



# CITY OF TOPEKA

CITY COUNCIL COMMITTEE  
MEETING MINUTES

## SPECIAL COMMITTEE: POLICE & COMMUNITY

CITY COUNCIL  
City Hall, 215 SE 7<sup>th</sup> Street, Suite 255  
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**Date:** June 17, 2022

**Time:** 2:00pm

**Location:** 1<sup>st</sup> floor conference room; Holliday Bldg 620 SE Madison (*virtual attendance was available as well*)

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

**City staff present:** Chief Bryan Wheelles (TPD)

### 1) Call to Order

Chairwoman Ortiz called the meeting to order at 2:00pm. Committee members introduced themselves.

### 2) Approve minutes from June 10, 2022 meeting

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

### 3) Public Input

Chairwoman Ortiz called individuals to the podium for public comment.

Danielle Twemlow - Provided list of credentials for individuals who worked on the process for creating a detailed research-based recommendation to the Governing Body two years ago. Stated this work was disregarded by the Committee. Will continue to advocate for change to policy and procedures.

Sandra Lassiter - Question about SRO and TPD being involved with the school district. Concerned for Use of Force. Concerned about Committee and make up of who is chosen to serve. Requested clarification on financial contract of SRO. Feels more can be done within SRO program to train on mental health and treating everyone with dignity and respect.

Dick Cline - Thanked Committee and TPD for time and work on Committee. Former DOC director. Stated mental health component was driving force of many individuals who went through DOC. Was supportive of any resources that would grow the CIT partnership to help with mental health crisis. Having the resource support to help people within the community before they breach the criminal and justice system.

#### **4) Finalization of Draft Recommendations**

Chairwoman Ortiz noted the Committee had received a redlined version and clean version of the draft recommendation document which shows the changes that were approved at the June 10<sup>th</sup> meeting. There were two items that were left remaining on June 10<sup>th</sup> that needed additional discussion and action.

##### Item b6 *Civilian Oversight*

Committee member Padilla inquired about the word “advocating” and stated it was encircled. He inquired if it was the intention to eliminate the word?

Chairwoman Ortiz clarified that she had drafted new language to vote on, if the decision was made to remove the word “advocating” from this section.

Committee member Padilla sought clarification of the language in the second paragraph “...emphasize geographic diversity in council district residence...”, and inquired if that meant there would be one representative on the Civil Service Commission per each Council district? Chairwoman Ortiz responded that there would not necessarily need to be an additional number of Commissioners, but that the language was added in out of a request that was made to ensure that information was covered. She stated that, as she understood the process, that the Civil Service Commission would set those rules upon appointment. Committee member Padilla stated there was some need to reorganize to reshape their mission and responsibilities, and that he has no issue with making sure the composition of the Commission represents, overall, the city, but was hesitant to grow the Commission to a larger number of members than it currently has.

Committee member Padilla inquired about the qualifications needed for an applicant within the language “...advocates for minorities and disadvantaged communities...” and if that would require someone to be from an organization that served those populations and show credentials for the position of serving as an advocate, or if they could be an individual who has been an advocate for those things? Chairwoman Ortiz responded it was her understanding that the intent was only to emphasize those areas. The Committee can choose to leave in or remove any of the suggested language.

Committee member Padilla reflected on his prior service on the Civil Service Commission and stated that, at the time, there were five Commissioners and that none of them had lived in the same Council district. Additionally, they were all advocates for city-wide diversity and inclusion efforts. He felt that, because of the selection process that clearly defined the needs of the community, which as a group encompassed the diversity, equity and inclusion efforts that everyone wanted to ensure was part of the commission. Committee member Padilla stated he did not want to get too caught up in definitions and language, but rather to be efficient and representative in being able to be inclusive in inviting applicants to serve. He did not want to see the vetting process become so restricted that it

ended up excluding people because they were in the wrong district or something similar.

Committee member Hiller stated that she felt the main point was reflected in the sentence "...strive to appoint individuals who represent the breadth of Topeka." Period. And that the following sentence were examples of how this would be achieved. She stated that the intent is to provide guidelines for the type of people the City would like to invite to apply for service on the Commission.

Committee member Padilla suggested striking the word "emphasize" and replacing it with "include", as he wanted to ensure people reading this did not interpret the qualification to serve on the Commission to become too narrow.

Committee member Hiller stated she felt comfortable with the current proposed language, that it is not too specific but provides guidance to the types of people being sought after, that have the background and therefore knowledge in these different arenas. She referenced testimony that was received earlier, with regard to the responsibility of nominations to the Commission, and that perhaps change the references to Mayor appointing members to the Commission instead reference Governing Body. Committee member Padilla stated this process may be able to emphasize to the Governing Body members to submit nominations and to contact applicants within their district to ensure they are interviewed and qualified to serve, and if they would be an asset to the Commission/Board.

MOTION: To approve revised language of the second paragraph of item b6 *Civilian Oversight* to now state "The Civil Service Commission members are appointed by the Mayor with consent of the Governing Body. The Mayor should strive to appoint individuals who represent the breadth of Topeka. Selection to serve should emphasize geographic diversity in council district residence, advocates for historically marginalized and disadvantaged communities, advocates for policing, and advocates for youth. With some code changes, we feel the Civil Service Commission is the appropriate group to provide additional civilian input to the police department and governing body as appropriate without additional layers of government through the creation of new citizen advisory committees."

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

#### Item b7 *Employment Decisions*

Chairwoman Ortiz presented some new wording from the previous version. She stated she had also spoken to the HR Director to ensure that the City, as a governmental entity, is reaching out to reflect minorities, disadvantaged recruitment and advancement, and that the City is an equal opportunity employer. She felt the language accurately reflects these components.

