



Eugene City Council

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EUGENE CITY COUNCIL AGENDA

November 29, 2017

12:00 p.m. CITY COUNCIL WORK SESSION

Harris Hall

125 East 8th Avenue

Eugene, Oregon 97401

**Meeting of November 29, 2017;
Her Honor Mayor Lucy Vinis Presiding**

Councilors

Alan Zelenka, President

Emily Semple

Claire Syrett

Jennifer Yeh

Mike Clark, Vice President

Greg Evans

Chris Pryor

Betty Taylor

12:00 p.m. CITY COUNCIL WORK SESSION

Harris Hall, 125 East 8th Avenue

The Mayor calls the November 29, 2017, City Council work session to order.

A. WORK SESSION:

21st Century Policing

Adjourn.

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El consejo de la Ciudad de Eugene agradece su interés en estos asuntos de la agenda. El lugar de la reunión tiene acceso para sillas de ruedas. Se puede proveer a un intérprete para las personas con discapacidad auditiva si avisa con 48 horas de anticipación. También se puede proveer interpretación para español si avisa con 48 horas de anticipación. Para reservar estos servicios llame al 541-682-5010. Las reuniones del consejo de la ciudad se transmiten en vivo por Metro Television, Canal 21 de Comcast y son retransmitidas durante la semana.

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EUGENE CITY COUNCIL AGENDA ITEM SUMMARY



Work Session: 21st Century Policing

Meeting Date: November 29, 2017

Agenda Item Number: A

Departments: Police and Central Services

Staff Contacts: Chief Pete Kerns and Kristie Hammitt

www.eugene-or.gov

Contact Telephone Numbers: 541-682-5102, 541-682-5524

ISSUE STATEMENT

In December 2014, President Barack Obama signed an executive order establishing the Task Force on 21st Century Policing. This task force was charged with identifying best practices and offering evidence-based recommendations on how policing practices can promote effective crime reduction while building public trust in local communities across the country. Released in May 2015, the task force report provides a blueprint for implementing 21st Century Policing concepts and practices by local law enforcement agencies and other criminal justice system stakeholders.

As part of this work session, two of the task force members and principal consultants with 21st Century Policing LLC, former Philadelphia Police Commissioner Charles Ramsey and Sean Smoot, will provide a presentation to the City Council on the task force's recommendations and will be available to discuss implementation of these recommendation in the context of the City of Eugene municipal justice system. The intent of this presentation is to inform the City Council about key recommendations and best practices identified by the 21st Century Policing Task Force and to provide a context for future discussions about the community's public safety needs and how our municipal justice system can best address them.

BACKGROUND

The Task Force on 21st Century Policing recommendations are organized around the six main topic areas or "pillars:"

- Building Trust and Legitimacy
- Policy and Oversight
- Technology and Social Media,
- Community Policing and Crime Reduction
- Officer Training and Education
- Officer Safety and Wellness

Attachment A provides a high-level summary of the task force recommendations for each of the six pillars and the best practices for implementing them. A full copy of the report is available on the U.S. Department of Justice website at https://cops.usdoj.gov/pdf/taskforce/taskforce_finalreport.pdf.

The information included in this presentation will also be shared by Commissioner Ramsey and Mr. Smoot at a public meeting on Tuesday, November 28, 2017, from 5:30 p.m. to 7:30 p.m. in the Bascom-Tykeson Room at the Downtown Public Library. The intent of this presentation is to share this information with key municipal justice system stakeholders and to continue building community buy-in and engagement around implementation of 21st Century Policing practices in our community. An invitation to attend this session has been extended to members of the Police Commission, Civilian Review Board, Human Rights Commission, appointed members of the Budget Committee, Police Auditor, Municipal Court judges and defense attorneys, EPEA leadership, and several other municipal justice system stakeholders.

In January 2018, staff will provide the Council with an update on the current state of the municipal justice system, the work that has been done over the past several years as part of the Community Justice Initiative to improve public safety outcomes in the community, and options for improving our municipal justice system and public safety outcomes. This update will include a discussion of several packages of options for improving public safety outcomes and a conversation about the funding strategies to implement these options.

RELATED CITY POLICIES

Council Goal of Safe Community: A community where all people are safe, valued and welcome.

