



SPECIAL COMMITTEE: POLICE & COMMUNITY

CITY COUNCIL
City Hall, 215 SE 7th Street, Suite 255
Topeka, KS 66603-3914
Tel: 785-368-3710
Fax: 785-368-3958
www.topeka.org

Date: November 9, 2020

Time: 3:00pm

Location: 1st Floor Conference Room; Cyrus Holliday Building 620 SE Madison

Committee members present: Councilmembers Karen Hiller, Sylvia Ortiz (Chair), Michael Padilla

City staff present: City Manager Brent Trout, CPT Jamey Haltom (TPD), Lisa Robertson (City Attorney), Mark Jones (TPD Legal), Ed Collazo (Independent Police Auditor), Chief Bill Cochran (TPD)

1) Call to Order

Chairwoman Ortiz called the meeting to order at 3:00pm. Committee members introduced themselves. Chairwoman Ortiz asked Committee member Padilla lead the rest of the meeting, as she was attending via Zoom and wanted to ensure the meeting would not be held up should she have technical issues.

2) Approve minutes from October 26, 2020 meeting

Committee member Hiller made a motion to approve the minutes. Chairwoman Ortiz seconded the motion. Motion approved 3:0.

3) Discussion:

{All policies discussed in this meeting are public record and can be found on the Topeka Police Department's webpage, and the Special Committee's webpage: <https://www.topeka.org/citycouncil/police-community>}.

a. Use of Force & De-escalation continued discussion

Committee member Padilla stated he felt the policies regarding Use of Force and De-escalation were covered well in the last meeting. He wanted to continue learning about the training aspect of responding to a call with individuals who have special needs.

b. Standard Interaction

Committee member Padilla asked CPT Haltom to speak more about the training that officers go through for Standard Interaction. CPT Haltom shared a presentation. The second slide of the presentation shows a Critical Decision-making Model. When a call is received by Dispatch, the officers

receive information in two ways. The dispatcher provides verbal information as well as sends the information in written form through the computer system in the patrol vehicle. He explained the pieces of the model, and noted that during each step of the process, all pieces of the model are weighed against the Department's ethics, values, proportionality and sanctity of human life.

Committee member Hiller asked CPT Haltom to speak to the "creative tension" that officers are faced with during a situation, and the importance with de-escalation training in the situation. CPT Haltom noted that officers have to assess exactly what is going on and try to understand the cause of the situation in order to determine the true need. Recognizing those crisis situations, and if there is a mental crisis or substance abuse component are what is heavily discussed in training of de-escalation. The third component comes from experience on the job.

Committee member Hiller inquired about the following:

- Is the training for situations handled differently depending on the race or culture of parties involved? CPT Haltom stated that race and culture does not go into the training of assessment of a situation. Officers *do* receive cultural awareness training to inform officers on the various ways a culture perceives law enforcement.
- How is the overlap of race/culture and the perception of defense trained? Chief Cochran stated the training is the same for all race and cultures. The officer makes an assessment about the situation based on the information received on the way to the call. No call is the same, and no call will have the same outcome. The best training that has been vetted and shown to be best practices, is provided.

Committee member Padilla inquired about the context and purpose of the Culture Competency training, the history of policing, and if robust training is hindering officers from carrying out their law enforcement duties.

- Culture Competency: The purpose is to understand the citizens "we" police. Training consists of an outside facilitator working through scenarios, situations, and providing context to the how's and why's of cultural interpretation with relation to law enforcement. The training varies each year, and teaches integration of policing in the community and the various cultures that exist within the community. This allows for the officers to understand, and have an awareness, of some of the

background of different cultures, and offers training into ways to work within the various cultures.

- History of Law Enforcement is taught during the Academy. History is important to know in order to grow and become more culturally aware. Historical events or practices should not be viewed through “today’s” standards. The language and tones have to be understood from the context of the other party.
- Chief Cochran noted the training provided “We represent the City of Topeka, and we should know what the resources are to help guide that citizen to where they need to be?” Once a situation is rendered to be benign, there should be training into transitioning into those other roles, such as social worker.

