Rachel Harlow-Schalk, City Manager
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helenamt.gov

MEMORANDUM

Date: June 23, 2021

To: Mayor and Commissioners

From: Rachel Harlow-Schalk City Manager

Re: Update on Police Reform Working Groups

At the June 3, 2020, Administrative meeting, the Commission voted to conduct a review of police department policies and procedures.

In response and over the Summer and Fall of 2020, several conversations were held around law enforcement and methods employed by the Police Department. Additionally, the use of Helena Police Department School Resources Officers (SROs) was discussed with the community. These conversations resulted in the interim City Manager being directed to implement Working Groups in response to law enforcement methods.

During the September 9, 2020 Administrative meeting, the Interim City Manager provided a list of four Working Groups to address primary themes within law enforcement conversations and outcomes of those Working Groups. The Interim City Manager was then directed to return with a list of potential participants onto these Working Groups and each Group was assigned a Commission member.

On October 19, 2020, I started work and the Interim City Manager shared their list of suggested participants to be submitted to the Commission.

Of the list of initial six Working Groups, the Civilian Advisory Board and the School Resource Officer groups began in April of this year. Recommendations from the Civilian Advisory Board can be found as Attachment 1 to this memorandum. The City team will return to the Commission in the Fall with an implementation recommendation based on the need for additional research as identified by the Working Group. Of most significance was the need for a third party for complaints to be referred when the complainant may be fearful of retribution. This third party could be a contractor or a separate advisory board.

The School Resource Officer (SRO) discussions were very different and managed differently because there had already been discussions on them. As a reminder, the Interim Manager was directed to, by June 30, 2021, revise the memorandum of understanding with the Helena School District from the original established in 2013 specific to the use of SROs.

On January 6, 2021, during the Administrative meeting, the Commission was provided a memorandum attached to the Novus summary that shared:

> "As was part of the first 90 days plan from the permanent City Manager, the City Manager committed to meeting with Police Chief Hagen to discuss the School Resource Officers (SROs). The intention of the meetings was to understand the commitment made by the City to the School District and why both are interested in maintaining SROs in schools. Not only did the City Manager meet with the Police Chief, but several follow-up meetings with the then School District Superintendent were also held to discuss what was needed to achieve the desired outcome in a new memorandum of

understanding. The desired outcome is relationship building with police officers believed to be necessary for positive interactions students which they can carry into adulthood. It is believed that the SRO positions reinforce this positive relationship."

Additionally, a list of working groups, potential membership, and topics for discussion for each of the working groups including one on the School Resource Officer was provided. Of all these groups, the request I made was to hold an additional working group on the SROs to respond to a motion made by the Commission before my arrival. That motion was:

> *"Move to reinstate $292,000 to the Helena Police Department's operations budget and remove the requirement of future Commission approval for expenditure of those funds and direct staff to engage in the development of a new MOU to be completed by June 30th, 2021 with Helena Public Schools based in the practices and implementation strategies including but not limited to restorative justice and mental health response models and including stakeholder groups including but not limited to students, families, teachers, Helena Public Schools, health care providers, the Mobile Crisis Response Team, the interdisciplinary child safety team, racial and social justice advocates and the City of Helena."*

Within each of the Working Groups, several community members were identified to be specifically invited based on the belief their expertise is needed and that they may be able to dedicate the time needed. Helena citizens were always made aware they could observe any Working Group especially if they could not dedicate the time necessary but would like to offer input by way of public comment. While we did not open active recruitment, citizens interested in participating could volunteer for a Working Group but had to be willing to dedicate the time needed. The makeup of the groups was offered to the Commission along with agendas. Consensus was arrived at during this meeting all Commissioners and all Commissioners were present.

As the Commission is aware, outside facilitation was hard to identify and as a result, the working groups did not start until April. I facilitated the Civilian Advisory Boards to ensure no further time was lost and the Keystone Policy Center was contracted for the SRO MOU. I cannot facilitate another Working Group as I need to maintain my role as City Manager in future conversation.