COUNCIL OPTIONS

No Council action or recommendations are suggested.

CITY MANAGER'S RECOMMENDATION AND SUGGESTED MOTION

No council action or motions are suggested. This item is informational only.

ATTACHMENTS

- A. Summary of 21st Century Policing Task Force Recommendations.
- B. Presenter Information about Commissioner Charles Ramsey and Sean Smoot.

FOR MORE INFORMATION

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President's Task Force on 21st Century Policing Summary of Recommendations

Pillar One: Building Trust and Legitimacy

Decades of research and practice support the premise that people are more likely to obey the law when they believe that those who are enforcing it have authority that is perceived as legitimate by those subject to the authority. The public confers legitimacy only on those whom they believe are acting in procedurally just ways. Procedurally just behavior is based on four central principles: 1) treating people with dignity and respect; 2) giving individuals “voice” during encounters; 3) being neutral and transparent in decision making and 4) conveying trustworthy motives. Research shows that these principles lead to relationships in which the community trusts that officers are honest, unbiased, benevolent, and lawful. Law enforcement culture should embrace a guardian mindset to build public trust and legitimacy. Toward that end, police and sheriffs’ departments should adopt procedural justice as the guiding principle for internal and external policies and practices to guide their interactions with the citizens they serve.

- 1.1. Law enforcement agencies should acknowledge the role of policing in past and present injustice and discrimination and how it is a hurdle to the promotion of community trust.
- 1.2. Law enforcement agencies should establish a culture of transparency and accountability in order to build public trust and legitimacy. This will help ensure decision making is understood and in accord with stated policy.
- 1.3. Law enforcement agencies should promote legitimacy internally within the organizations by applying the principles of procedural justice.
- 1.4. Law enforcement agencies should proactively promote public trust by initiating positive non-enforcement activities to engage communities that typically have high rates of investigative and enforcement involvement with government agencies.
- 1.5. Law enforcement agencies should consider the potential damage to public trust when implementing crime fighting strategies.
- 1.6. Law enforcement agencies should track the level of trust in police by their community just as they measure changes in crime. Annual community surveys, ideally standardized across jurisdictions and with accepted sampling protocols can measure how policing in that community affects public trust.
- 1.7. Law enforcement agencies should strive to create a workforce that contains a broad range of diversity including race, gender, language, life experience, and cultural background to improve understanding and effectiveness in dealing with all communities.
- 1.8. Law enforcement agencies should build relationships based on trust with immigrant communities. This is central to overall public safety.

Pillar Two: Policy and Oversight

Citizens have a constitutional right to freedom of expression, including the right to peacefully demonstrate. There are strong examples of proactive and positive communication and engagement strategies that protect constitutional rights of demonstrators and the safety of citizens and the police. If Police are to carry out their responsibilities according to established policies, those policies must reflect community values and not lead to practices that result in disparate impacts on various

segments of the community. Paramount among the policies of law enforcement organizations are those controlling use of force. Not only should there be policies for deadly and non-deadly use of force, but a clearly stated “sanctity of life” philosophy must also be in the forefront of every officer’s mind. Data collection, supervision and accountability are also part of a comprehensive systematic approach to keep everyone safe and protecting the rights of all involved during police encounters.

