

City of Salem Community Police Review Board
July 14, 2020 6:00 p.m. Digital Meeting Minutes

Members Present: Jodi Sherwood, Chair; Bevin Clapper, Vice Chair; Erin Hull, Steven Rice and Michelle Teed.

Members Absent: Lowell Alik, and Robert McGinty

Guests Present: Cathy Seckel, Christine Acosta, Dr. Irwin M. Brown, Julieanne Jackson, Lisa Nair, Steven Koc, Heather Lasago, Rian Gayle, and ASL interpretation team.

Staff Present: Gretchen Bennett and Steve Powers, Mayor/City Manager's Office, Marc Weinstein, City Attorney's Office

Gretchen provided notification that the meeting is streaming live on You Tube, explained how the meeting format and public comment portions are planned, and provided digital meeting discussion tips.

1. Roll Call. Chair Sherwood welcomed everyone. Introductions were shared.

Chair Sherwood provided opening remarks, including description of the work with case reviews. Not many are received; the board is available to meet more frequently if needed for case reviews. She informed the group when the board meets without a case review, the group learns about topics; recent topics have included working with large crowds, complaint data, arrest procedures. She noted the board also reviews its case process, since it does not have many, to ensure it is prepared. Board members (except during the pandemic) normally also participate in two ride alongs per year.

Chair Sherwood welcomed City Manager Steve Powers.

Steve noted these are extraordinary times and thanked board members for their service. He noted current needed and important community conversations around policing. He indicated having a board ready to help with case review is critical. He thanked the group for the opportunity to be with them, noting he will speak to some of the work underway and invites discussion about member interest and best way for board members to participate.

There are questions about actions the department took during recent downtown events. Regardless of the intent with the actions, what were the impacts and are those impacts in line with what we want as a city, with council expectations that we be a safe and livable community? Chief Moore issued an After Action Report, which is one step in what is needed moving forward. Two work sessions are planned with City Council. One relates to school resource officers. The other relates to operations related to non-criminal matters, such as interactions with people who have a mental health disability or people who are unsheltered.

A performance audit is being planned: Steve noted this is a positive action. Steve indicated his recommendation is to focus on issues of concern and to engage community input as a part of this process. Topics include questions such as examination of the cost/benefit analysis of body and dash cameras. The City is aware of violence that can occur and is wanting to ensure tools available uphold free speech and public safety.

Steve looks forward to amplifying information and discussion of key issues such as these. How can recent foundational community support of the work (bond passage for new station, recent hundreds in attendance at “breakfast with chief” event) be built upon to broaden engagement and dialogue? He’d like to discuss engagement and to involve board members in ways that work well for them. He invited comment at the meeting or after. He appreciated the board’s role in reviewing cases.

Board members discussed community knowledge of information about the department and recent current events. Gretchen discussed the role of the Human Rights Commission and briefly touched on the police complaint process.

Chair Sherwood asked about the timeline for the audit. Steve replied the “request for proposals” for an audit team will be released within 30 days. Some information will be desired in time to inform budget development; one question is whether parts can be completed at different times. Vice Chair Clapper asked if there are any limitations. Steve replied there are not limitations, but his advice is to review effectiveness rather than efficiency. He added it is a performance audit, not a financial audit.

Discussion ensued. Vice Chair Clapper noted it would be helpful to identify what standards or criteria the manager would like the department to be assessed against. Chair Sherwood asked about the accreditation. She noted importance of spending time on core work and not peripherals.

Steve discussed the current accreditation process. There are three-year renewals. A review of non-dispatch time is involved. The review moving forward should include information on if the police should respond to calls that are non-criminal in nature or if there is a better community response option. This is also part of the upcoming work session.

Christine Acosta asked about the performance audit and if there is existing data related to interactions police have in non-criminal circumstances, such as responding to topics related to people who are unsheltered and people who are experiencing mental health issues. She asked if the department has a no-knock policy. Steve noted the audit is not anticipated to create data. The group discussed when people exhibit behaviors that are uncomfortable but not a crime.

