controlled and regulated by policy rather than an ordinance and (2) a consent search policy should be a separate, stand-alone policy rather than being part of larger policy; and

WHEREAS, City Staff prepared a consent search policy to be incorporated into the Policy Manual for the Brooklyn Center Police Department; and

WHEREAS, upon further review by the City Council, City Staff and members of the Committee, it was determined that the City should not proceed with the adoption of a consent search policy because (1) the similarity between the policy and existing case law regarding consent search, (2) the City will have time to create a tracking system to track consent searches, (3) the City will have time to educate the community and staff on consent searches, and (4) City

Staff will have time to research and implement a balance of power statement or “right to refuse” statement; and

WHEREAS, the City Council finds and determines as follows:

1. Based upon the findings and studies conducted by the Committee and City Staff, the recommended regulation and control of consent searches is in accordance with the goals of the Act, including the creation of a safer, healthier, more just and more thriving community, and the creation of diverse responses to non-moving traffic offenses and low-level violations;
2. At this time, the regulation and control of Brooklyn Center Police Department consent searches should not be enacted through the adoption of an ordinance or a policy due to the similarity of the original policy recommendation and existing case law and in order to allow additional time for the City to gather information with regard to consent searches conducted by the Brooklyn Center Police Department;
3. Given its distinctive subject matter, consent searches should be treated as a stand-alone matter; and
4. It is in the best interests of the City that consent searches be added into the Policy Manual for the Brooklyn Center Police Department.

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Brooklyn Center, that the City Manager and City Staff are authorized and directed to:

1. Create a tracking system to allow the tracking of consent searches conducted by the Brooklyn Center Police Department.
2. Create a program to educate the community and City Staff on consent searches.
3. Research and implement a balance of power statement or “right to refuse” statement for the Brooklyn Center Police Department.

Date

Mayor

ATTEST: _____
City Clerk

The motion for the adoption of the foregoing resolution was duly seconded by member

and upon vote being taken thereon, the following voted in favor thereof:

and the following voted against the same:

whereupon said resolution was declared duly passed and adopted.

500.1 PURPOSE AND SCOPE

The ultimate goal of traffic law enforcement is to reduce traffic collisions, promote public health, safety and the general welfare of the public. This may be achieved through the application of such techniques as geographic/temporal assignment of personnel and equipment and the establishment of preventative patrols to deal with specific categories of unlawful driving behavior. Traffic enforcement techniques are based on collision data, enforcement activity records, traffic volume and traffic conditions. This department provides enforcement efforts toward violations, not only in proportion to the frequency of their occurrence in collision situations but also in terms of traffic-related needs.

500.2 TRAFFIC OFFICER DEPLOYMENT

All officers assigned to patrol or traffic enforcement functions will emphasize enforcement of collision-causing violations during periods of high-collision incidence and at locations of occurrence. All officers will take directed enforcement action on request and random enforcement action when appropriate against violators as a matter of routine. All officers shall maintain high visibility while working general enforcement, especially at high-collision incidence locations.

Other factors to be considered for deployment are citizen requests, construction zones, or special events.

500.3 ENFORCEMENT

Enforcement actions are commensurate with applicable laws and take into account the degree and severity of the violation committed. This department does not establish ticket quotas and the number of citations issued by any officer shall not be used when evaluating officer performance (Minn. Stat. § 169.985; Minn. Stat. § 299D.08). The visibility and quality of an officer's work effort will be commensurate with the philosophy of this policy. Several methods are effective in the reduction of collisions:

500.3.1 LIMIT ON ENFORCEMENT ACTION

Subject to the exceptions set forth below, officers shall not initiate a traffic stop solely for any single, or any combination of, the following offenses:

1. Invalid or expired trailer or motor vehicle registration (Minnesota Statutes, section 168.09);
2. No functioning license plate lamp (Minnesota Statutes, section 169.50, subd. 2.)
3. No operative muffler (Minnesota Statutes, section 169.69.)
4. Exceeding motor vehicle noise rules adopted by the Minnesota Pollution Control Agency (Minnesota Statutes, section 169.693).
5. Objects suspended between the driver and the windshield (Minnesota Statutes, section 169.71, subd. 1.2).

6. Improperly displayed registration sticker (Minnesota Statutes, section 169.79, subd. 8.)
7. Driving with one operative headlight or rear light (Minnesota Statutes, sections 169.49, 169.63, 169.50, subd. 1, 169.55 subd. 1 and 169.57 subd. 1).

500.3.2 STOPS FOR OTHER VIOLATIONS

Officers may issue citations for the offenses listed above if the operator was stopped for another violation. If the operator of the motor vehicle is issued a citation for a different violation, the operator will not also be cited for the violation identified above. Rather, the operator may be given information with regard to the Lights On! Program to the extent available and applicable.

500.3.3 ISSUANCE OF CITATIONS BY MAIL OR PLACEMENT ON THE VEHICLE

Officers may issue citations for the violations identified in section 500.3.1 by U.S. Mail by mailing the citation to the registered address for the vehicle, and if a vehicle is parked and unoccupied, an officer may issue a citation by U.S. Mail or by placing the citation on the windshield of the vehicle.

500.3.4 WARNINGS

Warnings or other non-punitive enforcement actions should be considered in each situation and substituted for arrests or citations when circumstances warrant.

500.3.5 TRAFFIC CITATION COURT JURISDICTION

An officer who issues a traffic citation shall ensure that the citation is properly directed to the court having jurisdiction (Minn. Stat. § 169.91 Subd. 3).

500.3.6 PHYSICAL ARREST

Physical arrest can be made on a number of criminal traffic offenses. These physical arrest cases usually deal with, but are not limited to (Minn. Stat. § 169.91):

- a. Negligent homicide.
- b. Driving under the influence of alcohol/drugs.
- c. Hit-and-run resulting in serious injury or death.
- d. Hit-and-run resulting in damage to any vehicle or property.

500.4 HIGH VISIBILITY VEST

The Department has provided American National Standards Institute (ANSI) Class II high-visibility vests to increase the visibility of department members who may be exposed to hazards presented by passing traffic, maneuvering or operating vehicles, machinery and equipment (23 CFR 655.601; Minn. R. 5205.0030).

Although intended primarily for use while performing traffic-related assignments, high-visibility vests should be worn at any time increased visibility would improve the safety or efficiency of the member.

500.4.1 REQUIRED USE

Except when working in a potentially adversarial or confrontational role, such as during vehicle stops, high-visibility vests should be worn at any time it is anticipated that an employee will be exposed to the hazards of approaching traffic or construction and recovery equipment. Examples of when high-visibility vests should be worn include traffic control duties, collision investigations, lane closures and while at disaster scenes, or any time high visibility is desirable. When emergency conditions preclude the immediate donning of the vest, officers should retrieve and wear the vest as soon as conditions reasonably permit. Use of the vests shall also be mandatory when directed by a supervisor.

Vests maintained in the investigation units may be used any time a plain clothes officer might benefit from being readily identified as an officer.

500.4.2 CARE AND STORAGE OF HIGH VISIBILITY VESTS

All employees shall be issued a high visibility vest and are responsible for the care and maintenance.

An employee with a damaged or unusable vest shall notify their supervisor as soon as possible to obtain a replacement.

500.5 TRAINING

All members shall receive annual training on this policy.

Member _____ introduced the following resolution and moved its adoption:

RESOLUTION NO. 2024-_____

A RESOLUTION DIRECTING THE ADOPTION OF TRAFFIC STOP POLICY FOR THE BROOKLYN CENTER POLICE DEPARTMENT

WHEREAS, the Brooklyn Center City Council adopted Resolution No. 2021-73 establishing the Daunte Wright and Kobe Dimock-Heisler Community Safety and Violence Prevention Act (“Act”) to direct the development and implementation of various reforms to improve the delivery of public safety services in the community; and

WHEREAS, the Act provides for the establishment of an Implementation Committee (“Committee”) to assist in the development of public safety measures, including authority to propose amendments, ordinances, resolutions, policies, guidelines or other recommendations for the review, adoption or implementation by the City Council or City staff, as appropriate, that would fully implement the will and intent of City Council as expressed in the Act; and

WHEREAS, the Committee was established in accordance with the Act, and following the completion of significant community engagement and lengthy and informative study of public safety measures, ordinances and policies, the Committee recommended the adoption of an ordinance regulating the initiation of traffic stops by the Brooklyn Center Police Department; and

WHEREAS, upon the request of the City Council, City Staff conducted meetings with the community to gather input from community members with regard to the Committee’s recommendation; and

WHEREAS, City Staff reviewed the input received from the community, and upon the request of the City Council, City Staff conducted its own review of the Committee’s recommendation; and

WHEREAS, City Staff recommended that (1) traffic stops be controlled and regulated by policy rather than an ordinance, (2) a traffic stop policy be adopted as a stand-alone policy, rather than being part of other policies and (3) the initiation of traffic stops should be allowed for moderate and high-risk equipment violations in the interests of protecting public safety; and

WHEREAS, City Staff prepared a traffic stop policy, attached hereto as Exhibit A, to be incorporated into the Policy Manual for the Brooklyn Center Police Department; and

WHEREAS, the City Council finds and determines as follows:

1. Based upon the findings and studies conducted by the Committee and City Staff, the recommended regulation and control of the initiation of traffic stops is in accordance with the goals of the Act, including the creation of a safer, healthier,

more just and more thriving community, and the creation of diverse responses to non-moving traffic offenses and low-level violations;

2. The regulation and control of Brooklyn Center Police Department traffic stops should be enacted through the adoption of policies rather than by City ordinance;
3. Given its distinctive subject matter, the traffic stop policy should be stand-alone policy and should be incorporated into the Policy Manual for the Brooklyn Center Police Department;
4. In the interests of public safety and the safety of the traveling public, moderate and high-risk equipment violations, as presented to the City Council, are sufficient to warrant the initiation of a traffic stop by officers with the Brooklyn Center Police Department;
5. In order to allow time for training and community education and engagement, the effective date of the traffic stop policy should be May 1, 2024; and
6. It is in the best interests of the City that the traffic stop policy be adopted and incorporated into the Policy Manual for the Brooklyn Center Police Department.

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Brooklyn Center as follows:

1. The City Manager and City Staff are authorized and directed to adopt the traffic stop policy attached hereto as Exhibit A and to take any and all necessary actions to incorporate the policy into the Policy Manual for the Brooklyn Center Police Department.
2. The City Manager and City Staff shall provide officers with the Brooklyn Center Police Department a copy of the traffic stop policy, and officers shall certify by signing the prescribed form that the officer has been advised of the policy, is aware of and understands its content, and agrees to abide by its provisions during the officer's term with the Brooklyn Center Police Department.
3. The effective date of the traffic stop policy shall be May 1, 2024.
4. The traffic stop policy shall not be amended or revoked without the consent of the City Council.

Date

Mayor

ATTEST: _____
City Clerk

The motion for the adoption of the foregoing resolution was duly seconded by member

and upon vote being taken thereon, the following voted in favor thereof:

and the following voted against the same:

whereupon said resolution was declared duly passed and adopted.

EXHIBIT A
Traffic Stop Policy

[attached hereto]

EXCERPT FROM 4.22.24 – WORK SESSION

ALTERNATIVE EXPANDED RESPONSE PILOT

City Manager Reggie Edwards introduced the item and explained on Monday, March 25, 2024, the Council/EDA received a presentation on the Alternative Expanded Response Pilot. The Council/EDA was able to ask questions following the presentation. However, the Council/EDA requested additional time at a later date for further questions.

Dr. Edwards explained on May 15, 2021, Resolution No. 2021-73: The Daunte Wright and Kobe Dimock-Heisler Community Safety and Violence Prevention Act, called for the creation of the Department of Community Response. The Department would consist of trained medical and mental health professionals, social workers, or other staff and volunteers, and a dispatch system routing appropriate calls to the Community Response Department rather than the Police Department. At the time of its adoption, the City didn't have the capacity to fully implement the programming and sought out a pilot opportunity.

Dr. Edwards stated in October 2021, the Hennepin County Sheriff's Department and Dispatch Center presented the start of a pilot Alternative Response Program which was initiated with a grant in Brooklyn Park. In October 2022, Margretta Getaweh, FUSE Engagement Manager, presented community engagement findings on Reimagining Public Safety to the City Council/EDA.

Dr. Edwards noted from there, in December 2022, the Council/EDA approved a two-year, grant-funded pilot program to address mental health emergency calls with community responders. Data analysis and communication were initiated via the 2023 budget. Additional modest resources were approved by the Council/EDA in December 2023 via the 2025 budget.

Dr. Edwards stated on March 28, 2023, the Implementation Committee presented their recommendations to the Council/EDA on the Response Engagement and Crisis Help (REACH) Team Model. In August 2023, Staff presented "Enhancing Public Safety Through Prevention-Focused Strategies" which included an alternative response model.

Dr. Edwards explained the intended outcomes of the pilot project include broadening the skills of 911 responders, improved service effectiveness through the reduction of 911 calls, improved service cost efficiency through a lower-cost service provider, rerouting of costly services, and reduced repeated services.

Dr. Edwards showed a graphic detailing a comprehensive approach, which was previously presented to the Council/EDA. The approach consists of prevention, intervention, response, and recovery. He noted Director of Community Prevention, Health and Safety LaToya Turk also previously presented a number of benefits of alternative response teams such as reduction in use of force incidents, decreased criminalization of mental illness, improved mental health outcomes, enhanced community trust, increased community well-being, cost savings, preventative impact, better allocation of resources, a holistic approach, and reduced stigma associated with mental health.

Dr. Edwards noted FUSE Engagement Manager Margretta Getaweh oversaw community engagement efforts during her time with Brooklyn Center. She conducted interviews, established partnerships within the community, organized and co-facilitated four community conversations, provided ongoing support to the Implementation Committee, and conducted a survey.

Dr. Edwards showed a chart reflecting mental problems and welfare check calls by hour and day over a two-year period. The information guided the development of the project.

Dr. Edwards provided an overview of the pilot program. It would be a two-year program with a staggered start. The first team would start in May and the second in August. 87 percent of the program is funded by grants and the remaining portion is from the General Fund. The two teams would cover 14 hours of the day. There has been a concern about the timing of the services, but Dr. Edwards believes the 14 hours of service will meet the needs of the community. The first team will work from 10:00 a.m. to 6:30 p.m. during weekdays while the other team will work evenings on Monday, Thursday, Friday, Saturday, and Sunday. The first team consists of pairs of social workers and paramedics and the second team would consist of pairs of mental health workers.

Dr. Edwards stated the County's Alternative Response Team in Brooklyn Center will be comprised of a social worker and a community paramedic. The team would be dispatched by the County's dispatch center. The team drives an unmarked County vehicle and responds to 911 calls that do not require emergency response by law enforcement, fire personnel, or emergency medical services. The team will operate Monday through Friday from 10:00 a.m. to 6:30 p.m. and is housed out of the Brooklyn Park Police Department.

Dr. Edwards pointed out that the Alternative Response Team is already in place in Brooklyn Park. In 2023, the program received 670 referrals. The Team made contact in 99 percent of the calls they were dispatched to and 759 service referrals were made. Over 65 percent of people served identify as people of color and approximately 251 hours of police officer time was saved thanks to the alternative response.

Dr. Edwards pointed out that from December 2021 to March 2024, Minneapolis BCR has expanded the public safety infrastructure by becoming Minneapolis' newest first responder alongside Fire, EMS, and Police and has responded to over 20,000 calls via 911. 80 percent of the calls were handled without backup and there were no injuries to service recipients. He added the program received a contract extension and budget increase to continue nonstop service delivery.

Dr. Edwards stated that BCR provides trauma-informed emotional support, crisis de-escalation, psychoeducation for the recipient and their support systems, risk assessments, safety planning, service connection including voluntary transport as appropriate for warm hand-offs, skills training, and additional brief interventions as needed.

Dr. Edwards asked if there are certain measurements or data points the Council/EDA would like to receive regular reports on regarding the alternative response effort. He also asked the Council/EDA if there is a consensus by the Council/EDA regarding the proposed program.

Councilmember/Commissioner Kragness noted there are far more than monetary benefits to the programs. She stated she would like to know the amount of money saved with the programs to ensure

the pilot is paying for itself. Mayor/President Graves noted her agreement with Councilmember/Commissioner Kragness.

Councilmember/Commissioner Jerzak asked how often the Council/EDA would receive updates. Also, the service providers seem to be flexible. He asked how the responders can adapt to trends.

Taylor Crouch-Dodson, Director of External Affairs with Canopy Roots, stated they presented to the Council/EDA on a quarterly basis. It seemed to be a good frequency. Outside of that, there were weekly meetings with key responders and monthly with leadership. He stated they are flexible and open to other options.

Adesola Oni, a representative of Hennepin County Behavioral Health, stated they had been offering quarterly reports of aggregate data. There are also bi-weekly planning meetings with internal staff. Also, they regularly reconsider the meeting timing based on consistency and flow. There are still frequent check-ins with Brooklyn Park and reviews of the data.

Councilmember/Commissioner Jerzak asked if data by location could be tracked. He explained he would like to see a reduction in calls to certain areas or facilities.

Tony Martin, Director of Emergency Communications with the Hennepin County Sheriff's Office, stated the dispatch system is based on geography. As for the specific calls, they are primarily name-driven, but they may also be location-driven.

Councilmember/Commissioner Kragness asked for an update on the liability portion of the contract. City Attorney Jason Hill stated any agreement would include indemnification language.

Councilmember/Commissioner Kragness stated, for example, that the responders have the ability to transport. If something were to happen in transport, she asked if the City, the client, or the program would be sued. Mr. Hill stated the person could sue the City, but if there is a contractual agreement of indemnification, then the program provider would have to defend the City. The programs have their own levels of defense through insurance requirements such as car insurance.

Councilmember/Commissioner Butler requested the service providers be amenable to potential requests for additional data collection. Dr. Edwards pointed out it is positive that the programs have already been operating in other areas and have likely considered additional data points to collect.

Councilmember/Commissioner Lawrence-Anderson asked what the operating hours are for the program in Brooklyn Park. Ms. Oni explained the team would be comprised of a social worker and a community paramedic. The team will be Monday through Friday from 10:00 a.m. to 6:30 p.m.

Councilmember/Commissioner Lawrence-Anderson noted she is worried the City is overcommitting themselves. She stated she is sold on the County's model, but she is hesitant about the other one.

Dr. Edwards stated there is no greater burden on the City to do both projects. Each team is already operating elsewhere and would merely expand their service areas. The programs have different service times. Also, the Brooklyn Park program is expanding to a second team to add even more hours.

Councilmember/Commissioner Lawrence-Anderson stated she has concerns about funding the programs once the grants expire. Dr. Edwards stated the funding for both programs relies on grants. Staff would not recommend implementing programs the City could not afford, and they plan to build capacity to support the programs beyond the life of the grants. They won't know the need or the cost-savings of the programs without piloting them first.

Councilmember/Commissioner Kragness stated she looks at the programs as a two-for-one option as they offer resources at different times. It is an opportunity to maximize the use of the grants and determine the best option for the City. He doesn't anticipate a need for twenty-four-seven service in Brooklyn Center, and the pilot programs will provide more insight into the timing needs of the City.

Councilmember/Commissioner Butler noted her appreciation for the two-pronged approach. Brooklyn Center is taking the opportunity to try something that may work better for their community by combining programs from different cities.

Councilmember/Commissioner Jerzak pointed out he had a long discussion with Dr. Edwards about the program previously. He noted all of the calls are still reactive, and he would like there to be more proactive efforts to address mental health and repeat calls. Councilmember/Commissioner Jerzak stated mental health problems are an issue that needs to be addressed, whether or not there is grant funding available to address it. It is concerning to set up a service the community relies upon that doesn't have a clear funding path, but the programming is needed.

Mayor/President Graves noted her excitement for the programs. There is more and more funding being made available at all levels of government. She pointed out the importance of offering the services at the times they are most needed.

Mayor/President Graves asked if the County plans to expand their hours. Ms. Oni stated there isn't a current plan to expand the hours, but it ultimately depends on the needs revealed by the data.

Mayor/President Graves explained she appreciates the location tracking opportunity and the data that will show the cost-savings to the City. She noted her appreciation of ongoing meetings and updates, as well as the flexibility of the programs.

Mayor/President Graves asked how calls for service that don't require a mental health worker or a police officer might be handled. It is important to consider the spectrum of response options. She asked if other types of teams have been considered.

Candace Hanson, Executive Director of Canopy Roots, agreed there are a number of calls that could use a different type of responder. She explained some programs are being rolled out throughout the Country with community responders. The community responders tend to have a background in mental health work and are regularly trained in de-escalation and other first responder skills. She stated she is working on a proposal for a response program that isn't a mental health professional but also isn't a police officer.

Mr. Martin stated the 911 system is only as good as the information provided by the caller. Dispatchers have to be consistent across the board with the number of calls and various teams they dispatch. Part of

the service they offer the County is listening. Some calls are transferred to more appropriate parties such as COPE before sending out a responder.

Ms. Oni added they are trying to create layers of response. Most people know to call 911 in case of emergency, and they are trying to put people in that space. They are also trying to do outreach, promote prevention strategies, and build relationships throughout the community. Mayor/President Graves noted she is aware of some outreach programs, due in part to her full-time career.

Councilmember/Commissioner Kragness thanked Staff for obtaining the grants for the programs. Mayor/President Graves noted her agreement with Councilmember/Commissioner Kragness and thanked the Implementation Committee for their input as well.

It was the consensus of the City Council/EDA to move forward with the proposed pilot programs.

EXCERPT FROM 05.13.24 – CITY COUNCIL MEETING

**RESOLUTION 2024-60 RECOGNIZING THE CONTRIBUTIONS AND SERVICE
COMPLETED BY THE DAUNTE WRIGHT AND KOBE DIMOCK-HEISLER
IMPLEMENTATION COMMITTEE**

Mayor Graves noted she became Mayor in the middle of the Implementation Committee's work. She worked closely with the Committee to create recommendations. There are still some frustrations among the Committee and others. However, the discomfort is a sign of folks getting out of their comfort zones. She thanked the Director of Community Prevention, Health, and Safety LaToya Turk for her work and commitment despite some difficulties.

Mayor Graves read in full a Proclamation recognizing the contributions of the Implementation Committee.

