

MEETING MINUTES

CITIZENS' POLICE ADVISORY COMMITTEE

Wednesday, April 11, 2018

7:00 p.m.

Lorraine H. Morton Civic Center

2100 Ridge Ave, Room 2402

Members Present: Tim Higgins; Becky Biller; Harriet Sallach; Aleksandr Granchalek; Debbie Wiggins; Jim Gordon

Members Absent: Marie Babb-Fowler; Robert Egan; Jay Lytle

City Council Members Present: None

Staff Present: Sgt. Dennis Leaks (EPD); Alexandra B. MacKey (Assistant City Attorney)

1. Quorum:

Meeting called to order at 7:05 p.m. Quorum declared with 6 members present.

2. Approval of Meeting Minutes of March 14, 2018: Motion, second

Motion to accept meeting minutes of March 14, 2018 and second, adopted 6-0.

3. Public Comment: None.

4. Appoint Meeting Chair. Sallach moved Granchalek to be chair for the 4/11/18 meeting with a second. **Motion Adopted 6-0.**

4. Old Business:

(a) Meeting with Citizens' Police Complaint Assessment Committee

Matthew Mitchell and CPCAC are present to discuss CPCAC and inquire about CPAC current procedures and policies. A discussion was held between CPAC and CPCAC regarding CPAC.

5: New Business:

(a) Review and discuss DI 18-02

Biller moved to convene into Executive session pursuant to OMA 5(c)(1). Second by Gordon. Motion Adopted 6-0. CPAC held executive session.

CPAC reconvened back in open session. Discussion of DI 18-02 is held. Biller stated there is no implicated rule violation other than a general description of

harassment, not on a particular class. Stated she believes the stop was legitimate and agrees with disposition.

Motion for Exonerated by Sallach, second by Granchalek. **Motion Approved 6-0 for Exoneration.**

(b) Review and discuss DI 18-04

Discussion held regarding DI 18-04. Granchalek inquired if this was heavily attended event, were there any other witnesses?

Sgt. Leaks clarified that complainant did not name other witnesses so Sgt. Leaks was unable to interview any witnesses. Sgt. Leaks clarified that the Dean (witness) did submit a report, accused officer is a school resource officer.

Sallach inquired about social probation. Sgt. Leaks clarified that he is unclear what social probation is but knows that students cannot go to extracurricular events while on social media and that the administration knows which students should not be at an event. Sgt. Leaks clarified that the Accused Officer was working as security for the game, not as a school resource officer at the time. He was on detail.

Discussion held regarding the appropriateness of Accused Officer telling the person he would arrest him if he does not leave for trespassing.

Biller agreed with the disposition, perhaps not unfounded. There was no wrongdoing in terms of those rules.

Granchalek stated that policy failure is a disposition.

Gordon stated the facts are, student was asked to leave, did not do so, he finally left, came back w/ his mother, then the police officer stepped in. Language used was unprofessional. The Officer did his job stated Gordon.

Granchalek is in favor of not sustained – no evidence either way. It is a he said, she said situation.

Wiggins read definition of not sustained and unfounded definitions.

Sgt. Leaks clarified that the video from high school did not have audio and was only on the door.

Gordon agreed that this is not sustained.

Discussion is held that if the committee had the report from the school's Dean that would be helpful to reach an unfounded decision.

Sallach moves to table this DI to next meeting with more information. Gordon seconds. Sgt. Leaks states that he is distribute the Dean's report to the committee prior to the next meeting. **Motion Approved 6-0 to table DI 18-04 until May 9, 2018 meeting.**

(c) Review and discuss DI 18-06

Granchalek stated that it is unclear what the complaint is against the Accused Officer and that the stop was lawful and proper. Biller agreed and stated nothing indicated the Accused Officer was rude. Biller clarified that the Accused Officer was unconcerned about crying baby.

Wiggins stated the Accused Officer was unsympathetic, but not improper.

Higgins asked if the officer needed to inquire about the baby's welfare. Sgt. Leaks clarified that the Accused Officer did offer ambulance and that is all he was required to do after the Complainant refused.

Biller asked about the officer telling her she is being recorded and asks when do officers need to tell someone that they are being recording with a body camera. Sgt. Leaks stated that the officer inform people that it is being recorded if the officer is able to and that someone may object, but EPD tells officer to continue to record in most instances.

Sallach moved for exonerated, second by Biller. **Motion Approved 6-0 for exoneration.**

6. Adjournment:

Upon motion and second, the meeting was adjourned at 8:38 p.m.