Committee member Hiller spoke to her position as a Council member, and suggested that post-incident information be provided to the Council members in order for them to better understand the situation in its entirety. Chief Cochran suggested reviewing the number of citizen contacts made, and compare those to the number of arrests made, and the number of Use of Force incidents. The TPD Use of Force reports breakdown more components than are typically reviewed as industry standard. He feels reviewing past incident reports is an important piece to understand where the department is, and how to improve. He stated that de-escalation is a two-way street; if an individual does not want to de-escalate the situation, it becomes difficult for an officer to put the de-escalation training into practice. His hope would be to identify situations where the outcome was not ideal, and identify how to improve for a future interaction.

Committee member Hiller expressed interest in receiving detailed information regarding cases, noting constituents may feel better knowing that their Council representatives have received that information. There was further discussion on this topic between she and Chief Cochran.

Committee member Hiller would like to have information provided on the various review boards, to better understand their roles within the department and the amount of input and suggestion they are able to provide to the department. She would like to know what training is provided to those board members regarding their role, and if they are provided with goals that are documented.

Committee member Padilla stated he felt there was a valid point about the board meetings, and inquired about the communication between the Chief and City Manager regarding the current system, and if the voices that bring up concerns or suggestions from those community board members have been heard. Chief Cochran noted he meets regularly with the City Manager and discuss board recommendations, as well as citizen input received by the City Manager's office regarding TPD.

Chief Cochran felt an area of improvement would be to have the Chair of each board provide reports on a quarterly or bi-annual basis to the Chief's office. Improved communication would increase transparency and boost the overall confidence of the community to be more informed on what the department is doing. Chief Cochran noted he appreciates the work that is being done by the Strengthening Police & Community Partnerships (SPCP) board, but noted there was a pushback from certain members of the community regarding the work that was being done by the committee. He feels the committee's work has been positive and productive overall.

Committee member Padilla noted he agreed that the SPCP work has been positive for the department and community. Committee member Hiller agreed, but felt that there was a lack of notifying the community about the initial neighborhood meetings that took place. She suggested having a report based on the work being done by those committees, be presented a couple of times throughout the year, to the Governing Body. Chairwoman Ortiz noted she would like to have such a report as a future agenda item for the Police & Community Special Committee.

Chairwoman Ortiz commented on the invitation from Chief Cochran for the committee members to attend upcoming training, and asked how attending would help to better educate the public. Chief Cochran noted there would be opportunity for the guest speakers to provide public presentation, but also felt that having the elected officials sit in on the training would provide opportunity to gain trust and support from the community by hearing from those leaders.

Committee member Padilla inquired about the Ethics training and how often it is reviewed. CPT Haltom noted that it is taught extensively during the academy, and reviewed regularly throughout other times for all officers. There is not a subjective standard to measure or test on how officers understand the department ethics, however the officer shows their

understanding in the performance of their duties and how they respond to calls to service.

Committee member Padilla inquired more about ethics, and discipline measures for when an officer has breached ethical protocols. CPT Haltom discussed progressive discipline measures. Committee member Padilla expanded the question to inquire how concerns of behavior is tracked throughout an officer's career. Chief Cochran noted that ethical violations are different from policy violations, and are dealt with in a different way.

Chief Cochran noted the State is recording reports provided to CPOST (Commission on Correctional Peace Officer Standards & Training) are better than in years past. If an agency removes an officer, there is a place to include the reason for termination, which allows other agencies in the state to be better informed. He would like to see CPOST be more involved with pulling credentials and certificates, so a request from another agency is supported to do that research.

Committee member Hiller mentioned progressive discipline and inquired if the quarterly and annual reviews were kept permanently within a file, and if those then follow the officer throughout their career. Chief Cochran noted evaluations are kept within a file at TPD for five years. However, those are also sent to the Human Resources Department, where they are kept permanently on file. Chief Cochran noted that corrective action is kept in-house, at the Professional Standards Unit and Human Resources Department, for the duration of an officer's career. There are varying types of corrective actions.

There is a criteria that outside agencies look for with regard to corrective action reports. Chief Cochran read from the Police Union's contract regarding length of time progressive action remains in the department's file.

Committee member Ortiz inquired about who citizens need to contact to file a complaint to. CPT Haltom had a presentation slide reviewing how to go about reporting a complaint or complement. There are a number of ways for citizens to provide feedback to the department. Recently, postcards were made with this information and can be found at the TPD front desk, the Professional Standards office, the Municipal Court Clerk's office, and each Sargent and Lieutenant in the Field Operations Bureau.