Councilmember Butler moved and Councilmember Jerzak seconded to adopt RESOLUTION 2024-60 directing the adoption of the recognition, contributions, and service completion of the Daunte Wright and Kobe Heisler-Dimock Implementation Committee.

Motion passed unanimously.

EXCERPT FROM 06.10.24 – WORK SESSION

RESOLUTION 2021-73

Mayor Graves explained Resolution 2021-73 is the Duante Wright and Kobe Dimock-Heisler Community Safety and Violence Prevention Act. The document has a few minor amendments.

Dr. Edwards stated the first section had a change minor word change. The other three sections require language changes to create a policy rather than a prescriptive document. For example, the city didn't have the capacity to create departments as prescribed by the resolution. The three departments were a Community Response Department, a Traffic Enforcement Department, and a Department of Community Safety and Violence Prevention. The Community Response Department is now a unit of government that includes expanded response programs. The enforcement of non-moving traffic violations and violence prevention efforts are additional government units.

Dr. Edwards added in the second section there was an intent to build out a 911 system, but the city does not have the capacity to do that. Therefore, that portion would need to be removed from the resolution.

Dr. Edwards stated as for the third section; there has been more of a focus on alternative responses rather than traffic stops. He pointed out that Community Service Officers (CSOs) are civilians that provide some traffic response. Staff previously looked into an option to contract for civilian traffic enforcement. Unfortunately, there were not any interested parties.

Dr. Edwards noted there is the Office of Community Prevention, Health, and Safety which represents the spirit of the fourth section of the Resolution. The Office oversees the alternative response programs. The last sentence of the fourth section was eliminated in an effort to eliminate a hierarchical structure. As an alternative, there was language added to promote collaboration.

Councilmember Kragness pointed out that the term "create" is used often in the resolution. A different term should be implemented so that the city can leverage its existing resources. For example, the alternative response programs are contracted rather than creating a new Department. Additionally, there are already CSOs acting as civilian responders. She added she would like to see a new hierarchical chart to reflect the changes made to the fourth section.

Councilmember Lawrence-Anderson stated she thought the first pilot program would be housed under the Police Department rather than the Office of Community Prevention, Health, and Safety. Dr. Edwards stated one pilot program has two teams. The Office of Community Prevention, Health, and Safety oversees the programming of alternative responses. The Hennepin County program will be housed in the Police Department, but the Office of Community Prevention, Health, and Safety is ultimately accountable for the pilots.

Councilmember Lawrence-Anderson asked if Director of Community Prevention, Health and Safety LaToya Turk has the proper experience as referenced in the fourth section. Dr. Edwards stated Ms. Turk has a variety of relevant skills. Many directors oversee efforts in which they don't have experience, but the city has staff and contractors representing all of the necessary skills.

Councilmember Lawrence-Anderson stated she has concerns about running multiple pilot programs. When the resolution was passed, the city didn't have the financial capacity to support the initiatives. She asked how the city would fund the programs when the grants run out.

Dr. Edwards pointed out staff has been looking forward and building capacity to sustain the programming. For example, the staff initially applied for grant funds to kick off the programs. In the long run, there will not be two different programs. The city hopes to learn from the pilot efforts and implement one permanent program. Having only one already established program will be much more affordable than starting up two programs. The budgets have also included setting aside funds to afford future programs.

Mayor Graves added grants are regularly used at higher levels of government. Staff knows how to utilize and apply for grant funding. Similarly, they know how to plan long-term budgets.

Councilmember Lawrence-Anderson noted she supports an alternative response but is more supportive of the Hennepin County model than the Canopy one.

Councilmember Kragness asked what the Police Chief's opinion is regarding traffic response being housed under another governmental unit. The CSOs are doing the service and would traditionally be under the direction of the Police Department.

Dr. Edwards stated the resolution's intent was not to use CSOs for traffic enforcement when the resolution was written. Any updates to the resolution have been an effort to maintain the spirit of the resolution while making it implementable. At this time, the staff doesn't know what the end model will be for non-moving traffic violation enforcement. It could be CSOs or it could be other personnel.

Councilmember Kragness stated the resolution was written initially with the thought of a blank checkbook. Brooklyn Center needs to consider what financial capacity it has to implement programs. The Council needs to take the opportunity to change the resolution to accommodate what is feasible. For example, if CSOs are used for non-moving traffic violation enforcement, they should still be supervised by the Police Department as they already have the capacity for their supervision. There have been previous conversations about adding more CSOs as well. She added that the Police Chief should weigh in on this as well.

Dr. Edwards stated the options haven't been vetted, but the staff intends to look into more options.

Mayor Graves pointed out the Implementation Committee knew the city didn't have the means to create new departments. They presented recommendations based on research that were within the means of the city's existing capacity.

Councilmember Kragness noted that the recommendations from the Implementation Committee had already been voted down. The Council needs to talk about what it can do instead.

Mayor Graves asked if there should be language added to the resolution to further research options.

Dr. Edwards stated "create" doesn't always mean making something new. Staff hopes to find ways to create that may be within staff's current capacity or by suggesting a new effort. Ultimately, any

suggestions from staff would be within the financial means of the city.

Councilmember Butler pointed out she feels frustrated that the Council lacks innovation or taking risks. Councilmembers are requesting input from the Police Department, or that programming be done with law enforcement oversight. The entire point of the resolution is to try something different. The current system is not working. Discussing the resolution doesn't make any sense if the majority of the Council is going to keep supporting the norm. Any initiatives should be a partnership with the Police Department, and it should have been that way from the beginning.

Councilmember Butler added Canopy is more qualified than the Hennepin County program for alternative response programs. The skills of the Canopy personnel include mental health response and crisis intervention, which is a better fit for Brooklyn Center. Overall, the Council's approach to the topic is disappointing.

Councilmember Butler noted her appreciation for the new Police Chief and the impact he will make. Training regarding unconscious bias is not effective, and the city cannot rely on those trainings to make a change in the community.

Councilmember Jerzak stated he understands the spirit and intent of the resolution. He pointed out two Councilmembers were absent during a recent vote which resulted in a motion failing. Referring to the second section of the Resolution, clarity is important to implement any impactful programs. It is important to include the Police Chief and his staff in those conversations. As learned from the Implementation Committee, there should have been more people involved in the process from the beginning.

Mayor Graves asked how Councilmember Jerzak would like the Police Chief to be involved. Councilmember Jerzak noted the second section calls for an expanded response for residents. That wouldn't include folks passing through the community or using public transportation or those that may be unhoused. There also isn't any consideration for police officers responding to medical calls. Also, there will be confusion of availability because the alternative response is not all day, every day. The Police Department has had an embedded social worker doing similar work, and they need to be included in the response. He expressed agreement with Councilmember Kragness.

Mayor Graves asked if Councilmember Jerzak wants more feedback on the expanded response from staff on items that have already been adopted or if he wants more clarity on the proposed amendments to the resolution. Councilmember Jerzak stated he wants definition clarity including the departments to be clear on what their roles are based on the resolution.

Mayor Graves asked what needs to be clarified besides the term "resident" in the resolution. Could you provide other items for clarity purposes.

Councilmember Jerzak stated under section 2, the resolution calls for unarmed expanded response of a government unit to respond to all incidents where a city resident is primarily seeking a medical, mental health situation that often police are the first responder and carry a weapon. Does this mean they are not able to respond to medicals? Section 3 for purposes of clarity, CSOs currently attend to non-moving issues for things such as illegal parking, snow emergency violations. Please define what nonmoving

means? For traffic related items, we previously voted against this and any reference to traffic items should not be in the revised resolution. Additional questions are what will CSOs be doing; Will there be duplication; and do we have the financial bandwidth for this.

Councilmember Lawrence-Anderson asked if it is legal for the city to pass a resolution that creates an alternative response for traffic violation enforcement by non-sworn people. She asked what Statutory requirements there are for those who provide traffic stops.

Dr. Edwards stated the traffic enforcement effort is for non-moving vehicles. Other jurisdictions in Minnesota have civilian community representatives that address issues with parked cars.

City Attorney Siobhan Tolar added the way the city uses the program needs to be flushed out more. For example, whether the citations are criminal or civil, there are different requirements for who may issue them.

Councilmember Jerzak noted his support for diversity of responses for prevention. There is already a County-funded program that focuses on crime prevention. He asked if that person would be eliminated or if that person would be duplicated. The effort needs to be efficient.

Dr. Edwards stated the program mentioned by Councilmember Jerzak is more focused on intervention than prevention. For example, the position supports Community Watch efforts. There is a great need for collaboration moving forward. Councilmember Jerzak pointed out that very little of his job included Community Watch groups.

Councilmember Jerzak added it would have been helpful for the supervisors for the discussion topic be present for the Council to ask them questions. For example, the Council wants to know how street outreach is working. The Council hasn't received any such updates.

Councilmember Kragness reiterated the importance of repurposing resources instead of creating new ones and raising the levy. As the budget season is coming up, the Council needs to be mindful of what the community can afford.

Mayor Graves summarized there is a lot of uncertainty amongst the Council. There needs to be language changes and more clarity of roles, though it doesn't need to be in the resolution itself. Furthermore, the attorney needs to look into some relevant laws to guide the decision process. Potential funding resources and the interaction of various responses need to be reviewed as well.

Mayor Graves pointed out that Councilmembers have updated and edited Code of Conduct drafts for both the Council and Commissions. She requested that the council members review the documents and send her any edits. The hope is to pass the policies at the next meeting.

Councilmember Lawrence-Anderson requested the item be a Council Consideration item. Councilmember Jerzak noted his agreement with Councilmember Lawrence-Anderson. He added he is still concerned about discussing individuals in public meetings. Ultimately, he doesn't want to stop the process. He has tried to meet with Dr. Edwards but has not received a response.

Mayor Graves explained she doesn't want to drag out the process. It is important to promote accountability.

Member Butler introduced the following resolution and moved its adoption:

RESOLUTION NO. 2021-73

RESOLUTION ADOPTING THE DAUNTE WRIGHT AND KOBE DIMOCK-
HEISLER COMMUNITY SAFETY AND VIOLENCE PREVENTION ACT

WHEREAS, the City of Brooklyn Center (“City”) can create a safer, healthier, more just, and more thriving community by promoting a diversity of responses to our community’s safety needs that do not rely solely on our armed law enforcement officers; and

WHEREAS, many approaches have proven to be safe and effective for responding to non-moving traffic offenses, low-level violations, to people with mental health needs or disabilities, and to other similar situations that do not involve armed law enforcement officers; and

WHEREAS, creating alternative responses in these situations will allow our law enforcement officers to focus their time, training, and expertise on serious threats to the immediate safety of our residents; and

WHEREAS, relying on our armed law enforcement officers as first responders in these situations has in some circumstances resulted in escalation, harm, and the tragic and potentially avoidable loss of life for our residents, including Daunte Wright and Kobe Dimock-Heisler; and

WHEREAS, a diversity of approaches will improve overall public safety, better address the root causes of many systemic issues, promote racial justice, better protect vulnerable members of our community, and more efficiently allocate public resources while recognizing there is still work to be done to address policing mindset and culture; and

WHEREAS, the residents of Brooklyn Center have demanded change in our City and will help co-create new approaches to health and safety in our community, and this Act affirms our commitment to an intentional, inclusive and collaborative process that involves City leadership and the community working together to fully implement the intent this Act; and

WHEREAS, the City Council will be drawing upon the best aspects of many different existing models and polices from all across the country in order to adapt them for our City with the help of residents, experts and data analysis, and the City is committing to all of these measures in a single, unified Act to deliver true transformational change for our community; and

WHEREAS, the City Council is committed to putting in the work necessary to bring about changes as quickly as possible in how the City provides public safety while recognizing that some of these measures will take longer to implement than others, and that additional work remains to be done to create a healthier and more equitable community even beyond this Act.

NOW, THEREFORE, the City Council of the City of Brooklyn Center, Minnesota, resolves as follows:

1. Act Adopted. The Daunte Wright and Kobe Dimock-Heisler Community Safety and Violence Prevention Act ("Act") is hereby adopted for the City.
2. Community Response Department. The City will create an unarmed Community Response Department to respond to all incidents where a City resident is primarily experiencing a medical, mental health, disability-related, or other behavioral or social need, including by the creation of a Community Response Department consisting of trained medical and mental health professionals, social workers, or other staff and volunteers, and by a dispatch system routing appropriate calls to the Community Response Department and not to the Police Department; and by any other appropriate changes in ordinance, practices or policies.
3. Traffic Enforcement Department. The City will create an unarmed civilian Traffic Enforcement Department to enforce all non-moving traffic violations in the City, including by creating the civilian Traffic Enforcement Department and by any other appropriate changes in ordinance, practices or policies, including restricting or eliminating the types of traffic offenses enforced by the City's armed law enforcement patrol officers.
4. Department of Community Safety and Violence Prevention. The City will create a new Department of Community Safety and Violence Prevention (the "Department") that will be responsible for overseeing all city agencies and city efforts regarding community health and public safety, and ensuring a well-coordinated, public health-oriented approach throughout our city that relies upon a diversity of evidence-based approaches to public safety, and with a Director who has appropriate credentials and experience including public health expertise, and that at minimum the following existing and to-be-created City agencies will all report directly to the Department and be subject to the authority of its Director: the Police Department, the Fire Department, the Traffic Enforcement Department, and the Community Response Department.
5. Community Safety and Violation Prevention Committee. The City will create a permanent Community Safety and Violence Prevention Committee. The Director will provide the Mayor with a list of candidates to serve on the committee and the Mayor will recommend candidates to the City Council for appointment. A majority of the committee members must be City residents with direct experience being arrested, detained, or having other similar contact with Brooklyn Center Police, or have had direct contact with one or more of the other services to be provided by the new Department. The City Council may appoint City staff to serve as liaisons to the committee, but no City staff member will have a vote on the committee. The committee will: review and make recommendations regarding the policing response to recent protests; review the current collective bargaining agreement between the City and the Police Department and make recommendations prior to the renegotiation of the agreement and before its final approval; recommend the City Council create a separate and permanent civilian oversight committee for the new Department; review Chapter 19 of the City Code and make recommendations with regard to repealing or amending provisions or penalties therein, including fines and fees; and periodically make any other recommendations to the City Council related to initiating programs or policies to improve community health in the City.

6. Use of Force. The City will review and update its policies, practices and training to more appropriately regulate the use of force by its armed law enforcement officers including, for example, by requiring de-escalation, exhaustion of reasonable alternatives before using deadly force, prohibitions on using deadly force in certain situations including firing upon moving vehicles, prohibiting certain uses of force or other policing tactics during First Amendment protests and assemblies, and additional revisions as needed.
7. Citation and Summons for Low Level Offenses. To immediately prevent any further harm and to better protect the peace and safety of all City residents while this Act is being fully implemented, the City Council directs the City Manager to implement forthwith a citywide "citation and summons" policy requiring officers to issue citations only, and prohibiting custodial arrests or consent searches of persons or vehicles, for any non-moving traffic infraction, non-felony offense, or non-felony warrant, unless otherwise required by law, and the Implementation Committee will make recommendations regarding making these policy changes permanent and/or modifying them as needed, including by appropriate changes in ordinance, practices or policies.
8. Implementation Committee. The City will create a Community Safety and Violence Prevention Implementation Committee ("Implementation Committee"), including residents from the City and other local, state and national experts in public health-oriented approaches to community safety, to be chaired by the Mayor, and with members recommended by the Mayor and confirmed by the City Council, that will propose amendments, ordinances, resolutions, policies, guidelines or other recommendations for the review, adoption and/or implementation by City Council or City staff, as appropriate, that would fully implement the will and intent of City Council as expressed in this Act. The City Council may appoint City staff to serve as liaisons to the Implementation Committee, but City staff shall not have a vote on the committee. The Implementation Committee shall provide its recommendations directly to the City Council.
9. Community Involvement. The Implementation Committee will ensure the community has the opportunity to review and comment upon the all implementation plans, including by making periodic progress reports in open City Council meetings monthly, or more frequently upon the Council's request; that the Implementation Committee is empowered to explore external sources of funding to implement the Act and that the City may retain additional counsel, temporary staff, and consultants as reasonable and necessary to enable the Implementation Committee to complete its work; and the Implementation Committee will present recommendations to City Council for initial consideration not later than 180 days from the date of this Act.
10. Implementation and Staff Support. The directives contained in this Act shall be carried out in compliance with the law and the City Charter. The City Attorney, City Manager, Chief of Police and other City personnel are authorized and directed to provide all necessary assistance and support to all committees created pursuant to this Act, including by supplying the committees with any and all data necessary to perform their duties, including confidential or private data as requested with appropriate protections, and budgetary, staffing or other

information, and assisting with the crafting of amendments, ordinances, or policies as requested by the Implementation Committee. This Act authorizes, to the greatest extent possible, the implementation of the measures identified herein without further policy approvals from the City Council. To the extent additional approvals are needed, or legal barriers are identified, in the implementation of these measures or the recommendations of the Implementation Committee, the City Manager or City Attorney are directed to bring those issues to the City Council's attention for further direction or action as needed.

May 15, 2021

Date



Mike Elliott, Mayor

ATTEST:



City Clerk

The motion for the adoption of the foregoing resolution was duly seconded by member
Graves

and upon vote being taken thereon, the following voted in favor thereof:

Butler, Elliott, Graves, Ryan

and the following voted against the same:

Lawrence-Anderson

whereupon said resolution was declared duly passed and adopted.

RESOLUTION NO. 2021-73 (Amended 2024-01)

RESOLUTION ADOPTING THE DAUNTE WRIGHT AND KOBE DIMOCK"
HEISLER COMMUNITY SAFETY AND VIOLENCE PREVENTION ACT

WHEREAS, the City of Brooklyn Center ("City",) can create a safer, healthier, more just, and more thriving community by promoting a diversity of responses to our community's safety needs that do not rely solely on our armed law enforcement officers; and

WHEREAS, many approaches have proven to be safe and effective for responding to non-moving traffic offenses, low-level violations, to people with mental health needs or disabilities, and to other similar situations that do not involve armed law enforcement officers; and

WHEREAS, creating alterative responses in these situations will allow our law enforcement officers to focus their time, training, and expertise on serious threats to the immediate safety of our residents; and

WHEREAS, relying on our aimed law enforcement officers as first responders in these situations has in some circumstances resulted in escalation, harm, and the tragic and potentially avoidable loss of life for our residents, including Daunte Wright and Kobe Dimock-Heisler; and

WHEREAS, a diversity of approaches will improve overall public safety, better address the root causes of many systemic issues, promote racial justice, better protect vulnerable

members of our community, and more efficiently allocate public resources while recognizing there is still work to be done to address policing mindset and culture; and

WHEREAS, the residents of Brooklyn Center have demanded change in our City and will help co-create new approaches to health and safety in our community, and this Act affirms our commitment to an intentional, inclusive and collaborative process that involves City leadership and the community working together to fully implement the intent this Act; and

WHEREAS, the City Council will be drawing upon the best aspects of many different existing models and polices from all across the country in order to adapt them for our City with the help of residents, experts and data analysis, and the City is committing to all of these measures in a single, unified Act to deliver true transformational change for our community; and

WHEREAS, the City Council is committed to putting in the work necessary to bring about changes as quickly as possible in how the City provides public safety while recognizing that some of these measures will take longer to implement than others; and that additional work remains to be done to create a healthier and more equitable community even beyond this Act.

NOW, THEREFORE, the City Council of the City of Brooklyn Center, Minnesota, resolves as follows:

1. Amend the Adopted Act ~~Adopted~~ The Daunte Wright and Kobe Dimock-Heisler Community Safety and Violence Prevention Act ("Act") is hereby adopted for the City.
2. Community Expanded Response, which is a unit of government ~~Department~~ The City will create an unarmed Community Expanded Response government unit ~~Department~~ to respond to all incidents where a City resident is primarily experiencing a medical, mental health, disability-related, or other behavioral or social need. ~~, including by the creation of a The~~ Community Expanded Response ~~Department shall provide~~ consisting of trained medical and mental health professionals, social workers or other staff and volunteers. ~~, and by a~~ Services provided by the Community Expanded Response shall be dispatched by the Hennepin County 911 call system. ~~system routing appropriate calls to the Community Response Government Unit Department and not to the Police Department; and by any other appropriate changes in ordinance practices or policies;~~
3. Non-Moving Traffic Violation Enforcement, which is a unit of government ~~Department~~ The City will create an unarmed ~~civilian~~ Non-Moving Traffic Violation Enforcement ~~Department~~ to enforce all non-moving traffic violations in the City. ~~, including by creating the civilian Traffic Enforcement Department and by any other appropriate changes in ordinance, practices or policies, including restricting or eliminating the types of traffic offenses enforced by the City's armed law enforcement patrol officers.~~
4. Community Prevention, Health, and Safety government unit ~~Department of Community~~

Safety and Violence Prevention. The City will create a new government unit Department of Community Prevention, Health, and Safety and Violence Prevention (the "government unit Department") that will be responsible for coordinating with overseeing all city agencies and citywide efforts regarding community prevention, health and public safety and ensuring a well-coordinated, public health-oriented approach throughout our city that relies upon a diversity of evidence-based prevention and intervention approaches to public safety, and with a Director who has appropriate credentials and experience including public health expertise, community prevention and intervention in public safety, and that at minimum the following will have oversight of governmental units of Community Alternative Response and Non-Moving Traffic Violation Enforcement ~~existing and to be created~~ City agencies will all report directly to the Department and be subject to the authority of its Director: the Police Department, the Fire Department, the Traffic Enforcement Department, and the Community Response Department.

EXCERPT FROM 06.24.24 – WORK SESSION

COUNCIL MISCELLANEOUS DISCUSSION ITEMS

Councilmember Jerzak stated there is a time crunch on reviewing The Daunte Wright and Kobe Dimock-Heisler Community Safety and Violence Prevention resolution. He would like there to be enough time to dig into the questions and concerns of the Council. Additionally, he looks forward to the input of the Police Chief as collaboration is imperative.

Mayor Graves stated the timeline for reviewing The Daunte Wright and Kobe Dimock-Heisler Community Safety and Violence Prevention Resolution is merely an outline rather than a rigid schedule. She suggested the discussion on the resolution be held off until City Manager Edwards is present.

