
Public Safety 2024: Beginning Steps on the Road to Reform

Background

George Floyd was murdered by police in Minneapolis on May 25, 2020. The protests and civil unrest that followed inspired a global movement against police brutality and racial injustice. In Minneapolis, there were calls to defund the police while others called to reform and strengthen the depleting ranks of officers to curb the rising crime and violence. The League of Women Voters commissioned a study¹ to understand all sides of this issue.

Calls to 'defund' were rooted in the community experience and knowledge that excessive police violence towards people of color was a long-term systemic problem and decades of 'reform' had done nothing to change the situation. The Minnesota Department of Human Rights confirmed this in their report² that followed a two-year investigation into the City of Minneapolis and the Minneapolis Police Department (MPD). Rebecca Lucero, State Commissioner of Human Rights stated, *'this is not a case of one bad apple.'* The report summarized that *'the data shows that the MPD has a pattern or practice of discriminatory, race-based policing that is caused primarily by an organizational culture...where officers are trained to be aggressive towards community members.'* The US Department of Justice also undertook an investigation³ and found that the City of Minneapolis and the MPD *'engage in a pattern or practice of conduct that deprives people of their rights,'* specifically noting *'MPD uses excessive force and unlawfully discriminates against black and Native American people.'*

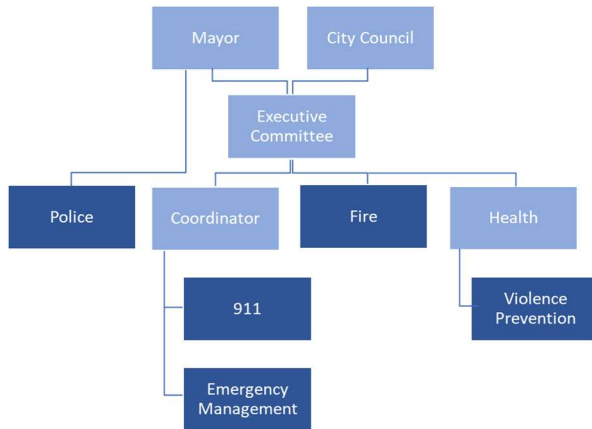
Other studies show that the pressure on police to protect society has escalated far beyond their training. Police are primarily trained in the use of force to fight crime. Yet they are called upon to 'protect us' from everything from mental illness to homelessness to substance abuse⁴. Addressing these societal problems requires different training and resources. In July 2023 Minneapolis announced the recommendations from a Harvard Study that looked at the problem in a holistic manner (Safe and Thriving Communities report⁵).

Although we started from a very dark place, the recommendations from the state and federal investigations, as well as the Safe and Thriving Communities Report form a roadmap for moving forward.

2020-2024 Some Hopeful Changes

The Structure of Public Safety Has Evolved Significantly Since 2020

BEFORE November 2020



AFTER August 2022



The establishment of an Office of Community Safety in August 2022 integrated all the functions of public safety into a single department. This structure starts to reflect what experts call a ‘public health’ approach to public safety with the goal to stop problems before they turn into violence and crime. Commissioner of Community Safety Todd Barnette has said that he sees public safety as an ecosystem of law enforcement that ranges from prevention to response to restoration. Neighborhood Safety is at the beginning of this ecosystem with prevention and is meant to make encounters with the police less confrontational.

Behavior Policies and Law Changes

After the murder of George Floyd and the ensuing social unrest, the police, the city and the state responded by enacting policy and law changes.

The city and MPD moved quickly and in 2020:

- Banned chokeholds and neck restraints
- Required officers to use de-escalation techniques
- Prohibited officers from reviewing body camera footage before completing reports
- Required officers to stop other officers who are using improper force and imposed a duty to report use of improper force to supervisor
- Limited no-knock warrants

When Amir Locke was killed in February 2022 by SWAT officers exercising a no-knock warrant, the city banned no-knock warrants. Additionally, the city eliminated pretextual stops, prohibited the temporary deactivation of body cams and prohibited the use of the Maximal Restraint Technique (also called a hobble). MPD also worked with members of minority communities who have suffered at the hands of the police to develop a memorandum of understanding (MOU) regarding MPD policy changes intended to stop its history of violence

against these communities. The MOU also created a Police Community Relations Council that meets regularly with MPD leadership to monitor progress on the MOU. A full list of the MPD reforms (including a copy of the MOU) can be found on the city's website⁶.

