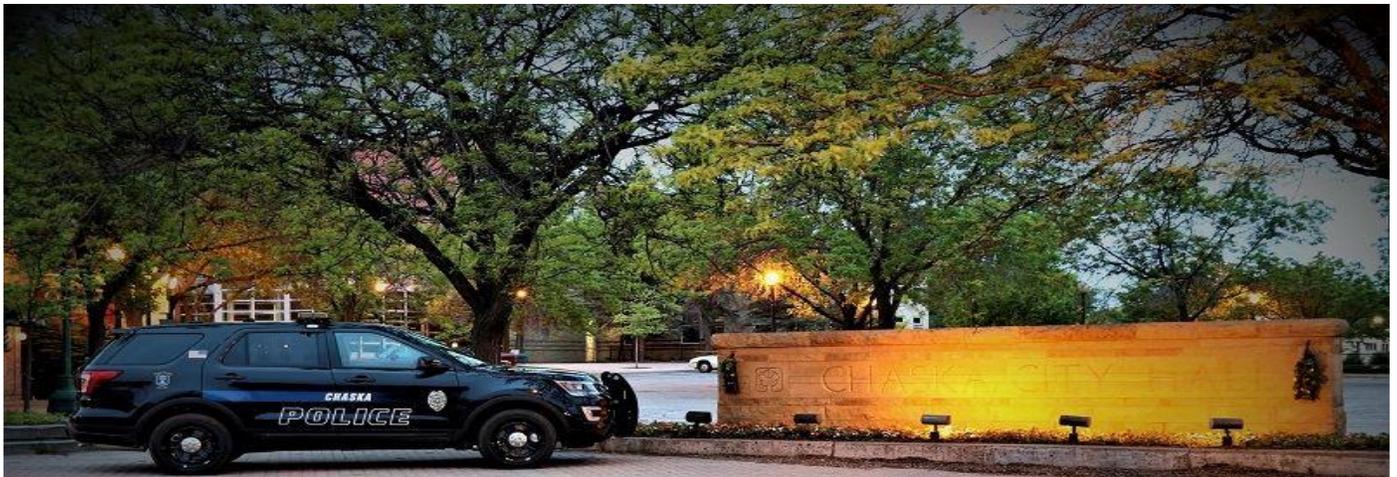




Community Information

Analysis of CPD policies, procedures, and training

June 16, 2020





Overview

Introduction

The City of Chaska Police Department recognizes the vital importance of trust between the community and police department, which serves as the foundation of law enforcement legitimacy and authority. We value the partnerships, communication, and collaborative efforts with every member of our community in the furtherance of our public safety mission.

On Monday, May 25, 2020, George Floyd's life tragically ended in a horrific manner. Since this time, a nationwide conversation has renewed regarding policing; specifically focusing on police operations, training, policy, and other topics. This conversation has called for significant police reform and emphasized the need for detailed analysis of police training and procedures.

More important today than ever before, police agencies must engage with their communities and work collaboratively to review existing procedures and policies. The Chaska Police Department continues to embrace effective communication and working partnerships with everyone in our community. I hope that the community information and analysis contained within this report reiterates our pledge to work alongside our community and identify ways in which we can improve public safety services in our community, while strengthening existing partnerships.

Objective

Contained within this report is a detailed analysis of select departmental procedures, policies, and training. Areas of focus include:

- ✓ Use of Force policy and training
- ✓ Body Worn Camera (BWC) policy and procedures
- ✓ Citizen Complaint policy and procedures
- ✓ Impartial Policing policy and procedures
- ✓ Chaska Police Rules of Conduct policy

Each area of policy focus will include a synopsis of the current policy, along with highlighted strengths of each existing policy. Areas for

potential change will also be identified with each existing policy. Addendums will be included to allow for review of each mentioned CPD policy along with the current Minnesota Peace Officer Standards and Training (POST) model policies, when applicable.