There was consensus by the Council to wait to discuss The Daunte Wright and Kobe Dimock-Heisler Community Safety and Violence Prevention resolution.

Member Butler introduced the following resolution and moved its adoption:

RESOLUTION NO. 2021-73

RESOLUTION ADOPTING THE DAUNTE WRIGHT AND KOBE DIMOCK-HEISLER COMMUNITY SAFETY AND VIOLENCE PREVENTION ACT

WHEREAS, the City of Brooklyn Center ("City") can create a safer, healthier, more just, and more thriving community by promoting a diversity of responses to our community's safety needs that do not rely solely on our armed law enforcement officers; and

WHEREAS, many approaches have proven to be safe and effective for responding to non-moving traffic offenses, low-level violations, to people with mental health needs or disabilities, and to other similar situations that do not involve armed law enforcement officers; and

WHEREAS, creating alternative responses in these situations will allow our law enforcement officers to focus their time, training, and expertise on serious threats to the immediate safety of our residents; and

WHEREAS, relying on our armed law enforcement officers as first responders in these situations has in some circumstances resulted in escalation, harm, and the tragic and potentially avoidable loss of life for our residents, including Daunte Wright and Kobe Dimock-Heisler; and

WHEREAS, a diversity of approaches will improve overall public safety, better address the root causes of many systemic issues, promote racial justice, better protect vulnerable members of our community, and more efficiently allocate public resources while recognizing there is still work to be done to address policing mindset and culture; and

WHEREAS, the residents of Brooklyn Center have demanded change in our City and will help co-create new approaches to health and safety in our community, and this Act affirms our commitment to an intentional, inclusive and collaborative process that involves City leadership and the community working together to fully implement the intent this Act; and

WHEREAS, the City Council will be drawing upon the best aspects of many different existing models and policies from all across the country in order to adapt them for our City with the help of residents, experts and data analysis, and the City is committing to all of these measures in a single, unified Act to deliver true transformational change for our community; and

WHEREAS, the City Council is committed to putting in the work necessary to bring about changes as quickly as possible in how the City provides public safety while recognizing that some of these measures will take longer to implement than others, and that additional work remains to be done to create a healthier and more equitable community even beyond this Act.

NOW, THEREFORE, the City Council of the City of Brooklyn Center, Minnesota, resolves as follows:

1. Act Adopted. The Daunte Wright and Kobe Dimock-Heisler Community Safety and Violence Prevention Act (“Act”) is hereby adopted for the City.
2. Community Response Department. The City will create an unarmed Community Response Department to respond to all incidents where a City resident is primarily experiencing a medical, mental health, disability-related, or other behavioral or social need, including by the creation of a Community Response Department consisting of trained medical and mental health professionals, social workers; or other staff and volunteers, and by a dispatch system routing appropriate calls to the Community Response Department and not to the Police Department; and by any other appropriate changes in ordinance, practices or policies.
3. Traffic Enforcement Department. The City will create an unarmed civilian Traffic Enforcement Department to enforce all non-moving traffic violations in the City, including by creating the civilian Traffic Enforcement Department and by any other appropriate changes in ordinance, practices or policies, including restricting or eliminating the types of traffic offenses enforced by the City’s armed law enforcement patrol officers.
4. Department of Community Safety and Violence Prevention. The City will create a new Department of Community Safety and Violence Prevention (the “Department”) that will be responsible for overseeing all city agencies and city efforts regarding community health and public safety, and ensuring a well-coordinated, public health-oriented approach throughout our city that relies upon a diversity of evidence-based approaches to public safety, and with a Director who has appropriate credentials and experience including public health expertise, and that at minimum the following existing and to-be-created City agencies will all report directly to the Department and be subject to the authority of its Director: the Police Department, the Fire Department, the Traffic Enforcement Department, and the Community Response Department.
5. Community Safety and Violation Prevention Committee. The City will create a permanent Community Safety and Violence Prevention Committee. The Director will provide the Mayor with a list of candidates to serve on the committee and the Mayor will recommend candidates to the City Council for appointment. A majority of the committee members must be City residents with direct experience being arrested, detained, or having other similar contact with Brooklyn Center Police, or have had direct contact with one or more of the other services to be provided by the new Department. The City Council may appoint City staff to serve as liaisons to the committee, but no City staff member will have a vote on the committee. The committee will: review and make recommendations regarding the policing response to recent protests; review the current collective bargaining agreement between the City and the Police Department and make recommendations prior to the renegotiation of the agreement and before its final approval; recommend the City Council create a separate and permanent civilian oversight committee for the new Department; review Chapter 19 of the City Code and make recommendations with regard to repealing or amending provisions or penalties therein, including fines and fees; and periodically make any other recommendations to the City Council related to initiating programs or policies to improve community health in the City.

6. Use of Force. The City will review and update its policies, practices and training to more appropriately regulate the use of force by its armed law enforcement officers including, for example, by requiring de-escalation, exhaustion of reasonable alternatives before using deadly force, prohibitions on using deadly force in certain situations including firing upon moving vehicles, prohibiting certain uses of force or other policing tactics during First Amendment protests and assemblies, and additional revisions as needed.
7. Citation and Summons for Low Level Offenses. To immediately prevent any further harm and to better protect the peace and safety of all City residents while this Act is being fully implemented, the City Council directs the City Manager to implement forthwith a citywide “citation and summons” policy requiring officers to issue citations only, and prohibiting custodial arrests or consent searches of persons or vehicles, for any non-moving traffic infraction, non-felony offense, or non-felony warrant, unless otherwise required by law, and the Implementation Committee will make recommendations regarding making these policy changes permanent and/or modifying them as needed, including by appropriate changes in ordinance, practices or policies.
8. Implementation Committee. The City will create a Community Safety and Violence Prevention Implementation Committee (“Implementation Committee”), including residents from the City and other local, state and national experts in public health-oriented approaches to community safety, to be chaired by the Mayor, and with members recommended by the Mayor and confirmed by the City Council, that will propose amendments, ordinances, resolutions, policies, guidelines or other recommendations for the review, adoption and/or implementation by City Council or City staff, as appropriate, that would fully implement the will and intent of City Council as expressed in this Act. The City Council may appoint City staff to serve as liaisons to the Implementation Committee, but City staff shall not have a vote on the committee. The Implementation Committee shall provide its recommendations directly to the City Council.
9. Community Involvement. The Implementation Committee will ensure the community has the opportunity to review and comment upon the all implementation plans, including by making periodic progress reports in open City Council meetings monthly, or more frequently upon the Council’s request; that the Implementation Committee is empowered to explore external sources of funding to implement the Act and that the City may retain additional counsel, temporary staff, and consultants as reasonable and necessary to enable the Implementation Committee to complete its work; and the Implementation Committee will present recommendations to City Council for initial consideration not later than 180 days from the date of this Act.
10. Implementation and Staff Support. The directives contained in this Act shall be carried out in compliance with the law and the City Charter. The City Attorney, City Manager, Chief of Police and other City personnel are authorized and directed to provide all necessary assistance and support to all committees created pursuant to this Act, including by supplying the committees with any and all data necessary to perform their duties, including confidential or private data as requested with appropriate protections, and budgetary, staffing or other

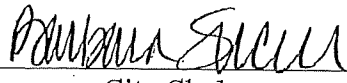
information, and assisting with the crafting of amendments, ordinances, or policies as requested by the Implementation Committee. This Act authorizes, to the greatest extent possible, the implementation of the measures identified herein without further policy approvals from the City Council. To the extent additional approvals are needed, or legal barriers are identified, in the implementation of these measures or the recommendations of the Implementation Committee, the City Manager or City Attorney are directed to bring those issues to the City Council's attention for further direction or action as needed.

May 15, 2021

Date



Mike Elliott, Mayor

ATTEST: 
City Clerk

The motion for the adoption of the foregoing resolution was duly seconded by member
Graves
and upon vote being taken thereon, the following voted in favor thereof:
Butler, Elliott, Graves, Ryan
and the following voted against the same:
Lawrence-Anderson
whereupon said resolution was declared duly passed and adopted.

RESOLUTION NO. 2021-73 (Amended 2024-01)

RESOLUTION ADOPTING THE DAUNTE WRIGHT AND KOBE DIMOCK"
HEISLER COMMUNITY SAFETY AND VIOLENCE PREVENTION ACT

WHEREAS, the City of Brooklyn Center ("City'') can create a safer, healthier, more just, and more thriving community by promoting a diversity of responses to our community's safety needs that do not rely solely on our armed law enforcement officers; and

WHEREAS, many approaches have proven to be safe and effective for responding to non-moving traffic offenses, low-level violations, to people with mental health needs or disabilities, and to other similar situations that do not involve armed law enforcement officers; and

WHEREAS, creating alternative responses in these situations will allow our law enforcement officers to focus their time, training, and expertise on serious threats to the immediate safety of our residents; and

WHEREAS, relying on our armed law enforcement officers as first responders in these situations has in some circumstances resulted in escalation, harm, and the tragic and potentially avoidable loss of life for our residents, including Daunte Wright and Kobe Dimock-Heisler; and

WHEREAS, a diversity of approaches will improve overall public safety, better address the root causes of many systemic issues, promote racial justice, better protect vulnerable

members of our community, and more efficiently allocate public resources while recognizing there is still work to be done to address policing mindset and culture; and

WHEREAS, the residents of Brooklyn Center have demanded change in our City and will help co-create new approaches to health and safety in our community, and this Act affirms our commitment to an intentional, inclusive and collaborative process that involves City leadership and the community working together to fully implement the intent this Act; and

WHEREAS, the City Council will be drawing upon the best aspects of many different existing models and policies from all across the country in order to adapt them for our City with the help of residents, experts and data analysis, and the City is committing to all of these measures in a single, unified Act to deliver true transformational change for our community; and

WHEREAS, the City Council is committed to putting in the work necessary to bring about changes as quickly as possible in how the City provides public safety while recognizing that some of these measures will take longer to implement than others, and that additional work remains to be done to create a healthier and more equitable community even beyond this Act.

NOW, THEREFORE, the City Council of the City of Brooklyn Center, Minnesota, resolves as follows:

1. Amend the Adopted Act ~~Adopted~~. The Daunte Wright and Kobe Dimock-Heisler Community Safety and Violence Prevention Act ("Act") is hereby adopted for the City.
2. Community Expanded Response, which is a unit of government ~~Department~~. The City will create an unarmed Community Expanded Response government unit ~~Department~~ to respond to all incidents where a City resident is primarily experiencing a medical, mental health, disability-related, or other behavioral or social need. ~~including by the creation of a The~~ Community Expanded Response ~~Department shall provide~~ consisting of trained medical and mental health professionals, social workers or other staff and volunteers. ~~and by a~~ Services provided by the Community Expanded Response shall be dispatched by the Hennepin County 911 call system. ~~system routing appropriate calls to the Community Response Government Unit Department and not to the Police Department; and by any other appropriate changes in ordinance practices or policies;~~
3. Non-Moving Traffic Violation Enforcement, which is a unit of government ~~Department~~. The City will create an unarmed civilian Non-Moving Traffic Violation Enforcement ~~Department~~ to enforce all non-moving traffic violations in the City. ~~including by creating the civilian Traffic Enforcement Department and by any other appropriate changes in ordinance, practices or policies, including restricting or eliminating the types of traffic offenses enforced by the City's armed law enforcement patrol officers.~~
4. Community Prevention, Health, and Safety government unit ~~Department of Community~~

Safety and Violence Prevention. The City will create a new government unit ~~Department~~ of Community Prevention, Health, and Safety ~~and Violence Prevention~~ (the "government unit ~~Department~~") that will be responsible for coordinating with ~~overseeing~~ all city agencies and citywide efforts regarding community prevention, health and public safety and ensuring a well-coordinated, public health-oriented approach throughout our city that relies upon a diversity of evidence-based prevention and intervention approaches to public safety, and with a Director who has appropriate credentials and experience including public health expertise, community prevention and intervention in public safety, and that at minimum the following will have oversight of governmental units of Community Alternative Response and Non-Moving Traffic Violation Enforcement ~~existing and to be created City agencies will all report directly to the Department and be subject to the authority of its Director: the Police Department, the Fire Department, the Traffic Enforcement Department, and the Community Response Department.~~

EXCERPT FROM 07.08.24 - STUDY SESSION

RESOLUTION 2021-73

Mayor Graves asked if the council would be amenable to push the item to a future meeting when there is more time. Councilmember Lawrence-Anderson agreed to postpone the item.

Councilmember Jerzak stated he would like to hear from the Police Chief and other personnel about their input.

Dr. Edwards confirmed he could speak with staff. He had not previously asked them to prepare presentations for the council. He asked if there are specific sections the council would like for staff to weigh in on. His understanding of the item was that the council should have a discussion without influence from staff.

Councilmember Jerzak explained that the council wants to collaborate and refine Resolution 2021-73. They want to maintain its spirit while improving it.

Mayor Graves stated resolutions aren't pieced apart regularly, and this one, in particular, impacts jobs. This resolution doesn't impact every aspect of the city. However, it was inspired by unfortunate events in the city. The Resolution doesn't dictate the details of operations but is an encouragement and reminder to do better. Staff recommendations may be valuable, but it is ultimately the council's decision. The staff's role is implementation. The first round of discussions may be better suited for the council alone.

Councilmember Lawrence-Anderson stated that the maximum amount of information and collaboration at the beginning of the discussions would be valuable.

Mayor Graves asked if the council wants additional feedback from staff on the sections the council has already reviewed.

Councilmember Jerzak stated he wants the staff's perspective on the fourth item within the Resolution.

Councilmember Kragness noted she sees the Staff input as an opportunity to understand what the city is already doing related to the Daunte Wright and Kobe Dimock-Heisler Community Safety and Violence Prevention Act. Then, the council can determine what additional efforts need to be implemented.

Mayor Graves stated that part of the discussion will be determining which aspects of the Daunte Wright and Kobe Dimock-Heisler Community Safety and Violence Prevention Act they want staff to prepare reports on.

At the next meeting, Dr. Edwards requested that the council focus only on two sections of the Daunte Wright and Kobe Dimock-Heisler Community Safety and Violence Prevention Act. Councilmember Jerzak noted his agreement.

Councilmember Lawrence-Anderson explained she appreciates the perspective of the new Police Chief.

EXCERPT FROM 8.12.24 STUDY SESSION

PUBLIC SAFETY RESOLUTION

Councilmember Kragness stated she only wanted the language updated and refined. Otherwise, she doesn't have concerns about the content of the Daunte Wright and Kobe Dimock-Heisler Community Safety and Violence Prevention Act.

Councilmember Jerzak noted the input for Section Four was not included in the provided copy of the draft. He doesn't want to repeat work. He requested the word "new" be removed from the creation of the Department section as it has already been established. Additionally, he suggested words be added to reflect the collaboration with the Police and Fire Departments. Additionally, he suggested the word "all" be removed as they are all responsible for the implementation. The intent of the document is to get everyone on board with the effort.

Councilmember Jerzak requested the term "Director" be replaced with a broader term so that other positions may take on the responsibilities of the Act. He added he doesn't see a reason for the Resolution to call for resources to a specific Department. The City is one entity and multiple Departments should be competing for and receive resources based on their efforts. It isn't the role of the Council to micro-manage the Staff's responsibilities. However, he doesn't want to see duplication of similar efforts. There are already two alternative response programs along with intervenors and other efforts. There isn't any clarity on non-moving traffic enforcement efforts. They don't even have a definition of non-moving traffic violations.

Mayor Graves agreed there should be language addressing the collaboration between Departments. Any references to non-existing departments should be removed. There is an Office of Community Health, Prevention, and Safety that should be included. The term "Director" should not be removed.

Councilmember Jerzak stated he doesn't want the term "Director" to be removed entirely but to allow other positions to take on the responsibilities. Then Dr. Edwards can assign responsibilities to employees that are not at the Director level. Mayor Graves stated Dr. Edwards already has that ability.

Mayor Graves stated resolutions are a value statement of the Council, Staff, or community. They are not marching orders that dictate budgets or Staff responsibilities.

Councilmember Kragness stated the items do impact the budget as they must be paid for. Mayor Graves stated it only drives the budget to an extent. She suggested the specific Department allocations be removed because it allows more Departments to utilize funds in promotion of the spirit of the Daunte Wright and Kobe Dimock-Heisler Community Safety and Violence Prevention Act. The Resolution doesn't preclude the Council from choosing how to allot money nor have any legal implications related to the budgeting.

Councilmember Kragness agreed that is the same reason the language needs to be cleaned up to reflect what is actually established in the City. For example, the Act calls for a new Department while the City has created an Office instead.

Mayor Graves stated she has had the same concerns since its inception. She has no intention to eliminate the Office of Community Health, Prevention, and Safety. Some items of the Act may appear divisive, and she hopes to emphasize collaboration.

Mayor Graves stated Staff would compile the input of the Council and draft an updated version of Section Four.

Councilmember Jerzak reiterated the importance of changing the language to promote collaboration amongst Departments. Some time has passed, and the Council has the opportunity to improve the Act.

Mayor Graves read Section Five of the Daunte Wright and Kobe Dimock-Heisler Community Safety and Violence Prevention Act regarding the permanent Community Safety and Violence Prevention Commission.

Councilmember Kragness noted the Commission should be treated as an advisory body. The language should be similar to the descriptions and guiding documents as other advisory bodies. The language in the Daunte Wright and Kobe Dimock-Heisler Community Safety and Violence Prevention Act refers to "recommend" which gives a false sense of authority to the Community Safety and Violence Prevention Commission.

Councilmember Jerzak stated the City Clerk should provide a list of candidates for the Community Safety and Violence Prevention Commission rather than a Director as that would be the proper procedure. There should be uniformity across City entities and documents. Per the Charter, commissions and committees are established by the City Council through a specific resolution that defines the scope of the commission, member selection process, and the like. The same process should be applied to the Community Safety and Violence Prevention Commission. Some commissions have become divisive, but that is not the desire of the Council. Establishing the responsibilities and other details of a commission should be done prior to any creation.

Councilmember Jerzak stated he doesn't have interest in reviewing Chapter 19 because there are Staff experts to handle the review. Any changes should be initiated by the experts. Others may have good intentions with edits, but they do not have the expertise. Ultimately, Chapter 19 doesn't need to be addressed in the Daunte Wright and Kobe Dimock-Heisler Community Safety and Violence Prevention Act.

Councilmember Jerzak added State Statute 626.89 regarding discipline for a peace officer states a Police Chief is the only person with authority to discipline a peace officer. Any commissions formed would not have the authority to conduct officer discipline. The existing standard needs to be acknowledged to set expectations for any advisory bodies.

Mayor Graves asked how the committee mentioned in Section Five is different than the Multicultural Advisory Committee (MAC) is.

Councilmember Jerzak explained the responsibilities of the MAC are unclear to him. On a similar note, the city cannot get quorum for the existing commissions. Therefore, it is troublesome to consider creating yet another committee.

Mayor Graves asked which commissions are not meeting quorum. Staff is supposed to be informing her of any attendance issues so she or the other Councilmember counterpart can address the commissioners.

Councilmember Lawrence-Anderson stated the Housing Commission isn't meeting quorum.

Mayor Graves asked who the Staff liaison is for the Housing Commission. Dr. Edwards stated Krystin Eldridge is the Staff liaison. Mayor Graves stated she needs to know when commissions aren't meeting quorum so she can have commissioners removed and appoint new commissioners.

Ms. Suciú pointed out there is a process that must be followed to remove a commissioner. A commissioner has to first miss three meetings before the removal process can take place. Mayor Graves asked if the three missed meeting standard has been met for the Housing Commission. Ms. Suciú stated she would speak with Ms. Eldridge to determine if a removal is necessary.

Dr. Edwards stated the MAC acts as an advisory body to the Police Department while the commission referenced in Section Five of the Daunte Wright and Kobe Dimock-Heisler Community Safety and Violence Prevention Act would be an advisory body to the Council.

Mayor Graves stated she will learn more about Chapter 19 of the City Code before providing input on that portion.

Mayor Graves noted she has consistently had ideas on who should serve on the potential commission. Director of Community Prevention, Health and Safety LaToya Turk previously presented to the Council on the proposed advisory body. The Council wasn't in favor of the body at that time because the Implementation Commission was currently advising the Council. Defining the Community Safety and Violence Prevention Commission doesn't need to be in the Daunte Wright and Kobe Dimock-Heisler Community Safety and Violence Prevention Act, though some language could be cleared up.

Mayor Graves requested Ms. Turk send a copy of her presentation to the Council on the Community Safety and Violence Prevention Commission for additional review.

Councilmember Kragness stated the language needs to be cleaned up throughout Section Five of the Daunte Wright and Kobe Dimock-Heisler Community Safety and Violence Prevention Act. For example, the Community Safety and Violence Prevention Commission should provide input to law enforcement regarding protests rather than "recent" protests. Additionally, there should be clear expectations for the Commission as to their responsibilities and power, referring to the statement that charges the Community Safety and Violence Prevention Commission to review the collective bargaining agreement.

Councilmember Lawrence-Anderson agreed reviewing a collective bargaining agreement is the responsibility of the City Manager and Human Resources.

Councilmember Lawrence-Anderson requested the term Commission or Committee be used consistently. She asked how many people are expected to serve on the Community Safety and Violence

Prevention Commission. There needs to be a well-rounded group of individuals to include folks with knowledge of finance, law enforcement, and the like.

Mayor Graves noted her agreement with Councilmember Lawrence-Anderson. Therefore, she would like the Council to review the presentation from Ms. Turk as she referenced the makeup of the Commission. There needs to be representation from various experiences and sectors.

Mayor Graves stated the Commission might not have the expertise to handle the details of the collective bargaining agreement. However, the range of backgrounds may have unique insight on the collective bargaining agreement. More eyes on the document cannot hurt. Councilmember Lawrence-Anderson stated more eyes can be helpful, but the expectations of the Commission must be made clear.

Councilmember Jerzak pointed out that the Commission reviewing the collective bargaining agreement adds more to Dr. Edwards' plate. The Union might see the additional review as unnecessary and become adversarial. The members of the Commission may not have a full understanding of contracts, salaries, bargaining, and the like. The Council should trust Staff to handle the contracts. They consider competition with other departments along with basic contract standards. Ultimately, there isn't a benefit to the Community Safety and Violence Prevention Commission reviewing the agreement.

