

# Demystifying the Public Safety Charter Amendment

On November 2, 2021, Minneapolis voters will be presented with a proposed charter amendment that claims to address policing. People have been frustrated with Minneapolis policing for a long time and have been looking for a way forward. They may be wondering if this amendment is that opportunity.

## What is our city's charter?

Our city's charter is, essentially, our constitution. It outlines the organization of our local government and clearly defines the powers and responsibilities of our elected and appointed leaders and departments. Much like the US constitution, it is meant to have permanence. The same applies to any amendments to the charter.

## What does the public safety amendment say?

This is the wording that will appear on the ballot:

*Shall the Minneapolis City Charter be amended to strike and replace the Police Department with a Department of Public Safety which could include licensed peace officers {police officers} if necessary, with administrative authority to be consistent with other city departments to fulfill its responsibilities for public safety?*

## So, what's the problem?

Pay attention to word choices like "if necessary." This is vague, aspirational language that doesn't tell us what public safety would actually look like if the amendment passes. There may or may not still be a police force, for example, and it's not clear who would decide. We have no idea what we would end up with because the charter amendment simply doesn't tell us.

Supporters claim the amendment would allow development of non-police options for public safety but there is no language in the proposed amendment to that effect and we don't need an amendment to create those options.

Even if there are police, they would be moved under a new department that reports to a city council committee and then to the council as a whole. In other words, the police (and police accountability) would be buried under three layers of bureaucracy.

This amendment assumes that the City Council would somehow do a better job of holding police accountable but history tells us otherwise. Council members, including the current ones, have never made the slightest effort to rein in the MPD even though they had many opportunities before George Floyd was killed. They created and oversee the Office of Police Conduct Review (OPCR), which has a dismal rate of disciplining police. Why would anyone think they will do a better job of holding police accountable under this new scheme?

The bottom line is that this amendment does little more than rearrange the deck chairs on the Titanic. The way to fix policing is not to change who police officers call boss but to actually hold them accountable for misconduct. Nothing in this charter amendment would do that.

## Two Fatal Flaws

This amendment includes two flaws that call into question its practicality, if not legality.

- The amendment does not specify an effective date. Under state law, that means the implementation date would be thirty days after passage. Realistically, there is just no way to create and staff a new department and figure out the way forward for public safety, all in one month.
- Secondly, the power to discipline the police is eliminated from the current charter without being reassigned. Remember that the charter outlines powers and responsibilities. With no one having the power to discipline, that leaves us with a police force even less accountable than it already is.

## Ending the Minimum Staffing Requirement

The current city charter currently has a requirement that the police department maintain minimum staffing of 0.0017 times the population. At our current population of 420,324, the city is required to have about 715 police department employees. We have never even come close to being below that level. The department currently has 1089 FTE (full-time equivalent) positions, with over 700 of those being sworn officers.

No other city department has a minimum staffing requirement in the charter. It's the kind of operational detail that just doesn't belong there.

The proposed charter amendment would eliminate this minimum staffing requirement, a positive development because it would allow the city more flexibility. However, we don't need a charter amendment to do this because the city council and mayor could do it themselves by unanimous vote on an ordinance, with the Charter Commission's concurrence.

## What Would Work?

For people who are harmed by violent crime, financial exploitation or other criminal conduct, a law enforcement investigation provides their gateway into the court system. Any change to our charter needs to protect their access to the justice system. That said, we recognize the need for serious changes to policing in Minneapolis.

What should the mayor and city council do?

- **Right-size the police.** Focus policing on its core function—investigating crimes. There is no reason for police to respond to mental health crisis calls, wellness checks, homelessness, drug overdoses and other medical emergencies. These are social service and medical issues that other professionals are better able to handle. Police should address only those issues that require a law enforcement license. Eliminating the minimum staffing requirement would allow them to do this.
- **Redirect resources to more appropriate responders.** Redirecting non-police calls to mental health practitioners, social services workers and medical professionals ensures people get the services they need while not wasting resources. It costs \$429 for police to respond to a call (2020 budget of \$193 million divided by 450,000 calls and stops per year). Having non-police matters addressed by more appropriate responders would save at least a third of those costs and free up police for those instances when they are the right responders.
- **Rein in the cops that are left.** The city does an abysmal job of addressing police misconduct. The Office of Police Conduct Review, the agency that is supposed to address complaints, almost never disciplines police. From its start in 2012 to the murder of George Floyd, it received almost 2,800 complaints from the public. Only 13 led to any discipline! That's less than a half percent when the national average is 7 to 8 percent. It is this continued failure that allowed Derek Chauvin to kill George Floyd. Instituting real civilian oversight would go a long way toward increasing police accountability. Implementing an early intervention system (EIS) would also allow police leadership to address problem officers early.

There are many actions the city can take to improve policing and none of them require a charter amendment or restructuring city government. Our mayor and city council members just need to get serious about addressing the problems with policing in Minneapolis. For more information on actions the city can take, go to [www.cuapb.org](http://www.cuapb.org) and click on Actions Minneapolis Leadership Can Take Now to Rein in the MPD.



Information provided by **COMMUNITIES UNITED AGAINST POLICE BRUTALITY**. We meet every Saturday at 1:30 p.m. at 4200 Cedar Avenue in Minneapolis. For more information or for help with a police brutality incident, call our 24-hour hotline: **612-874-STOP** or see our website at [www.CUAPB.org](http://www.CUAPB.org).