

Governor's Council on Law Enforcement and Community Relations Initial Report

Introduction

Minnesota's citizens, like the rest of the country, watched as young men of color from multiple states died tragically due to the use of deadly force by law enforcement officers; they also saw police officers around the country tragically slain. Citizens also watched as local and national protests formed due to the strain in police and community relations. Wanting to address this tension and realizing that all Minnesotans stand to benefit from a more cooperative relationship between law enforcement and the communities they serve, on October 12, 2016, Governor Mark Dayton issued an Executive Order (16-09) establishing the Council on Law Enforcement and Community Relations.

Context

The premise of the Council's work was modeled after the philosophical foundation underpinning the President's Task Force on 21st Century Policing. Per this Task Force's final report:

...to build trust between citizens and their peace officers so that all components of a community are treating one another fairly and justly and are invested in maintaining public safety in an atmosphere of mutual respect. Decades of research and practice tell us that the public cares as much about how police interact with them as they care about the outcomes that legal actions produce. People are more likely to obey the law when they believe those who are enforcing it have the right—the legitimate authority—to tell them what to do. Building trust and legitimacy, therefore, is not just a policing issue. It involves all components of the criminal justice system and is inextricably bound to bedrock issues affecting the community such as poverty, education, and public health.¹

To create a framework that would facilitate this trust, the Governor's Council was charged with independently reviewing quantitative and qualitative data and making policy recommendations to the Governor and Legislature that will lead to substantive changes and strengthen police and community relations. Additionally, these recommendations were to protect law enforcement officers and members of communities, thereby improving trust in the criminal justice and law enforcement systems.

¹ President's Task Force on 21st Century Policing. 2015. *Final Report of the President's Task Force on 21st Century Policing*. Washington, DC: Office of Community Oriented Policing Services.

Process

Council members participated in a series of three meetings, which included several presentations designed to provide them with context and help inform their recommendations.

This included:

- A presentation by Sargeant Azzahya Williams, the State Patrol’s Recruitment Coordinator, during which she talked about current State Patrol diversity stats and efforts to increase the number of officers of color.
- The Joint Community Police Partnership (JCPP) of Hennepin County Human Service and Public Health Department’s presentation on its efforts to:
 - Act as the bridge between the police and the community;
 - Continue being embedded in the police departments as a Hennepin County employee;
 - Facilitate/lead community meetings, organize events and training for both police as well as the community;
 - Act as personal “ambassadors/eyes/ears” to and for community groups.
- The POST Board’s presentation on Training and Capacity Building for Police Officers. Presenters Dennis Flaherty spoke about HF346 (Cornish) /SF445 (Limmer), a bill that focuses on capacity building of police officers and enjoys a broad range of bipartisan support. Sponsored by the Minnesota Police Officers’ Association, the bill enhances dramatically the State’s financial commitment to police training through the Peace Officer Training

Additionally, Council members were asked to self-select (based on interest and expertise) for participation in a number of work groups that would draft recommendations in alignment with their respective charges:

1. Criminal Justice and Social Justice Reform Work Group
2. Police Training Work Group
3. Law Enforcement Workplace and Policy Oversight and Diversity Recruitment and
4. Retention Work Group;
5. Community and Law Enforcement Health and Wellness Group
6. Policy Development and Implementation Work Group

Below are initial drafts of those recommendations.

Workplace and Policy Oversight/Diversity Recruitment and Retention Work Group

Our Work Group's recommendations include the following:

1. Where problems exist in the relationship between police departments and the communities that they serve, making the departments more racially and ethnically diverse will not serve as a cure-all problems. However, there is a general consensus that we should strive to make our police departments more diverse. Addressing this issue begins with measuring and understanding the scope of the issue. **We recommend collecting data early in the recruitment process, by requiring skills programs to track and report data on the race and ethnicity of their students.**
2. **We support provision of the police training bill that allocates funds to reimburse local departments that operate "pathway to policing" programs to recruit people with nontraditional backgrounds into law enforcement.** The LETO model, through which a candidate has his/her skills training paid for and has a position waiting for him/her after he/she completes the training, is a valuable tool for diversity recruitment and should be expanded beyond the State Patrol.
3. **We recommend allocating additional funds specifically earmarked to recruiting persons of color for law enforcement positions, including candidates from Historically Black Colleges and Universities (HCBUs) and other out-of-state institutions.** These funds could also be used to enable local police departments to pay for job postings and public service announcements on radio stations, newspapers, websites and other media that target communities of color. Where appropriate, these postings and PSAs should be translated into other languages to recruit foreign language speakers.
4. Some members of the Council have expressed concern that law enforcement candidates are being disqualified for reasons that disproportionately impact minority candidates, such as a bad credit history or a years-old DUI arrest. These factors do not necessarily give an accurate picture of a candidate's character or honesty (for example, a bad credit history could result from the cost of a medical setback); this results in otherwise qualified candidates of color being overlooked. Due to the subjective nature of hiring decisions and the tradition of local control, it is not realistic to have a uniform set of requirements or disqualifiers that would apply to all police departments state-wide (especially very small departments). **Further consideration must be given to finding ways to make the hiring process fair and overcome implicit bias as an obstacle to diversification.**
5. The relationship between law enforcement and the communities they serve may improve if some of the contacts between new officers and those communities take place in non-emergency, non-confrontational situations. **We recommend encouraging police departments to have new officers spend at least 20 hours of on-duty time at a local social services agency (e.g., helping at a homeless shelter or food pantry) prior to completing their 12-month probationary period.**

Criminal Justice and Social Justice Reform Work Group

Our recommendations assume that criminal and social justice reform can be advanced by building trust and communication between Law Enforcement Agencies and communities of color and by hiring and individuals with strong cultural competence, strategic communication and emotional intelligence and/or providing opportunities for individuals to grow in these areas.