Mayor Graves noted the Community Safety and Violence Prevention Commission wouldn't be at the table for negotiations. The Commission would merely provide input to the Council. She suggested the Council learn more about the bargaining process before making a final decision. For example, the POST Board may have certain requirements and processes the Council is unaware of.

Dr. Edwards offered to bring forward Staff input on the Daunte Wright and Kobe Dimock-Heisler Community Safety and Violence Prevention Act for future discussions. As for the review of the collective bargaining agreement, it is not practical for more people to be at the negotiating table. Alternatively, there could be a process for the Community Safety and Violence Prevention Commission to review previous agreements and provide input prior to the next round of negotiations begin.

Councilmember Lawrence-Anderson requested the Police Chief and Ms. Turk compile their final input for Section Five.

Mayor Graves stated their perspective has already been presented to the Council. The Council has requested an opportunity to discuss the Daunte Wright and Kobe Dimock-Heisler Community Safety and Violence Prevention Act without Staff input, so they shouldn't be seeking out additional Staff input until the Council's discussions are complete.

Councilmember Jerzak reiterated the importance of abiding by the Charter and consistency. Mayor Graves agreed with Councilmember Jerzak.

Member Butler introduced the following resolution and moved its adoption:

RESOLUTION NO. 2021-73

RESOLUTION ADOPTING THE DAUNTE WRIGHT AND KOBE DIMOCK-
HEISLER COMMUNITY SAFETY AND VIOLENCE PREVENTION ACT

WHEREAS, the City of Brooklyn Center ("City") can create a safer, healthier, more just, and more thriving community by promoting a diversity of responses to our community's safety needs that do not rely solely on our armed law enforcement officers; and

WHEREAS, many approaches have proven to be safe and effective for responding to non-moving traffic offenses, low-level violations, to people with mental health needs or disabilities, and to other similar situations that do not involve armed law enforcement officers; and

WHEREAS, creating alternative responses in these situations will allow our law enforcement officers to focus their time, training, and expertise on serious threats to the immediate safety of our residents; and

WHEREAS, relying on our armed law enforcement officers as first responders in these situations has in some circumstances resulted in escalation, harm, and the tragic and potentially avoidable loss of life for our residents, including Daunte Wright and Kobe Dimock-Heisler; and

WHEREAS, a diversity of approaches will improve overall public safety, better address the root causes of many systemic issues, promote racial justice, better protect vulnerable members of our community, and more efficiently allocate public resources while recognizing there is still work to be done to address policing mindset and culture; and

WHEREAS, the residents of Brooklyn Center have demanded change in our City and will help co-create new approaches to health and safety in our community, and this Act affirms our commitment to an intentional, inclusive and collaborative process that involves City leadership and the community working together to fully implement the intent this Act; and

WHEREAS, the City Council will be drawing upon the best aspects of many different existing models and polices from all across the country in order to adapt them for our City with the help of residents, experts and data analysis, and the City is committing to all of these measures in a single, unified Act to deliver true transformational change for our community; and

WHEREAS, the City Council is committed to putting in the work necessary to bring about changes as quickly as possible in how the City provides public safety while recognizing that some of these measures will take longer to implement than others, and that additional work remains to be done to create a healthier and more equitable community even beyond this Act.

NOW, THEREFORE, the City Council of the City of Brooklyn Center, Minnesota, resolves as follows:

1. Act Adopted. The Daunte Wright and Kobe Dimock-Heisler Community Safety and Violence Prevention Act ("Act") is hereby adopted for the City.
2. Community Response Department. The City will create an unarmed Community Response Department to respond to all incidents where a City resident is primarily experiencing a medical, mental health, disability-related, or other behavioral or social need, including by the creation of a Community Response Department consisting of trained medical and mental health professionals, social workers; or other staff and volunteers, and by a dispatch system routing appropriate calls to the Community Response Department and not to the Police Department; and by any other appropriate changes in ordinance, practices or policies.
3. Traffic Enforcement Department. The City will create an unarmed civilian Traffic Enforcement Department to enforce all non-moving traffic violations in the City, including by creating the civilian Traffic Enforcement Department and by any other appropriate changes in ordinance, practices or policies, including restricting or eliminating the types of traffic offenses enforced by the City's armed law enforcement patrol officers.
4. Department of Community Safety and Violence Prevention. The City will create a new Department of Community Safety and Violence Prevention (the "Department") that will be responsible for overseeing all city agencies and city efforts regarding community health and public safety, and ensuring a well-coordinated, public health-oriented approach throughout our city that relies upon a diversity of evidence-based approaches to public safety, and with a Director who has appropriate credentials and experience including public health expertise, and that at minimum the following existing and to-be-created City agencies will all report directly to the Department and be subject to the authority of its Director: the Police Department, the Fire Department, the Traffic Enforcement Department, and the Community Response Department.
5. Community Safety and Violation Prevention Committee. The City will create a permanent Community Safety and Violence Prevention Committee. The Director will provide the Mayor with a list of candidates to serve on the committee and the Mayor will recommend candidates to the City Council for appointment. A majority of the committee members must be City residents with direct experience being arrested, detained, or having other similar contact with Brooklyn Center Police, or have had direct contact with one or more of the other services to be provided by the new Department. The City Council may appoint City staff to serve as liaisons to the committee, but no City staff member will have a vote on the committee. The committee will: review and make recommendations regarding the policing response to recent protests; review the current collective bargaining agreement between the City and the Police Department and make recommendations prior to the renegotiation of the agreement and before its final approval; recommend the City Council create a separate and permanent civilian oversight committee for the new Department; review Chapter 19 of the City Code and make recommendations with regard to repealing or amending provisions or penalties therein, including fines and fees; and periodically make any other recommendations to the City Council related to initiating programs or policies to improve community health in the City.

6. Use of Force. The City will review and update its policies, practices and training to more appropriately regulate the use of force by its armed law enforcement officers including, for example, by requiring de-escalation, exhaustion of reasonable alternatives before using deadly force, prohibitions on using deadly force in certain situations including firing upon moving vehicles, prohibiting certain uses of force or other policing tactics during First Amendment protests and assemblies, and additional revisions as needed.
7. Citation and Summons for Low Level Offenses. To immediately prevent any further harm and to better protect the peace and safety of all City residents while this Act is being fully implemented, the City Council directs the City Manager to implement forthwith a citywide “citation and summons” policy requiring officers to issue citations only, and prohibiting custodial arrests or consent searches of persons or vehicles, for any non-moving traffic infraction, non-felony offense, or non-felony warrant, unless otherwise required by law, and the Implementation Committee will make recommendations regarding making these policy changes permanent and/or modifying them as needed, including by appropriate changes in ordinance, practices or policies.
8. Implementation Committee. The City will create a Community Safety and Violence Prevention Implementation Committee (“Implementation Committee”), including residents from the City and other local, state and national experts in public health-oriented approaches to community safety, to be chaired by the Mayor, and with members recommended by the Mayor and confirmed by the City Council, that will propose amendments, ordinances, resolutions, policies, guidelines or other recommendations for the review, adoption and/or implementation by City Council or City staff, as appropriate, that would fully implement the will and intent of City Council as expressed in this Act. The City Council may appoint City staff to serve as liaisons to the Implementation Committee, but City staff shall not have a vote on the committee. The Implementation Committee shall provide its recommendations directly to the City Council.
9. Community Involvement. The Implementation Committee will ensure the community has the opportunity to review and comment upon the all implementation plans, including by making periodic progress reports in open City Council meetings monthly, or more frequently upon the Council’s request; that the Implementation Committee is empowered to explore external sources of funding to implement the Act and that the City may retain additional counsel, temporary staff, and consultants as reasonable and necessary to enable the Implementation Committee to complete its work; and the Implementation Committee will present recommendations to City Council for initial consideration not later than 180 days from the date of this Act.
10. Implementation and Staff Support. The directives contained in this Act shall be carried out in compliance with the law and the City Charter. The City Attorney, City Manager, Chief of Police and other City personnel are authorized and directed to provide all necessary assistance and support to all committees created pursuant to this Act, including by supplying the committees with any and all data necessary to perform their duties, including confidential or private data as requested with appropriate protections, and budgetary, staffing or other

information, and assisting with the crafting of amendments, ordinances, or policies as requested by the Implementation Committee. This Act authorizes, to the greatest extent possible, the implementation of the measures identified herein without further policy approvals from the City Council. To the extent additional approvals are needed, or legal barriers are identified, in the implementation of these measures or the recommendations of the Implementation Committee, the City Manager or City Attorney are directed to bring those issues to the City Council's attention for further direction or action as needed.

May 15, 2021

Date



Mike Elliott, Mayor

ATTEST: 

City Clerk

The motion for the adoption of the foregoing resolution was duly seconded by member
Graves
and upon vote being taken thereon, the following voted in favor thereof:
Butler, Elliott, Graves, Ryan
and the following voted against the same:
Lawrence-Anderson
whereupon said resolution was declared duly passed and adopted.

RESOLUTION NO. 2021-73 (Amended 2024-01)

RESOLUTION ADOPTING THE DAUNTE WRIGHT AND KOBE DIMOCK"
HEISLER COMMUNITY SAFETY AND VIOLENCE PREVENTION ACT

WHEREAS, the City of Brooklyn Center ("City',) can create a safer, healthier, more just, and more thriving community by promoting a diversity of responses to our community's safety needs that do not rely solely on our armed law enforcement officers; and

WHEREAS, many approaches have proven to be safe and effective for responding to non-moving traffic offenses, low-level violations, to people with mental health needs or disabilities, and to other similar situations that do not involve armed law enforcement officers; and

WHEREAS, creating alterative responses in these situations will allow our law enforcement officers to focus their time, training, and expertise on serious threats to the immediate safety of our residents; and

WHEREAS, relying on our aimed law enforcement officers as first responders in these situations has in some circumstances resulted in escalation, harm, and the tragic and potentially avoidable loss of life for our residents, including Daunte Wright and Kobe Dimock-Heisler; and

WHEREAS, a diversity of approaches will improve overall public safety, better address the root causes of many systemic issues, promote racial justice, better protect vulnerable

members of our community, and more efficiently allocate public resources while recognizing there is still work to be done to address policing mindset and culture; and

WHEREAS, the residents of Brooklyn Center have demanded change in our City and will help co-create new approaches to health and safety in our community, and this Act affirms our commitment to an intentional, inclusive and collaborative process that involves City leadership and the community working together to fully implement the intent this Act; and

WHEREAS, the City Council will be drawing upon the best aspects of many different existing models and polices from all across the country in order to adapt them for our City with the help of residents, experts and data analysis, and the City is committing to all of these measures in a single, unified Act to deliver true transformational change for our community; and

WHEREAS, the City Council is committed to putting in the work necessary to bring about changes as quickly as possible in how the City provides public safety while recognizing that some of these measures will take longer to implement than others, and that additional work remains to be done to create a healthier and more equitable community even beyond this Act.

NOW, THEREFORE, the City Council of the City of Brooklyn Center, Minnesota, resolves as follows:

1. Amend the Adopted Act ~~Adopted~~. The Daunte Wright and Kobe Dimock-Heisler Community Safety and Violence Prevention Act ("Act") is hereby adopted for the City.
2. Community Expanded Response, which is a unit of government ~~Department~~. The City will create an unarmed Community Expanded Response ~~government unit~~ ~~Department~~ to respond to all incidents where a City resident is primarily experiencing a medical, mental health, disability-related, or other behavioral or social need. ~~including by the creation of a~~ The Community Expanded Response ~~Department shall provide~~ consisting of trained medical and mental health professionals, social workers or other staff and volunteers. ~~and by a~~ Services provided by the Community Expanded Response shall be dispatched by the Hennepin County 911 call system. ~~system routing appropriate calls to the Community Response Government Unit Department and not to the Police Department; and by any other appropriate changes in ordinance practices or policies;~~
3. Non-Moving Traffic Violation Enforcement, which is a unit of government ~~Department~~. The City will create an unarmed ~~civilian~~ Non-Moving Traffic Violation Enforcement ~~Department~~ to enforce all non-moving traffic violations in the City. ~~including by creating the civilian Traffic Enforcement Department and by any other appropriate changes in ordinance, practices or policies, including restricting or eliminating the types of traffic offenses enforced by the City's armed law enforcement patrol officers.~~
4. Community Prevention, Health, and Safety ~~government unit~~ ~~Department of Community~~

~~Safety and Violence Prevention:~~ The City will create a new government unit ~~Department~~ of Community Prevention, Health, and Safety ~~and Violence Prevention~~ (the "government unit ~~Department~~") that will be responsible for coordinating with ~~overseeing~~ all city agencies and citywide efforts regarding community prevention, health and public safety and ensuring a well-coordinated, public health-oriented approach throughout our city that relies upon a diversity of evidence-based prevention and intervention approaches to public safety, and with a Director who has appropriate credentials and experience including public health expertise, community prevention and intervention in public safety, and that at minimum the following will have oversight of governmental units of Community Alternative Response and Non-Moving Traffic Violation Enforcement ~~existing and to be created City agencies will all report directly to the Department and be subject to the authority of its Director: the Police Department, the Fire Department, the Traffic Enforcement Department, and the Community Response Department.~~

EXCERPT FROM 10.14.24 – WORK SESSION

COMMUNITY SAFETY AND VIOLENCE PREVENTION COMMISSION COUNCIL DISCUSSION

Dr. Edwards stated this item has been a point of conversation for some time as related to the Public Safety Act and Civilian Review Board. He stated staff has a presentation prepared with the intent that the item would return to the next council meeting study session to deliberate and discuss more.

Director of Community Prevention, Health and Safety LaToya Turk presented information on prior presentations that have been made in regard to the resolution as well as prior to the resolution regarding advisory boards. She stated that there are 18,000 Law Enforcement agencies in the United States with 422 being in Minnesota. At the time of review in 2020, there were three review boards in the City of St. Paul, City of Minneapolis, and City of St. Cloud. She noted that the existing board members have a 3-year term, and are meeting quarterly and up to twice a month. She stated that in 2023 there was a presentation and discussion around the Public Safety Act resolution and specifically around the commission creation with a draft presented to council which was identical to what the resolution stated. She stated that staff has met and discussed current practices in the city and nationally around review boards and commissions. She stated that the recommendations Brooklyn Center has been provided are similar to what is being used nationally.

Mayor/President Graves asked if Duluth has one. Ms. Turk stated theirs is new as of 2020.

Mayor/President Graves stated she doesn't have the presented information in their packet. Ms. Turk stated the presentation is from one provided by the Brooklyn Center Police Department in 2020. Dr. Edwards asked for clarification if the council received the presentation in the agenda packet.

Mayor/President Graves showed Dr. Edwards the only page that was provided in the packet. Dr. Edwards requested the item be addressed again at a future meeting. Mayor/President Graves asked that the previous presentation from Ms. Turk be included in the packet as well. Her presentation listed parties that could be represented on an advisory council.

Dr. Edwards stated Staff would gather information requested as well as any information on Duluth's efforts. Mayor/President Graves suggested information be collected from national partners as well.

Ms. Turk asked that if national partners are invited to the meeting, it be done in presentation form.

There was consensus from Council for Staff to create a more comprehensive presentation and include input from national partners.

Scope of the Brooklyn Center Community Safety and Violence Prevention Commission

Purpose:

The Community Safety and Violence Prevention Commission (CSVPC) will serve as a community-driven advisory body to the City of Brooklyn Center, providing recommendations on public safety initiatives, policies, and practices. Grounded in national best practices and metrics, the commission will promote holistic approaches to community safety, violence prevention, and justice, while advancing equitable and sustainable outcomes for all residents.

Objectives:

The Commission's primary objectives should include:

1. **Review and Recommend Public Safety Policies:** Assess and make recommendations regarding existing public safety policies, programs, and practices in the City of Brooklyn Center. This includes evaluating the effectiveness of current law enforcement approaches and proposing alternatives where applicable, with a focus on non-violent crisis intervention, prevention, and community-based strategies.
2. **Community Engagement and Collaboration:** Foster transparent, ongoing dialogue between city leaders, law enforcement, community members, and stakeholders to build trust, enhance community-led safety initiatives, and ensure that community voices are at the center of decision-making processes.
3. **Promote Equity in Public Safety:** Ensure that public safety policies and practices are equitable and do not disproportionately impact marginalized or underserved populations. This includes providing recommendations for addressing racial disparities in public safety outcomes, particularly as they relate to law enforcement interactions, incarceration, and the justice system.
4. **Violence Prevention Strategies:** Develop and recommend community-based violence prevention strategies that focus on addressing the root causes of violence, including poverty, mental health, substance use, housing instability, and lack of access to social services.
5. **Monitor Public Safety Metrics:** Work in alignment with national metrics and best practices to measure the effectiveness of public safety policies and initiatives. Regularly review and report on public safety data, including crime rates, use of force incidents, community satisfaction with law enforcement, and other relevant indicators in collaboration with the City's public safety departments.
6. **Support the Development of Expanded Response Models:** Explore and support the implementation of non-law enforcement response models, including but not limited to mental health crisis intervention teams, violence interveners, and social service programs designed to provide holistic responses to non-violent incidents.

Roles and Responsibilities:

- **Provide Recommendations to the City Council:** The Commission will submit regular recommendations to the Brooklyn Center City Council on policies and practices related to public safety and violence prevention. These recommendations will be evidence-based, considering national best practices and community input.
- **Facilitate Community Forums and Workshops:** Organize public forums, listening sessions, and workshops to engage community members, gather feedback, and foster ongoing conversations about public safety. The Commission will actively work to ensure diverse voices, particularly from underrepresented communities, are included in these dialogues.
- **Collaborate with Other City Departments and Agencies:** The Commission will collaborate with relevant city departments, local law enforcement, public health agencies, and community-based organizations to support the implementation of recommended policies and programs.
- **Develop an Annual Report:** The Commission will produce an annual report detailing its recommendations, the status of implemented changes, and an evaluation of public safety metrics. This report will be made available to the public and shared with the City Council.

Membership:

- The Commission will be composed of **9 members**, appointed by the Mayor (utilizing council input as desired). Membership will reflect a broad cross-section of the Brooklyn Center community, including residents, business owners, faith-based leaders, educators, youth representatives, and experts in public safety, mental health, social services and related fields. The majority of Commissioners must be City residents. (Consideration for “at large representation and city staff representation as “non-voting members”). City staff (OCPHS, BCPD, BCFD, Recreation) will review applications and forward recommendations to City Clerk for Mayor/Council review and appointment (recommend interview and application edits)
 - **Qualifications:** Members should have demonstrated interest or have direct experience in public safety, the criminal justice system, community engagement, public health, violence prevention, and/or social justice. The Commission will prioritize members who represent communities most affected by public safety issues and/or hold public safety or public health credentials.
 - **Term Length:** Members will serve two-year terms, with the option for reappointment for an additional term. To ensure continuity, initial appointments will be staggered so that approximately half of the members’ terms expire in alternating years.
-

Meetings:

- The Commission will meet **quarterly** or as needed, depending on the urgency and scope of issues under review.
 - Special meetings or subcommittees may be formed to focus on specific areas such as youth engagement, mental health crisis response, or community-police relations.
-

National Examples of Similar Commissions:

Eugene, Oregon's Civilian Review Board (CRB): This board reviews police department actions and policies, especially focusing on equity, transparency, and the handling of complaints. They emphasize civilian oversight and foster ongoing dialogue between law enforcement and the community, similar to the objectives of Brooklyn Center's CSVPC.

Eugene, Oregon's Civilian Review Board (CRB)

- **Commission Make-Up:**
 - The CRB consists of **5–7 volunteer members** appointed by the City Council, representing a diverse range of community perspectives. Members are typically residents who demonstrate a commitment to public safety, accountability, and transparency.
 - The board includes individuals with experience or expertise in fields such as law, social work, public safety, or community advocacy.
 - **Key Outcomes:**
 - **Transparency and Accountability:** The CRB reviews internal police investigations, especially cases involving use of force and misconduct complaints. This board has increased transparency by providing independent oversight and reporting findings to the public.
 - **Enhanced Public Trust:** The CRB's reviews have resulted in increased community confidence in how complaints against police officers are handled. By reviewing both the investigation process and outcomes, they promote community trust in law enforcement's accountability.
 - **Policy Recommendations:** The CRB provides recommendations to the police department for policy changes, including those focused on reducing racial disparities, increasing de-escalation tactics, and improving community relations.
-

Minneapolis, Minnesota's Office of Violence Prevention: Minneapolis has implemented a community-led violence prevention strategy that includes initiatives such as community-based outreach, mental health support, and violence interrupters. The initiative focuses on addressing the root causes of violence and fostering community resilience, aligning closely with the goals of Brooklyn Center's CSVPC.

Minneapolis, Minnesota's Office of Violence Prevention (OVP)

- **Commission Make-Up:**
 - The OVP is staffed by professionals with expertise in public health, social services, violence prevention, and community engagement.
 - It works closely with a **Community Advisory Board** made up of community leaders, service providers, and individuals with lived experience related to violence, with the aim to ensure the program remains community-centered.
- **Key Outcomes:**
 - **Group Violence Intervention (GVI) Strategy:** A data-driven strategy focusing on individuals most at risk for involvement in violence. The program offers social services, mentorship, and opportunities for personal development, which has been credited with helping reduce gang-related shootings and homicides.
 - **Next Step Hospital-based Intervention:** This initiative provides immediate support and resources to individuals who have been injured due to violence. It helps survivors transition to non-violent lifestyles and prevents retaliation.
 - **Youth Violence Prevention:** The OVP runs youth-focused initiatives that aim to stop violence before it starts by providing young people with mentorship, education, and employment opportunities.
 - **Community Empowerment:** The office has successfully mobilized neighborhood-based organizations and residents to take an active role in reducing violence in their communities.

Los Angeles, California's Civilian Oversight Commission: This commission provides oversight of the Los Angeles County Sheriff's Department, with a focus on transparency, public engagement, and addressing inequities in law enforcement practices. The commission reviews and recommends policies, fostering a model of accountability and community involvement.

Los Angeles, California's Civilian Oversight Commission (COC)

- **Commission Make-Up:**
 - The COC is made up of **nine commissioners**, appointed by the Board of Supervisors. The commissioners represent a cross-section of the community, including civil rights

attorneys, criminal justice advocates, public health professionals, and retired law enforcement officers.

