

12/3/20 Springfield Police Advisory Committee Minutes

Location: Remote GoToWebinar

Committee Members Attendance: Joe Pishioneri-Councilor, Vacant – Cultural Minority Community, Barry Lind – Faith Community, Michael Bean – Local Business, Isa Aviad – Neighborhood At-Large (1), Jack Martin – Neighborhood At-Large (2), Teresa Dillon – Neighborhood At-Large (3), Johnny Kirschenmann – Neighborhood At-Large (4), Jenna McCulley – School District 19, Eric Adams – Willamalane Parks (joined at 1814)

City Staff and Guest Attendance: Chief Lewis, Jessica Crawford, City Attorney Mary Bridget Smith

1. Welcome and Call to Order – 6:02pm
2. Roll Call - Completed
3. Minutes Approval for November 5, 2020 Meeting
 - a. Terri Dillon motioned to approve. Johnny Kirschenmann seconded. Approved.
4. Business From the Audience
Public speakers:
 - Ben Christensen – Commented on believed SPD collaboration with white nationalists and different treatment of the BIPOC community.
 - Elizabeth Utterback – Ward 3. Thanks to Michael Bean regarding response to her previous comments. Commented on Chief Lewis’ use of force pie graphs shared at November 2020 City Council meeting that did not include deployed firearms. Also asked whether data is gathered for use of force incidents that did not result in arrest. Commented on an incident in November 2020 that had a delayed response to take a report and inquired on related policy for these situations.
5. Committee Response
 - a. Chief Lewis requested to respond to a few comments made by the public speaker.
 - i. Acknowledged the error of not including discharged weapon data in the City Council graphs. Chief Lewis explained the data was gathered off records with SPD case numbers and the officer involved shooting investigations that included discharged weapon data were led by IDFIT under another agency’s case number. The oversight was identified and will be corrected in future data reporting.
 - ii. Officers are required by policy to write a police report to document use of force, whether there is an arrest or not.
 - iii. Regarding the November 2020 incident, a report was taken and an arrest was made. The delay in response was addressed.
6. SPAC Bylaws and Charge Discussion
 - a. Mary Bridget Smith, City Attorney, discussed SPAC bylaws and to share an update from City Council regarding boards, commissions, and committees (BCCs).

- i. Proposed bylaws were included in the SPAC meeting packet and are essentially the same bylaws as currently utilized with updated formatting.
 - 1. Once SPAC tentatively approves the revised bylaws, Mary Bridget Smith will take them to Council to be finalized. Approval would be a 2/3 votes.
 - 2. Michael Bean advised he reviewed the bylaws and they look good and moves to adopt. Jenna seconded. All approved.
 - ii. Mary Bridget shared that Council tried a batch recruitment for all BCCs this year to get a better idea of who wants to volunteer on various committees.
 - iii. The City and Council are working on a guide to support volunteers regarding ethics and public meetings. The guide will be coming in the next year.
- b. Mary Bridget Smith invited questions from SPAC members.
- i. Chief shared a question he had been asked. What should a committee member do when contacted by the public outside of this meeting?
 - 1. Mary Bridget recommended that SPAC members contacted outside the meeting are welcome to listen to the community members, but would encourage individuals to be directed to the Council or Committee as a whole. Then the whole committee has the information. That is more in line with the role of a volunteer on a volunteer committee.
 - ii. Barry Lind shared he would like a better understanding of SPAC's role of public comment and the process with long term planning and what it looks like going forward.
 - 1. Chief shared the current status of SPD's long-range planning. SPD and SPAC had delayed new long-range planning efforts until the City had finished the updated vision, mission, and goals initiative, with the intent to align PD planning with City objectives. SPD intends to initiate a citizen survey in the next year to help provide information for the foundation of future long-range planning efforts.
 - 2. Councilor Pishioneri shared that City Council is in the middle of a lot of changes and updating. He recommended a review of citizen survey responses, but suggested a high level approach to long range planning until City Council has the opportunity to clarify what the committee's charge will be.
 - iii. Michael Bean inquired about a work session on long-range planning to sort out next steps.
 - 1. Mary Bridget clarified that SPAC is an advisory body to public body, so all meetings are subject to public meeting laws which requires notification, agenda, and minutes. SPAC bylaws do permit subcommittees. The

standard SPAC meeting may provide the necessary platform for work sessions and be more convenient.

- iv. Eric Adams inquired regarding representatives from Willamalane and the Springfield Public Schools. Regarding long-range and strategic planning, what has historically been the expectation for agency representatives to coordinate with their respective decision making bodies?
 1. Chief advised the idea of long-range planning is to benefit the community and SPD would want to make sure impacts to key partners like Willamalane and Springfield School District are not adversely impacted. The intent is not to have you make a decision for your agency, but to provide perspective on your agency's behalf.
 2. Councilor Pishioneri commented that if there are topics that would not involve or could create conflict, partner members could recuse from decision making, not engage in the conversation, or not attend a particular meeting.
 3. Jenna McCulley acknowledged that this is a similar question she had. She shared that she uses the SPAC bylaws as a guide to the level of input she can provide from her lens as a member of the school district. SPAC bylaws indicate the committee's purpose is not a decision making body, but to seek input, evaluation, and feedback.

