



# Agenda City Council Policy Session

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Tuesday, July 2, 2019

2:30 PM

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**\*\*\*REVISED July 1, 2019\*\*\***  
**Location Change:**  
**Orpheum Theatre**  
**203 W. Adams St.**  
**Phoenix, Arizona 85003**

## CALL TO ORDER

## COUNCIL INFORMATION AND FOLLOW-UP REQUESTS

This item is scheduled to give City Council members an opportunity to publicly request information or follow up on issues of interest to the community. If the information is available, staff will immediately provide it to the City Council member. No decisions will be made or action taken.

## REPORTS AND BUDGET UPDATES BY THE CITY MANAGER

This item is scheduled to allow the City Manager to provide brief informational reports on topics of interest to the City Council. The City Council may discuss these reports but no action will be taken. Police Chief Jeri Williams will discuss her action plan for the Phoenix Police Department.

## DISCUSSION AND POSSIBLE ACTION (ITEMS 1a-1b)

### 1a **Early Intervention Software Solution Procurement for Police Department**

Page 3

Request to authorize the City Manager, or his designee, to begin the procurement process for a comprehensive risk management software system for early intervention based on individual performance and other measurements for the Police Department. Staff will review and examine software systems and bring a recommended solution, through the procurement process, to the City Council within 60 days.

### **THIS ITEM IS FOR DISCUSSION AND POSSIBLE ACTION.**

#### **Responsible Department**

This item is submitted by Assistant City Manager Milton Dohoney, Jr. and the Police Department.

- 1b **Authorization to Issue a Request for Qualifications (RFQu) to Create a Qualified Vendor List (QVL) for Public Opinion Research Firm Services** Page 4

Request to authorize the City Manager, or his designee, to issue a RFQu to create a QVL for a public opinion research firm(s) to solicit community input to help guide the creation of policies and strategies for the Police Department. Staff will develop a Qualified Vendors List and propose contracts for City Council approval in the Fall.

**THIS ITEM IS FOR DISCUSSION AND POSSIBLE ACTION.**

**Responsible Department**

This item is submitted by Assistant City Manager Milton Dohoney, Jr. and the Police Department.

**INFORMATION AND DISCUSSION (ITEM 2)**

- 2 **Police Department Civilian Review Board** Page 5

This report provides an overview of civilian review oversight board strategies in major city police departments. This report (with some updates) was presented at the Public Safety and Veterans Subcommittee meeting on March 13, 2019.

**THIS ITEM IS FOR INFORMATION AND DISCUSSION.**

**Responsible Department**

This item is submitted by Assistant City Manager Milton Dohoney, Jr. and the City Manager's Office.

**ADJOURN**

For further information or for reasonable accommodations, please call the Management Intern, City Manager's Office, at 602-262-4449 or Relay 7-1-1 as early as possible to coordinate needed arrangements.

Si necesita traducción en español, por favor llame a la oficina del gerente de la Ciudad de Phoenix, 602-262-4449 tres días antes de la fecha de la junta.



## **Early Intervention Software Solution Procurement for Police Department**

Request to authorize the City Manager, or his designee, to begin the procurement process for a comprehensive risk management software system for early intervention based on individual performance and other measurements for the Police Department. Staff will review and examine software systems and bring a recommended solution, through the procurement process, to the City Council within 60 days.

### **THIS ITEM IS FOR DISCUSSION AND POSSIBLE ACTION.**

#### **Summary**

City staff will examine any program that provides a comprehensive, modular approach for managing sworn and civilian personnel. The system must allow the Police Department to store and view all officer performance data in one place with analytics-driven modules such as: Use of Force, Internal Affairs, Training Performance Evaluation, Community Engagement, Activity and Officer Profile.

#### **Procurement Information**

Staff is aware of at least one solution available on the market today; and will scan the market for any other systems available over the next 60 days. Any appropriate system will be reviewed with the best option presented to City Council for consideration.

#### **Financial Impact**

This item is for direction to begin the procurement process. A recommendation for a vendor and funding source will be brought back to City Council after Police, Finance, and ITS staff perform an evaluation of the software solutions.

#### **Responsible Department**

This item is submitted by Assistant City Manager Milton Dohoney, Jr. and the Police Department.



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**Authorization to Issue a Request for Qualifications (RFQu) to Create a Qualified Vendor List (QVL) for Public Opinion Research Firm Services**

Request to authorize the City Manager, or his designee, to issue a RFQu to create a QVL for a public opinion research firm(s) to solicit community input to help guide the creation of policies and strategies for the Police Department. Staff will develop a Qualified Vendors List and propose contracts for City Council approval in the Fall.