- The commission has the support of an Inspector General's office, which conducts investigations and audits of the Los Angeles County Sheriff's Department (LASD).

- **Key Outcomes:**

- **Policy and Practice Reviews:** The commission has reviewed and recommended changes to LASD policies on the use of force, mental health response, and training programs. For instance, it has advocated for improved de-escalation tactics and trauma-informed care approaches for dealing with vulnerable populations.
- **Public Transparency:** Through public meetings, the COC has increased transparency between the sheriff's department and the community. These meetings allow for public input on key issues, such as police accountability, use of force, and misconduct cases.
- **Independent Investigations:** The COC, in collaboration with the Inspector General, has played a critical role in pushing for independent investigations into high-profile incidents, including officer-involved shootings and allegations of excessive force.
- **Focus on Mental Health:** The commission has pushed for greater investment in mental health resources and non-police responses to mental health crises.

Richmond, California's Office of Neighborhood Safety (ONS): The ONS is a violence prevention program that works directly with individuals most at risk for involvement in violence. They focus on holistic support, such as mentoring, employment assistance, and crisis intervention, which is in line with Brooklyn Center's aim to develop community-based, non-law enforcement safety strategies.

Richmond, California's Office of Neighborhood Safety (ONS)

- **Commission Make-Up:**

- The ONS is a division within the city's government, staffed by professionals in public health, violence prevention, and community engagement. It collaborates with **violence interrupters**, known as "Neighborhood Change Agents," who are community members trained to mediate conflicts and prevent violence.
- The ONS also works with other city departments and nonprofit organizations to coordinate services for at-risk individuals.

- **Key Outcomes:**

- **Reduction in Gun Violence:** Since its inception, the ONS has contributed to a significant decrease in gun violence and homicides in Richmond, particularly among young men at high risk of being involved in shootings.
- **Operation Peacemaker Fellowship:** This innovative mentorship program targets individuals most at risk of engaging in violent crime. Participants, called "fellows,"

receive mentorship, life coaching, and financial incentives for achieving personal and community goals.

- **Crisis Intervention:** ONS has successfully implemented conflict mediation and crisis intervention strategies to prevent retaliatory violence following violent incidents.
- **Employment and Education Opportunities:** By providing access to job training, education, and mental health services, ONS has helped participants reintegrate into society and reduce their involvement in violent crime.

These examples demonstrate a range of successful outcomes and structures that align with the objectives of Brooklyn Center's Community Safety and Violence Prevention Commission. They emphasize the importance of community engagement, transparency, and holistic approaches to violence prevention and public safety.

National Metrics for Success:

The Commission will measure its impact based on national public safety and community wellness indicators, including:

1. **Reduction in violent crime rates and use of force incidents** in the city.
2. **Increased community trust and satisfaction** with public safety services.
3. **Successful implementation of alternative response models**, such as mental health crisis teams.
4. **Improvement in racial and socioeconomic equity** in public safety outcomes.
5. **Community engagement levels** in forums, workshops, and decision-making processes.

Reporting and Accountability:

- The Commission will submit **annual updates** to the City Council, including progress on key initiatives and any emerging challenges.
- **Annual reports** will provide a detailed analysis of the year's work, highlighting achievements, areas for improvement, and recommendations for the following year.

Conclusion:

The Community Safety and Violence Prevention Commission will be a key driver in public safety in Brooklyn Center. By centering community voices and focusing on prevention, equity, and innovation, the

Commission will ensure that Brooklyn Center's approach to public safety is responsive to the needs of its residents and reflective of national best practices.

Civilian Review Boards Police Department



Brooklyn Center City Council Meeting, November 23, 2020
Richard Gabler, Commander

1

Background

- There are approximately 18,000 law enforcement agencies in the United States.
- As of 2019 there were estimated to be about 150- 200 Civilian Review Boards in the United States.
- There are approximately 422 law enforcement agencies in Minnesota.
- Only three Civilian Review Boards were found in Minnesota.
- National Association for Civilian Oversight of Law Enforcement (NACOLE) is the leading professional organization identifying best practices and resources for review boards.



2

Goals of Review Boards

1. To improve public trust in law enforcement
2. Ensuring public input in the police complaint process
3. Promoting fair and thorough investigations
4. Increased transparency in the complaint process
5. Deterring police misconduct

(Office of Justice Programs, 2016)



3

Types of Review Boards

1. Investigation Focused
2. Review Focused
3. Auditor/Monitor Focused



4

Investigation Focused Review Board Model

- Conducts independent investigations of police complaints.
 - Investigations may parallel or replace Internal Affairs (IA) investigations.
- Investigations typically completed by civilian investigators.
- Organization typically operates separately of Law Enforcement.

Examples: San Francisco, CA; Washington, D.C.; and San Diego County, CA



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Review Focused Review Board Model

- Generally made up of a citizen-volunteer review board and often include police officers.
- Typically reviews completed IA and complaint investigations.
- Usually makes complaint finding recommendations to Chief.
- May receive complaints from the community.
- This is the most common type of review board.

Examples: St Paul, MN; Indianapolis, IN; and Albany, NY



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Auditor/Monitor Focused Review Board Model

- May participate in the IA investigation process.
- May evaluate and review police policies and practices and make recommendations for change.
- May also evaluate for larger patterns of misconduct.
- Members are typically well-trained in analytics and tend to be experts in policing.

Examples: San Jose, CA; Los Angeles, CA; and New Orleans, LA



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Types of Review Boards

	Investigation Focused Agencies	Review Focused Agencies	Auditor/Monitor Agencies
Receive Complaints	Frequently	Frequently	Frequently
Decide How to Handle a Complaint	Frequently	Rarely	Sometimes
Review Police Investigations	Sometimes	Frequently	Frequently
Conducts Independent Investigations	Frequently	Rarely	Sometimes



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Continued

Types of Review Boards

	Investigation Focused Agencies	Review Focused Agencies	Auditor/Monitor Agencies
Recommend Findings	Frequently	Frequently	Frequently
Recommend Discipline	Sometimes	Sometimes	Sometimes
Have Civilians on a Board	Frequently	Frequently	Frequently
Have Paid Professional Staff	Frequently	Sometimes	Frequently
Costs	Most Expensive	Least Expensive	2 nd Most Expensive



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City of St. Paul

Term:	3-Year terms; no members can serve more than two terms in lifetime.
Other Duties:	Advise on department policy and prepare an annual report.
Budget:	About \$16,000 (2019) and members receive \$50 per meeting attended.
Meeting Frequency:	Minimum of quarterly and up to twice a month. Meetings are subject to open meeting law.



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Continued

City of St. Paul

Agency Size:	629 Officers
Review Board Type:	Review Focused
Authority:	Ordinance; Ord. No. 102
Dept. Responsibility:	Human Rights Department (full-time Review Coordinator)
Final Discipline Authority:	Chief of Police
Board Size:	9 Community Members. Officers were removed from the panel in late 2017/early 2018



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St. Paul Complaint Process

Police Civilian Internal Affairs Review Board (PCIARC)

- Complaints can be received through the Police Department or the Human Rights Department.
- Initial complaints are reviewed by a Senior Commander and assessed for completeness and a policy violation.
- Investigations are completed by St. Paul Internal Affairs.



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St. Paul Complaint Process

Continued

Police Civilian Internal Affairs Review Board (PCIARC)

- Review Board reviews all IA investigations involving external complaints regardless of nature and internal complaints related to:
 - Excessive Use of Force
 - Inappropriate Use of Firearms
 - Discrimination
 - Racial Profiling
 - Improper Conduct/Procedures
 - Poor Public Relations
 - Any other complaints referred to the group by Human Right Department, Mayor or Chief of Police



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St. Paul Complaint Process

Continued

Police Civilian Internal Affairs Review Board (PCIARC)

- Review Board reviews the investigative file to include Body-worn video and makes a recommendation to the Chief for complaint disposition and discipline, if any. Recommendation then forwarded to the Chief of Police. Board does not receive the IA Investigators recommendation. If the board sustains a complaint they are provided access to the officer's file to help inform a discipline decision.
- Complainant may offer testimony during the hearing. If this occurs the officer(s) may also offer testify.
- In 2019 the Chief of Police modified the PCIARC's discipline recommendation 7 times.



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Continued

St. Paul Complaint Process

Police Civilian Internal Affairs Review Board (PCIARC)

- Possible Dispositions include
 - Unfounded- Allegation is false or not factual
 - Exonerated- Incident complained of occurred, but was lawful and proper
 - Not Sustained- Insufficient evidence to either prove or disprove the allegation
 - Sustained- The allegation is supported by sufficient evidence
 - Policy Failure- The allegation is factual. The officer followed proper department procedures, which have been proven to be faulty.
- Recommended discipline may include:
 - Oral Reprimand
 - Retraining
 - Written Reprimand
 - Suspension- not more than 30 days
 - Demotion



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St. Paul PICARC Board Selection

Police Civilian Internal Affairs Review Board (PCIARC)

- Board Member Selection
 - Made by the Mayor based off recommendations from the Human Rights Department.
- Training (prior to assuming board duties):
 - Topics related to police work
 - Investigation
 - Relevant Law
 - Cultural Competency
 - Racial Equity
 - Implicit Bias
 - Participate in Ride Along with Patrol Officers



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St. Paul PICARC Board Selection

Continued

Police Civilian Internal Affairs Review Board (PCIARC)

- Failure to complete the required training, data practices violation or missing more than three trainings will result in removal from the Board.



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City of Minneapolis

Agency Size:	Approx. 800
Review Board Type:	Investigative and Review-focused
Authority:	Ordinance Ord. No. 172
Dept. Responsibility:	Department of Civil Rights
Final Discipline Authority:	Chief of Police
Board Size:	Minimum of seven members; four appointed by Council, and three appointed by mayor. Individual review panels consist of two citizen and two officers at Commander level. Panels rotate members based off meeting availability.



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Continued

City of Minneapolis

Term:	2-4 years
Other Duties:	Prepares Annual Report
Budget:	Members receive \$50 per meeting, OPCR budget is \$1,036,000. OPCR consists of 5-6 full-time staff.
Meeting Frequency:	Minimum once per month and may meet more as necessary.



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Minneapolis Complaint Process

Office of Police Conduct Review (OPCR)

- Complaints may be made through the OPCR or Minneapolis PD.
- Complaints internal and external are then forwarded to MPD IA.
- A preliminary investigation is conducted. This primarily consists of collecting data such as body-worn camera, CAD data etc....
- Preliminary investigation is forwarded to IA Commander and Director of OPCR (civilian) for review.
- Complaints may be either dismissed, result in non-disciplinary coaching, mediation (rare) or to an Investigation.



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Minneapolis Complaint Process

Continued

Office of Police Conduct Review (OPCR)

- If the complaint is investigated then the complaint may be investigated by sworn MPD investigators or non-sworn OPCR investigators.
- OPCR will not investigate:
 - Complaints involving an officer(s) and/or civilian staff related protected class discrimination (such as harassment based on gender, race, sexuality etc....).
 - Complaints that are more than 270 days old or more.
 - Complaints only involving civilian Minneapolis Staff.
- Complaints are decided to either go to a civilian or sworn investigator based on background experience and any subject matter expertise the investigator possesses.



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Minneapolis Complaint Process

Continued

Office of Police Conduct Review (OPCR)

- After an investigation is completed the following can occur:
 - Complaint may be dismissed, result in mediation or sent to the Precinct Commander for Coaching or;
 - The case may go to the OPCR review panel if the complaint involves:

▪ Use of excessive force ▪ Inappropriate language or attitude ▪ Harassment ▪ Discrimination of police services based on color, creed, religion ▪ Theft	▪ Failure to provide timely police protection ▪ Retaliation ▪ Criminal Misconduct (non-review for criminal charges)
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Continued

Minneapolis Complaint Process

Office of Police Conduct Review (OPCR)

- Review panel determines merit or no merit on the complaint and forwards to the Office of the Chief of Police or the investigation may be sent back to IA for further investigation.
 - Merit- Recommendation indicating that a preponderance of the evidence supports an allegation in a complaint.
 - No Merit- Recommendation indicating that a preponderance of the evidence does not support an allegation in a complaint.
- Discipline recommendation is decided by police personnel usually at the Chief/Deputy Chief level.



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Minneapolis Review Board

Board Member Selection

Seven members are appointed by the Council (4) and Mayor (3).

Training

Failure to complete the required training, by majority of City Council vote, incompetence, misconduct or neglect of duty will result in removal from the board.



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Continued

Minneapolis Review Board

Training Continued...

- Attend annual training session arranged by Civil Rights Department
- Police Use of Force Training
- Data Practices Act
- Open Meeting Law
- Ethics and Conflict of interest
- Public Employee Labor Relations Act (PELRA)
- Complete portions on Minneapolis PD Citizen's Academy within two years of appointment.



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City of St. Cloud

Agency Size:	111
Review Board Type:	Review-focused
Authority:	Ordinance; Ord. No. 260
Dept. Responsibility:	Police Department
Final Discipline Authority:	Chief of Police
Board Size:	9 (6 Citizens and 3 Officers)
Term:	Three years for both citizens and officers. No officer may serve more than two terms.



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Continued

City of St. Cloud

Other Duties:	Annual Report
Budget:	Board members are not paid.
Meeting Frequency:	As Needed (Board met three times in 2019)



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Continued

St. Cloud Complaint Process

- Civilian Review Board will review all external complaints and internal complaints related to:
 - Excessive Force
 - Inappropriate Use of Firearms
 - Discrimination
 - Other cases presented to the board at the discretion of the Chief of Police
 - The Board does not review internal complaints unless they meet the above categories.



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St. Cloud Complaint Process

Complaints are filed with the police department.

- A preliminary investigation is done and then given to the Chief of Police.
- If the Chief determines more information is needed then an IA is completed.
- If the Chief determines no further information is needed then the complaint and preliminary findings go to the review board.
- The board then may concur with the Chief or send back the complaint for further investigation.



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St. Cloud Complaint Process

- Review board does not recommend discipline. They only propose a complaint finding.
- Review board does not have access to the officer's file.
- In the past 5 years the review board and Chief of Police have agreed on all complaint findings.



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Continued

St. Cloud Complaint Process

Board Member Selection

- Citizen members are appointed by the Mayor and approved by the Council. All officers shall be recommended to the Mayor for appointment. Two members must represent Law Enforcement Labor Services (LELS). At least one officer and one supervisor.
- Chief appoints a review coordinator to prep for meetings.



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Continued

St. Cloud Complaint Process

Training (prior to assuming board duties)

- Topics related to police work
- Investigations
- Relevant Law
- Cultural Diversity
- Officer Ride Along



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Continued

St. Cloud Complaint Process

Training Continued...

Failure to complete necessary training, violating data practices or non-attendance of three or more meetings may cause termination of appointment as recommended by the Chief of Police and concurred by the mayor.



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Department Comparison

	St. Paul	Minneapolis	St. Cloud	Brooklyn Center
Agency Size	629 Officers	Est. 800	111	49
Ordinance	Yes; Ord. No. 102	Yes; Ord. No. 172	Yes; Ord. No. 260	* None as of yet
Department of Responsibility	Human Rights	Civil Rights	Police Department	Police Department
Final Discipline Authority	Chief of Police	Chief of Police	Chief of Police	Chief of Police
Size of Board	9	7 (2 Civilians and 2 Officers)	9 (3 Officers)	7 (2 officers and selection by each council member)
Term Lengths	3-Year Terms or 2 Lifetime Terms	2-4 Years	3 Years	TBD



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Department Comparison

Continued

	St. Paul	Minneapolis	St. Cloud	Brooklyn Center
Frequency of Meetings	Quarterly (Min. or Twice per Month (Max.))	Once per Month or More as Necessary	As Needed	As needed
Training Required	Yes	Yes	Yes	Yes
Other Duties	Advise on Policy and Annual Report	Prepares Annual Report	Annual Report	Annual Report (other TBD)
Budget	\$16,000 / \$50 per member per meeting	\$50 per meeting OPCR \$1,036,000	Unpaid	TBD
Type of Board	Review-focused	Investigative and Review- focused	Review-focused	Review-focused



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Notable Findings

1. St. Cloud and St. Paul both require the Chief and review board chair to meet within 5 days if the Chief disagrees with the boards complaint findings. Goal of this is an attempt to understand each others concerns.
2. Approximate national citizen complaint sustain rate is about 10%. No research was found to conclude that review boards sustain complaints at a higher rate than departments do. (Walker)
3. The Minnesota Police Officers Discipline Procedures Act (PODPA, MN. Stat. 626.89 Subd. 17) prohibits review boards from making a finding of fact on a complaint or imposing a discipline. Review boards recommendations are not binding.

Continued...



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Continued

Notable Findings

4. The complaints St. Cloud, Minneapolis and St Paul's review board look at appear consistent with what other national review boards handle.
 - If a Brooklyn Center review board were to have the same criteria. 23 complaints would have been reviewed in 5.4 years or just over 4 complaints a year (External complaints only).
 - If you were to include internal complaints the board would have reviewed 27 complaints over 5.4 years or about 5 complaints a year.
5. Actual case discussions in Minneapolis, St. Paul and St. Cloud are closed to the public (Mn. Stat. 13D.05 Subd. 2).



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Board Member Selection Criteria

- Must be willing to be impartial to ensure fairness.
- Communicate effectively with others.
- Make group decisions.
- Maintain confidentiality and be trusted with sensitive data.
- Commit time to attend meetings, attend trainings and review documentation.
- No minimum education needed.
- Resident of city.
- Complete background check (necessary in order to review sensitive CJIS data).



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Continued

Board Member Selection Criteria

- At least 18 years of age.
- Must be willing to handle public scrutiny when making decisions.
- Complete application and potential interview or supplemental questions.

(St Paul PCIARC, Mpls)



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Anticipated Costs

Staff Time

- All cities have a board coordinator. In Minneapolis and St. Paul this person is outside the police department and prepares meetings, handles administrative tasks during meetings, prepares recommendations and finding letters and assists with outreach and the annual report. In St. Cloud this appears to be a collateral duty for a department employee.
- Officer time to attend review board meetings (Complaint investigator or an officer speaking on his/her behalf).
- Minneapolis and St. Paul pay their commissioners \$50 a meeting. Overall costs to be determined by amount of meetings and number of commissioners. St. Cloud does not pay commissioners.



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Continued

Anticipated Costs

Training Costs

To be determined based on identified training criteria and training time.

Equipment

St. Paul provides commissioners with laptops and two weeks prior to the meeting. All investigative material is pre-loaded onto the laptop for commissioner review prior to the meeting. This is more efficient than printing multiple copies of a file. Cost per computer is about \$1,000-1,500 (BC IT).



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Additional Consideration

- Ordinance should be well defined to explain role of review board and what complaints they will review. This has been an issue in other cities.
- Given the low volume of complaints what other tasks would a review board perform?
 - Policy Recommendations (non-binding)?
 - Community Outreach?
 - Public reading of Annual Report and overview/explanation of complaint process?



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Continued

Additional Consideration

- Trust is Paramount
 - Officers, even in a minority role, should be on the panel in order to ensure buy-in with this process. Without officers on the panel increased police-community relations and cross dialogue becomes difficult to achieve. (21st Century Policing)
- Current Brooklyn Center Policy requires all complaint investigations be completed within three months of the department becoming aware of the allegation. Extensions may be granted by the Chief of Police (Personnel Complaints, 1010.6.5).
 - Does the added step of a review board give a perception of a delay in accountability?
 - Does the delay in complaint resolution adversely impact complainant/officer satisfaction?



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Resources

NACOLE Website

https://www.nacole.org/about_us

Recommended Training Criteria

https://www.nacole.org/recommended_training_for_board_and_commission_members



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Continued

Resources

Review Board Agency Websites

- Albany, NY
<https://www.albanycprb.org/>
- Indianapolis, IN
<https://www.indy.gov/agency/citizens-police-complaint-office>
- Los Angeles, CA
<https://www.oig.lacity.org/>
- New Orleans, LA
<http://nolaipm.gov/main/?page=home>
- San Diego County, CA
<https://www.sandiegocounty.gov/clerb/>
- San Francisco, CA
<https://sfgov.org/dpa>
- San Jose, CA
<https://www.sanjoseca.gov/your-government/appointees/independent-police-auditor>
- St. Paul, MN
<https://www.stpaul.gov/departments/human-rights-equal-economic-opportunity/police-civilian-internal-affairs-review-3>
- Washington, D.C.
<https://policecomplaints.dc.gov/>



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Continued

Resources

Ordinances

- St. Paul
https://library.municode.com/mn/st._paul/codes/code_of_ordinances?nodeId=PTIIIADCO_TITVCOCO_CH102POVIINAFRECO
- Minneapolis
http://minneapolis-mn.elaws.us/code/coor_title9_ch172
- St Cloud
<https://ci.stcloud.mn.us/DocumentCenter/View/367/260-St-Cloud-Police-Citizens-Review-Board?bidId=>

Statutes

- PELRA
<https://npelra.org/>
- PODPA
<https://www.revisor.mn.gov/statutes/cite/626.89>



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EXCERPT FROM 11.25.24 – WORK SESSION

BROOKLYN CENTER COMMUNITY SAFETY AND VIOLENCE PREVENTION COMMISSION

Director of Community Prevention, Health and Safety LaToya Turk explained the Council requested additional discussion on the topic of the Community Safety and Violence Prevention Commission.

Ms. Turk pointed out there are approximately 18,000 law enforcement agencies in the United States. As of 2019, there were estimated to be around 150 to 200 Civilian Review Boards. The goals of the Review Boards include improving public trust in law enforcement, ensuring public input in the police complaint process, promoting fair and thorough investigations, increasing transparency in the complaint process, and deterring police misconduct.

Ms. Turk stated there are three types of review boards: investigation-focused, review-focused, and auditor/monitor-focused. For the investigation-focused model, the board would conduct independent investigations of police complaints which may parallel or replace internal affairs investigations. Investigations are typically completed by civilian investigators and the organization typically operates separately from law enforcement.

Ms. Turk stated the review-focused model is generally made up of citizen-volunteers and includes police officers. The reviews are usually completed internal affairs and complaint investigations. Any complaint-finding recommendations are made to the Chief. The board may receive complaints from the community as well. This is the most common type of review board.