From inception, the Working Group did not evaluate the current MOU, but instead was asked to talk about the benefits and unintended consequences associated with the existence of SROs in schools. Writing out a legal document is not what was needed for the me to engage in the crafting of an MOU. I needed to understand what the community has been experiencing with Helena's SROs. By Charter, I am assigned to hold the Police Department accountable and to do this, I needed to understand what the Helena SROs had done that started this conversation and needed to be corrected.

My quick summary of the work completed by the SRO Working Group is attached. Additional recommendations are pending from the Keystone Policy Center. From the conversations held in May and June, I learned in general the community remains in the same place: strong support and strong opposition for Police Officers in schools.

- Understanding, of the work done by the SROs is limited. Understanding of police work in Helena overall is misunderstood.
- Improvements are needed to the MOU that clarify what SROs do. We know, for example, they do not participate in school discipline, but the MOU needs to explicitly hold the School District responsible for discipline. Other language deficiencies as described in the Working Group conversations can be crafted to address concerns.
- SROs are members of the team at the school – under the direction of the City Police Chief.
- SROs are not a requirement for safety.
- Instead, the following is critical for safety in the school: If there is an incident, the mobile critical response team/responding emergency teams need someone with insight into what is occurring with the student involved—not a teacher, but someone else. This person has been our police officer. There is a standard of care, oath, and ethics code taken our officers comply with that no one else in

the school takes. Who is the person trusted outside of a police officer with the same standard of care?

- There is discretion used by our Officers under the direction of the Chief, their oath of office, standard of care, and ethics code that is uncomfortable and the place in which risks associated with the incident at hand exist.
- Incidents related to the mental health issues of students are no longer responded to by just the SRO --the mobile crisis response team has been an excellent tool here.
- Families with custody battles and family member issues show up at the school and an SRO can quickly de-escalate these adults.
- Social justice representatives do not want SROs in the school.
- SROs in the school cause trauma to students who experience trauma from officers outside the school. These students will never have a relationship with an SRO and the presence of an SRO is damaging.
- SROs support students who are marginalized and bullied in school.
- Some parents do not want SROs in the schools.
- Some parents want SROs in the schools.
- SROs can de-escalate a student faster than one off the street because they know the student by name.
- SROs can escalate a student who is traumatized by the police in the history.

I gleaned from all of these conversations that there was <u>not</u> a pattern of SROs acting inappropriately in the school which needed solved. Instead, I learned the City has not communicated the role of the SROs, updated agreements with the School District or modernized the program to reflect the current needs of students. Additionally, there is hesitation within the community on what the SROs are doing and their description in schools. Last, I learned that there is an impasse with the social justice team regarding law enforcement that will not be solved. I can work with the District to improve these elements and hold the Department accountable.

However, in discussions with Commissioners assigned to the SRO Working Group, one Commissioner shared there are two separate thoughts in the motion: SROs were approved for the budget at that time, and then separately, the MOU for the next year which did not include SROs. The other Commissioner shared they believe it means SROs moving forward and the MOU needs to ADD practices and strategies that include restorative justice and mental health response models. There was concern, overall, with the final makeup of those on the working group by both Commissioners.

<u>I cannot facilitate entry into an MOU with the School District until further policy direction is given by the Commission.</u>

As I shared to both Commissioners and the Working Group, this is a community conversation different than the other five working groups. This working group has an immediate impact on children and we are coming out of a pandemic. Are we removing SROs as a resource to students to substitute in other services or adding more resources on top of the SROs? If we are not using SROs <u>what is it the City will be doing?</u>

The Working Groups were created because a problem needed to be solved. In the case of the SROs, I understood the need to improve an MOU and negotiate with the School District. However, the original motion reads that the MOU must be <u>based in</u>, but not limited to, <u>restorative justice, mental health response</u>, and then including stakeholder groups, including but not limited to, students, families, teachers, Helena Public Schools, health care providers, the Mobile Crisis Response Team, the interdisciplinary child safety team, racial and social justice advocates and the City of Helena.