**THIS ITEM IS FOR DISCUSSION AND POSSIBLE ACTION.**

**Summary**

City staff will find qualified vendors to provide a comprehensive, statistically valid review of attitudes and opinions about the Police Department. Public opinion research firms specialize in this type of research and survey data to inform policy decisions.

**Procurement**

The RFQu will be issued as soon as possible. Qualifications must include demonstrated objectivity, the ability to conduct focus group and in-person interviews, and statistical validation of sample size. Any successful proposer must demonstrate an ability to perform these research tasks in Spanish as well as English. In accordance with Administrative Regulation 3.10, Qualifications Based Selection, a list of qualified Offerers shall be established based on specific criteria, such as statements of qualification and work, key personnel and firm references.

**Financial Impact**

This item is for direction to begin the procurement process. A recommendation for approval of firms and funding source will be brought back to City Council in the Fall.

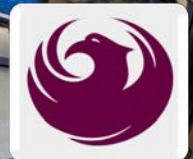
**Responsible Department**

This item is submitted by Assistant City Manager Milton Dohoney, Jr. and the Police Department.



# Phoenix Police Department Action Plan

Jeri L. Williams, Police Chief



July 2, 2019

# Action Plan Focus Areas



- Communicate Clear Expectations to Employees
- Modernize Technology & Processes
- Assess Best Practices
- Improve Training
- Survey Community Feedback

# Communicate Clear Expectations to Employees



- Employee Sessions
- Written Communication With Employees
- Crisis Communication Under Stress
- Implicit Bias Training

# Modernize Technology & Processes



- Body-Worn Cameras
- Tracking When Officers Draw Weapons
- Streamline Process for Releasing Reports
- Recruiting & Hiring Best Practices
- Early Intervention System



# Assess Best Practices Among Peer Agencies



- Behavioral Health
- De-Escalation
- Recruiting, Hiring and Training
- Report Writing
- Community Engagement

# Improve Training



- Field Training Officer Process
- Report Writing

# Possible Council Action



- Item 1a: Authorization To Conduct A Procurement Process For An Early Intervention System
- Item 1b: Authorization To Create A Qualified Vendor List For Public Opinion Research Firms Services



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**Thursday, July 25, 2019**

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| <b>1</b> | <b>Response to Council Members' Requests from<br/>July 2, 2019 Special Public Safety Council Meeting</b> | <b>Page 3</b> |
| <b>2</b> | <b>For Transmittal, Minutes of the Policy Session on<br/>July 2, 2019</b>                                | <b>Page 5</b> |



City of Phoenix

## General Information Packet

### City Council Report

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Date: 7/25/2019, Item No. 2

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#### **For Transmittal, Minutes of the Policy Session on July 2, 2019**

##### **Summary**

This item transmits the Minutes of the Policy Session on July 2, 2019.

The Minutes are attached for review as **Attachment A**.

##### **Responsible Department**

This item is submitted by the City Manager's Office.

# ATTACHMENT A



## City of Phoenix

### Minutes

Meeting Location:  
Orpheum Theatre  
203 W. Adams St.  
Phoenix, Arizona 85003

## City Council Policy Session

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Tuesday, July 2, 2019

2:30 PM

phoenix.gov

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### CALL TO ORDER

Mayor Gallego convened the Special Policy session on Tuesday, July 2, 2019 at 2:52 p.m. in the Orpheum Theatre.

- Present:** 8 - Councilman Sal DiCiccio, Councilmember Carlos Garcia, Councilwoman Betty Guardado, Councilman Michael Nowakowski, Councilwoman Laura Pastor, Councilwoman Debra Stark, Vice Mayor Jim Waring and Mayor Kate Gallego
- Absent:** 1 - Councilwoman Thelda Williams

Councilwoman Pastor arrived in-person during Council information and follow-up requests.

### COUNCIL INFORMATION AND FOLLOW-UP REQUESTS

This item is scheduled to give City Council members an opportunity to publicly request information or follow up on issues of interest to the community.

**Mayor Gallego** held a moment of silence for the Arizona Public Service (APS) worker who was killed in the line of duty late Sunday evening. She stated the Policy meeting was taking place in the Orpheum Theatre as a result of loss of power related to this tragic incident. Mayor Gallego expressed her commitment to transparency, efficiency and accountability in the Phoenix Police Department. She stressed the importance of supporting the City's public safety officers and first responders while also researching potential opportunities to improve and better serve the community.

**Councilwoman Pastor** requested a staff memo researching potential impacts of the August initiative pertaining to Public Safety Personnel Retirement System (PSPRS). She requested the memorandum include monetary impacts and pension funding levels.