Process At-A-Glance:

This report and ensuing process of community feedback is the first step in our commitment to working with everyone in our city to address concerns and enhancing your understanding of our current operations. This first step will be part of a broader effort that includes:

- ✓ **Analyzing current policies and operations**
 - Internally
 - Community feedback and involvement
 - State-level discussions & analysis
- ✓ **Identify areas for change**
 - Internally
 - Based upon community feedback
 - Resource analysis
 - Legislative or POST Board mandates
- ✓ **Implement Change**
 - Policy & procedure
 - Staff training & resources
 - Community updates
- ✓ **On-Going analysis and community partnerships**

Immediate Timeline

- ✓ **Tuesday 6/16/20: Release of Community Information report**
- ✓ **After 6/16/20: City to start receiving written feedback from community**
- ✓ **Wednesday 6/24/20: Chaska Community Conversation**
- ✓ **Date TBD: Web-based Chaska Community Conversation**
- ✓ **Review of feedback and continued analysis**
- ✓ **Other events and updates TBD**



CPD Mission & Values

The members of the Chaska Police Department are proud to serve our community. We are dedicated to building public trust through community partnerships and programs, a high standard of professionalism, and an emphasis on customer service.

We understand that we play a crucial role in fostering a community where everyone feels welcome and safe. We are dedicated to providing quality public safety services to everyone who lives in, works in, or visits our city.

Our Mission and Vision Statements serve as standards that guide how we formulate our decision-making and service models. Our core values establish organizational pillars for staff conduct in all areas of responsibility.

Mission Statement:

Serve. Protect.

Vision Statement:

The Chaska Police Department *Serves* the community through the development of relationships and partnerships. Our staff is dedicated to problem-oriented policing that helps build community-based solutions. We *Protect* life and property and enhance the safety and quality of life for everyone in the community.

Core Values

- ✓ ***Respect*** – We hold life in the highest regard. We treat everyone with dignity and respect and remain fair and impartial as we perform our duties. Department members treat the public and each other with courtesy and professionalism. It is our duty to earn public trust through consistent words and actions.
- ✓ ***Responsiveness*** - As an organization, we are committed to meeting the needs of our community. We recognize that each member of our community may have different needs, values, and perspectives. We build public trust through the ways we listen to, engage with, and support those we serve.

- ✓ ***Professionalism*** - Department staff are held to the highest professional standards. We utilize the best practices in law enforcement to perform our duties with integrity and compassion. All department training, procedures, and standards reflect our commitment to preserving human life and dignity. We set goals to help our organization grow as individuals and professionals.
- ✓ ***Leadership*** – We recognize and accept our responsibility to be leaders, both within the community and among our peers. We are responsible for the performance, reputation, and morale of the department. We strive to serve the public in ways that build mutual respect and understanding between our department and the community.



CPD Policy: Use of Force

Introduction

All police agencies in the State of Minnesota are required to have a Use of Force policy. These policies are intended to guide departmental expectations and training regarding the lawful use of force and legal justification for uses of force within Minnesota State Statutes. (See addendum 1: CPD Policy and addendum 2: state model policy)

Current Policy Strengths

- ✓ Recognizes and respects the value and special integrity of each human life
- ✓ Officers shall only use that force which is reasonably necessary to effectively bring an incident under control
- ✓ Under no circumstances may any officer continue to use force (except mere physical restraint) against an individual who has ceased to resist
- ✓ Recognizes shooting at moving vehicles as inherently dangerous, even when deadly force applies
- ✓ Existing reporting requirement and review of all uses of force
- ✓ Establishes investigative protocols-either internally or by external agency

- ✓ **Duty to Intervene-contained in General Order 14, “the intervening officer believes beyond a reasonable doubt that a manifest injustice would result from failure to take immediate action”**

Potential Areas of Change

- ✓ **Specific ban on any and all chokeholds/neck restraints**
- ✓ **Place “duty to intervene” language directly into Use of Force Policy**
- ✓ **Re-word language/reduce ambiguity to mandated Use of Force review by supervisory/command staff**

Training Information

The CPD maintains an active training unit that thoroughly and proactively trains officers on the Use of Force within departmental and state guidelines. Specific to Use of Force training, the following applies:

- ✓ **Various less-lethal options exist within the CPD; to include Taser devices, PepperBall, and BolaWrap. CPD was the first agency in the state to implement the BolaWrap device.**
- ✓ **De-escalation is a training priority and expectation for use in the field**
- ✓ **Choke holds and neck restraints of any kind are not instructed nor allowed by CPD Use of Force instructors and administration**
- ✓ **A Use of Force continuum is actively utilized and explained by CPD instructors.**

On-going analysis of department training procedures continue, which includes further training with crisis intervention, de-escalation, and other related practices. The CPD remains committed to continually evaluating current procedures and how improvements can be made whenever feasible.