A second paragraph was added to acknowledge the current efforts for recruitment of a diverse pool of employees for Police Officers and to affirm that those efforts should continue.

**MOTION:** To add a second paragraph to recommendation *b7 Employment Decisions* which reads “The City should continue affirmative and creative efforts for recruiting and advancement of underrepresented demographics in the police department with a goal that the department fully reflects the diversity in the community. The City should work to identify partners that can support these efforts.” Committee member Hiller made a motion to approve. Committee member Padilla seconded the motion. Motion approved 3-0-0.

Chairwoman Ortiz complimented the City and the TPD for their current recruitment efforts to think outside of the box as they have been for the internship program and the more diverse pools of applicants that have come through the recruit training program. Committee member Hiller echoed those comments and stated that TPD is currently doing affirmative and creative recruitment and hiring efforts and she wanted to continue to see that grow, and felt the language in the recommendation is valuable.

#### **5) Other Items** [video 48:40 minute mark]

Committee member Hiller would like to add a statement of strong recommendation that sections be included in the personnel reviews for Use of Force, De-escalation, Duty to Intervene, and Multicultural Comfort. She stated that she liked the way the current personnel review forms are written, but would like to see pieces based on those four items be included. Proposed language would be “This Body strongly recommends that the individual demonstrates understanding and appropriate application of the Duty to Intervene”. Suggested language for Multicultural Comfort “Demonstrates comfort and ability to meet all other standards above with persons of all races, religions, ethnicities, gender identification, ages, and abilities.” The department would write the language. Committee member Hiller noted those items were written in policy, but were not yet written into the personnel review.

Committee member Padilla inquired if Committee member Hiller was wanting to insert this language into the recommendation document, or outside of the document as part of the personnel review? Committee member Hiller inquired if the Duty to Intervene had been established or updated in the course of the two years the Committee has been meeting? Chief Wheelles responded that the Duty to Intervene has been intertwined in policy for a number of years but the particular terminology Committee member Hiller is referencing may be newer. Committee member Hiller stated that the only language in the review asks if the officer has done what they are supposed to do, based on the authority above them and that the duty to intervene has changed greatly in recent times. Chief Wheelles stated

that he disagreed slightly, and noted that the personnel evaluation reflects that officers will follow the policies of the Topeka Police Department and City of Topeka, and that he understands that Committee member Hiller would like to have it in the evaluation. He stated he was not opposed to including additional language, but did not want to be dismissive of the fact that the evaluations are reflective of a number of categories that the employees of the department follow. Redundancy is never a bad thing. He also noted that when employees violate policies, and corrective action is taken, the receipt of acknowledgement in the corrective action stating that the employee understands they violated the policy is something that is noted in all of the evaluation forms. He stated that adding language and terminology to the evaluations is something that can always be done, however that the policy pieces and corrective action pieces are clearly reflected within the personnel evaluations.

Chairwoman Ortiz stated that if the Committee felt they would be ready to take action on this suggestion, they could. However, they could also choose to bring it back later to vote on.

MOTION video 59:52 minute mark: To strongly recommend that language be added to the personnel review language for Duty to Intervene which states the employee “demonstrates understanding an appropriate application of Duty to Intervene”. And to add a new section within the personnel review that addresses Multicultural Comfort which would state something similar to “demonstrates comfort and ability to meet all other standards above with persons of all races, religions, ethnicities, gender identification, ages, and abilities.” [No vote was taken at this time].

Chairwoman Ortiz inquired where, within the current draft recommendation document would fit? Committee member Hiller stated it would likely create an eighth item on the draft recommendation document.

Chairwoman Ortiz inquired with Chief Wheelles as to whether the TPD had policy on the subjects of Duty to Intervene and Multicultural? Chief Wheelles and Committee member Hiller were able to explain that both of the topics did have policy, however that they were not directly listed on the personnel review form. The proposal would be to recommend the department update their personnel review forms to include these items. Chairwoman Ortiz inquired if the Human Resources Department would be involved with drafting the changes on the forms? Chief Wheelles confirmed that HR would have to be required to assist in changing the personnel review forms.

Chairwoman Ortiz inquired as to where in the draft recommendation document this item would go? Committee member Hiller noted that it could be added as a new section, item b8 *Personnel Review*.

[video 1:07:50 minute mark] Chairwoman Ortiz wrote out the suggestion, to create a new item on the draft recommendations, *b8 Personnel Review Form*, and to add supporting language to that section “demonstrates comfort and ability to meet all other standards above with persons of all races, religions, ethnicities, gender identification, ages, and abilities.”

MOTION: [video 1:11:55 minute mark] made by Committee member Hiller, inquiring if the motion should state “that we support language to make a recommendation per the discussions, and that it would be final per feedback to you (Chair) on the final language”. Seconded by Chairwoman Ortiz. Motion approved 3-0-0.

Committee member Hiller reflected that she thought the public comments heard today were good and reviewed how some of the comments had been discussed throughout the Committee’s process.

Chairwoman Ortiz stated she would call one final meeting of the Committee to review and approve the final revision of the draft recommendation document.

Chairwoman Ortiz thanked everyone for the input and efforts that were undertaken through this process. Committee member Padilla stated he felt the Committee had performed an honest attempt to meet the requests that had been presented to them. He understands that the recommendations may not be of complete satisfaction to everyone, however that it did speak to each concern. Additionally, the final action on this document does not end the ongoing adaptive work to continue to revise and improve the police department, to keep us ahead of the curve. He asked the community to review these recommendations with an open mind, to be critical where you need to be critical and helpful where you can be helpful. He thanked Chairwoman Ortiz for her work.

## **6) Adjourn**

Chairwoman Ortiz adjourned the meeting at 3:18pm.

Meeting recording can be found at: <https://youtu.be/LNU0uOceOLE>