To that end, our recommendations include the following:

1. **Conduct data collection**, including racial/ethnic breakdown on the number of stops and civilians injured by law enforcement. **Such data can help...**
2. **Focus on including a special prosecutor in police investigations, as a partner** to the county attorney, not a replacement. *(It should be noted that one group member does not agree with this recommendation.)* **Such an effort can help**
3. In support of HF346, **conduct diversity and implicit bias training** for both police officers and community members. Law enforcement personnel must have education and knowledge of the cultures and traditions of communities of color whom they are responsible for policing; this is necessary to avoid unintentionally offending individuals of different backgrounds. This recommendation is in congruence with similar recommendations suggested by the Police Training Work Group (see below).

Police Training Work Group

Any recommendations for training mandates require both appropriate funding and a reasonable time line for implementation. Training over 10,700 officers, in any topic, within a restricted timeframe requires flexibility in the educational methods used. Additionally, such an effort would necessitate engaging many providers. Given that the needs of communities across Minnesota are quite varied, our committee chooses to recommend broadly defined training topic areas.

To that end, our group recommendations follow:

1. **Conflict management and mediation** (which includes things like de-escalation strategies)
2. **Mental Health and Crisis Response** (includes topics surrounding CIT-crisis intervention training, suicide prevention, major mental illness disorders etc.)
3. **Cultural Diversity** (promoting positive community unity, promoting culturally responsive policing strategies etc.)
4. **Fair & Impartial Policing**, which addresses “implicit” or “unconscious” bias

Broad learning objectives and subsequent “training courses” can be created from these broad categories; agencies can send officers to these trainings.

Community and Law Enforcement Health and Wellness Work Group

1. **Process/forum for social healing, trauma sharing and purgation.**
2. **Revise syllabus for the 2/4 year degree to include social/emotional intelligence.**
3. **Employ best practices of existing community based policing.**
4. **Acknowledge/reward/commend and celebrate good policing, police officers and the community.**
5. **Making “building community relations” a part of an officer’s evaluation (performance measurement).**
6. **Increase funding for community policing.**

Next Steps

As illustrated in Diagram 1, these are intended to be initial recommendations. In addition to the stakeholders listed below, community stakeholders around the state will have an opportunity to review the recommendations. Feedback will be incorporated and a more comprehensive final report will be drafted.

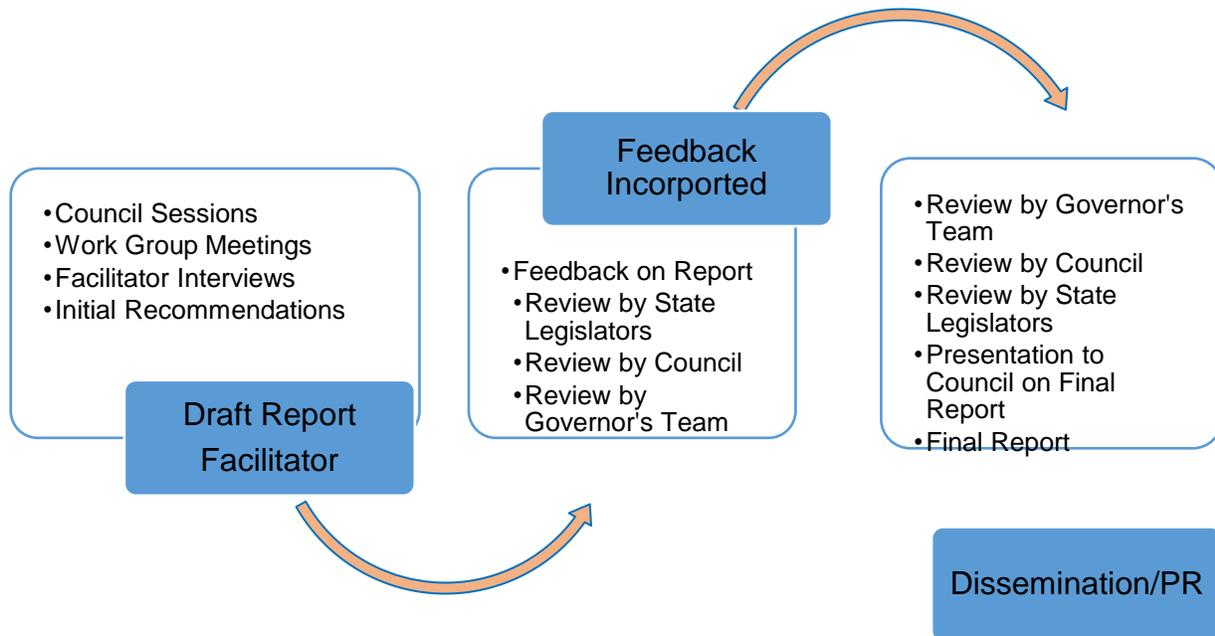


Diagram 1: Council Meeting and Reporting Process