From the beginning, I started with my span of influence of City operations: the SRO. Neither me nor the Police Chief are managing, experts in, thought leaders on, conveners of, or trusted voices in restorative

justice or mental health response. If the City will be entering into an MOU with the school district based in restorative justice and mental health response, in part, the School Board needs to agree that the city has a role in this work in the schools AND we need it in our operations. Otherwise, I have no authority or operation that does this work. The School District and the new Superintendent continue to request the use of SROs in the school. They have not asked for this restorative justice and mental health response work to be completed by the City.

Having Police Officers in schools as SROs creates an impasse with social justice representatives. As was shared during the July 9, 2020 SRO discussion, the Montana Racial Equity Project and the ACLU do not want Officers in schools. It is a non-starter for the conversation. Additionally, the primary concern still exists around law enforcement overall and its history as a discipline of service which creates an impasse.

Hesitation within the community on procedures and the discretion of officers needs to be addressed overall through transparency, citizen involvement, and better data/policies. If the Commission agrees, I will continue to work with the Superintendent on an MOU to include SROs. I cannot improve, and neither can the Police Chief, what is not a City service: restorative justice or mental health in schools. We also can not solve the impasse with our social justice partners because we have no other City operation in the school except the SRO. This is a policy discussion that we can provide input on from our areas of expertise as a member to a group led by someone managing and addressing social justice in schools who is an expert, thought leader, convener, and trusted voice. This needs a leader from the community: Who is this leader? I had suggested that the City could partner with the School District and social justice groups to do this work. The social justice team said they would respond when I put it in writing to them and the School District has not responded yet. Frankly, the city is in disrepair in so many places, adding all of these Working Groups, and now another group is wishful thinking—I do not have capacity in the city to do this work already let alone another group. The community needs to step up with a leader.

Remaining Working Groups
Next up:
Policies and Procedures, and Data and Resources

Mental Health Working Groups – Needs A Leader from the Community: Who is this leader?
The City Manager and the Police Chief can not solve the mental health problem in the city of Helena. The City of Helena does not manage mental health issues in its operations and until such time as it does, can not solve the mental health problem in the City. It would be irresponsible for us to believe we can solve this in our community.

We are not managing and addressing mental health, nor are we experts, thought leaders, conveners, and trusted voices on mental health. We are members of a group that provides input as our work is specifically impacted by those who are managing and addressing mental health and who are experts, thought leaders, conveners, and trusted voices. Who is?

Attachment 1:
Police Reform and School Resource Officer Working Groups
Working Group: Civilian Advisory Boards

Members	Affiliation
Thomas Jodoin/Erik Coate	Helena City Attorney's Office
Renee McMahon	City of Helena Human Resources
Perry Johnson	Montana Police Officers' Standards and Training (POST)
Bob Wood	Retired Municipal Court Judge
Jeffery Sherlock	Retired District Court Judge
Emily Dean	Helena City Commission
Wilmot Collins	Helena Mayor
Courtney Smith	The Montana Racial Equity Project
Judith Heilman	The Montana Racial Equity Project
Steve Hagen	Helena Police Department-Administration
Dakota Becker	Helena Police Protective Association
Karen Bryson	Police Commissioner
Tom Cherry	Citizen

Facilitator: Rachel Harlow-Schalk, City Manager

Community Members Invited to Participate
Members were expected to read ahead all documentation necessary to come to meetings prepared to provide their insight. Members participated in ALL meetings and be prepared to speak from their area of expertise to content sent in preparation for the discussion. All meetings will be recorded. No citizen was turned away if they could commit the time.

- City of Helena. City Attorney's Office
- City of Helena, Human Resources Team
- Former Judge
- Indian Alliance
- HPPA
- Attorney General's Office
- Police Officers Standard and Training (POST)

Work Completed
Three meetings completed.

Recommendations attached.
Two Civilian Advisory Boards: 1. All Complaints 2. Use of Force Review
Purpose, membership and barriers to successful implementation/further research needed identified.