Ms. Turk added the auditor/monitor model may participate in the internal affairs investigation process. The board may evaluate and review police policies and practices and make recommendations for change and evaluate for larger patterns of misconduct. Members are typically well-trained in analytics and tend to be experts in policing.

Ms. Turk showed table comparing the types of review boards. Investigation-focused models frequently receive complaints, frequently decide how to handle a complaint, sometimes review police investigations, and frequently conduct independent investigations. The review-focused models frequently receive complaints, rarely decide how to handle a complaint, frequently review police investigations, and rarely conduct independent investigations. Lastly, the auditor/monitor models frequently receive complaints, sometimes decide how to handle a complaint, frequently review police investigations, and sometimes conduct independent investigations.

Ms. Turk pointed out that the Council requested information on local review boards. St. Paul has a board with three-year terms. No members may serve more than two terms in a lifetime. On top of reviews, they advise on department policy and prepare an annual report. In 2019, the budget was \$16,000 and members received \$50 per meeting attended. Meetings are subject to open meeting law and occur at least quarterly but up to twice per month.

Ms. Turk explained the St. Paul Police Department has about 629 officers. Their board is review-focused and its authority is per ordinance. Their Human Rights Department is responsible for board,

and there is a full-time Review Coordinator. The final discipline authority is the St. Paul Chief of Police. The Board is made up of nine community members. Officers were removed from the panel in late 2017.

Ms. Turk explained Minneapolis has about 800 officers within its Police Department. The board is both investigative and review-focused and has authority per an ordinance. The Department of Civil Rights has responsibility for the entity, and the Minneapolis Chief of Police is the final discipline authority. The board has a minimum of seven members. Four are appointed by Council and three by the Mayor. Individual review panels consist of two citizens and two officers at the Commander level. The panels rotate members based on availability. Terms can be two to four years.

Ms. Turk pointed out the Minneapolis board also prepares an annual report. Members receive \$50 per meeting, and their budget is just over \$1 million. There are five or six full-time staff assigned to oversee the board. The group meets at least once per month.

Ms. Turk stated the City of St. Cloud has 111 officers. The board is review-focused and has authority per ordinance. The Police Department has the responsibility of the board, and the Police Chief as the final discipline authority. The board consists of six citizens and three officers. The term limit is three years, and no officer may serve more than two terms.

Ms. Turk added the St. Cloud board also prepares an annual report. The board members are unpaid, and the group meets as needed.

Ms. Turk noted there have been internal conversations for various Staff involved in Brooklyn Center's public safety system including the Fire Department, Police Department, Parks and Recreation Department, and the Office of Community Prevention, Health and Safety. They have discussed necessary metrics and City capacity.

Ms. Turk stated the Resolution calls for a Community Safety and Violence Prevention Committee as public safety is the responsibility of all community members rather than just law enforcement. Its role is to provide recommendations on public safety initiatives, policies, and practices. Primary objectives include reviewing and recommending public safety policies, community engagement and collaboration, promoting equity in public safety, creating violence prevention strategies, monitoring public safety metrics, and support development of the expanded response models.

Ms. Turk explained they are looking for the Commission to be an affiliate for the City rather than being housed within a singular department. As they review and recommend policies, the Commission would make recommendations regarding existing public safety policies, programs, and practices in the City of Brooklyn Center. This includes evaluating the effectiveness of current law enforcement approaches and proposing alternatives where applicable, with a focus on non-violent crisis intervention, prevention, and community-based strategies.

Ms. Turk noted it takes time to develop new public safety efforts and build capacity. It would be the role of the Commission to foster transparent, ongoing dialogue between City leaders, law enforcement, community members, and stakeholders to build trust, enhance community-led safety initiatives, and ensure that community voices are at the center of decision-making processes.

Ms. Turk stated there are research opportunities to process and consider data to best promote equity in public safety. The Commission would ensure that public safety policies and practices are equitable and do not disproportionately impact marginalized or underserved populations. This includes providing recommendations for addressing racial disparities in public safety outcomes, particularly as they relate to law enforcement interactions, incarceration, and the justice system.

Ms. Turk pointed out the Commission would have the opportunity to create violence prevention strategies by developing and recommending community-based violence prevention strategies that focus on addressing the root causes of violence, including poverty, mental health, substance use, housing instability, and lack of access to social services.

Ms. Turk stated in order for the Commission to monitor public safety metrics, they would work in alignment with national metrics and best practices to measure the effectiveness of public safety policies and initiatives. Additionally, they would regularly review and report on public safety data, including crime rates, use of force incidents, community satisfaction with law enforcement, and other relevant indicators in collaboration with the City's public safety departments.

Ms. Turk added to support the development of expanded response models, the commission would explore and support the implementation of non-law enforcement response models, including but not limited to mental health crisis intervention teams, violence interveners, and social service programs designed to provide holistic responses to non-violent incidents.

Ms. Turk explained the roles and responsibilities for the committee would be to provide recommendations to the City Council, facilitate community forums and workshops, collaborate with other City departments and agencies, and develop an annual report. The Commission will submit regular recommendations to the Brooklyn Center City Council on policies and practices related to public safety and violence prevention. These recommendations will be evidence-based, considering national best practices and community input.

Ms. Turk stated as for membership, there has been robust discussion regarding the number. There is a limited pool of people to pull from, and they want to gather a group that will reflect a broad cross-section of the Brooklyn Center community, including residents, business owners, faith-based leaders, educators, youth representatives, and experts in public safety, mental health, social services and related fields. The majority of Commissioners must be City residents. City Staff will review applications and forward recommendations to City Clerk for the Mayor and Council to review and appoint.

Ms. Turk noted the qualifications are still within the spirit of the Daunte Wright and Kobe Dimock-Heisler Community Safety and Violence Prevention Act. Members should have demonstrated interest or have direct experience in public safety, the criminal justice system, community engagement, public health, violence prevention, and/or social justice. The Commission will prioritize members who represent communities most affected by public safety issues and/or hold public safety or public health credentials.

Ms. Turk added the suggested term length is for members to serve two-year terms with the option for reappointment to an additional term. To ensure continuity, initial appointments will be staggered so that approximately half of the members' terms expire in alternating years.

Ms. Turk stated the Commission would meet quarterly or as needed, depending on the urgency and scope of the issues under review. Special meetings or subcommittees may be formed to focus on specific areas such as youth engagement, mental health crisis response, or community-police relations.

Ms. Turk pointed out the final disciplinary authority would belong to the Chief of Police. Any and all recommendations from the Commission would be reviewed and considered by the Council. The group wouldn't provide input on hiring, firing, or recruitment.

Mayor Graves noted the presentation was thorough. She would consider input from Staff and community members. It is important to have a variety of expertise and lived experience on the Commission. Over the past five years, there have only been 23 complaints regarding the Police Department. Therefore, it makes sense for the Commission to have responsibilities beyond complaint review.

Councilmember Jerzak explained he would like input from the Police Chief as it would significantly impact his Department. He noted he has received a number of comments regarding the Commission membership. They aren't opposed to outside voices, but they would like only community members to retain voting rights.

Councilmember Jerzak pointed out that the Council hasn't fully reviewed the Daunte Wright and Kobe Dimock-Heisler Community Safety and Violence Prevention Act. There is an item regarding the Commission's ability to review police contracts and Chapter 19. The membership likely won't have the expertise to review contracts. The City doesn't have the budget to pay folks. Also, he has concerns about quorum considering the existing commissions commonly fail to meet quorum.

Councilmember Jerzak added the training of the members must be very thorough considering the sensitive information they would review. They must be trained on confidentiality and also have their criminal records considered.

Councilmember Kragness stated she has concerns about the membership, and she would like there to be consistency with existing commissions. Most of the commissions have one chair and six members. She noted her preference for all commissioners to be residents.

Mayor Graves stated if officers were to serve on the Commission, they may not be a resident. Councilmember Kragness pointed out she is the Liaison to the Financial Commission, but she isn't a voting member.

Mayor Graves stated there is a difference between members and non-voting members. Councilmember Kragness agreed. She is a Liaison and not a member. Staff, officers, or other professionals may attend the meeting, but they should not have voting power.

Ms. Tolar noted the Arts Commission has a designated number of advisory members. They have voting members, non-voting members, and Staff liaisons. Mayor Graves stated the Charter Commission has a unique composition and with a range of allowed members.

Dr. Edwards explained each commission has one Council Liaison and one Staff Liaison. However, many Staff may participate in the meetings and collaborate with the commissions. Staff and Council are not counted as members.

Ms. Turk pointed out any time she presents to the Council regarding public safety, she has already discussed the presentation with all Departments related to public safety.

Police Chief Garrett Flesland noted he has been looking forward to the presentation. Staff hasn't had the opportunity to hear from Council regarding the original intentions of the Daunte Wright and Kobe Dimock-Heisler Community Safety and Violence Prevention Act. Staff has done a great job interpreting the spirit of the Resolution and the conversation has been helpful to narrow the scope. The Commission would be an additional resource for the Police Department to enhance the scope of their work.

Councilmember Jerzak asked Chief Flesland for his perspective on the most and least promising outcomes of the Commission. Chief Flesland stated the City gets stronger as there is more communication. A positive of the Commission would be the enhanced communication, collaboration, and new ideas. As for a potential pitfall, there will likely be disagreements. All participants need to enter conversations with open minds.

Councilmember Jerzak asked if Chief Flesland believes he can bridge the gap between the potential officers and the Commission. Chief Flesland stated having the Department from the outset will help prevent division.

Councilmember Jerzak asked if Chief Flesland has any input on the makeup and size of the Commission. Chief Flesland stated he would need time to consider a specific number.

Dr. Edwards pointed out that the Commission is intended to address all components of public safety rather than just law enforcement. The Commission is purely advisory to the Council, and any recommendations would have to be considered and passed by Council. He added all departments would have input on the composition of the Commission. If the Council wants input on the composition from the Police Chief, they should also receive input from the other Directors.

Ms. Turk explained they were considering a group of nine to encompass more expertise within the Commission. Without that, there would be a heavier lift for Staff to educate members. On the Arts Commission, the advisory members have taken over much of the educational component so Staff can purely serve as liaisons.

Mayor Graves thanked Ms. Turk for the presentation and all involved parties for the conversation. There needs to be more consideration regarding the composition of the Commission such as the number, advisory members, and liaisons.

Councilmember Butler acknowledged other commissions only have residents as members. However, public safety impacts more than residents. For example, business owners have an important voice to consider in the conversation regarding public safety. On the whole, Brooklyn Center has been stagnant regarding community engagement. Community stakeholders such as educators, business owners, or school leadership would have impactful input.

Dr. Edwards asked if Council would like Staff to bring the item as a Council Consideration item. Mayor Graves confirmed she would like for the topic to be on the agenda again at the next meeting.

Scope of the Brooklyn Center Community Safety and Violence Prevention Commission

Purpose:

The Brooklyn Center Community Safety and Violence Prevention Commission (CSVPC) will serve as a community-driven advisory body to the City of Brooklyn Center, providing recommendations on public safety initiatives, policies, and practices. Grounded in national best practices and metrics, the commission will promote and make recommendations on holistic approaches to community safety, violence prevention, and justice, while advancing equitable and sustainable outcomes for all residents.

Objectives:

The Commission's primary objectives should include:

1. **Review and Recommend Public Safety Policies:** Assess and make recommendations regarding existing public safety policies, programs, and practices in the City of Brooklyn Center. This includes evaluating the effectiveness of current law enforcement approaches and proposing alternatives where applicable, with a focus on non-violent crisis intervention, prevention, and community-based strategies.
2. **Community Engagement and Collaboration:** Foster transparent, ongoing dialogue between city leaders, law enforcement, community members, and stakeholders to build trust, enhance community-led safety initiatives, and ensure that community voices are at the center of decision-making processes.
3. **Promote Equity in Public Safety:** Ensure that public safety policies and practices are equitable and do not disproportionately impact marginalized or underserved populations. This includes providing recommendations for addressing racial disparities in public safety outcomes, particularly as they relate to law enforcement interactions, incarceration, and the justice system.
4. **Violence Prevention Strategies:** Develop and recommend community-based violence prevention strategies that focus on addressing the root causes of violence, including poverty, mental health, substance use, housing instability, and lack of access to social services.
5. **Monitor Public Safety Metrics:** Work in alignment with national metrics and best practices to measure the effectiveness of public safety policies and initiatives. Regularly review and report on public safety data, including crime rates, use of force incidents, community satisfaction with law enforcement, and other relevant indicators in collaboration with the City's public safety departments.
6. **Support the Development of Expanded Response Models:** Explore and support the implementation of non-law enforcement response models, including but not limited to mental health crisis intervention teams, violence interveners, and social service programs designed to provide holistic responses to non-violent incidents.

Roles and Responsibilities:

- **Provide Recommendations to the City Council:** The Commission will submit regular recommendations to the Brooklyn Center City Council on policies and practices related to public safety and violence prevention. These recommendations will be evidence-based, considering national best practices and community input.
- **Facilitate Community Forums and Workshops:** Organize public forums, listening sessions, and workshops to engage community members, gather feedback, and foster ongoing conversations about public safety. The Commission will actively work to ensure diverse voices, particularly from underrepresented communities, are included in these dialogues.
- **Collaborate with Other City Departments and Agencies:** The Commission will collaborate with relevant city departments, local law enforcement, public health agencies, and community-based organizations to support the implementation of recommended policies and programs.
- **Develop an Annual Report:** The Commission will produce an annual report detailing its recommendations, the status of implemented changes, and an evaluation of public safety metrics. This report will be made available to the public and shared with the City Council.

Membership:

- The Commission will be composed of **9 members**, appointed by the Mayor (utilizing council input as desired). Membership will reflect a broad cross-section of the Brooklyn Center community, including residents, business owners, faith-based leaders, educators, youth representatives, and experts in public safety, mental health, social services and related fields. The majority of Commissioners must be City residents. (Consideration for “at large representation and city staff representation as “non-voting members”). City staff (OCPHS, BCPD, BCFD, Recreation) will review applications and forward recommendations to City Clerk for Mayor/Council review and appointment (recommend interview and application edits)
 - **Qualifications:** Members should have demonstrated interest or have direct experience in public safety, the criminal justice system, community engagement, public health, violence prevention, and/or social justice. The Commission will prioritize members who represent communities most affected by public safety issues and/or hold public safety or public health credentials.
 - **Term Length:** Members will serve two-year terms, with the option for reappointment for an additional term. To ensure continuity, initial appointments will be staggered so that approximately half of the members’ terms expire in alternating years.
-

Meetings:

- The Commission will meet **quarterly** or as needed, depending on the urgency and scope of issues under review.
- Special meetings or subcommittees may be formed to focus on specific areas such as youth engagement, mental health crisis response, or community-police relations.

National & Local Examples of Similar Commissions:

Eugene, Oregon's Civilian Review Board (CRB): This board reviews police department actions and policies, especially focusing on equity, transparency, and the handling of complaints. They emphasize civilian oversight and foster ongoing dialogue between law enforcement and the community, similar to the objectives of Brooklyn Center's CSVPC.

Eugene, Oregon's Civilian Review Board (CRB)

- **Commission Make-Up:**
 - The CRB consists of **5–7 volunteer members** appointed by the City Council, representing a diverse range of community perspectives. Members are typically residents who demonstrate a commitment to public safety, accountability, and transparency.
 - The board includes individuals with experience or expertise in fields such as law, social work, public safety, or community advocacy.
- **Key Outcomes:**
 - **Transparency and Accountability:** The CRB reviews internal police investigations, especially cases involving use of force and misconduct complaints. This board has increased transparency by providing independent oversight and reporting findings to the public.
 - **Enhanced Public Trust:** The CRB's reviews have resulted in increased community confidence in how complaints against police officers are handled. By reviewing both the investigation process and outcomes, they promote community trust in law enforcement's accountability.
 - **Policy Recommendations:** The CRB provides recommendations to the police department for policy changes, including those focused on reducing racial disparities, increasing de-escalation tactics, and improving community relations.

Minneapolis, Minnesota's Office of Violence Prevention: Minneapolis has implemented a community-led violence prevention strategy that includes initiatives such as community-based outreach, mental health support, and violence interrupters. The initiative focuses on addressing the root causes of violence and fostering community resilience, aligning closely with the goals of Brooklyn Center's CSVPC.

Minneapolis, Minnesota's Office of Violence Prevention (OVP)

- **Commission Make-Up:**
 - The OVP is staffed by professionals with expertise in public health, social services, violence prevention, and community engagement.
 - It works closely with a **Community Advisory Board** made up of community leaders, service providers, and individuals with lived experience related to violence, with the aim to ensure the program remains community-centered.
- **Key Outcomes:**
 - **Group Violence Intervention (GVI) Strategy:** A data-driven strategy focusing on individuals most at risk for involvement in violence. The program offers social services, mentorship, and opportunities for personal development, which has been credited with helping reduce gang-related shootings and homicides.
 - **Next Step Hospital-based Intervention:** This initiative provides immediate support and resources to individuals who have been injured due to violence. It helps survivors transition to non-violent lifestyles and prevents retaliation.
 - **Youth Violence Prevention:** The OVP runs youth-focused initiatives that aim to stop violence before it starts by providing young people with mentorship, education, and employment opportunities.
 - **Community Empowerment:** The office has successfully mobilized neighborhood-based organizations and residents to take an active role in reducing violence in their communities.

Los Angeles, California's Civilian Oversight Commission: This commission provides oversight of the Los Angeles County Sheriff's Department, with a focus on transparency, public engagement, and addressing inequities in law enforcement practices. The commission reviews and recommends policies, fostering a model of accountability and community involvement.

Los Angeles, California's Civilian Oversight Commission (COC)

- **Commission Make-Up:**
 - The COC is made up of **nine commissioners**, appointed by the Board of Supervisors. The commissioners represent a cross-section of the community, including civil rights

attorneys, criminal justice advocates, public health professionals, and retired law enforcement officers.

- The commission has the support of an Inspector General's office, which conducts investigations and audits of the Los Angeles County Sheriff's Department (LASD).

- **Key Outcomes:**

- **Policy and Practice Reviews:** The commission has reviewed and recommended changes to LASD policies on the use of force, mental health response, and training programs. For instance, it has advocated for improved de-escalation tactics and trauma-informed care approaches for dealing with vulnerable populations.
- **Public Transparency:** Through public meetings, the COC has increased transparency between the sheriff's department and the community. These meetings allow for public input on key issues, such as police accountability, use of force, and misconduct cases.
- **Independent Investigations:** The COC, in collaboration with the Inspector General, has played a critical role in pushing for independent investigations into high-profile incidents, including officer-involved shootings and allegations of excessive force.
- **Focus on Mental Health:** The commission has pushed for greater investment in mental health resources and non-police responses to mental health crises.

Richmond, California's Office of Neighborhood Safety (ONS): The ONS is a violence prevention program that works directly with individuals most at risk for involvement in violence. They focus on holistic support, such as mentoring, employment assistance, and crisis intervention, which is in line with Brooklyn Center's aim to develop community-based, non-law enforcement safety strategies.

Richmond, California's Office of Neighborhood Safety (ONS)

- **Commission Make-Up:**

- The ONS is a division within the city's government, staffed by professionals in public health, violence prevention, and community engagement. It collaborates with **violence interrupters**, known as "Neighborhood Change Agents," who are community members trained to mediate conflicts and prevent violence.
- The ONS also works with other city departments and nonprofit organizations to coordinate services for at-risk individuals.

- **Key Outcomes:**

- **Reduction in Gun Violence:** Since its inception, the ONS has contributed to a significant decrease in gun violence and homicides in Richmond, particularly among young men at high risk of being involved in shootings.
- **Operation Peacemaker Fellowship:** This innovative mentorship program targets individuals most at risk of engaging in violent crime. Participants, called "fellows,"

receive mentorship, life coaching, and financial incentives for achieving personal and community goals.

- **Crisis Intervention:** ONS has successfully implemented conflict mediation and crisis intervention strategies to prevent retaliatory violence following violent incidents.
- **Employment and Education Opportunities:** By providing access to job training, education, and mental health services, ONS has helped participants reintegrate into society and reduce their involvement in violent crime.

St. Cloud, Minnesota's Police Advisory Board

- **Commission Make-Up:**
 - Composed of diverse community members, including individuals with lived experiences, representatives from underrepresented groups, and stakeholders in public safety.
 - Works collaboratively with the St. Cloud Police Department to provide recommendations on policing practices and community engagement.
 - **Key Outcomes:**
 - **Policy Recommendations:** The board has provided insights leading to reforms in police-community relations, including training on implicit bias and de-escalation techniques.
 - **Community Engagement:** Facilitates regular listening sessions to ensure the voices of all community members, particularly those from marginalized groups, are heard and considered.
 - **Crisis Intervention Training:** Advocates for enhanced officer training in mental health response, contributing to a decrease in force-related incidents.
 - **Trust Building:** Establishes a bridge between law enforcement and the community, fostering trust through transparency and accountability.
-

Duluth, Minnesota's Police Advisory Board

- **Commission Make-Up:**
 - The board is composed of local community members, business leaders, youth representatives, and advocates from various social services organizations.
 - Partners with the Duluth Police Department advise on policies and practices that address public safety with an equity and inclusion lens.

- **Key Outcomes:**

- **Equity in Policing:** Developed and implemented a framework for equitable policing practices, leading to increased community trust.
- **Neighborhood Engagement:** Initiates localized outreach programs in historically underserved areas to strengthen relationships between officers and residents.
- **Mental Health Support Integration:** Works closely with the Duluth Police Department to incorporate mental health professionals into response teams for behavioral health-related calls.
- **Data-Driven Decision Making:** Promotes the use of disaggregated data to track policing impacts and adjust strategies to reduce disparities in outcomes for vulnerable populations.

These examples demonstrate a range of successful outcomes and structures that align with the objectives of Brooklyn Center's Community Safety and Violence Prevention Commission. They emphasize the importance of community engagement, transparency, and holistic approaches to violence prevention and public safety.

National Metrics for Success:

The Commission will measure its impact based on national public safety and community wellness indicators, including:

1. **Reduction in violent crime rates and use of force incidents** in the city.
2. **Increased community trust and satisfaction** with public safety services.
3. **Successful implementation of alternative response models**, such as mental health crisis teams.
4. **Improvement in racial and socioeconomic equity** in public safety outcomes.
5. **Community engagement levels** in forums, workshops, and decision-making processes.

