



BOARD OF POLICE COMMISSIONERS
MINUTES OF MEETING
Tuesday, June 16, 2020

I. Call to Order
Chair Gamache

The meeting resumes from recess at 6:09 pm.

II. Roll Call and Determination of Quorum
Chair Gamache

Commissioners Present: Chair Jabulani Gamache, Commissioner Randall Harp, Commissioner Mark Hughes, Commissioner Yuol Herjok, Commissioner Michele Asch, Commissioner Shireen Hart, Commissioner Nyree Miles (arrived at 6:17pm), and Youth Commissioner Landen Nipper. Quorum was met.

Also Present: Acting Chief Jon Murad, Deputy Chief Matt Sullivan, and Commission Clerk Shannon Trammell

Counsel for this meeting: Joy Hovestadt

A motion was made by Commissioner Hart, seconded by Commissioner Herjok, to resume discussion on the Use-of-Force Policy. The motion carried by the following vote:

Aye: Gamache, Harp, Hughes, Herjok, Asch, Hart

No: 0

Absent: Miles

III. Review & Discuss Updated Draft Use-of-Force Directives

Chair Gamache opened the floor for discussion on the Updated Draft Use-of-Force Directives.

Commissioner Hughes expresses a point of concern that he hasn't had sufficient time in reviewing the document and will be abstaining from voting if it goes to a vote during this meeting.

Commissioner Harp would like to express his appreciation for the document and the work that was done to get to this point. He would like to address the following points in further meetings, but said it would not keep him from voting on the policy at this meeting:

- a. Reconcile DD05.03 Section III "Justification," last full paragraph in that section. Would like to make sure there is no inconsistency with that statement and others made throughout the document about where the policy imposes additional obligations of officers beyond the "Reasonable Officer Requirement"
- b. To make sure the Police Commission has the information needed to evaluate how this policy, if adopted, is having an effect on policing to evaluate how the policy is being implemented.

Commissioner Herjok asked Acting Chief Murad to clarify if the policy has been updated to include the Department giving the Police Commission a summary of Use-of-Force incidents twice a year?

- a. Acting Chief Murad replied that it has not been added to the Use-of-Force Directives, but to the Role of the Police Commission document. And stated that he would like to see summaries provided monthly to the Commission; not only just twice a year.

Commissioner Herjok would like to know if the following will be provided in the monthly Use-of-Force summary (if not, he would like them included):

- a. Officer involved, demographic (age, gender, race), justification, type of use-of-force, outcome, and the relevant documentation (written and/or video).

Commissioner Asch felt there was a deep dive done at the last meeting, and expressed her appreciation to Acting Chief Murad for updating the document. She looked at her notes and the changes that were done and felt everything from the last meeting was captured and is good with all of the changes.

Commissioner Hughes raised a question regarding Commissioner Herjok's previous concerns; and whether they belong in the Role of the Police Commission document or in these Use-of-Force Directives. His opinion is that if they are not in the "rule" [Directives], then there isn't anything to hold the Department accountable for reporting these use-of-force summaries to the Commission.

- a. Commissioner Asch provides some clarity that this came from a resolution from City Council; that they gave the responsibility of drafting a document to the Commission of its role, and once it is completed, it goes back to the Public Safety Committee and is a resolution by the City and that is how the document gets codified.
- b. Joy Hovestadt will get further clarification on this.

Commissioner Harp requests clarification in DD05.02 Section VII, "Use-of-Force Reports" regarding amending reports and deleting information.

DD05.02 Section VII (A)

Last sentence should read "Deletion of any text in initial reports is forbidden, however."

A motion was made by Commissioner Asch, seconded by Commissioner Harp, to move forward in voting for the policy that includes the proposed change Commissioner Harp requested tonight.

Aye: Miles, Asch, Hart, Harp, Gamache

No: Herjok, Hughes

A motion was made by Commissioner Harp, seconded by Commissioner Asch, that the Commission adopt the Use-of-Force Directives with indicated changes for BPD.

Aye: Asch, Harp, Gamache, Miles, Hart

No: Herjok

Abstains: Hughes

Use-of-Force Policy is adopted with the indicated changes for BPD.

IV. Adjournment

A motion was made by Chair Gamache, seconded by Commissioner Asch, to adjourn the meeting.

Aye: Gamache, Miles, Harp, Hart, Asch, Herjok

Abstains: Hughes

Meeting adjourns at 6:49 pm.

Respectfully Submitted,



Shannon Trammell
Executive Assistant to the Chief of Police
Clerk of the Police Commission

7/29/2020