Julianne Jackson asked about values: Steve noted the Council values in the 2017 strategic plan as a key source for this clarification. Julianne asked about access should a person have a complaint process; the complaint process was discussed. Chair Sherwood added the audit could look at the process for complaints and the board role as well.

Chair Sherwood noted she appreciates the number of community members and board applicants.

2. Approval of Minutes. Vice Chair Clapper motioned to approve the January meeting minutes as presented. Member Teed seconded the motion. The motion to approve the minutes was approved unanimously.

3. Public Comment:

Rian Gayle shared he is a person who is black and deaf who lives in Salem. He shared he feels it is important to have access for people. He shared interest in having officers have information about people's disabilities; some disabilities are invisible, and the information is critical to the interaction. Vice Chair Clapper added her experience in a ride-along in which a person was deaf, and no services were provided. She has seen variations of accessibility. She would like to see more information on how we communicate with people who are deaf. Rian noted there is not always interpretation available, and having access later runs risks of issues being tabled. He would like to see more information shared about the complaint process.

Steve noted he will make sure policies related to bias, anti-discrimination, and use of force are available.

Julianne noted that while she is supportive of the NAACP, the organization does not capture the voices of others who also have input. Gretchen noted city willingness to hear and have discussion with all.

Dr. Brown noted police may not initially see a person has a disability in an interaction. Disabilities can be hidden. He noted equity work involves learning more about what identities look like and feel like. Steve replied that he welcomes help and discussion.

Erin shared an example of a disability with tremors; tremors can be misunderstood. Wearing a medical bracelet can be helpful for explain information in cases of emergency.

Chair Sherwood spoke to the importance of being medically informed and trauma informed.

Member Rice shared ride-along experiences where police worked with people who are unsheltered.

Rian Gayle noted a recent legislative proposal which would involve communicating a persons' disability on driver's licenses. Rian is opposed to these proposals, although he noted it is a conversation that can be had for considering how to support people with disabilities. He is more supportive of efforts to ensure preparation by officers should they encounter a person with a disability.

4. Consideration of Requests from City Manager or Chief of Police:

Gretchen apologized for not editing this agenda item to reflect the City Manager request for participation in current events. Steve indicated if the board would be interested in calling a special meeting, he would welcome the opportunity to provide more specificity. He would like for that conversation to occur before October. He'd like help with how the discussion can occur. Chair Sherwood and Member Teed expressed support for an additional meeting; there was no disagreement. Gretchen will schedule.

Chair Sherwood confirmed there are no new cases referred to the board, and that we did not hear further from parties involved in our recent pending case.

5. Election of Officers:

Voting formats were provided; the group agreed to vote in the digital meeting environment. Vice Chair Clapper nominated Chair Sherwood to continue to serve as Chair. Member Rice seconded the motion. Chair Sherwood indicated willingness to serve if selected. No other nominations were received. Chair Sherwood nominated Vice Chair Clapper to continue to serve as Vice Chair. Member Rice seconded the motion. Vice Chair Clapper indicated willingness to serve if selected. No other nominations were received. Discussion was invited. There was no further discussion. The motions to elect Chair Sherwood to another term as chair, and Vice Chair Clapper to another term as vice chair were unanimously approved.

6. Board Member Remarks:

Chair Sherwood thanked everyone for participating in the digital meeting enforcement. She noted a special meeting date will be scheduled.

Vice Chair Clapper read a prepared statement:

Statement to the CPRB and City of Salem Leadership 7/14/2020

My name is Bevin Clapper. I live in Ward 7 and am a performance auditor by trade. I was appointed by City Council in December to my second 2-year term on the Salem Community Police Review Board (CPRB). During my first term, we sat through many, many presentations on department programs and procedures as well as completed multiple ride-alongs with Salem police officers. Personally, these ride-alongs have opened my eyes to the people behind the badges and 'the department.' In my experience, the small percent of officers I have spent time with want to help people and keep Salem safe.

I would like to be able to say my time on the CPRB has been productive or contributed to the oversight or accountability of the Salem Police Department, but in short, it has not.