City of Helena

Civilian Advisory Board: Complaints

Need: To reassure the community that appropriate investigations of citizen complaints are being conducted by the Police Department, discourage misconduct, and increase the understanding of police behavior.

A separate agency needs identified for those to make complaints who are concerned with making a complaint to the Police Dept. Outside, contracted agency—RFP requests method of intake that protects the confidentiality of complainant.

Purpose: Build public trust and review all complaints in a timely manner, determine and notify the City Manager on whether the Police Department's investigation and Police Chief's review was fair, thorough, and complete, and:

1. Complaints as defined in applicable City of Helena Police Department Standard Operating Procedures were thoroughly investigated and correct disposition was reached.
2. Based on the review, is there additional training that should be provided to officers.

After criminal complaint review, conduct additional review. Discuss policy considerations or other issues that make it less likely for a criminal complaint.

This advisory board is NOT the final decision maker.

The City Manager, per City Charter, has the duty of personnel management and discipline over all City staff not appointed by the City Commission. As a result, a thorough, fair, and complete investigation by the Police Chief is being reviewed by the Advisory Board. The role of the Civilian Advisory Board is advisory to the City Commission, City Manager, and Chief of Police. The City Manager and City Commission will provide recommendations to the Chief of Police for changes in police policy or procedures based on recommendations provided by the board.

Membership: Three or five volunteer citizens at large.

Staff liaison from HPD non-voting member who supports the advisory board (minutes, mailings, record-keeping).

Not Members, but in attendance: Assistant Chief of Police or Police Captain will present cases and be available to assist with procedural questions. and one deputy city attorney-

Process for selection:

- Mayor appoints citizen volunteers based on application.
- All members must sign a confidentiality agreement with the City.
- Citizen terms are limited to two, 2-year terms.
- Ability to complete training that members need to receive in order to serve on the Advisory Board.

Barriers to Successful Implementation

Time dedication by volunteers to determine a thorough and fair investigation by the Police Department and review by the Police Chief of complaints. On average, 30 matters could be reviewed to determine a thorough, complete, and fair investigation. It is anticipated that 2 hours will be spent on each matter which could result in 60 hours dedicated per year. When compared to the 2,087 hours work year, this is roughly 3% of a year per volunteer or approximately 1 hours per week. One half of a day per month seems a reasonable amount of time for reviews by this Board.

Volunteers will spend a great deal of time reviewing investigations—an expected 8 hours per quarter.

To implement this Board, the following needs analyzed by external legal for the City:
The Police Department cannot release Confidential Criminal Justice Information to people that are not currently allowed by law to receive this information.

- Is this a board that just reviews appeals or if a person signs a waiver?
- Can a confidentiality agreement bi-pass the state law on Criminal Justice Information?
- What is the appropriate training program for Complaint Review Board, so they understand police policies and procedures, case law, and state laws?

In accordance with the HPPA Union contract with the City, anything that is placed in the officer file of a derogatory nature must be disclosed to the officer before its placed in the file. An officer also should have the right, per contract, to respond to any complaint made against them and believe it would be required if there is discipline.

The level of investment of time in reviewing these complaints includes assurance of appointments to the Board are appropriately trained to evaluate the complaints brought forward.

Separate Agency: A separate agency needs identified for those to make complaints who are concerned with making a complaint to the Police Dept. Outside, contracted agency—RFP requests method of intake that protects the confidentiality of complainant. This could also be a separate committee outside the City organization as well.

NO Consensus arrived at, but requires further review:

Roles of the Advisory Board – two additional roles -

1. Recommend personnel action to the City Manager. IN OR OUT requires more analysis: Actual action to be taken (e.g. suspension, days off w/out pay, no action, etc.).
2. Recommend policy to the City Commission (not operating procedures).

Research the possibility of using the Civilian Advisory Board to recommend personnel action and information within the Board is confidential. The specific Action to be taken is not expected to be the role of this Advisory Board. Concern around authority of an advisory board in personnel.