CPD Policy: Body Worn Cameras

The Chaska Police Department actively uses BWCs and they are deployed into the field. The primary purpose of using BWCs is to capture evidence arising from police-citizen encounters. The CPD has a mandated policy regarding officer use of BWCs (see addendum 3), which is based largely on recommended policy/statutory provisions.

Current Policy Strengths

- ✓ Establishes BWC program and guidelines for usage by officers
- ✓ Supervisor access and review of BWC video
- ✓ “Pre-record” feature enabled and stated in policy
- ✓ Data privacy ensured in policy under state law and guidelines
- ✓ Biannual external audit per state mandates

Potential Areas of Change

- ✓ Re-define “general citizen contact” to remove ambiguity in the context of discretionary recording
- ✓ Mandate school resource officer use with consultation from school district
- ✓ Review officer discretion to record “medical care” situations
- ✓ Consider formal process for video review / specific staff person



CPD Policy: Citizen Complaints

An active policy exists within the Chaska Police Department that establishes procedures and protocols for when a citizen complaint is filed with the agency (see addendum 4). Anyone wishing to bring a complaint against an employee of the agency will be provided a citizen complaint form. In the event a complainant wishes to remain anonymous or refuses to complete a form and the information is deemed credible, the Chief of Police may serve as the complainant. After a complaint is received, an internal investigation is initiated. The scope and nature of this investigation will vary based upon the nature of the complaint. For instances requiring a formal investigation, determination will be made based upon the nature of the complaint and known facts available whether an investigation will be conducted internally or by an external entity. Some possible factors in this decision making may include whether the complaint may allege criminal acts, nature of the allegations, rank and position of the accused member, and/or other factors. Based upon the results of the investigation, a complaint can be deemed as exonerated, not sustained, or sustained. In regard to complaints resulting in formal discipline, the Chief of Police will produce a written Findings of Fact and necessary action will be taken, as deemed appropriate by a totality of the circumstances.

Current Policy Strengths

- ✓ Policy establishes clear procedures for processing and responding to complaints
- ✓ Mechanism in place to allow for inter-agency complaints in absence of an external complainant
- ✓ Complaint should be handled in a prompt and just manner
- ✓ Details assignment of an investigator when applicable-either internally or externally
- ✓ Follows rules and guidelines of Due Process for alleged employee misconduct

Potential Areas of Change

- ✓ Re-word “purpose” of policy to eliminate prejudgment that complaint should be handled through “corrective action,”
- ✓ Post citizen complaint form online for easy accessibility with a frequently asked questions/procedural explanation
- ✓ Re-draft policy to include classification system for all complaint forms received with corresponding procedures for investigating each type of complaint classification
- ✓ Clarify procedures for updating complainants of complaint dispositions, while adhering to all privacy and due process requirements
- ✓ Assess possible state-level changes to reporting of complaints against officers and implement as applicable
- ✓ Conduct internal review of all complaints received on an annual basis

Citizen Complaints: Additional Information

How do we handle discipline within our agency?

In terms of the imposition of discipline, it is truly situational based upon whatever misconduct or problem is being faced. If the concerns rise to the level of misconduct or something criminal, a formal process would be followed. This may include an internal investigation, due process requirements, officer legal representation, and an imposition of discipline once the findings of an internal investigation have concluded. In the instance of a criminal investigation regarding officer conduct, such a case would be given to another law enforcement agency, likely the MN BCA. A separate internal investigation could either occur concurrently or after the conclusion of a criminal investigation and truly depends on the

specific situation. For lesser policy violations or acts (such as showing up late for work, squad car accidents, etc.), a less formal process would ensue that would focus upon corrective action, coaching, and/or mentoring designed to prevent similar acts in the future.