**REPORTS AND BUDGET UPDATES BY THE CITY MANAGER**

This item is scheduled to allow the City Manager to provide brief informational reports on topics of interest to the City Council.

City Manager Ed Zuercher introduced fellow presenter Police Chief Jeri Williams.

Chief Williams presented the Phoenix Police Department Five-Point Action Plan. She outlined focus areas including: communicate clear expectations to employees, modernize technology and processes, assess best practices, improve training and survey for community feedback.

**DISCUSSION AND POSSIBLE ACTION (ITEMS 1a-1b)****1a Early Intervention Software Solution Procurement for Police Department**

Request to authorize the City Manager, or his designee, to begin the procurement process for a comprehensive risk management software system for early intervention based on individual performance and other measurements for the Police Department. Staff will review and examine software systems and bring a recommended solution, through the procurement process, to the City Council within 60 days.

**THIS ITEM IS FOR DISCUSSION AND POSSIBLE ACTION.****Discussion**

City Manager Ed Zuercher introduced Police Chief Jeri Williams and Executive Assistant Police Chief Mike Kurtenbach. He introduced a five-year action plan for the Phoenix Police Department. Mr. Zuercher stressed that the plan is not intended to be comprehensive and the Phoenix Police Department is looking forward to receiving additional input, feedback and recommendations from Council, the public safety ad hoc committee and the community.

Chief Williams stated the five-point action plan provided opportunities for immediate implementation of recommendations received at the June 19 community listening session at Pilgrim's Rest Church. She stressed the plan was based on actionable steps generated from the community

listening session as well as previous initiatives including the Community Policing Trust Initiative (CPTI) and other recommendations from the recent National Police Foundation study. Chief Williams stated the five-point plan focuses on: communicating clear expectations to employees, modernizing technology and processes, assessing best practices, improving training, and surveying the community for feedback.

Chief Williams stated within the last two weeks, six employee sessions had been held in six locations, providing a space to share department-wide employee expectations in addition to precinct-specific communications. She stated a mandatory crisis-communication under-stress training had been implemented, and an additional implicit-bias training is being added to existing implicit-bias training procedures. Chief Williams stated Phoenix Police was also reviewing potential recruitment tests for bias, and will continue to study best practices in recruitment testing.

Chief Williams stated the roll-out of bodyworn cameras has been escalated Citywide, and an additional 200 bodyworn cameras have been provided to the City through a donation by the company Axon. She stated the donated body-worn cameras will be utilized to outfit all neighborhood enforcement teams and community action officers by the end of August.

Chief Williams stated technology will be utilized to track every instance of an officers drawing a weapon on a suspect. She stated the technology will track the ethnicity and age of every suspect with whom an officer draws a weapon, creating a database for analysis. Chief Williams stated the weapon-tracking technology is scheduled to be implemented in August.

Chief Williams committed to streamlining the process for releasing police reports, which will ensure next-of-kin receives a free copy of police reports within 30 days of a fatal incident.

Chief Williams stated an upgraded early-intervention system which interfaces with existing City systems could track problematic behavior and allow supervisors to take action in helping officers struggling in times of crisis.



Chief Williams stressed the importance of actionable steps in the areas of behavioral health, de-escalation tactics, recruiting, training, releasing reports and community engagement. She also stressed the importance of researching and implementing best practices in post-traumatic incident training and resources. Chief Williams stated current practices for field training are being re-evaluated and re-configured to provide greater consistency in training protocols, in partnership with researchers at Arizona State University. She also stressed the importance of ensuring that what officers are seeing and doing is being accurately transcribed in police reports. Chief Williams requested the completion of a community survey to assess public perception, and the completion of an employee survey to assess department perceptions.

Chief Williams requested authorization to conduct a procurement process for an early intervention system and authorization to create a qualified vendor list for public opinion research firms and services. She stressed a full report detailing the proposed action plan is available on the City website and the Phoenix Police Department website.

Councilman Nowakowski thanked Mayor Gallego for her commitment to bring greater transparency and accountability to the Phoenix Police, and stressed his commitment to continue working with the community on issues of public safety over the summer.

Councilwoman Stark requested clarification on public opinion research firm services being utilized to gather feedback from the community, officers and from the Chief. Chief Williams confirmed public opinion research will be conducted within the department and within the community.

Councilwoman Guardado requested clarification on how the proposed early-intervention system differs from the existing system the department purchased in 2017. Assistant Chief Michael Kurtenbach explained the existing system generates reports that are reviewed by an individual within the department, which creates a single point of failure. He stated the proposed system is holistic in that it works in conjunction with and communicates with other systems currently in place, unlike the current

system. Assistant Chief Kurtenbach stressed the proposed system is able to provide evidence-based reports in a data-driven system, rather than rely upon a single point of contact review system. Mayor Gallego stated technology has advanced significantly since the department purchased existing early-intervention software in 2017.