City of Helena

Civilian Advisory Board: Use of Force

Need: To reassure the community that appropriate investigations of officer use of force are being conducted by the Police Department, discourage misconduct, and increase the understanding of police behavior.

A separate agency needs identified for those to make complaints who are concerned with making a complaint to the Police Dept. Outside, contracted agency—RFP requests method of intake that protects the confidentiality of complainant.

Purpose: Build public trust and review all complaints in a timely manner, determine and notify the City Manager on whether the Police Department's investigation and Police Chief's review was fair, thorough, and complete, and:

1. Complaints as defined in applicable City of Helena Police Department Standard Operating Procedures were thoroughly investigated and correct disposition was reached.
2. Based on the review, is there additional training that should be provided to officers.

After criminal complaint review, conduct additional review. Discuss policy considerations or other issues that make it less likely for a criminal complaint.

This advisory board is NOT the final decision maker.

The City Manager, per City Charter, has the duty of personnel management and discipline over all City staff not appointed by the City Commission. As a result, a thorough, fair, and complete investigation by the Police Chief is being reviewed by the Advisory Board. The role of the Civilian Advisory Board is advisory to the City Commission, City Manager, and Chief of Police. The City Manager and City Commission will provide recommendations to the Chief of Police for changes in police policy or procedures based on recommendations provided by the board.

Membership: Three or five volunteer citizens at large.

Staff liaison from HPD non-voting member who supports the advisory board (minutes, mailings, record-keeping).

Not Members, but in attendance: Assistant Chief of Police or Police Captain will present cases and be available to assist with procedural questions. and one deputy city attorney-

Process for selection:

- Mayor appoints citizen volunteers based on application.
- All members must sign a confidentiality agreement with the City.
- Citizen terms are limited to two, 2-year terms.
- Ability to complete training that members need to receive in order to serve on the Advisory Board.

Barriers to Successful Implementation

Time dedication by volunteers to determine a thorough, complete, and fair investigation by the Police Department and review by the Police Chief of use of force. On average, 70 matters could be reviewed to determine a thorough, complete, and fair investigation. It is anticipated that 2 hours will be spent on each matter which could result in 140 hours dedicated per year. When compared to the 2,087 hours work year, this is roughly 7% of a year per volunteer or approximately 3 hours per week. One day per month seems a reasonable amount of time, per month, for reviews by this Board.

Volunteers will spend a great deal of time reviewing investigations—an expected 8 hours per month.

To implement this Board, the following needs analyzed by external legal for the City:
The Police Department cannot release Confidential Criminal Justice Information to people that are not currently allowed by law to receive this information.

- Is this a board that just reviews appeals or if a person signs a waiver?
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The level of investment of time in reviewing these complaints includes assurance of appointments to the Board are appropriately trained to evaluate the complaints brought forward.

Separate Agency: A separate agency needs identified for those to make complaints who are concerned with making a complaint to the Police Dept. Outside, contracted agency—RFP requests method of intake that protects the confidentiality of complainant. This could also be a separate committee outside the City organization as well.

NO Consensus arrived at, but requires further review:

Roles of the Advisory Board – two additional roles -

3. Recommend personnel action to the City Manager. IN OR OUT requires more analysis: Actual action to be taken (e.g. suspension, days off w/out pay, no action, etc.).
4. Recommend policy to the City Commission (not operating procedures).

Research the possibility of using the Civilian Advisory Board to recommend personnel action and information within the Board is confidential. The specific Action to be taken is not expected to be the role of this Advisory Board. Concern around authority of an advisory board in personnel.