CPD Policy: Impartial Policing

Our agency expects its members to engage in their duties without any bias towards one's race, disability, gender, sexual orientation, religion, or other protected status. Chaska police officers are expected to respect and uphold the Constitutional expectation that everyone have equal protection under the law. Our agency condemns and prohibits any racial, ethnic, or other form of profiling that is intended to specifically limit or violate one's Constitutional Rights. (See addendum 5).

Current Policy Strengths

- ✓ Specific provision regarding impartial policing
- ✓ Requirements that race information is recorded whenever an enforcement action is taken-for administrative purposes only-to audit and/or investigate allegations of racial profiling
- ✓ Establishes policy for specific care and consideration of those with mental illness, disabilities, or other forms of impairment

Potential Areas of Change

- ✓ Separate policies for ease of access and review
- ✓ Solicit feedback from community-based organizations and individuals for potential revisions

Impartial Policing: Additional Information

Do we use profiling in Chaska?

The short and concise answer is no, which reflects modern police practices and mandated state-level policies prohibiting such practices. Furthermore, profiling on the part of law enforcement entities is destructive to community-police collaboration and outreach, which is a pillar of CPD priorities. On an administrative level, we also collect data regarding encounters officers have with

the general public based upon their race during traffic stops and other enforcement actions. This is helpful when reviewing staff performance and/or complaints that may be received regarding concerns of profiling based on race.

How do we prevent individual officers from engaging in profiling?

To ensure that individual officers do not engage in profiling-type activity, it is important to note a multi-faceted approach. At a fundamental level, agency culture is a significant contributing factor when profiling activity is embodied within an organization. The culture of the CPD does not reflect these practices at any level in the organization and the staff remain dedicated to fair, impartial, and customer-driven public safety services. Specific care during pre-employment regarding interview processes, employee backgrounds, and field training are also significant components to ensure the right candidates are brought into our organization. Some pre-indicators may exist in the background or psychological evaluation that may signal a preponderance that such behavior is likely from a candidate. Additionally, it is important to note that responsible supervision, training, and review of officer performance is also critical at ensuring isolated acts of profiling are not occurring. Successful and comprehensive efforts in each of these areas is a priority of our command staff and occur on an on-going basis.



CPD Policy: Rules of Conduct

The Chaska Police Department is governed by an internal Rules of Conduct policy, which establishes standards of conduct that are consistent with the values and mission of the agency and are expected of its members. Any disciplinary actions against officers arising from violations of this policy shall be investigated in accordance with state law and other procedural requirements. (See addendum 6).

Rules of Conduct At-a-Glance:

- ✓ All law enforcement officers must be fully aware of the ethical responsibilities of their position and must strive constantly to live up to the highest possible standards of professional policing.

- ✓ A police officer shall perform all duties impartially, without favor of affection or ill will and without regard to status, sex, race, religion, political belief or aspiration. All citizens will be treated equally with courtesy, consideration and dignity.
- ✓ A police officer will never employ unnecessary force or violence and will use only such force in the discharge of duty as is reasonable in all circumstances.
- ✓ Force should be used only with the greatest restraint and only after discussion, negotiation and persuasion have been found to be inappropriate or ineffective. While the use of force is occasionally unavoidable, every police officer will refrain from applying the unnecessary infliction of pain or suffering and will never engage in cruel, degrading or inhuman treatment of any person.
- ✓ Officers shall not mistreat persons who are in-custody. Officers shall handle such persons in accordance with law and departmental procedures.
- ✓ Law enforcement effectiveness depends upon community respect and confidence. Conduct which detracts from this respect and confidence is detrimental to the public interest and should be prohibited. The policy of this department is to investigate circumstances suggesting an officer has engaged in unbecoming conduct and impose disciplinary action when appropriate.
- ✓ Police officers shall provide every person in our society with professional, effective, and efficient law enforcement services.

Email written feedback & questions to:
communications@chaskamn.com

Chaska Community Conversation
Wednesday June 24, 2020 6:30pm-8:30pm
Chaska Event Center

Visit www.chaskamn.com/police for future meeting updates