Vice Mayor Waring asked whether the proposed early-intervention system allows the department to create electronic reports compatible with other systems currently in-place within Phoenix Police. Chief Williams confirmed the proposed system would create compatible electronic reports tracking an officer's training, any accidents and discipline records, which would allow the early-intervention system to share more holistic reports among systems.

Vice Mayor Waring clarified staff was already aware of several available systems with these types of capabilities, and the item was requesting to begin the bidding process for purchasing systems and software. He asked whether the proposed software would be able to better identify potential officers in need of additional training. Chief Williams confirmed the proposed software would allow the department to better detect and track patterns of actions and behavior.

Councilmember Garcia asked whether the 2017 system has met expectations of the department. Chief Williams clarified the system is rudimentary in design and has a single point of failure, and is not able to communicate with other systems for training records, investigation reports, professional standards files, officer notes, division files and department files. She stressed the proposed early-intervention system would allow all existing systems to communicate with one another.

Councilmember Garcia asked whether the existing system has been able to identify potential candidates for additional training or reassignment, and whether the data is available for review. Chief Williams confirmed the system had successfully identified potential early-intervention opportunities, and committed to follow-up with Council on the non-protected data and documentation generated by previous reports.

Councilman DiCiccio stressed the importance of quickly releasing

information and asked why the previous system called the Personnel Assessment System had been replaced. Assistant Chief Kurtenbach stated the previous system had been phased-out due to compatibility complications, and committed to providing Council further information on the previous Personnel Assessment System.

Councilman DiCiccio stressed the importance of gathering community feedback without politicizing the issue.

Councilwoman Pastor asked for the cost associated with the 2017 early-intervention system. She asked whether the 2017 system will be compatible with the proposed system. Assistant Chief Kurtenbach stated the existing system is a module of a larger system, which costs \$17,000 per year. Chief Williams stated several software companies had committed to providing a product compatible with all of the Phoenix Police Department's current systems.

Councilwoman Pastor requested Information Technology Services managerial staff be involved in the procurement process and ensuring any potential product will be compatible with existing systems.

Mayor Gallego confirmed the City's Chief Financial Officer will be part of the procurement team. She stated the City's Chief Financial Officer will also assist with the procurement of an early-intervention system. Mayor Gallego stated she had recently spoken to police superintendents and mayors of other communities, who confirmed that technology has come a long way in the past two years and there are various products available to better support healthy police officers and community outcomes.

Vice Mayor Waring asked whether the proposed system is a newer version of the existing system, which would link electronic systems so that a supervisor of 20 officers wouldn't have to search through paper records to find disciplinary reports. He asked whether non-public safety employees have employment records in one single system. Chief Williams confirmed the proposed system incorporates new technology that would prevent public safety supervisors from having to search paper records for disciplinary reports.

Mr. Zuercher clarified employee records outside of public safety may be split among systems, in departmental records outside of central human resources.

Councilmember Garcia asked how the 2017 system was procured. Mr. Zuercher committed to providing the Council further information on the 2017 procurement process.

Councilmember Garcia stressed the importance of community involvement and oversight.

Councilman DiCiccio noted the importance of system compatibility and fiscal responsibility.

Councilwoman Guardado commented on the importance of community involvement and oversight.

Councilwoman Pastor stressed the importance of utilizing resources and tools to provide greater accountability and transparency. She stated tools are already in-place for public safety supervisors to hold officers accountable, and these tools need to be utilized. Assistant Chief Kurtenbach clarified the proposed early-identification system would be designed as a preventative tool, to work in tandem with existing supervisory, disciplinary and accountability tools.

Vice Mayor Waring discussed the importance of responsibly assigning and promoting officers, appropriately utilizing employee records and reports, and building a new team to lead the procurement process. He requested the business community's involvement in the procurement of a new early-identification system.

Councilmember Garcia stressed the importance of utilizing technology, fundamentally changing the way the City views policing, involving the community, and addressing public safety issues with urgency. He requested community involvement within the procurement and implementation processes.

Councilwoman Pastor stressed the importance of a holistic intervention

system.

Warren Stewart stated the community had not established trust with Phoenix Police. He requested a system that advocates for the needs of the community rather than the needs of the Phoenix Police Department.

Anne Hart requested community involvement in the potential implementation process and increased training for Phoenix Police officers.

Toye Sanford requested an early-intervention tool that is a behavioral identification tool.