Reporting and Accountability:

- The Commission will submit **annual updates** to the City Council, including progress on key initiatives and any emerging challenges.
- **Annual reports** will provide a detailed analysis of the year's work, highlighting achievements, areas for improvement, and recommendations for the following year.

Conclusion:

The Community Safety and Violence Prevention Commission will be a key driver in public safety in Brooklyn Center. By centering community voices and focusing on prevention, equity, and innovation, the Commission will ensure that Brooklyn Center's approach to public safety is responsive to the needs of its residents and reflective of national best practices.

Community Advisory and Review Boards



1

Background

- There are approximately 18,000 law enforcement agencies in the United States.
- As of 2019 there were estimated to be about 150- 200 Civilian Review Boards in the United States.
- There are approximately 422 law enforcement agencies in Minnesota.
- Only three Civilian Review Boards were found in Minnesota.
- National Association for Civilian Oversight of Law Enforcement (NACOLE) is the leading professional organization identifying best practices and resources for review boards.



2

Goals of Review Boards

1. To improve public trust in law enforcement
2. Ensuring public input in the police complaint process
3. Promoting fair and thorough investigations
4. Increased transparency in the complaint process
5. Deterring police misconduct

(Office of Justice Programs, 2016)



3

Types of Review Boards

1. Investigation Focused
2. Review Focused
3. Auditor/Monitor Focused



4

Investigation Focused Review Board Model

- Conducts independent investigations of police complaints.
 - Investigations may parallel or replace Internal Affairs (IA) investigations.
- Investigations typically completed by civilian investigators.
- Organization typically operates separately of Law Enforcement.

Examples: San Francisco, CA; Washington, D.C.; and San Diego County, CA



5

Review Focused Review Board Model

- Generally made up of a citizen-volunteer review board and often include police officers.
- Typically reviews completed IA and complaint investigations.
- Usually makes complaint finding recommendations to Chief.
- May receive complaints from the community.
- This is the most common type of review board.

Examples: St Paul, MN; Indianapolis, IN; and Albany, NY



6

Auditor/Monitor Focused Review Board Model

- May participate in the IA investigation process.
- May evaluate and review police policies and practices and make recommendations for change.
- May also evaluate for larger patterns of misconduct.
- Members are typically well-trained in analytics and tend to be experts in policing.

Examples: San Jose, CA; Los Angeles, CA; and New Orleans, LA



7

Types of Review Boards

	Investigation Focused Agencies	Review Focused Agencies	Auditor/Monitor Agencies
Receive Complaints	Frequently	Frequently	Frequently
Decide How to Handle a Complaint	Frequently	Rarely	Sometimes
Review Police Investigations	Sometimes	Frequently	Frequently
Conducts Independent Investigations	Frequently	Rarely	Sometimes



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Continued

Types of Review Boards

	Investigation Focused Agencies	Review Focused Agencies	Auditor/Monitor Agencies
Recommend Findings	Frequently	Frequently	Frequently
Recommend Discipline	Sometimes	Sometimes	Sometimes
Have Civilians on a Board	Frequently	Frequently	Frequently
Have Paid Professional Staff	Frequently	Sometimes	Frequently
Costs	Most Expensive	Least Expensive	2 nd Most Expensive



9

City of St. Paul

Term:	3-Year terms; no members can serve more than two terms in lifetime.
Other Duties:	Advise on department policy and prepare an annual report.
Budget:	About \$16,000 (2019) and members receive \$50 per meeting attended.
Meeting Frequency:	Minimum of quarterly and up to twice a month. Meetings are subject to open meeting law.



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Continued

City of St. Paul

Agency Size:	629 Officers
Review Board Type:	Review Focused
Authority:	Ordinance; Ord. No. 102
Dept. Responsibility:	Human Rights Department (full-time Review Coordinator)
Final Discipline Authority:	Chief of Police
Board Size:	9 Community Members. Officers were removed from the panel in late 2017/early 2018



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St. Paul Complaint Process

Police Civilian Internal Affairs Review Board (PCIARC)

- Complaints can be received through the Police Department or the Human Rights Department.
- Initial complaints are reviewed by a Senior Commander and assessed for completeness and a policy violation.
- Investigations are completed by St. Paul Internal Affairs.



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Continued

St. Paul Complaint Process

Police Civilian Internal Affairs Review Board (PCIARC)

- Review Board reviews all IA investigations involving external complaints regardless of nature and internal complaints related to:
 - Excessive Use of Force
 - Inappropriate Use of Firearms
 - Discrimination
 - Racial Profiling
 - Improper Conduct/Procedures
 - Poor Public Relations
 - Any other complaints referred to the group by Human Right Department, Mayor or Chief of Police



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Continued

St. Paul Complaint Process

Police Civilian Internal Affairs Review Board (PCIARC)

- Review Board reviews the investigative file to include Body-worn video and makes a recommendation to the Chief for complaint disposition and discipline, if any. Recommendation then forwarded to the Chief of Police. Board does not receive the IA Investigators recommendation. If the board sustains a complaint they are provided access to the officer's file to help inform a discipline decision.
- Complainant may offer testimony during the hearing. If this occurs the officer(s) may also offer testify.
- In 2019 the Chief of Police modified the PCIARC's discipline recommendation 7 times.



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St. Paul Complaint Process

Continued

Police Civilian Internal Affairs Review Board (PCIARC)

- Possible Dispositions include
 - Unfounded-Allegation is false or not factual
 - Exonerated- Incident complained of occurred, but was lawful and proper
 - Not Sustained- Insufficient evidence to either prove or disprove the allegation
 - Sustained- The allegation is supported by sufficient evidence
 - Policy Failure- The allegation is factual. The officer followed proper department procedures, which have been proven to be faulty.
- Recommended discipline may include:
 - Oral Reprimand
 - Retraining
 - Written Reprimand
 - Suspension- not more than 30 days
 - Demotion



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St. Paul PICARC Board Selection

Police Civilian Internal Affairs Review Board (PCIARC)

- Board Member Selection
 - Made by the Mayor based off recommendations from the Human Rights Department.
- Training (prior to assuming board duties):
 - Topics related to police work
 - Investigation
 - Relevant Law
 - Cultural Competency
 - Racial Equity
 - Implicit Bias
 - Participate in Ride Along with Patrol Officers



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St. Paul PICARC Board Selection

Continued

Police Civilian Internal Affairs Review Board (PCIARC)

- Failure to complete the required training, data practices violation or missing more than three trainings will result in removal from the Board.



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City of Minneapolis

Agency Size:	Approx. 800
Review Board Type:	Investigative and Review-focused
Authority:	Ordinance Ord. No. 172
Dept. Responsibility:	Department of Civil Rights
Final Discipline Authority:	Chief of Police
Board Size:	Minimum of seven members; four appointed by Council, and three appointed by mayor. Individual review panels consist of two citizen and two officers at Commander level. Panels rotate members based off meeting availability.



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Continued

City of Minneapolis

Term:	2-4 years
Other Duties:	Prepares Annual Report
Budget:	Members receive \$50 per meeting, OPCR budget is \$1,036,000. OPCR consists of 5-6 full-time staff.
Meeting Frequency:	Minimum once per month and may meet more as necessary.



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Minneapolis Complaint Process

Office of Police Conduct Review (OPCR)

- Complaints may be made through the OPCR or Minneapolis PD.
- Complaints internal and external are then forwarded to MPD IA.
- A preliminary investigation is conducted. This primarily consists of collecting data such as body-worn camera, CAD data etc....
- Preliminary investigation is forwarded to IA Commander and Director of OPCR (civilian) for review.
- Complaints may be either dismissed, result in non-disciplinary coaching, mediation (rare) or to an Investigation.



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Continued

Minneapolis Complaint Process

Office of Police Conduct Review (OPCR)

- If the complaint is investigated then the complaint may be investigated by sworn MPD investigators or non-sworn OPCR investigators.
- OPCR will not investigate:
 - Complaints involving an officer(s) and/or civilian staff related protected class discrimination (such as harassment based on gender, race, sexuality etc....).
 - Complaints that are more than 270 days old or more.
 - Complaints only involving civilian Minneapolis Staff.
- Complaints are decided to either go to a civilian or sworn investigator based on background experience and any subject matter expertise the investigator possesses.



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Continued

Minneapolis Complaint Process

Office of Police Conduct Review (OPCR)

- After an investigation is completed the following can occur:
 - Complaint may be dismissed, result in mediation or sent to the Precinct Commander for Coaching or;
 - The case may go to the OPCR review panel if the complaint involves:

▪ Use of excessive force ▪ Inappropriate language or attitude ▪ Harassment ▪ Discrimination of police services based on color, creed, religion ▪ Theft	▪ Failure to provide timely police protection ▪ Retaliation ▪ Criminal Misconduct (non-review for criminal charges)
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Minneapolis Complaint Process

Continued

Office of Police Conduct Review (OPCR)

- Review panel determines merit or no merit on the complaint and forwards to the Office of the Chief of Police or the investigation may be sent back to IA for further investigation.
 - Merit- Recommendation indicating that a preponderance of the evidence supports an allegation in a complaint.
 - No Merit- Recommendation indicating that a preponderance of the evidence does not support an allegation in a complaint.
- Discipline recommendation is decided by police personnel usually at the Chief/Deputy Chief level.



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Minneapolis Review Board

Board Member Selection

Seven members are appointed by the Council (4) and Mayor (3).

Training

Failure to complete the required training, by majority of City Council vote, incompetence, misconduct or neglect of duty will result in removal from the board.



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Continued

Minneapolis Review Board

Training Continued...

- Attend annual training session arranged by Civil Rights Department
- Police Use of Force Training
- Data Practices Act
- Open Meeting Law
- Ethics and Conflict of interest
- Public Employee Labor Relations Act (PELRA)
- Complete portions on Minneapolis PD Citizen's Academy within two years of appointment.



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City of St. Cloud

Agency Size:	111
Review Board Type:	Review-focused
Authority:	Ordinance; Ord. No. 260
Dept. Responsibility:	Police Department
Final Discipline Authority:	Chief of Police
Board Size:	9 (6 Citizens and 3 Officers)
Term:	Three years for both citizens and officers. No officer may serve more than two terms.



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Continued

City of St. Cloud

Other Duties:	Annual Report
Budget:	Board members are not paid.
Meeting Frequency:	As Needed (Board met three times in 2019)



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Continued

St. Cloud Complaint Process

- Civilian Review Board will review all external complaints and internal complaints related to:
 - Excessive Force
 - Inappropriate Use of Firearms
 - Discrimination
 - Other cases presented to the board at the discretion of the Chief of Police
 - The Board does not review internal complaints unless they meet the above categories.



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St. Cloud Complaint Process

Complaints are filed with the police department.

- A preliminary investigation is done and then given to the Chief of Police.
- If the Chief determines more information is needed then an IA is completed.
- If the Chief determines no further information is needed then the complaint and preliminary findings go to the review board.
- The board then may concur with the Chief or send back the complaint for further investigation.



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St. Cloud Complaint Process

- Review board does not recommend discipline. They only propose a complaint finding.
- Review board does not have access to the officer's file.
- In the past 5 years the review board and Chief of Police have agreed on all complaint findings.



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Continued

St. Cloud Complaint Process

Board Member Selection

- Citizen members are appointed by the Mayor and approved by the Council. All officers shall be recommended to the Mayor for appointment. Two members must represent Law Enforcement Labor Services (LELS). At least one officer and one supervisor.
- Chief appoints a review coordinator to prep for meetings.



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Continued

St. Cloud Complaint Process

Training (prior to assuming board duties)

- Topics related to police work
- Investigations
- Relevant Law
- Cultural Diversity
- Officer Ride Along



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Continued

St. Cloud Complaint Process

Training Continued...

Failure to complete necessary training, violating data practices or non-attendance of three or more meetings may cause termination of appointment as recommended by the Chief of Police and concurred by the mayor.



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Department Comparison

	St. Paul	Minneapolis	St. Cloud	Brooklyn Center
Agency Size	629 Officers	Est. 800	111	49
Ordinance	Yes; Ord. No. 102	Yes; Ord. No. 172	Yes; Ord. No. 260	* None as of yet
Department of Responsibility	Human Rights	Civil Rights	Police Department	Police Department
Final Discipline Authority	Chief of Police	Chief of Police	Chief of Police	Chief of Police
Size of Board	9	7 (2 Civilians and 2 Officers)	9 (3 Officers)	7 (2 officers and selection by each council member)
Term Lengths	3-Year Terms or 2 Lifetime Terms	2-4 Years	3 Years	TBD



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Department Comparison

Continued

	St. Paul	Minneapolis	St. Cloud	Brooklyn Center
Frequency of Meetings	Quarterly (Min. or Twice per Month (Max.))	Once per Month or More as Necessary	As Needed	As needed
Training Required	Yes	Yes	Yes	Yes
Other Duties	Advise on Policy and Annual Report	Prepares Annual Report	Annual Report	Annual Report (other TBD)
Budget	\$16,000 / \$50 per member per meeting	\$50 per meeting OPCR \$1,036,000	Unpaid	TBD
Type of Board	Review-focused	Investigative and Review-focused	Review-focused	Review-focused



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Notable Findings

1. St. Cloud and St. Paul both require the Chief and review board chair to meet within 5 days if the Chief disagrees with the boards complaint findings. Goal of this is an attempt to understand each others concerns.
2. Approximate national citizen complaint sustain rate is about 10%. No research was found to conclude that review boards sustain complaints at a higher rate than departments do. (Walker)
3. The Minnesota Police Officers Discipline Procedures Act (PODPA, MN. Stat. 626.89 Subd. 17) prohibits review boards from making a finding of fact on a complaint or imposing a discipline. Review boards recommendations are not binding.

Continued...



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Continued

Notable Findings

4. The complaints St. Cloud, Minneapolis and St Paul's review board look at appear consistent with what other national review boards handle.
 - If a Brooklyn Center review board were to have the same criteria. 23 complaints would have been reviewed in 5.4 years or just over 4 complaints a year (External complaints only).
 - If you were to include internal complaints the board would have reviewed 27 complaints over 5.4 years or about 5 complaints a year.
5. Actual case discussions in Minneapolis, St. Paul and St. Cloud are closed to the public (Mn. Stat. 13D.05 Subd. 2).



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Board Member Selection Criteria

- Must be willing to be impartial to ensure fairness.
- Communicate effectively with others.
- Make group decisions.
- Maintain confidentiality and be trusted with sensitive data.
- Commit time to attend meetings, attend trainings and review documentation.
- No minimum education needed.
- Resident of city.
- Complete background check (necessary in order to review sensitive CJIS data).



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Continued

Board Member Selection Criteria

- At least 18 years of age.
- Must be willing to handle public scrutiny when making decisions.
- Complete application and potential interview or supplemental questions.

(St Paul PCIARC, Mpls)



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Anticipated Costs

Staff Time

- All cities have a board coordinator. In Minneapolis and St. Paul this person is outside the police department and prepares meetings, handles administrative tasks during meetings, prepares recommendations and finding letters and assists with outreach and the annual report. In St. Cloud this appears to be a collateral duty for a department employee.
- Officer time to attend review board meetings (Complaint investigator or an officer speaking on his/her behalf).
- Minneapolis and St. Paul pay their commissioners \$50 a meeting. Overall costs to be determined by amount of meetings and number of commissioners. St. Cloud does not pay commissioners.



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Continued

Anticipated Costs

Training Costs

To be determined based on identified training criteria and training time.

Equipment

St. Paul provides commissioners with laptops and two weeks prior to the meeting. All investigative material is pre-loaded onto the laptop for commissioner review prior to the meeting. This is more efficient than printing multiple copies of a file. Cost per computer is about \$1,000-1,500 (BC IT).



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Additional Consideration

- Ordinance should be well defined to explain role of review board and what complaints they will review. This has been an issue in other cities.
- Given the low volume of complaints what other tasks would a review board perform?
 - Policy Recommendations (non-binding)?
 - Community Outreach?
 - Public reading of Annual Report and overview/explanation of complaint process?



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Continued

Additional Consideration

- Trust is Paramount
 - Officers, even in a minority role, should be on the panel in order to ensure buy-in with this process. Without officers on the panel increased police-community relations and cross dialogue becomes difficult to achieve. (21st Century Policing)
- Current Brooklyn Center Policy requires all complaint investigations be completed within three months of the department becoming aware of the allegation. Extensions may be granted by the Chief of Police (Personnel Complaints, 1010.6.5).
 - Does the added step of a review board give a perception of a delay in accountability?
 - Does the delay in complaint resolution adversely impact complainant/officer satisfaction?



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Resources

NACOLE Website

https://www.nacole.org/about_us

Recommended Training Criteria

https://www.nacole.org/recommended_training_for_board_and_commission_members



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Continued

Resources

Review Board Agency Websites

- Albany, NY
<https://www.albanycprb.org/>
- Indianapolis, IN
<https://www.indy.gov/agency/citizens-police-complaint-office>
- Los Angeles, CA
<https://www.oig.lacity.org/>
- New Orleans, LA
<http://nolaipm.gov/main/?page=home>
- San Diego County, CA
<https://www.sandiegocounty.gov/clerb/>
- San Francisco, CA
<https://sfgov.org/dpa>
- San Jose, CA
<https://www.sanjoseca.gov/your-government/appointees/independent-police-auditor>
- St. Paul, MN
<https://www.stpaul.gov/departments/human-rights-equal-economic-opportunity/police-civilian-internal-affairs-review-3>
- Washington, D.C.
<https://policecomplaints.dc.gov/>



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Continued

Resources

Ordinances

- St. Paul
https://library.municode.com/mn/st._paul/codes/code_of_ordinances?nodeId=PTIIIADCO_TITVCOCO_CH102POVIINAFRECO
- Minneapolis
http://minneapolis-mn.elaws.us/code/coord_title9_ch172
- St Cloud
<https://ci.stcloud.mn.us/DocumentCenter/View/367/260-St-Cloud-Police-Citizens-Review-Board?bidId=>

Statutes

- PELRA
<https://npelra.org/>
- PODPA
<https://www.revisor.mn.gov/statutes/cite/626.89>



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EXCERPT FROM 12.09.24 – CITY COUNCIL MEETING

RESOLUTION NO. 20244-138; ESTABLISHING THE BROOKLYN CENTER COMMUNITY SAFETY AND VIOLENCE PREVENTION COMMISSION AND DEFINING DUTIES AND RESPONSIBILITIES

City Manager Reggie Edwards introduced the item and reviewed the history of the discussion. The topic was delayed until the Daunte Wright and Kobe Dimock-Heisler Community Safety and Violence Prevention Act could be further discussed by the Council. Since then, the Act has been discussed by the Council on several occasions. Staff has incorporated feedback from the discussions into the proposed resolution.

Director of Community Prevention, Health and Safety LaToya Turk explained the Act calls for the establishment for a Community Safety and Violence Committee. The Commission is designed as an advisory to fulfill said mandate.

Ms. Turk noted the proposed committee ensures all members will be Brooklyn Center residents in alignment with the Act's focus on lived experiences, members with direct interactions with criminal justice systems, or related services will be prioritized. The proposal specifies that City Staff will serve as non-voting liaisons to the Commission, ensuring their role is supportive rather than directive.

Ms. Turk stated the purpose of the Commission includes reviewing current public safety policies and practices, such as responses and the effectiveness of models. This directly corresponds to the Act's directive to review protest responses and recommend improvements.

Ms. Turk noted while the Commission does not specifically function as a civilian oversight committee, its role in developing recommendations on public safety policy and advising on structural reforms supports the Daunte Wright and Kobe Dimock-Heisler Community Safety and Violence Prevention Act's intent to enhance civilian input and provide recommendations on critical issues, including labor agreements and policy amendments.

Ms. Turk pointed out the Commission's objectives encompass improving community health, addressing systemic inquiries, and advancing holistic violence prevention strategies, as envisioned in the initial Act. Its work supports the Act's call for programs and policies aimed at improving community health in Brooklyn Center.

Ms. Turk explained by promoting transparency, ongoing community forums, and reviewing public safety metrics, the proposed Commission creates a structured avenue to address community concerns, including responses to protests and other public safety incidents. The Commission's ability to provide policy recommendations also allows for the review of City ordinances, fines, and fees, ensuring alignment with the Daunte Wright and Kobe Dimock-Heisler Community Safety and Violence Prevention Act's directive to examine provisions that impact community equity.

Ms. Turk added by adopting an evidence-based approach and aligning with national best practices, the Community Safety and Violence Prevention Commission supports the Act's overarching goal of creating a safer, more just community by using proven and forward-thinking public safety strategies.

Ms. Turk stated the Commission would be composed of a chairperson, six voting members, and four non-voting members. All voting members must be residents with direct experience with public safety, judicial, or public health systems. All non-voting advisors must also have direct experience with public safety, judicial, or public health systems.

Ms. Turk noted the City Manager would assign one Staff member to serve as liaison to perform administrative duties on behalf of the Commission. In addition, Staff from all public safety departments will attend meetings. The Office of Community Prevention, Health, and Safety would serve as the liaison for the Commission.

Ms. Turk pointed out the Daunte Wright and Kobe Dimock-Heisler Community Safety and Violence Prevention Act initially called for a committee, but Staff is proposing a commission instead. She then reviewed the layout and headers within the resolution.

Ms. Turk stated the duties and responsibilities of the Commission would include developing, advising, recommending, and upon adoption by the City Council, monitoring the execution of a comprehensive plan and recommending amendments to the plan as warranted relevant to community safety and violence prevention matters in the City, including the Act.

Ms. Turk noted an additional responsibility would be advising and assisting the City in the adoption of policies and procedures by the City Council responsive to changing diverse community needs and concerns in matters of community safety and violence prevention, creating an annual report for the City Council regarding accomplishments toward fulfillment of such comprehensive plan and recommend amendments to the plan as warranted, advising and assisting the City in reviewing and discussing community safety and violence prevention policies for the City, and making recommendations to the City Council concerning community safety and violence prevention in the City.

Ms. Turk continued to explain duties would be working with City Staff and other Commissions on matters regarding community safety and violence prevention in the City, reviewing current community safety and violence prevention initiatives, practices, and policies, working with neighborhood committees to understand the community safety and violence prevention needs of each area in the City, identifying high-priority areas for community safety and violence prevention in the community and analyzing methods of fulfilling these needs and interests and presenting alternative recommendations for actions to the City Council.