- 2.1. Law enforcement agencies should collaborate with community members to develop policies and strategies in communities and neighborhoods disproportionately affected by crime for deploying resources that aim to reduce crime by improving relationships, greater community engagement and cooperation.
- 2.2. Law enforcement agencies should have comprehensive policies on the use of force that include training, investigations, prosecutions, data collection, and information sharing. These policies must be clear, concise and openly available for public inspection.
- 2.3. Law enforcement agencies are encouraged to implement non-punitive peer review of critical incidents separate from criminal and administrative investigations.
- 2.4. Law enforcement agencies are encouraged to adopt identification procedures that implement scientifically supported practices that eliminate or minimize presenter bias or influence.
- 2.5. All federal, state, local, and tribal law enforcement agencies should report and make available to the public census data regarding the composition of their departments including race, gender, age, and other relevant demographic data.
- 2.6. Law enforcement agencies should be encouraged to collect, maintain, and analyze demographic data on all detentions (stops, frisks, searches, summons, and arrests). This data should be disaggregated by school and non-school contacts.
- 2.7. Law enforcement agencies should create policies and procedures for policing mass demonstrations that employ a continuum of managed tactical resources that are designed to minimize the appearance of military operation and avoid using provocative tactics and equipment that undermine civilian trust.
- 2.8. Some form of civilian oversight of law enforcement is important in order to strengthen trust with the community. Every community should define the appropriate form and structure of civilian oversight to meet the needs of the community.
- 2.9. Law enforcement agencies and municipalities should refrain from practices requiring officers to issue a predetermined number of tickets, citations, arrests, or summons, or to initiate investigative contacts with citizens for reasons not directly related to improving public safety, such as generating revenue.
- 2.10. Law enforcement officers should be required to seek consent before a search and explain that a person has the right to refuse consent when there is no warrant or probable cause. Furthermore, officers should ideally obtain written acknowledgement that they have sought consent to search in these situations.
- 2.11. Law enforcement agencies should adopt policies requiring officers to identify themselves by their full name, rank, and command (as applicable, and provide that information in writing to individuals they have stopped. In addition, policies should require officers to state the reason for the stop and the reason for the search, if one is conducted.
- 2.12. Law enforcement agencies should establish search and seizure procedures related to LGBTQ and transgender populations and adopt as policy the recommendation from the President’s Advisory Council on HIV/AIDS (PACHA) to cease using the possession of condoms as the sole evidence of vice.
- 2.13. Law enforcement agencies should adopt and enforce policies prohibiting profiling and discrimination based on race, ethnicity, national origin, religion, age, gender, gender

identity/ expression, sexual orientation, immigration status, disability, housing status, occupation, or language fluency.

- 2.14. The US Department of Justice, through the Office of Community Oriented Policing Services and the Office of Justice Programs, should provide technical assistance and incentive funding to jurisdictions with small police agencies that take steps towards shared services, regional training and consolidation.
- 2.15. The US Department of Justice, through the Office of Community Oriented Policing Services should partner with the International Association of Directors of Law Enforcement Standards and Training (I (ADELST) to expand its National Decertification Index to serve as the National Register of Decertified Officers with the goal of covering all agencies within the US and its territories.

Pillar Three: Technology & Social Media

The use of technology can improve policing practices and build community trust and legitimacy, but its implementation must be built on a defined policy framework with its purposes and goals clearly delineated. While technology is crucial to law enforcement, it is never a panacea. Its acquisition and use can have unintended consequences for both the organization and the community it serves, which may limit its potential. Thus, agencies need clearly defined policies related to implementation of technology, and must pay close attention to community concerns about its use.

- 3.1. The US Department of Justice in consultation with the law enforcement field, should broaden the efforts of the National Institute of justice to establish national standards for the research and development of new technology. These standards should also address compatibility and interoperability needs both within law enforcement agencies and across agencies and jurisdictions and maintain civil and human rights protections.
- 3.2. The implementation of appropriate technology by law enforcement agencies should be designed considering local needs and aligned with national standards.
- 3.3. Law enforcement agencies should adopt the use of new technologies that will help them better serve people with special needs or disabilities.
- 3.4. Federal, state, local and tribal legislative bodies should be encouraged to update public record laws.
- 3.5. Law enforcement agencies should adopt model policies and best practices for technology-based community engagement that increase community trust and access.
- 3.6. The Federal Government should support the development of new “less than lethal” technology to help control combative suspects.
- 3.7. The Federal Government should make the development and building of segregated radio spectrum and increased bandwidth by FirstNet for exclusive use by local, state, tribal and federal public safety agencies a top priority.

Pillar Four: Community Policing and Crime Reduction

Community policing emphasizes working with neighborhood residents to coproduce public safety. Law enforcement agencies should therefore work with community residents to identify problems and collaborate on implementing solutions that produce meaningful results for the community. It should be stressed that the absence of crime is not the final goal of law enforcement. Rather it is the promotion and protection of public safety while respecting the dignity and rights of all. Public safety and well-being cannot be attained without the community’s belief that their well-being is at the heart of all law enforcement activities. It is critical to help community members see police as allies

rather than as an occupying force and to work in concert with other community stakeholders to create more economically and socially stable neighborhoods.