Garrick McFadden requested a machine learning system that identifies patterns of behavioral issues beyond the past year. Councilman Nowakowski asked whether the proposed system was machine learning. Chief Williams stated the system currently in place was not capable of machine-learning, and stated the goal of implementing an early-intervention system would be to provide the department an early prevention tool.

Councilwoman Pastor stressed early prevention and the importance of setting goals and priorities.

Councilmember Garcia asked Mr. McFadden to explain machine learning. Mr. McFadden explained machine learning has been implemented in Charlottesville, Va. and Chattanooga, Tenn. to track cumulative effects of working a suicide, working a particular neighborhood, or other measures of high-risk and create records beyond a single year of data.

Michelle Rose spoke in support of the item and requested Information Technology staff at future community meetings to better explain the technical applications of software and systems. She stressed holistic data collection and maintenance of officer records.

Princess Lucas-Wilson requested a civilian oversight committee, a civilian review board, an early warning system, a community survey, additional community listening sessions and a review of Community

Engagement and Task Force recommendations approved by Council on Jan. 11, 2011.

Jimi Bethel requested implementation of a system called Safe Hands.

Ken Baker requested integration of existing software systems rather than purchasing new systems.

Walter Nicholson asked what the consequences would be for an officer who turned off their body-worn camera, and why citizens have no recourse for false arrest or detainment.

Redeem Robinson requested the City take action and find solutions.

J.J. Johnson requested increased oversight, greater accountability, implementation of administrative review post-resignation in cases of officer misconduct and implementation of an effective early-intervention system.

Viridiana Hernandez spoke in favor of the item and requested increased accountability, victim and family rights.

Xenia Orona spoke in support of the item and requested the creation of a community-led ad hoc committee. She asked how much information gathered by the proposed system will be shared with the public and how often officers are evaluated for behavioral health conditions. Ms. Orona requested anonymous statistics generated by behavioral health assessments be released to the ad hoc committee. Councilmember Garcia asked Chief Williams to respond to Ms. Orona's questions. Chief Williams stated behavioral health assessments are not released post-hire unless a critical incident has occurred.

Councilwoman Guardado requested a monthly report unique to each Council district detailing behavioral health information gathered, major incidents and levels of community input.

Gail Knight, Rod Rojas, Sonia, Warren Stewart, Talonya Adams, Evangelina Sesma and Carole Henry submitted cards in favor of the item.

**A motion was made by Councilman Nowakowski, seconded by Councilwoman Stark, that this item be approved. The motion carried by the following vote:**

**Yes:** 7 - Councilman DiCiccio, Councilmember Garcia, Councilwoman Guardado, Councilman Nowakowski, Councilwoman Pastor, Councilwoman Stark and Mayor Gallego

**No:** 1 - Vice Mayor Waring

**Absent:** 1 - Councilwoman Williams

**1b Authorization to Issue a Request for Qualifications (RFQu) to Create a Qualified Vendor List (QVL) for Public Opinion Research Firm Services**

Request to authorize the City Manager, or his designee, to issue a RFQu to create a QVL for a public opinion research firm(s) to solicit community input to help guide the creation of policies and strategies for the Police Department. Staff will develop a Qualified Vendors List and propose contracts for City Council approval in the Fall.

**THIS ITEM IS FOR DISCUSSION AND POSSIBLE ACTION.**

**Discussion**

Councilmember Garcia asked how the proposed survey will be different than previous surveys. City Manager Ed Zuercher stated the last citywide survey regarding public safety was completed in 2012. He stated the proposed survey would prioritize surveying attitudes and opinions regarding the Phoenix Police Department. Chief Williams stated the survey would focus on perceptions of safety, community interactions with the Phoenix Police, honest ratings of the department's performance, suggestions for building trust and suggestions for improvement. She stressed the ad hoc committee would be integral in developing the survey.

Councilmember Garcia asked who conducted the 2012 survey, and how it was completed. Mr. Zuercher stated the 2012 survey was conducted by a behavioral research firm telephonically, and was not specifically focused on public safety. Councilmember Garcia stressed the

importance of personal interactions and qualitative survey questions, and stated many members of the community would not feel comfortable answering survey questions honestly if a police officer was asking the questions.

Councilman Nowakowski asked for survey results to be gathered by ZIP code, rather than a random sample which may not be representative of the entire City.

Vice Mayor Waring asked whether survey results would be different than results of best practices research. He requested Council district-specific survey distribution. Chief Williams stated best practices research in other jurisdictions could be combined with survey results to provide Phoenix-specific results.

Councilwoman Guardado requested survey questions tailored to each Council district and community input on the creation of survey questions. She stressed the importance of rebuilding trust with the community.