Committee member Padilla mentioned the bias-based policing training, and asked if CPT Haltom could provide more information.

c. Bias Profiling

CPT Haltom noted there is extensive training on bias-based policing that occurs in the academy, however it is also taught annually during in-service. Committee member Padilla asked about the difference between fair and impartial policing and bias-based policing. Fair and Impartial Policing teaches officers about the different bias that everyone has, whether naturally through experience or implicit, and how to react to a situation and navigate through it based on understanding those biases. Bias-based Policing has more to do with the statutory definition and required reporting of bias-based policing. Chief Cochran noted the State's Bias-based Policing committee only requires that the training occurs. There is no set standard for the type of training on the subject. He suggested having KLETC (Kansas Law Enforcement Training Center) have each agency within the state meet and post the standardized training topics.

Committee member Padilla inquired about the Chief's opinion of how the TPD standards and training compares to others across the state. Chief Cochran responded that TPD is the highest in the state. The training is crafted with input from the community, the SPCP and other commissions, and by looking at state and national trends. Committee member Hiller discussed some of the training that she attended was very diverse and that the candid nature of the conversations was very helpful and that allowed for strong learning.

Committee member Padilla inquired about the Chief's Topics and District Attorney's Topics found on the in-service training schedule. Chief Cochran noted those items are to allow those offices to provide information that is being noticed in the agency and community and how they are blending together.

The first two officers to certify as trainers in the ABE (Active Bystandership in Law Enforcement) completed in October, and ABE training for the department has since begun. The training focuses on providing tools for newer officers to have the courage when needing to address a peer or senior officer exhibiting concerning behaviors.

Committee member Padilla inquired if the department continues with regular staff meetings for the senior staff. Chief Cochran confirmed.

Committee member Padilla recalled from his time on the department that there was sometimes a non-command officer present and allowed to provide perspective from their level. Chief Cochran stated that the practice continues in certain cases.

Committee member Hiller inquired about the relation between the ABLE training and Duty to Intervene. Chief Cochran stated the ABLE training was an introduction to the Duty to Intervene training.

d. Duty to Intervene

CPT Haltom attended the first session of the ABLE training and complimented the officers who presented the training. A take-away was the statement that “it just takes one”...one person intervening can make all of the difference in how the rest of a situation plays out. Chief Cochran noted he would be able to provide the training schedule to the committee.

Committee member Hiller noted the topic was something that came into the spotlight nationally a few months ago, but noted that the Topeka Police Department has been participating in that training for a number of years. Chief Cochran estimated the department had been participating in this training for at least ten years.

Committee member Hiller inquired if the instruction or subject matter was new. CPT Haltom noted that this training provides permission and duty for officers to intervene. Chief Cochran stated he appreciated the structured curriculum of the training. It is not only giving officers permission to step in, but also the background and information on how to do it correctly, and to stop the behavior from happening. Chief Cochran noted the paradigm shift found with this training. Committee member Hiller stated it was a huge culture change.

Committee member Padilla inquired as to the sharing of training with other entries such as Washburn University, noting the University reaches into a different area within the community. Chief Cochran noted a robust partnership with Washburn University, and explained the various areas. A mentorship program partnered through Robinson Middle School and Washburn University started. Chief Cochran feels there is a great partnership with Washburn University.

Committee member Padilla noted that during some of the national movements over the summer, there were demands made with regard to

training. Some of these, he felt, gave the idea that the TPD was not training in these areas, however TPD does train in many of these areas, and in most instances exceeds the standards in those areas of training focus. Chief Cochran agreed, and noted that the Training Academy had been working on becoming accredited and would be having a hearing with CALEA (Commission on Accreditation for Law Enforcement Agencies), to find out if the training academy would be able to become certified. The department has been an accredited law enforcement agency, however this will be the first time applying to certify the training academy.

4) Set meeting schedule, next meeting date

Suggestions for the next agenda included:

- Hearing from individuals who presented on the Cultural Awareness Training
- To review the annual Use of Force reports
- Some type of executive session to learn more about some examples of how certain personnel items were carried out.

Citizens wanting to speak on the items may contact the committee. Questions or comments should be sent to the Liz Toyne, City Council Assistant, at etoyne@topeka.org .

Next meeting will be November 30th at 3pm, location TBD.

5) Adjourn

Chairwoman Ortiz adjourned the meeting at 5:01pm.

Meeting video can be viewed at: <https://youtu.be/DmD6UayIgcw>