Unfortunately, I do not feel the department has been transparent about its operations or has

the policy and oversight structures in place to ensure my experiences going about my business in Salem as a white woman are universal to all people.

I have been continually frustrated with the lack of transparency and inability of the department to provide basic facts and statistics about their operations. I have asked on multiple occasions for a written report of basic performance information and the department has not been responsive in over a year. There was a ridiculously quick, verbal reading of a list of numbers at the April 9, 2019 meeting which, frankly, was disrespectful. Those numbers were not included in the minutes until I requested an additional supplement at the next meeting. In my opinion, even the numbers we were able to quickly write down, lacked context or meaning because there was no information about trends over time or ways to compare or benchmark the data. In addition, I am not sure how anyone is monitoring the performance of the department because we were told in July 2019 that the department no longer produces an annual report.

The Salem Community Police Review Board has not reviewed a single case in two years. We have not, including this meeting's agenda, had a single request for advisement, policy discussion, or participation from the City Council, Mayor, City Manager, or Chief of Police. We have not done any work in the following areas, even though these duties appear on the City of Salem website:

- Reviewed and advised on police department policy and procedure,
- Reviewed and analyzed the police department's complaint summaries and trends,
- Referred issues to the Chief of Police.

I am ready to serve the City and the citizens of Salem for the next two year and am looking forward to opportunities to have renewed discussions about the purpose of the CPRB and how we can bring greater oversight and transparency to the Salem Police Department. I believe that only through the department showing respect for oversight mechanisms such as the CPRB, providing data that is transparent and accurately reflects department performance, and participating in honest, public conversations about misconduct, challenges, and the public perception of police actions, can we begin to build community trust.

As a professional performance auditor, I would be particularly interested in providing input into an independent audit on the Salem Police Department discussed by City Council as well as any policy reviews.

Member Rice offered his services to the City Manager as a former school counselor, regarding questions about School Resource Officers.

Member Teed appreciated Chair Sherwood for being Chair again and appreciated city manager staff work to the board.

Chair Sherwood referred to Vice Chair Clapper's statement. She noted that she recognizes this is in part why she and Vice Chair Clapper make a good team in that she feels differently that they have been engaged. She noted could it be better, yes. She noted that the information and accountability can be better. She noted we only review situations that

come to the board in a case review. She is looking forward to the audit. She encourages the city to look at how communication processes can work, to include more than at the end of a complaint process.

7. Ride Along Status:

Ride alongs are currently not available, due to the pandemic. Chair Sherwood asked if another idea, instead of ride-alongs right now, may be to create 15-minute conversation opportunities with officers, to ask questions. She wondered if that would be a possibility in this time and invited feedback. Member Hull supported the idea, either for group or one-on-one time. Vice Chair Clapper indicated that we need to come up with creative solutions right now, and, as soon as possible, urged a return to ride-alongs when possible, noting they are invaluable. Marc Weinstein summarized the board bylaws related to requirements for ride-along participation. He noted Sgt. Smith email communication indicating it is not likely ride alongs will be available through 2020 and perhaps further into the future. He advised options for course of action: the board could vote to request of the City Manager that he waive the requirement for good cause.

Vice Chair Clapper moved to request the city manager the suspension of the ride along requirement with cause given the Covid 19 pandemic for one year. Member Hull seconded the motion. Discussion was invited. Chair Sherwood suggested adding to the motion that the board could vote to rescind the idea at a future meeting if conditions change. The motion as amended was unanimously approved. City Manager Steve Powers approved the recommendation.

Chair Sherwood discussed follow up with the idea for conversation opportunities for board members. She suggested informally perhaps there are staff members in the department available to take calls from board members with questions.

Chair Sherwood thanked the group for participating and thanked the ASL interpretation team for their work this evening.

Vice Chair Clapper moved to adjourn the meeting; Member Hull seconded the motion. The motion to adjourn was unanimously approved.

Respectfully Submitted, Gretchen Bennett, Staff Liaison