Councilwoman Pastor stressed the importance of the community input process and requested the creation of a confidential hotline staffed by a third-party, a website to post information about public participations strategies, and incorporation of police issues relating to homelessness, mental health, the LGBTQ community, immigrants and other diverse perspectives. She requested Council involvement in formulation of survey questions and methodology of survey delivery.

Councilman DiCiccio requested an expanded survey in order to be statistically accurate and capture diverse community perspectives. He stressed the importance of impartial survey questions and requested the creation of a survey targeted to individual communities even within ZIP codes.

Vice Mayor Waring stressed differences in opinion on police matters. He asked for the most recent Phoenix Police satisfaction survey results. Mr. Zuercher stated the most recent Phoenix Police satisfaction survey results indicated over 90 percent of the community support the Phoenix Police Department. Vice Mayor Waring stated the majority of Phoenix



Police interactions are positive and stressed the importance of survey results being fully utilized.

Councilwoman Stark requested ZIP code-specific survey distribution and stressed the importance of including positive questions about aspects of the Phoenix Police Department that are working well, as well as opportunities for improvement.

Councilmember Garcia stressed the importance of in-person survey questions and pre-defined actionable steps designed to implement improvements identified by the survey.

Councilman Nowakowski stated the survey would gather valuable feedback from across the City and provide community input opportunities for future policies and processes.

Councilwoman Pastor asked whether survey results would be utilized by the community review board and ad hoc committee, as well as how analysis would be conducted and communicated. Chief Williams confirmed survey results would be provided to the ad hoc committee and any potential community review board. She stated Council could direct staff on how ongoing communication would be conducted.

Councilman DiCiccio stressed the importance of conducting the survey accurately and providing follow-up actions and opportunities for improvement.

Vice Mayor Waring stressed the importance of survey results being utilized.

Carole Henry spoke in favor of a survey and requested the City Manager support this initiative.

Ken Baker stated a survey would not provide real benefit.

Leonard Clark requested unity and community solutions.

Ann Hart spoke in favor of a survey and expressed her support for the

Phoenix Police.

Ginnie Ann Sumner expressed her support for Phoenix Police.

Garrick McFadden requested implementation of best practices rather than a public opinion survey.

Talonya Adams spoke in favor of a survey and requested involvement of neighborhood organizations and community groups in the creation of survey questions. She spoke in favor of survey questions targeted to individual ZIP codes.

Ashley Davis expressed her support for Phoenix Police.

Jennifer Hernandez spoke in opposition of the survey and expressed her distrust for Phoenix Police.

Xenia Orona stressed the importance of impartial survey questions conducted by diverse staff members. She requested utilization of Pew Research Center research standards and Census collection methods.

Maria Sanchez spoke in opposition of the survey and expressed her distrust for Phoenix Police.

Joseph Larios spoke in favor of the survey and requested survey questions designed to identify segregated dynamics, environments and differences of opinion.

Michelle Rose spoke in favor of the survey and requested transparency, accessibility and community trust building.

Mayor Gallego stressed survey questions would be driven by the community-led ad hoc committee.

Vice Mayor Waring expressed his support of Phoenix Police.

Duncan Wilson, Tracie Gomez, Evangelina Sesma, Gail Knight, Susan Craig, Carolyn Chatman, Warren Stewart, Theresa Jackson and Brielle

Riche submitted cards in favor of the item. Jarrett Maupin submitted a card in opposition of the item. Constance Salas, Monique Ayala and Ralph Thompson submitted cards indicating no position.

**A motion was made by Councilman Nowakowski, seconded by Councilwoman Stark, that this item be approved. The motion carried by the following vote:**

**Yes:** 7 - Councilman DiCiccio, Councilmember Garcia, Councilwoman Guardado, Councilman Nowakowski, Councilwoman Pastor, Councilwoman Stark and Mayor Gallego

**No:** 1 - Vice Mayor Waring

**Absent:** 1 - Councilwoman Williams

## **INFORMATION AND DISCUSSION (ITEM 2)**

### **2 Police Department Civilian Review Board**

This report provides an overview of civilian review oversight board strategies in major city police departments. This report (with some updates) was presented at the Public Safety and Veterans Subcommittee meeting on March 13, 2019.

**THIS ITEM IS FOR INFORMATION AND DISCUSSION.**

#### **Discussion**

Assistant City Manager Milton Dohoney, Jr. presented the history of civilian review boards (CRB) and defined the purpose of a CRB, which provides an opportunity for the community to receive fair, impartial inquiries and resolutions to complaints against the Police Department. He stated a CRB is designed to provide non-threatening compliance processes, increase transparency, build trust, increase accountability and deter police misconduct. Mr. Dohoney explained there are three types of CRB: review boards, audit and monitor boards and investigation boards. He explained key differences and provided examples of large United States cities currently implementing CRBs.