The state worked on legislation that mirrored the reforms made by Minneapolis and can be seen on the state's website⁷. In 2023, the state passed a variety of additional public safety measures:

- Prohibited peace officers from joining or supporting hate or extremist groups
- Prohibited law enforcement agencies from penalizing a peace officer who intercedes or reports another officer's use of excessive force
- Prohibited the private transfer of weapons without a background check
- Enacted a 'red flag' law to enable removal of firearms from high-risk individuals
- Created a carjacking crime and established penalties
- Expanded the crime of an assault motivated by bias to include the person's gender, gender identity, or gender expression
- Established a mental health unit pilot program in county jails
- Prohibited sentences of life without the possibility of parole for individuals who commit homicide before turning 18
- Limited the length of probation to five years for most felony offenses

Although many law and policy changes have been made, more changes are needed and more importantly, the training and culture need to be institutionalized to embody all these changes.

Training, Officer Wellness and Recruiting Changes

Since 2020, several changes have been made to improve the training of officers, many focused on how to better intervene in certain situations before things turn worse:

- Introduced ABLE (Active Bystander for Law Enforcement) training to help officers with their duty to intervene
- Increased training in implicit bias
- Stressed conflict management
- Improved training on cultural differences, opioid response and handling of autism
- Created crowd management policies, MPD policies updated to comply with the state's best practices for public assembly
- Eliminated 'warrior-style' training
- Reformed the Field Training Program to include more structure and oversight in the selection of field training officers and to require standards of reporting and evaluation of trainees
- Began working with a software developer to create a database that will serve as an early intervention tool to alert police management to concerns with officer behavior

In addition, a new policy limiting hours officers may work reflects an increased emphasis on wellness and rest.

Recruiting and retention is one of the most critical issues for MPD. The force has dropped from 893 officers in May 2020 to 545 in November 2023. Chief O'Hara has called the size of the MPD 'unsustainable.' Several steps have been taken to grow and improve police ranks:

- The State requires an associate degree, however as of 2020 a person can use military experience toward this requirement
- POST Board allows licensure of non-citizen officers who are eligible to work in U.S.; this also encourages the recruitment of officers with relationships in immigrant communities
- Application process to focus on Minneapolis residency, social service experience and volunteerism
- Updated standards for background investigations and psychological screening
- Licensure banned if person affiliated with extremist group or has displayed discriminatory conduct
- Applicants now trained in first aid to the level of Emergency Medical Responder or higher

But is this enough and will changes in the qualifications draw the right persons to apply?

Alternatives to Police Response & Violence Prevention Programs

Around the country, cities are recognizing that police alone cannot respond to the myriads of problems and they are developing alternatives to response by police. In 2019 the City Council directed the newly created Department of Performance Management and Innovation (PMI) to explore⁸ alternatives to armed response to crisis calls, including reforms to the 911 call center.

Major pilot programs were undertaken:

- **Behavior Crisis Response (BCR) Teams:** In 2021 Minneapolis contracted with Richfield-based mental health organization Canopy Roots to operate the pilot program⁹, Behavioral Crisis Response (BCR). Teams now respond 24 hours a day, everyday using two vans to deescalate mental health/behavior crises. In 2023 the BCR pilot became a full-fledged program in the Department of Neighborhood Safety. The Canopy contract was extended for \$2.9M/ year for 2023-24 and 2024-25. This includes plans for a third van; the long-term goal is a van for each precinct.
- **911 Pilot Programs:** This program was designed to give 911 call-takers mental health training to enable them to gather information from callers and then dispatch appropriate response teams (BCR or police);
- **311 Non-Emergency Response Pilots:** The purpose of these pilots was to transfer non-emergency crime complaint and theft report calls from 911 to 311. This was implemented in June 2021. They also included a civilian response to minor traffic accidents and parking violation calls.