7. Business from the Chief

a. Policy Review

- i. Use of Force (Draft) – Chief Lewis advised that the draft policy incorporates statutory change, requirements of a lawsuit, as well as some housekeeping changes. He provided a high level review of the changes throughout the policy. Advised many of the policy changes are already in effect in practice, but still need to be finalized in policy. Policy still requires attorney and union review prior to finalization.
 1. Michael Bean commented on the inclusion of de-escalation within the policy. He noted the quality of de-escalation is impacted by training.
 2. Barry Lind noted the word “reasonable” is used repeatedly and that the word likely means different things to different people.
 - a. Chief Lewis responded that the word “reasonable” is incorporated based on a Supreme Court decision regarding use of force. The intent is “what would an officer who has like training and experience do in that same situation, would they make the same reasonable decision”.

3. Councilor Pishioneri asked if policy can include ability for defensive tactics/use of force instructors review each incident for training purposes.
 4. A few grammatical and suggested wording recommendations were shared by various committee members.
- ii. Body-Worn Camera (Draft) – Lt. George Crolley shared the process of developing the draft body-worn camera policy, which included review of other agency policies, and best practices from industry leaders (DOJ, BJA). Asked for input from SPAC members.
1. SPAC members were asked to send other questions and input to Jessica.
 2. Michael Bean asked for an update on the timing of the project.
 - a. Lt. Crolley shared the initial project implementation goal was February 2021, but would be delayed primarily due to the need to fulfil DOJ grant requirements prior to entering into a contract for equipment. The project team is working to meet the grant requirements and hopes to have an updated project plan soon.
 3. Eric Adams advised he read it and thought it was rather comprehensive. He asked if there is a uniform set of best practices in developing these policies?
 - a. Lt. Crolley advised the Bureau of Justice Assistance has many documents and best practices available. He also reached out to about 11 police agencies to get input on and review their policies.
 - b. Chief commented that statutory limitations and requirements have also been incorporated in the policy.
 4. Councilor Pishioneri noted there is a very detailed list of when supervisors can review video footage and did not find the ability for supervisors to review footage at will, to find good or bad. He inquired whether there was push back from the union to allow this.
 - a. Chief Lewis shared that supervisor digital evidence review limits were established and determined between a prior chief and the union in 2013 and a change to it is a negotiable issue with the union. Chief advised there are provisions within the policy for utilizing video evidence for training purposes.
 - b. Councilor Pishioneri noted he would just like to have options open, if possible.
 5. Councilor Pishioneri asked if there is any policy limiting sharing evidence without authorization, but overall the policy looks great.

- a. Lt. Crolley confirmed there is policy prohibiting sharing of any evidence without authorization by any employee.
 6. Chief Lewis noted that an In-Car Video policy is also under development as the usage and process. ICV policy will be shared with SPAC when it is ready for review.
 7. Michael Bean asked if staff want body-worn cameras. Lt. Crolley advised staff are eager to have the cameras to document the good work they do and difficult situations they encounter.
- b. General Update
- i. New SPAC cultural minority community representative will be appointed by City Council next month and join the committee as of January 2021.
 - ii. From a prior committee suggestion regarding community involvement and education on use of force, we have researched the options and identified a simulation device that could provide good information. It will likely be best to wait until COVID related restrictions are done.
 - iii. Jessica will send out the link to the 2020 State of Oregon STOP Report and we will plan to discuss it at a future meeting.
 - iv. On December 10th, Rick Brazier will be hosting a community forum regarding the Thurston incident. SPAC and anyone within the community is welcome to attend.

8. Business from the Committee

- a. SPAC Officer Election of Chair/Co-Chair – election tabled for the January meeting.
- b. Member Information Share
 - i. Councilor Pishioneri commented that the City's main webpage has a link to the Rick Brazier virtual forum information.
 - ii. Johnny Kirschenmann commented that there seems to be a disconnect between the community and police department, in Springfield and throughout the country. He hopes to help bridge the gap.
 - iii. Isa Aviad shared she has experienced an increase in poor driving and asked if there has been consideration of increased traffic enforcement.
 - iv. Eric Adams shared that their Park Ranger has made good connection with SPD. Willamalane has noted an increase in car break ins at their trail heads lately. They have video of incidents and are working with SPD to identify involved individuals. Willamalane is working on ways to inform the community to be cautious.

Adjourned 7:35pm