Mr. Dohoney stated there are currently three avenues of citizen participation in the Phoenix Police Department's disciplinary process: the Use of Force Board, the Disciplinary Review Board (DRB) and the Civil Service Board (CSB). He explained the purpose of creating a CRB ordinance, including to define the scope of a CRB, to determine whether the CRB will be advisory or an independent arbiter, establish authority and establish a commencement date. Mr. Dohoney outlined the legal requirements related to CRBs and considerations for staffing, authority and types of complaints. He detailed next steps in the creation of a CRB.

Councilwoman Stark asked whether civilians are typically appointed by Council to sit on CRBs. Mr. Dohoney stated civilians nominate themselves to be appointed on a CRB, pass a background check and receive training. He stated individuals are selected on a case-by-case basis to review individual cases.

Councilwoman Stark requested further information regarding whether diversity is considered in the selection process. Mr. Dohoney committed to providing a detailed report on the DRB and Use of Force selection process and diversity.

Councilwoman Stark asked how many times a CRB has overturned the Police Chief's disciplinary ruling. Mr. Dohoney stated disciplinary rulings have been overturned under Chief Williams but have not resulted in a termination during her tenure. He stated appeals processes currently available are structured differently than the CRB.

Councilwoman Guardado asked how individuals are chosen to serve on a CSB and stressed the importance of diversity within the CRB. Mr. Dohoney stated each case is unique, yet the purpose of the selection process is to rotate individuals and not have a single individual or small group of individuals on the CRB.

City Manager Zuercher committed to providing a detailed report on the CSB selection process and CSB diversity.

Councilman DiCiccio stressed the importance of fairly representing the community and not targeting the Police Department. He requested

creation of a program which will not replicate those in the cities of Portland or Chicago.

Councilmember Garcia asked whether the CRB applicant pool would include City employees. Mr. Dohoney confirmed City employees would be eligible. Councilmember Garcia stressed the importance of transparency, CRB access to disciplinary data and the City's commitment to a CRB with investigation, subpoena and disciplinary power.

Councilwoman Pastor requested a study into the three types of CRB and potential scenario-based applications in the City. She also requested information on the legality of citizen authority to independently review, investigate, subpoena and discipline members of a police department.

Vice Mayor Waring asked whether all three existing boards could review a single incident, and how long it would take to complete the process. Mr. Dohoney confirmed it was possible a single incident could be reviewed by all three existing boards, and it could take months or years to complete the process. Vice Mayor Waring stated Maricopa County has existing authority to review, investigate, subpoena and discipline Phoenix Police officers. He stated an additional layer of CRB would not provide a benefit.

Councilman Nowakowski asked whether there are term-limits on civilians appointed to review boards and stressed the importance of review boards accurately representing the community served by Phoenix Police. He asked why police officers cannot simply be fired when disciplinary issues arise. Mr. Zuercher stated there are due process rights allowed to officers which must be followed. He stressed if these rights are violated before an officer is found innocent or guilty of wrongdoing, the City is at a legal disadvantage.

Councilman Nowakowski stressed the Council is listening to everyone from the community coming to speak at Formal and Policy meetings, to learn what actions the community wants to see happen, what kinds of data the City should be collecting, and what best practices could be implemented.

Councilwoman Pastor asked whether existing review boards have oversight authority. She also asked whether any of the existing review boards report to higher boards or commissions. Mr. Dohoney stated none of the existing review boards report to another board, and each has independent authority to act. Councilwoman Pastor stated a citizen review board may be necessary since there is currently no oversight power of the existing boards. She requested staff review policies in the City of Tucson and the City of Chandler concerning review board oversight structures.

Reginald Walton spoke in favor of the item and expressed his distrust for the Phoenix Police. He requested a CRB with subpoena power.

Jose Hernandez spoke in favor of the item and expressed his distrust for the Phoenix Police. He requested a CRB with subpoena power. Councilmember Garcia stressed the importance of transparency.

Walter Gray expressed his distrust for the Phoenix Police.

Britt London spoke in opposition of the item and expressed his support of the Phoenix Police.

Joe Grove spoke in opposition of the item and expressed his support of the Phoenix Police.

Ann Hart spoke in favor of the item and requested a CRB with subpoena power.

Arnold Flores spoke in favor of the item and requested a CRB with subpoena power.

Carole Henry spoke in favor of the item and requested a CRB with subpoena power.

Sonshine Kinkead spoke in opposition of the item and expressed her support of the Phoenix Police.