Violence Prevention is another important program with the goal of working closely with the community to break the cycle of violence by addressing it at three points: before it begins, at the first signs of risk, and after it happens. The goal is to use a public health approach to eliminate or reduce violence in the community which in turn could decrease the need for police

interactions. The Office of Violence Prevention (OVP) was created as a new department in the Minneapolis Health Department, then was renamed the Department of Neighborhood Safety (NSD) and relocated to the newly created Office of Community Safety in August 2022. The NSD delivers many services through contracts with community-based nonprofits familiar with the safety problems and needs of their neighborhoods. Some examples are:

- **Next Step**, a hospital-based violence intervention program that focuses on youth and young adult victims of violent assault. It is offered at four Minneapolis hospitals.
- **Minneapolis Strategic Outreach Initiative** trains violence interrupters to identify and calm conflicts that may lead to serious violence.
- **Group Violence Intervention (GVI)** brings together community members, law enforcement, and social services to work together to reduce gun violence that is driven by groups and gangs.

Broader public safety programs and alternatives to police response are part of the Safe and Thriving Community Report. The city is developing a plan to implement many of the recommendations of the report.

Transparency and Accountability

The Community Commission on Police Oversight (CCPO), established in April 2023, is the latest in a series of attempts at civilian police oversight. The Civil Rights Department's Office of Police Conduct Review (OPCR) and MPD's Office of Internal Affairs accept citizen complaints and conduct preliminary investigations. Review panels consisting of three civilian commissioners drawn from the 15 CCPO members and two sworn officers examine the evidence and make recommendations to the Police Chief. For the first time members have access to case files and will be able to not only make recommendations on the merit of the cases, but also advise on corrections necessary to right the situation.

Unless state statutes change, the Chief has sole discretion in deciding the merits of the case, which, some contend, reduces the impact of CCPO's police conduct oversight. Additionally, this most recent process is still working to establish effectiveness between the three parties involved (CCPO, OPCR and MPD). The CCPO is considering, but has not yet acted on, amendments to its establishing ordinance to increase its effectiveness.

Police Contract

In 2022, the City of Minneapolis petitioned the Minnesota Bureau of Mediation Services (BMS) to create a separate bargaining unit for sergeants and lieutenants, out of concern that effective discipline was being compromised by having supervisors and the officers under them grouped in the same bargaining unit. BMS rejected this petition in July 2023.

In 2023 and early 2024, the city and the Minneapolis Police Federation (Federation) negotiated a new police contract. Initially, the negotiations were open to the public. However, in December 2023, after the City Council rejected a Letter of Agreement (LOA) between the two parties which

would have granted hiring and retention bonuses in exchange for enhancing the Police Chief's authority to quickly re-assign officers, the Federation petitioned the BMS to mediate further negotiations, closing them to the public.

The resulting contract, which was supported by the League of Women Voters Minneapolis, was approved by the City Council in July 2024. The new contract contains many positive changes in accountability, transparency, and clarity. These include:

- Keeping the disciplinary matrix outside the contract and NOT based on past practices
- Enabling the retention of investigative records in personnel records (even if no discipline results)
- Enabling citizens to request an officer's personnel data without notifying officers of the citizen's identity
- Giving the Police Chief the flexibility to assign, reassign, and transfer staff as needed
- Establishing the ability to hire civilian investigators and
- Granting a pay raise to support retention and recruiting

The contract also puts all existing LOA's (past agreements outside the contract) into the contract.

2024+ More Work Needed

As demonstrated above, Minneapolis has made many hopeful changes, but the work of reforming public safety is far from complete.

The structural changes reflect a national best practice where police are part of an ecosystem of public safety that, combined with the behavior and law changes, strive to create a system where use of force is the last resort. But these are early days and structure, policy and laws do not change 100-plus years of culture.

The city has entered into a legal agreement with the state (settlement agreement¹⁰) and will soon have a legal agreement (consent decree) with the US Department of Justice. The requirements of both of these agreements will be overseen by an independent monitor, Effective Law Enforcement for All (ELEFA¹¹), who recently signed a 4-year contract with the city.

