

MINUTES – Duluth Citizen Review Board Meeting of February 22nd, 2022

In attendance: Sara Vaccarella (Chair), John Beyer (Board Member), Carl Crawford (Human Rights Officer), Laura Laaksonen (Human Rights Assistant), Blair Powless (Board Secretary), Gary Anderson (City Council Member), Mike Tusken (DPD Chief of Police), Laura Marquardt (DPD Deputy Chief), Dani Dunphy (Vice Chair)

Absent: Kevin Wu (Board Member), Ken Kimber (Board Member), Eric Franklin (Board Member)

I. Call to Order

II. Roll Call

III. Public Comments – via WebEx and submitted in writing

No public comment

IV. Approval of Minutes

Board members were not able to review minutes. Board Member Beyer makes a motion to table minutes until next meeting. Seconded by Chair Vaccarella. Motion passes unanimously.

V. Police Liaison Report

- Not all board members were able to review the Police Liaison Report documents. More discussion on this month's report at next month's meeting.
- Complaint resolution reports look excellent
- Compliments were very inspiring. In particular how a citizen thanked the DPD for deescalating a violent situation and kept the situation from becoming much worse.
- Some sustained complaints that are still in the disposition (discipline not determined) have to do with an officer/s using excessive force. These will be discussed in detail once disposition is completed.

VI. Executive Report

No executive report

VII. Committee Reports

a. Taskforce on Complaint Audit Process

- Draft of audit process (Appendix A) and suggested additions to process (Appendix B) submitted to the board
- One to two board members will take lead on this audit (board members to be determined)
- It was suggested that the audit could be started slowly and developed as it moves forward. Not trying to have the perfect plan in place, we want to get the process started.
- Audit should be an ongoing process
- Audit leader/s could rotate over time
- It was also suggested that the audit should be well-planned before it is undertaken
- Secretary Powless volunteered to co-lead the audit with one other board member
- DPD will not know what complaints coming in are actual or test complaints. They will track the test complaints in the complaint tracking system.
- It was suggested that the audit should test DPD employee's knowledge of the complaint processes

VIII. Other Business

b. Follow-up discussion from last month: building trust between police and community

- Officer Adam Huot is willing to attend a DCRB meeting to talk with the board about his being back on patrol duty
- Chief Tusken asked him to connect with Vice Chair Dunphy and to speak with the board and he has agreed to do both
- Board members agreed that the point of having Officer Huot attend the meeting is to promote healing. The board wants all citizens to feel safe and respected and that includes Officer Huot.
- It was suggested that the point of his coming to the meeting would be to give Officer Huot advice on what the community needs from him and how he can continue to heal with the community
- This meeting will be a good opportunity to build trust with the DPD and the local police union
- Not sure if the meeting will allow for questions from the public
- The executive committee will meet to discuss what questions will be put to Officer Huot

c. Racial Bias Audit update

- There is concern that the current draft of the RFP (Request for Proposals) is too prescriptive and that it directs the auditors more than it should rather than allowing the auditors to decide how the audit should be conducted based on their expertise
- The Racial Bias Audit Team (RBAT) will meet with Chief Tusken to discuss this further and to look for a way to address this concern that will satisfy all perspectives
- Results of this discussion will be resented at our next DCRB meeting

d. Discuss DPD's Demographic Disparity Analysis presentation

- The DPD would like to have the researcher who did this work present on their findings to the board. They would like the DCRB to hold a special meeting for this purpose.
- This would not be a required meeting for DCRB members, but hopefully all board members would be in attendance
- This will be a public event and the hope is to have a lot of community in attendance (75-100 people)
- DPD will schedule and publicize the event
- This may be the first of two or more meetings so that the public can have time to process the information and have further discussion about the report

IX. Additional Public Comments via Webex

- Appreciates the thoughtful discussion around the coming meeting with Officer Huot
- Suggests that public not be allowed to ask questions during that meeting
- Try to figure out how long this section of the meeting will take so as to manage time appropriately (not have meeting go too long)

X. Community Correspondence and Announcements

- City Councilor Gary Anderson:
 - Very inspired by last month's DCRB meeting
 - The power and influence of the DCRB has been in question for a long time
 - The DCRB has the ear of top policy makers in the DPD and that allows us to be very influential in the community and in how policing is done in our community
 - Respects the work and actions of the DCRB

XI. Board Member Questions and Comments

- Any word on going back to in-person meetings?
 - No word yet.

XII. Adjournment

APPENDIX A

Duluth Citizen Review Complaint Intake Audit

DRAFT

Audit Purpose - to provide an independent examination of the Duluth Police Department (DPD) citizen complaint intake process and to assure the public that the DPD's complaint intake process works as intended.

Audit Definition - the audit will provide a checks and balance system to ensure complaints are being taken at all entry points and are being delivered to the Administrative Lieutenant in order to provide timely investigation of all complaints.

Audit Coordination -The Citizen's Review Board (CRB) will assign a single CRB member to coordinate the audit process. He or she will keep a running log of all test complaints and complaint responses and will report the findings to the CRB on a regular basis.

Audit Procedure - The audit procedure will include members of the CRB and/or their designees filing test complaints to the DPD through all entry points. These points will include: 1) making a complaint with DPD employees; 2) submitting a complaint through the internet; 3) submitting a complaint via the United States Postal Service; 4) calling in a complaint by telephone; and 5) filing a complaint in person at the Public Safety Building, West Duluth substation or Downtown substation.

At minimum, the individual making the complaint will state they want to file a complaint against a Duluth Police Officer and provide their name and contact phone number. The individual making the complaint shall record how the complaint was filed, the date and time it was filed, and if he or she spoke with a DPD employee they should record their name and/or badge number, if possible. The volunteer should also document when and how he or she received a response from the DPD. When a response is received the volunteer will inform the DPD that the complaint was a CRB test complaint and no further action is required. The volunteer should provide all the information concerning test complaints and responses to the Audit Coordinator.

Audit Results - An audit will be considered successful if the test complaints are forwarded to the office of the Professional Standards Lieutenant and they contact the person filing the complaint in a timely fashion.

DRAFT

01/19/2022

APPENDIX B

DCRB/DPD Complaint Audit Recommendations

Questions to Answer in Audit

- Try popular search engines to see what different search terms produce
 - If not leading to City/DPD complaint page/s, how to rectify
- What follow up does a complainant receive after filing a complaint online?
 - Immediate and later (all formal contact/follow-up during complaint process)
- Is complaint form available on main city web page?
- Can form be filled out using a cellphone?
- Do city help lines and online guides to city government direct people to a way to file a complaint?
- Assessing staff knowledge of complaint process
 - Are officers knowledgeable about complaint options and processes and can they help a citizen or tourist file a complaint
 - Are Park Rangers knowledgeable about complaint options and processes and can they help a citizen or tourist file a complaint
 - Are other DPD staff knowledgeable about complaint options and processes and can they help a citizen or tourist file a complaint
- Do complaint forms (paper and online) give all other options for filing a complaint (phone call, speak directly to an officer, attend a CRB meeting, contact a CRB member directly, etc.)

Audit Process Guidelines

- Complaints should be filed over a six-month period
- Complaints should be filed multiple times in the same way (ex. Filed in person ten times by varied people, filed online ten times (personal computer and cellphone), filed by filling out a paper copy at different DPD offices fifteen times, etc.)
- Complaints should be filed by people of varied economic, racial, cultural, and gender orientations and backgrounds