Muhtar Sheikh spoke in favor of the item and requested a CRB with

subpoena power.

Wendy Ensminger spoke in opposition of the item and expressed her support of the Phoenix Police.

Adam Melder spoke in favor of the item and requested a CRB with subpoena power.

Gary Ensminger spoke in opposition of the item and expressed his support of the Phoenix Police.

Dianne Barker spoke in favor of the item and requested a CRB with subpoena power and Councilwoman Pastor's research request.

Tami Garver spoke in opposition of the item and expressed her support of the Phoenix Police.

Rich Osiol spoke in opposition of the item and expressed his support of the Phoenix Police.

John Mireles spoke in favor of the item and requested a CRB with subpoena power.

Theresa Ladenburger spoke in opposition of the item and expressed her support of the Phoenix Police.

Viridiana Hernandez spoke in favor of the item and requested a CRB with subpoena power. She requested families of victims be included in the ad hoc and pool of potential CRB members.

Randall Holmes spoke in favor of the item and requested a CRB with subpoena power.

Carey Lee spoke in opposition of the item and expressed her support of the Phoenix Police.

Michelle Ruiz spoke in favor of the item and requested a CRB with subpoena power.

Garrick McFadden spoke in favor of the item and requested a CRB with subpoena power.

Jillian M. spoke in opposition of the item and expressed her support of the Phoenix Police.

Melyna F. spoke in opposition of the item and expressed her support of the Phoenix Police.

Leonard Clark spoke in favor of the item and requested a CRB with subpoena power.

Lori W. spoke in opposition of the item and expressed her support of the Phoenix Police.

J.J. Johnson spoke in favor of the item and requested a CRB with subpoena power. He requested more information on the CRB in the city of Cincinnati.

Angie Russo spoke in opposition of the item and expressed her support of the Phoenix Police.

Nohl Rosen spoke in opposition of the item and expressed his support of the Phoenix Police.

Kathleen Brody spoke in favor of the item and requested a CRB with subpoena power.

Xenia Orona spoke in favor of the item and requested a CRB with subpoena power.

Sean spoke in favor of the item and requested a CRB with subpoena power.

Ginnie Ann Sumner expressed her support for the Phoenix Police.

Maria Castro spoke in favor of the item and requested a CRB with



subpoena power.

Lesa Antone spoke in opposition of the item and expressed her support of the Phoenix Police.

Leslie Pico spoke in favor of the item and requested a CRB with subpoena power.

Michelle Rose spoke in favor of the item and requested a CRB with subpoena power.

Ocie Bilal expressed her distrust of the Phoenix Police.

Gerald Richard expressed his support for the Phoenix Police as a former Civilian Assistant Chief in the Phoenix Police Department. Councilwoman Pastor asked whether the City still has civilian assistant chief positions. Mr. Zuercher stated a civilian does sit on the chief's cabinet to oversee community and police relations. Councilwoman Pastor requested a staff report on this position.

Jeffrey Fetterhoff spoke in favor of the item and requested a CRB with subpoena power.

Janine Gelsinger spoke in favor of the item and requested a CRB with subpoena power.

Lerman Montoya spoke in favor of the item and requested a CRB with subpoena power.

Joshua Close spoke in favor of the item and requested a CRB with subpoena power.

Marti Winkler spoke in favor of the item and requested a CRB with subpoena power.

Ken Baker spoke in favor of the item and requested a CRB with subpoena power.

Darien B. spoke in favor of the item and requested a CRB with subpoena power.

Jose Guzman spoke in favor of the item and requested a CRB with subpoena power.

Daireus Stokes, Janelle Wood, Dan Penton, Leigh Bowie, Rene Navidad and Warren Stewart submitted cards in favor of the item. Lupita Rubio, Phil Martinez, Karen Smith, Ashley Boyce, Cynthia Wilson, Theodore Lipps, Christina Linn, Dana Roberts, Margo Smith, Francine Walters, Pamela Pearson, Kathryn Kobor, Shanna Segura, Toby Sexton, Susan Smith, Bridget Cavanaugh, Sharon Steeley, Michael Walters, Yvette Bro, Brandi Gilmore, Benjamin Gardner, Joseph Erwin, Jacob Gardner, Mary McCoy, Paul Weed, Andrea Max, Eli Tyler, Carol Rice and Victoria Smith submitted cards in opposition of the item. Adam Rodriguez, Charles McClelland, Kathryn McKinney and Talonya Adams submitted cards indicating no position.

## **ADJOURN**

There being no further business to come before the Council, Mayor Gallego declared the meeting adjourned at 8:58 p.m.

For further information, please call the Management Intern, City Manager's Office, at 602-262-4449.