MPD is continuing to work on the policy, accountability and training reforms required in the settlement agreement and will be doing this under the watchful eye of ELEFA. ELEFA will periodically issue public reports on progress and MPD has created a website¹² that updates the public on changes as they are made.

Minneapolis citizens and voters are part of this process and it is critical that members of our community look for opportunities to participate because HOW policies change to meet the requirements of the legal agreements will be developed with community input.

As citizens participate in the reform process and also engage and hold city officials accountable, we encourage you to ask yourself the following:

- **Training, wellness and recruiting:** Is improved training leading to better community interactions with police? Will changes in the qualifications increase applicants? Can Minneapolis increase the number of police recruits to fully fill out the police force?
- **Alternatives to policing:** Are there clear and consistent metrics that assess the effectiveness of community nonprofits? Will Violence Prevention and Behavioral Crisis teams affect the number of officers needed to patrol precincts?
- **Transparency and Accountability:** Has the Oversight proved effective? Is there transparency of MPD behavior records that impact the community? Are officers held accountable?
- **Contract:** Does the next contract eliminate the two-day waiting period before officers are questioned about critical incidents? Eliminate the ability of arbitrators to overturn police discipline? Eliminate any notification of a request for public records? Consider the League of Women Voters positions on public safety¹³ that we developed in 2021 after a 12-month study and discussion and development process within the League.

Culture takes time to change. Additionally, the need to address societal issues of poverty, homelessness, racial equity and economic opportunity are critical for public safety. The League has many researched and aligned positions¹⁴ on these topics. Please join us in our work to make Minneapolis a safe and just community for all.

Reference links

- ¹ League of Women Voters Public Safety study 2021: <https://lwvmppls.org/rps-main/>
- ² Minnesota Department of Human Rights Investigation: [https://mn.gov/mdhr/assets/Investigation into the City of Minneapolis and the Minneapolis Police Department_tcm1061-526417.pdf](https://mn.gov/mdhr/assets/Investigation%20into%20the%20City%20of%20Minneapolis%20and%20the%20Minneapolis%20Police%20Department_tcm1061-526417.pdf)
- ³ US Department of Justice Investigation: <https://www.justice.gov/opa/press-release/file/1587661/download>
- ⁴ NYU study: https://papers.ssrn.com/sol3/papers.cfm?abstract_id=3564469
- ⁵ Safe and Thriving Communities report: <https://lims.minneapolismn.gov/Download/RCAV2/31955/Minneapolis-Safe-and-Thriving-Communities-Report-and-Plan.pdf>
- ⁶ Police Reforms and MOU: <https://www.minneapolismn.gov/government/mayor/issues-and-priorities/public-safety/police-reforms-since-june-2020/>
- ⁷ State legislation: <https://lwvmppls.org/2-12-state-fed-legislation/>
- ⁸ Alternative to police response 2021: <https://lims.minneapolismn.gov/Download/FileV2/23798/Q2-Alternatives-to-Police-Response-Update.pdf>
- ⁹ BCR pilot program: <https://lims.minneapolismn.gov/Download/RCAV2/30796/Q4-Pilot-Updates-PHS-3.29.2023.pdf>
- ¹⁰ City-State settlement agreement: <https://www.minneapolismn.gov/resident-services/public-safety/police-public-safety/investigations-settlement-agreement/court-enforceable-settlement-agreement/overview/settlement-document/>
- ¹¹ ELEFA <https://www.minneapolismn.gov/news/2024/february/independent-evaluator/>
- ¹² Police accountability implementations: <https://www.minneapolismn.gov/resident-services/public-safety/police-public-safety/investigations-settlement-agreement/implementation-updates/>
- ¹³ Leagues of Women Voters of Minneapolis positions on public safety: <https://lwvmppls.org/4-4-league-of-women-voters-of-minneapolis-positions-on-public-safety/>
- ¹⁴ League of Women Voters of Minneapolis Positions for Actions: <https://drive.google.com/file/d/1pZcjYXjlkR-Z4S3m1E8KD3XjsapqjRC1/view>

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