Ms. Turk added responsibilities would include providing opportunities for the citizens of Brooklyn Center to voice their concerns and opinions regarding community safety and violence prevention matters, recommending new and innovative concepts in community safety and violence prevention for the City, advising, reviewing, and making recommendations for the City's response to protests, reviewing the current collective bargaining agreement between the City make recommendations prior to final approval to the City Manager, and making any other recommendations to the City Council related to the initiation of programs or policies to improve community health in Brooklyn Center.

Ms. Turk reiterated the Commission would be composed of a chairperson, six voting members, and four non-voting members. All voting members must be residents with direct experience with public safety,

judicial, or public health systems. All non-voting advisors must also have direct experience with public safety, judicial, or public health systems.

Ms. Turk added as for the method of selection, it is proposed the Office of Community Prevention, Health and Safety would provide the Mayor with a list of Commission candidates to serve on the Commission after review with the Brooklyn Center Police Department, Brooklyn Center Fire Department, and Brooklyn Center Parks and Recreation Department. The Mayor would then recommend candidates to the City Council for appointment. The City Council shall appoint members to the Commission by resolution. The initial appointment would be staggered but would have term lengths, resignations, vacancies, chairpersons, vice chairs, compensation, bylaws, rules, and procedures would be the same as existing commissions. Ms. Turk pointed out the goal is to have the Commission launched by the second quarter of 2025.

Ms. Turk stated the City Manager shall assign one member of Staff to serve as liaison to the Commission. The liaison assigned shall perform administrative duties on behalf of the commission. In addition to the Staff Liaison, City Staff from all public safety departments will attend commission meetings including the Office of Community Prevention Health and Safety, Brooklyn Center Police Department, Brooklyn Center Parks and Recreation Department and Brooklyn Center Fire Department with the Office of Community Prevention, Health and Safety serving as the liaison for the Commission. Also, there is a provision regarding neighborhood representation.

Councilmember Butler stated the topic has been discussed to the point of exhaustion. It has been signed off on by all Department directors and legal Staff. The Project 252 Task Force didn't receive full support, and it is mind-boggling that Council would be uninterested in input from community members with direct experience on a particular topic. Ultimately, the Police Chief remains the sole disciplinary body.

Councilmember Kragness thanked Ms. Turk for the presentation and noted her support for the compromises and edits made by Staff. She noted she has a concern about the wording regarding the composition of the Commission. She suggested that portion be reworded to ensure all voting members are residents. Ms. Turk confirmed the edit would be made.

Mayor Graves pointed out there is some benefit to include business owners or school employees who may not be residents. Councilmember Kragness agreed there should be non-resident community members included in the Commission, but voting should remain a privilege for residents, similar to other commissions.

Councilmember Lawrence-Anderson stated the Daunte Wright and Kobe Dimock-Heisler Community Safety and Violence Prevention Act doesn't align with the presented composition. Mayor Graves agreed there isn't perfect alignment precisely because the Council doesn't agree with all components of the original Act.

Councilmember Lawrence-Anderson pointed out the initial Act is still an active document. Mayor Graves stated the original document can be edited to reflect the proposed composition.

Councilmember Jerzak stated the presentation did address some of his concerns. However, the fact remains that the document wasn't provided to the City Council or the public in advance of the meeting.

He would like additional time to review the resolution prior to voting on approval. There are many well-intentioned Staff that don't completely understand the implications of an ordinance.

Councilmember Jerzak added the Commission may be a great opportunity, but it may be set up for failure if it believes its recommendations will automatically be approved.

Mayor Graves asked why he believes that for the proposed Commission and not the existing ones. Councilmember Jerzak explained his belief is based on personal experience.

Mayor Graves asked if Councilmember Jerzak is referring to a past group that discussed public safety concerns but isn't the Financial Commission, Housing Commission, Planning Commission, or the Parks and Recreation Commission.

Councilmember Jerzak stated the Council has not had an opportunity to completely review the document. The proposal is monumental, and needs a thorough review. Also, the Daunte Wright and Kobe Dimock-Heisler Community Safety and Violence Prevention Act from which it derives has not been entirely reviewed by the Council.

Councilmember Butler moved and Mayor Graves seconded to adopt RESOLUTION NO. 2024-138, a Resolution for the Community Safety and Violence Prevention Commission.

Councilmember Lawrence-Anderson noted her preference to table the item.

Motion passed (3-2, Councilmembers Jerzak and Lawrence-Anderson).

Mayor Graves pointed out she is open to continued conversation with other Councilmembers

Member _____ introduced the following resolution and moved its adoption:

RESOLUTION NO. 2024-_____

RESOLUTION ESTABLISHING THE BROOKLYN CENTER COMMUNITY SAFETY AND VIOLENCE PREVENTION COMMISSION AND DEFINING DUTIES AND RESPONSIBILITIES

WHEREAS, on May 15, 2021, the City Council for the City of Brooklyn Center (“City”) passed Resolution No. 2021-73, adopting the Daunte Wright and Kobe Dimock-Heisler Community Safety and Violence Prevention Act (the “Act”); and

WHEREAS, the Act required the City to create a permanent Community Safety and Violence Prevention Committee, which was to be tasked with reviewing and making recommendations regarding the policing response to the protests that occurred in the City in April 2021, reviewing the current collective bargaining agreement between the City and the Police Department, making recommendations prior to the renegotiation of the agreement and before its final approval, recommending the City Council create a separate and permanent civilian oversight committee for the new Department of Community Safety and Violence Prevention, reviewing Chapter 19 of the City Code, making recommendations with regard to repealing or amending provisions or penalties therein, including fines and fees, and periodically making any other recommendations to the City Council related to initiating programs or policies to improve community health in the City; and

WHEREAS, the Community Safety and Violence Prevention Committee was to include a majority of members that are City residents with direct experience being arrested, detained, or having other similar contact with the Brooklyn Center Police Department or had direct contact with one or more of the other services to be provided by the new Department of Community Safety and Violence Prevention; and

WHEREAS, the Community Safety and Violence Prevention Committee was to be chaired by the Mayor, with list of potential members created by the Director of the Department of Community Safety and Violence Prevention and members from that list recommended by the Mayor and confirmed by the City Council; and

WHEREAS, the City Council is authorized by Section 2.02 of the City Charter to create boards, commissions, and committees to assign to them specific duties; and

WHEREAS, the City remains committed to creating a safer, healthier, more just, and more thriving community by promoting a diversity of responses to our community's safety needs that do not rely solely on our armed law enforcement officers; and

WHEREAS, the City remains committed to putting in the work necessary to bring about changes as quickly as possible in how the City provides public safety while recognizing that some of these measures will take longer to implement than others and that additional work remains to be done to create a healthier and more equitable community; and

WHEREAS, due to the permanency of the Community Safety and Violence Prevention Committee referenced in the Act and the importance of the work they will be tasked to perform, the City Council desires to establish the body as a permanent advisory commission for the City of Brooklyn Center, as opposed to a committee, to be identified as the Community Safety and Violence Prevention Commission ("Commission"). The Act shall be amended to reflect the establishment of a commission as opposed to a committee; and

WHEREAS, the City Council desires to expand upon the Act and to expand and clarify the duties, responsibilities and structure of the Commission. The Act shall be amended to reflect the duties, responsibilities and structure of the Commission as set forth in this Resolution; and

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Brooklyn Center, Minnesota, as follows:

1. Establishment. The advisory Community Safety and Violence Prevention Commission ("Commission") is hereby established for the City of Brooklyn Center.
2. Scope. In accordance with the Act and the findings set forth above, the scope of activity of the Commission shall consist of advising the City Council and other City advisory commissions and committees regarding matters relevant to Community Safety and Violence Prevention functions.
3. Purpose. The general purpose of the Commission is to act in an advisory capacity to the City Council on issues related to Community Safety and Violence Prevention.
4. Duties and Responsibilities. In accordance with the Act and the findings set forth above, and in fulfillment of its purpose, the Commission's duties and responsibilities of the Commission include, but are not limited to, the following:
 - a. Develop, advise, recommend, and upon adoption by the City Council, monitor the execution of a comprehensive plan and recommend amendments to the plan as warranted relevant to community safety and violence prevention matters in the City, including the Act;
 - b. Advise and assist the City in the adoption of policies and procedures by the City Council responsive to changing diverse community needs and concerns in matters of community safety and violence prevention;
 - c. Annually report to the City Council regarding accomplishments toward fulfillment of such comprehensive plan and recommend amendments to the plan as warranted;
 - d. Advise and assist the City in reviewing and discussing community safety and violence prevention policies for the City, and make recommendations to the City Council concerning community safety and violence prevention in the City;

- e. Work with City staff and other Commissions on matters regarding community safety and violence prevention in the City;
 - f. Review current community safety and violence prevention initiatives, practices, and policies;
 - g. Work with neighborhood committees to understand the community safety and violence prevention needs of each area in the City;
 - h. Identify high-priority areas for community safety and violence prevention in the community and analyze methods of fulfilling these needs and interests and presenting alternative recommendations for actions to the City Council;
 - i. Provide opportunities for the citizens of Brooklyn Center to voice their concerns and opinions regarding community safety and violence prevention matters;
 - j. Recommend new and innovative concepts in community safety and violence prevention for the City;
 - k. Advise, review and make recommendations for the City's response to protests;
 - l. Review the current collective bargaining agreement between the City make recommendations prior to final approval to the City Manager;
 - m. Periodically make any other recommendations to the City Council related to initiating programs or policies to improve community health in the City.
5. Composition. The Commission shall be composed of a Chairperson and six (6) voting members and four non voting advisors, all of whom shall be appointed and serve as set forth below. All voting members of the Commission shall be residents with direct experience or contact with the public safety, judicial or public health systems or have had direct contact or expertise with one or more of the public safety, judicial or public health systems. All non voting advisors shall be appointed and serve as set forth below. All non voting advisors shall have direct experience or contact with the public safety, judicial or public health systems or have had direct contact or expertise with one or more of the public safety, judicial or public health systems
6. Method of Selection. The Office of Community Prevention, Health and Safety will provide the Mayor with a list of commission candidates to serve on the Commission after review with Brooklyn Center Police Department, Brooklyn Center Fire Department and Brooklyn Center Parks and Recreation Department. The Mayor will recommend candidates to the City Council for appointment. The City Council shall appoint members to the Commission by resolution.

7. Initial Appointment. The Commission under this resolution shall become effective March 30th, 2025, or soon thereafter, and shall consist of three members appointed for a term through 2027, three members appointed for a term through 2026, and one member appointed for a term through 2025.
8. Term of Office. The terms of office for Commission members shall be staggered two-year terms, except that any person appointed to fill a vacancy occurring prior to the expiration of the term for which their predecessor was appointed shall be appointed only for the remainder of such term. Upon expiration of their term of office, a member shall continue to serve until their successor is appointed and shall have qualified. Terms of office for members of the Commission shall expire on December 31 of respective calendar years.

In the event an appointed Commission member suffers from an extended illness, disability, or other activity preventing proper fulfillment of duties, responsibilities, rules, and regulations of the Commission, the Commission member may be temporarily replaced during the temporary leave by an interim Commission member recommended by the Mayor and appointed by the City Council.

9. Resignations-Removal from Office-Vacancies. Commission members may resign voluntarily or may be removed from office by the Mayor with consent of the City Council. Three consecutive unexcused absences from the duly called Commission meetings or unexcused absences from a majority of duly called Commission meetings within one calendar year shall constitute automatic resignation from office. The City Council liaison shall inform the Mayor and City Council of such automatic resignations. Vacancies in the Commission shall be filled by appointment of the City Council.

The procedure for filling Commission vacancies is as follows:

- a. Notices of vacancies shall be posted for 30 days before any official City Council action is taken;
- b. Vacancies shall be announced in the City's official newspaper;
- c. Notices of vacancies shall be sent to all members of standing advisory commissions;
- d. The City Clerk shall forward copies of the applications to the Public Safety Departments (Office of Community Prevention, Health and Safety, Brooklyn Center Police Department, Brooklyn Center Parks and Recreation Department and Brooklyn Center Fire Department) and the Mayor;
- e. The Mayor shall identify and include the nominee's name in the City Council agenda materials for the City Council meeting at which the nominee is presented;

- f. The City Council, by majority vote, may approve an appointment at the City Council meeting at which the nominee is presented.
10. Chairperson. The Commission's Chairperson shall be elected by a majority vote of the Commission membership. The election shall be conducted at the Commission's first meeting and at the first regular meeting of each calendar year, or, in the case of a vacancy, within two regularly scheduled meetings from the time a vacancy of the Chairperson occurs. The Chairperson may be removed by a majority vote of the Commission membership. The Chairperson shall assure fulfillment of the following responsibilities in addition to those otherwise described herein:
 - a. Preside over meetings of the Commission;
 - b. Appear, or appoint a representative to appear, as necessary, before City advisory commissions and the City Council to present the viewpoint of the Commission in matters pertaining to community safety and violence prevention as it relates to business under consideration by said commissions or City Council;
 - c. Review all official minutes of the City Council and other advisory commissions to inform the Commission of matters relevant to community safety and violence prevention;
 - d. Serve as a liaison with other governmental and voluntary organizations on matters relevant to community safety and violence prevention.
11. Vice Chairperson. A Vice Chairperson shall be appointed annually by the Chairperson from the members of the Commission. The Vice Chairperson shall perform such duties as may be assigned by the Chairperson and shall assume the responsibilities of the Chairperson in their absence.
12. Representation Requirements. Due regard shall be given by the Mayor and City Council in appointing Commission members which will take into consideration geographical distribution within the City, as described in paragraph 20 below, and the representative nature of the Commission in terms of gender, religion, ethnic, racial, age, handicapped, employee, and employer groups.
13. Conflict of Interest. No Commission member shall take part in the consideration of any matter wherein their interest might reasonably be expected to affect their impartiality.
14. Compensation. Commissioner members shall serve without compensation.
15. Bylaws, Rules and Procedures. The Commission shall adopt such bylaws, rules and procedures not inconsistent with these provisions as may be necessary for the proper execution and conduct of business. Bylaws adopted by the Commission shall become effective upon approval and consent of the City Council.

16. Meetings. The initial meeting of the Commission shall be convened by March 30th, 2025. Thereafter, regular meetings shall be held with the date and time to be determined by the Commission. Special meetings may be called by the Chairperson.
17. Staff Liaison. The City Manager shall assign one member of the staff to serve as staff liaison to the Commission. The staff member liaison assigned shall perform administrative duties on behalf of the commission. In addition to the Staff Liaison, City staff from all public safety departments will attend commission meetings including the Office of Community Prevention Health and Safety, Brooklyn Center Police Department, Brooklyn Center Parks and Recreation Department and Brooklyn Center Fire Department with the Office of Community Prevention, Health and Safety serving as the liaison for the commission.
18. Ex Officio Members. The Mayor, or the member of the City Council appointed by the Mayor, shall serve as an ex officio member of the Commission, privileged to speak on any matter but without a vote, and shall provide a liaison between the Commission and the City Council.
19. Neighborhoods:
 - a. Neighborhood Advisory Committees: Commission members shall be assigned by the Chairperson as liaisons to neighborhood advisory committees of the Commission. It will then be the responsibility of each neighborhood advisory committee of the Commission to review safety and violence prevention matters and present the neighborhood opinions and concerns on general and specific safety and violence prevention programs directly affecting that neighborhood.
 - b. Neighborhoods Described (See also Exhibit A attached hereto and incorporated herein by reference).
 - i. Southeast Neighborhood: The Southeast neighborhood shall be bordered on the south by the south city limits; on the east by the Mississippi River; on the north by FAI-94; and on the west by Shingle Creek.
 - ii. Northeast Neighborhood: The Northeast neighborhood shall be bordered on the south by FAI-94; on the east by the Mississippi River; on the north by the north city limits; and on the west by Shingle Creek.
 - iii. Northwest Neighborhood: The Northwest neighborhood shall be bordered on the south by FAI-94; on the east by Shingle Creek; on the north by the north city limits; and on the west by the west city limits.
 - iv. West Central Neighborhood: The West Central neighborhood shall be bordered on the south by County Road 10; on the east by Brooklyn Boulevard; on the north by FAI-94; and on the west by the west city limits.

- v. Central Neighborhood: The Central neighborhood shall be bordered on the south by County Road 10; on the east by Shingle Creek; on the north by FAI-94; and on the west by Brooklyn Boulevard.
- vi. Southwest Neighborhood: The Southwest neighborhood shall be bordered on the south by the south city limits; on the east by Shingle Creek; on the north by County Road 10; and on the west by the west city limits.

20. The Act is hereby amended as referenced in this Resolution.

Date

Mayor

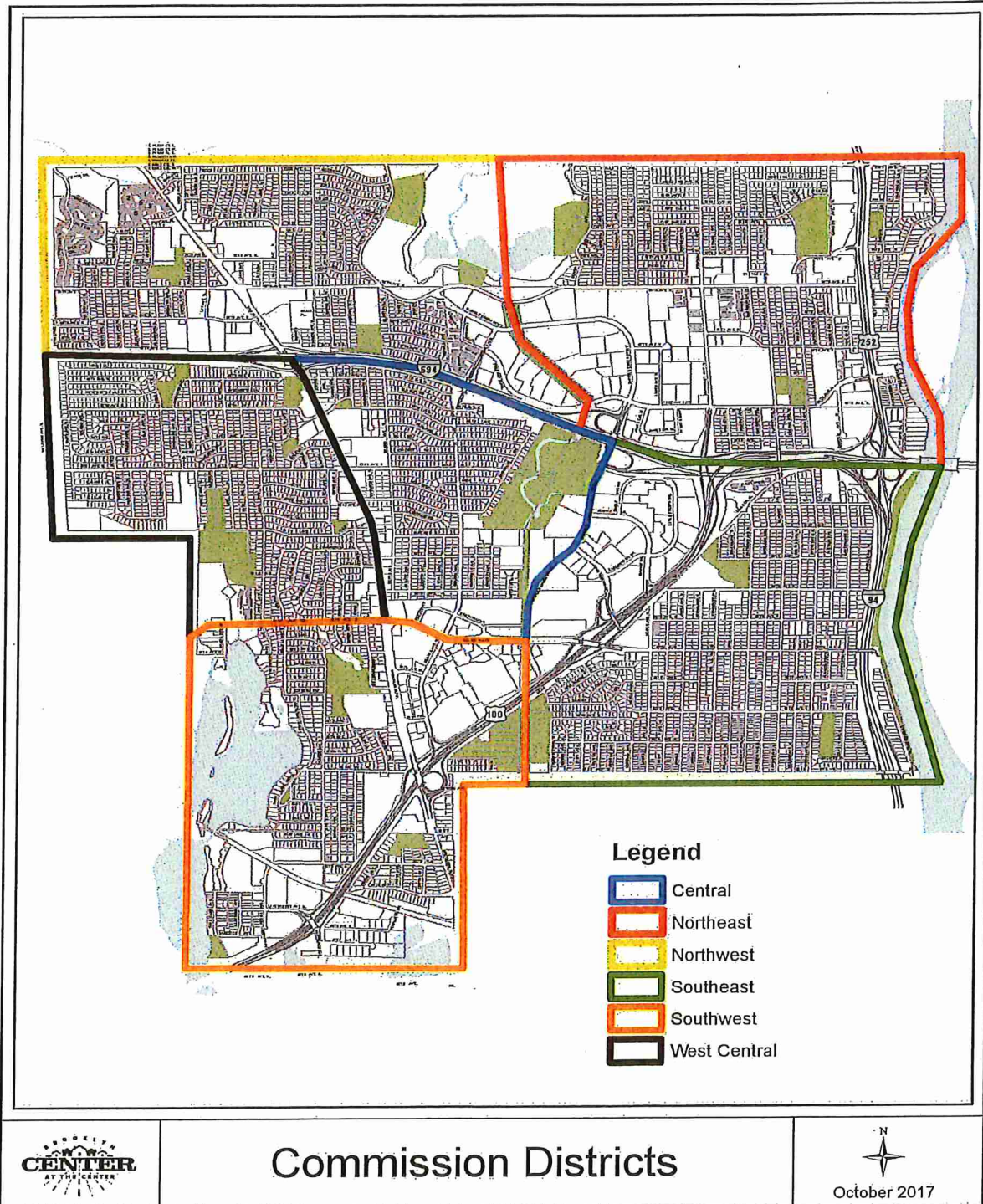
ATTEST: _____
City Clerk

The motion for the adoption of the foregoing resolution was duly seconded by member
and upon vote being taken thereon, the following voted in favor thereof:

and the following voted against the same:
whereupon said resolution was declared duly passed and adopted.

EXHIBIT A

Map of Neighborhoods



Council Regular Meeting

DATE: 1/27/2025
TO: Council Study Session
FROM: Reggie Edwards, City Manager
THROUGH:
BY: Barb Suciu, City Clerk
SUBJECT: Proposed Work Session Items

Requested Council Action:

Direction on work session items.

Background:

Below is a list of current work session items and proposed. Council will be asked to identify relevant and discuss worthy items and outline prioritization of importance. Staff will come back at the following study session with a timeline projecting when those items may be placed on the agenda.

Some of the items may be addressed through other formats such as weekly updates.

Current Listed Discussion Items:

- Memorial Policy
- Grants Update
- Purchasing Policy
- Planning Application Process
- Commission Members and Application Process
- Property Tax Review
- Traffic Calming Policy

Additional Proposed Discussion Items:

- Complete Review Daunte Wright and Koby Dimick- Heisler Public Safety Act (Resolution 2021-73) over the next 45 days
- Review City Council Meetings Process and Procedures and Parliamentary Procedures
- Complete Council Picture and Hall of Fame Discussion
- Water Meter Project Update
- Year-End Financial Report and Audit
- Update of Financial Plans and Progress for Enterprise Funds
- Update of Economic Development Projects
- Review Rental Inspections Point System
- Update on Expanded Response Pilot
- Update on Recycling
- Update on Impact of Tenant Protection Policy
- Council Chamber Security

Budget Issues:

Inclusive Community Engagement:

Antiracist/Equity Policy Effect:

Strategic Priorities and Values:

ATTACHMENTS:

None