- 4.1. Law enforcement agencies should develop and adopt policies and strategies that reinforce the importance of community engagement in managing public safety.
- 4.2. Community policing should be infused throughout the culture and organization structure of law enforcement agencies.
- 4.3. Law enforcement agencies should engage in multidisciplinary community team approaches for planning, implementing and responding to crisis situations with complex causal factors.
- 4.4. Communities should support a culture and practice of policing that reflects the values of protection and promotion of the dignity of all, especially the most vulnerable.
- 4.5. Community policing emphasizes working with neighborhood residents to co-produce public safety. Law enforcement agencies should work with community residents to identify problems and collaborate on implementing solutions that produce meaningful results for the community.
- 4.6. Communities should adopt policies and programs that address the needs of children and youth most at risk for crime or violence and reduce aggressive law enforcement tactics that stigmatize youth and marginalize their participation in schools and communities.
- 4.7. Communities need to affirm and recognize the voices of youth in community decision making, facilitate youth-led research and problem solving, and develop and fund youth leadership training and life skills through positive youth/police collaboration and interactions.

Pillar Five: Training and Education

As our nation becomes more pluralistic and the scope of law enforcement's responsibilities expands, the need for expanded and more effective training has become critical. Today's line officers and leaders must be trained and capable to address a wide variety of challenges including international terrorism, evolving technologies, rising immigration, changing laws, new cultural mores, and a growing mental health crisis. Though today's law enforcement professionals are highly trained and highly skilled operationally, they must also develop specialized knowledge and understanding that enable fair and procedurally just policing and allow them to meet a wide variety of new challenges and expectations.

- 5.1. The Federal Government should support the development of partnerships with training facilities across the country to promote the consistent standards for high quality training and establish training innovation hubs.
- 5.2. Law enforcement agencies should engage community members in the training process.
- 5.3. Law enforcement agencies should provide leadership training to all personnel throughout their career.
- 5.4. The US Department of Justice should develop, in partnership with institutions of higher education, a national postgraduate institute of policing for senior executives with a standardized curriculum preparing them to lead agencies in the 21st century.
- 5.5. The US Department of Justice should instruct the FBI to modify the curriculum of the National Academy at Quantico to include prominent coverage of the topical areas addressed in this report. In addition, the COPS Office and the Office of Justice Programs should work with law enforcement professional's organizations to encourage modification of their curricula in a similar fashion.
- 5.6. POSTs should make Crisis Intervention Training (CIT) a part of both basic recruit and in-service officer training.

- 5.7. POSTs should ensure that basic officer training includes lessons to improve social interaction as well as tactical skills
- 5.8. POSTs should ensure that basic recruit and in-service officer training include curriculum on the disease of addiction.
- 5.9. POSTs should ensure both basic recruit and in-service training incorporates content around recognizing and confronting implicit bias and cultural responsiveness.
- 5.10. POSTs should require both basic recruit and in-service training on policing in a democratic society.
- 5.11. The Federal Government as well as state and local agencies should encourage and incentivize higher education for law enforcement officers.
- 5.12. The Federal Government should support research into the development of technology that enhances scenario based training, social interaction skills, and enables the dissemination of interactive distance learning for law enforcement.
- 5.13. The US Department of Justice should support the development and implementation of improved Field Training Officer Programs.

Pillar Six: Officer Wellness and Safety

The wellness and safety of law enforcement officers is critical not only for the officers, their colleagues and their agencies, but also to public safety. The ‘bulletproof cop’ does not exist. The officers who protect us must also be protected – against incapacitating physical, mental, and emotional health problems as well as against the hazards of their job. Their wellness and safety are crucial for them, their colleagues, and their agencies as well as the well-being of the communities they serve.

