



## **Communities United Against Police Brutality™**

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March 15, 2017

Governor's Council on Law Enforcement and Community Relations  
c/o Mr. David Collier  
Office of Governor Mark Dayton & Lt. Governor Tina Smith  
130 State Capitol  
75 Rev Dr. Martin Luther King Jr. Blvd.  
St. Paul, MN 55155

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| Submitted 3/15/17 via email to<br>David.collier@state.mn.us |
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Dear Mr. Collier:

One of our members attended the March 13, 2017 meeting of the Governor's Council on Law Enforcement and Community Relations. During the meeting, a draft of the preliminary report of the Council was presented. On page 5, the report indicates that you are seeking community input on the report. Our member in attendance understood that the deadline for input is March 15, 2017.

### Concerns with Process

We thoroughly searched both the Governor's webpage and the entire State of Minnesota website and have not been able to find a calendar of public meetings for the Council. It is our understanding that you stated at the 3/13 meeting that the meeting was noticed as required under the Open Meeting law, chapter 13D. While we have no reason to doubt that, this is not the same as publicizing these meetings in a way that allows members of the community to attend the meetings and engage with the Council. In fact, we only learned of the 3/13 meeting about 30 minutes before the start of the meeting. It was fortunate that one of our members was free to attend.

A draft of the preliminary report was presented at that 3/13 meeting, with the deadline for input stated as 3/15. This report does not appear to be available via the State website. It is only because our member was able to pick up a copy of the report at the meeting that we are able to comment on it. Further, the period of time allotted for feedback is wholly inadequate and the report includes no instructions for providing this input.

### Feedback on Preliminary Report

The recommendations in this preliminary report are quite vague. Thus, providing input is difficult. Nonetheless, we will attempt to provide meaningful input.

First, we must express our concern with the general context of the report. The notion of "police-community relations" is a false framing. This framing proposes that if police and the community could somehow just get along better, trust would be built and the problem would be solved. It also places half the responsibility for the problem on the community, when we have little control over police conduct that undermines trust. What is missing from the preliminary

report is any recognition of the need for police accountability. Unless efforts shift from “police-community relations” to police accountability, the problems that spurred the creation of the Council will continue. In fact, if police were held accountable for their actions in meaningful ways, police misconduct would largely disappear and police-community relations would improve on their own, with no special efforts needed.

It appears from a reading of the preliminary report that Council members have received presentations from three government agencies (and possibly one additional government agency at the 3/13 meeting, according to our member in attendance). There appear to have been no presentations from community organizations. This is a major gap in the information provided to the Council and their ability to appreciate the community's perspective on policing. Our organization would be happy to present some of the solutions we have developed and are working toward and there are a number of other organizations who are similarly able to inform the work of the Council.

Recommendations by the Workplace Policy and Oversight/Diversity and Retention Workgroup strive to diversify law enforcement agencies by removing barriers and improving processes for bringing in officers of populations that are currently underrepresented. These are good ideas as more diverse law enforcement agencies tend to be more culturally competent. The recommendation to have new officers complete 20 hours of service in the community has value in that officers may develop more empathy toward members of the community. Many colleges have programs in which students complete service in the community for school credit. Perhaps the Council could consider working with the POST Board to include this in curriculum requirements of law enforcement educational programs.

The second recommendation of the Criminal Justice and Social Justice Reform Workgroup is to “focus on including a special prosecutor in police investigations, as a partner to the county attorney, not a replacement.” This recommendation falls far short of what is truly needed—an independent special prosecutor with sole responsibility for overseeing the investigation and prosecution in critical incidents involving law enforcement officers. The interdependence of county attorneys and law enforcement officers inhibits the ability of county attorneys to hold errant officers accountable. That only one officer in the history of the state of Minnesota is being prosecuted in the death of a community member is ample evidence that this recommendation is far too weak to be effective in holding officers accountable.

The recommendations from the Police Training Workgroup are sound but would be made more robust by a recommendation to prohibit funding for “bulletproof warrior”-type training. These courses are inflammatory, breed an “us vs. them” mentality, are not based on law enforcement best practices and current thinking, and are often provided by unqualified individuals and organizations. Ofc. Jeronimo Yanez completed one such course just months before he killed Philando Castile. Training dollars should not be used to reimburse the costs of these courses.

One additional recommendation we would bring forward is training in peer intervention such as that provided by International Ethics and Leadership Training Bureau. This training empowers

Governor's Council on Law Enforcement and Community Relations  
March 15, 2017  
Page Three

officers to intervene to help fellow officers avoid engaging in conduct that would harm their careers, families and their lives as well as the community.

To the recommendations from the Community and Law Enforcement Health and Wellness Workgroup we would add a recommendation to increase funding for employee assistance programs (EAPs) for law enforcement officers.

Finally, as stated previously, the preliminary report includes no recommendations that directly address the current lack of accountability for officers who engage in misconduct. Without addressing this important element, little progress can be made in the stated goal of the Council.

Should the Council want additional information on our efforts to increase accountability and improve policing, we would be happy to present this information at a future meeting.

For justice,

*Michelle Gross/es*

Michelle Gross, President  
Communities United Against Police Brutality