- 6.1. The US Department of Justice should enhance and further promote its multi-faceted officer safety and wellness initiative.
- 6.2. Law enforcement agencies should promote safety and wellness at every level of the organization.
- 6.3. The US Department of Justice should encourage and assist departments in the implementation of scientifically supported shift lengths by law enforcement.
- 6.4. Every law enforcement officer should be provided with individual tactical first aid kits and training as well as anti-ballistic vests.
- 6.5. The US Department of Justice should expand efforts to collect and analyze data not only on officer deaths but also injuries and “near misses”.
- 6.6. Law enforcement agencies should adopt policies that require officers to wear seat belts and bullet proof vests and provide training to raise awareness of the consequences of failure to do so.
- 6.7. Congress should develop and enact peer review error management legislation.
- 6.8. The US Department of Transportation should provide technical assistance opportunity for departments to explore the use of vehicles equipped with vehicle collision prevention “smart car” technology that will reduce the number of accidents

A full copy of the 21st Century Policing Task Force report is available on the US Department of Justice website at https://cops.usdoj.gov/pdf/taskforce/taskforce_finalreport.pdf.

Presenter Information

Charles H. Ramsey

Charles H. Ramsey led the fourth largest police department in the nation with 6,500 sworn and 800 civilian members of the Philadelphia Police Department before he retired from his post on December 31, 2015. Commissioner Ramsey brings nearly fifty years of law enforcement expertise to 21CP Solutions LLC. He served as Washington, D.C. Police Chief and was a Deputy Superintendent in the Chicago Police Department where he implemented the nationally acclaimed model of community policing called the Chicago Alternative Policing Strategy.



Commissioner Ramsey has long been at the forefront of developing innovative policing strategies, evidence-based initiatives, organizational accountability and neighborhood based programs. Working with the Anti-Defamation League and the United States Holocaust Memorial Museum, he led the creation of Law Enforcement & Society: Lessons from the Holocaust.

He is a past President of the Police Executive Research Forum, the Major Cities Chiefs Association, and served on the International Association of Chiefs of Police Executive Committee. In January of 2015, President Barack Obama called on Commissioner Ramsey to co-chair the President's Task Force on 21st Century Policing.

Commissioner Ramsey has received numerous awards including the John M. Penrith Leadership Award from the FBI National Executive Institute, Leadership awards from the Police Executive Research Forum and the Major Cities Chiefs Association, and the Innovations in American Government Award from Harvard University's John F. Kennedy School of Government.

Sean M. Smoot

Mr. Smoot serves as Director and Chief Counsel for the Police Benevolent & Protective Association of Illinois ("PB&PA") and the Police Benevolent Labor Committee ("PBLC"). In those capacities, he is responsible for administering the provision of legal services for over 7,500 legal defense plan participants.

Mr. Smoot also serves as the elected Treasurer of the National Association of Police Organizations ("NAPO"), a national law enforcement advocacy group representing over 250,000 police officers.

He has served on the Advisory Committee for the National Law Enforcement Officers' Rights Center in Washington, D.C. since 1996. Mr. Smoot is a member of the Advisory Committee at the Chicago-Kent College of Law's Annual Illinois Public Sector Labor Relations Law Program. He also serves on the Use of Force Advisory Committee, the Police Pursuit Advisory Committee, the Racial Profiling Advisory Committee, and the Task Force on Police Integrity for the Illinois Law Enforcement Training and Standards Board. Smoot speaks regularly at state, national, and international forums regarding community policing, public safety, and public employee labor issues. A proud veteran himself, Smoot has also been a featured speaker at the National Academy of Arbitrators and several CLE programs regarding the Rights of Military Employees.



Mr. Smoot was selected for inclusion in Super Lawyers and Rising Stars 2008 and 2009 and has been recognized as one of the "Top Employment and Labor Attorneys in Illinois" by the publishers of the Chicago Magazine. He was admitted to the United States Supreme Court Bar in June of 2011 and is honored to have served as a police and public safety policy advisor to the Obama-Biden Presidential Transition Team.

Mr. Smoot was a Member of the Executive Session on Policing and Public Safety at the Kennedy School of Government, Harvard University in 2008-2014. He also holds several Certificates in Police Union Leadership from the Harvard Law School.

Mr. Smoot was appointed to the Task Force on 21st Century Policing and the Illinois Commission on Police Professionalism. He also currently serves as a member of the Cleveland Police Department consent decree monitoring team.

Additional information about 21st Century Policing LLC is available on their website at <http://21cpsolutions.com>.