Attachment 2: SRO Working Group

Members	Affiliation
Thomas Jodoin/Erik Coate	Helena City Attorney's Office
Walt Chancy	School District Employee (CHS administrator)
Jenna Eisenhart	School Mental Health Services-Shodair
Tracie Dahl	School Mental Health Services-Intermountain
Roy Tanniehill	Previous SRO Native
Emily Dean	Helena City Commission
Heather O'Loughlin	Helena City Commission
Leah Lindgren	Court Services (Juvenile Probation)
Kellie McBride	Criminal Justice Services
Jay Weiner	Parent/Citizen
Ryann Christman	Parent/Citizen
Ben Tintinger	Parent/Citizen
Jadin VanSteenvort	Mobile Crisis Response Team
Kristie Stephenson	Mobile Crisis Response Team
Brandon Wootan	Helena Police Protective Association
Samantha Vulles	Helena Indian Alliance Youth Coordinator
Darin Gaub	Citizen – Previous Contract School Security Not in MT
Susan Smith	Citizen – Grandparent, Previous School Teacher Not in MT
Dennison Rivera	Citizen – Previous Minority Student Not in MT

Facilitator: Berrick Abramson and Brand Sperber, Sr. Policy Directors, Keystone Policy Center

Additional Invitations were sent to the following who did not participate. Only the racial and social justice advocates below removed themselves in opposition to the method, makeup of the group and discussion overall. Remaining invitees were

- 2 High School Students—will convene student panels so they represent student input: Cade Duran (Student (HHS)), Mariah Mercer (Student (CHS))
- 2 School District Employees (one admin one teacher): Kate Peterson (School District Employee (HHS educator))
- 2 Racial and social justice advocates: Judith Heilman (Social Justice-The Montana Racial Equity Project), Courtney Smith (Social Justice-The Montana Racial Equity Project), Akilah Lane (Social Justice-ACLU) - Also a parent
- Gianluca Pisciarelli (Mobile Crisis Response Team)

Community Members Invited to Participate

Members were expected to read ahead all documentation necessary to come to meetings prepared to provide their insight. Members participated in meetings and be prepared to speak from their area of expertise to content sent in preparation for the discussion. All meetings will be recorded. No citizen was turned away if they could commit the time.

Original list presented to Commission

Emily Dean Commissioner, City of Helena Commission
Heather O'Loughlin, City of Helena Commission
Capt. Brett Petty, HPD representative
City of Helena, City Attorney

2 High School Students—will convene student panels so they represent student input
2 School District Employees (one admin one teacher)
2 School Mental Health Service Reps (1 Intermountain/1 Shodair)
Previous BIPOC SRO
2 Racial and social justice advocates
Court Services (juvenile probation)
2 parents (preferred BIPOC)
1-member mobile CRT

Work Completed
Three meetings completed.

Recommendations Pending
Summary from City Manager

Attachment 3: Commission Administrative Meeting
January 6, 2021 Police Reform Update
Includes SRO Working Group

ADMINISTRATIVE MEETING
January 6, 2021 - 4:00 PM
Zoom Online Meeting: https://zoom.us/j/92002363251

AGENDA

1. **Call to Order, introductions, opening comments**
2. **Commission comments, questions**
3. **City Manager's Report**
   - **a.** Police-Police Reform and SRO Working Group Update
   - **b.** Update on the Redevelopment Agency
   - **c.** Presentation of DRAFT Annual Sustainability Report
   - **d.** Update on impacts from COVID-19 on Helena's homeless.
4. **Department Presentations**
   - **a.** Police-Update on Street Outreach and Mobile Crisis Response Team
5. **Recommendations from the Helena Citizens Council**
6. **Committee Discussion**
7. **Review of Agenda for Next Commission Meeting**
8. **Public Comment**
9. **Commission discussion and direction to the City Manager**
10. **Adjourn**

The City of Helena is committed to providing access to persons with disabilities for its meetings, in compliance with Title II of the Americans with Disabilities Act and the Montana Human Rights Act. The City will not exclude persons with disabilities from participation at its meetings or otherwise deny them the City's services, programs, or activities.

Persons with disabilities requiring accommodations to participate in the City's meetings, services, programs, or activities should contact the City's ADA Coordinator, Ellie Ray, as soon as possible to allow sufficient time to arrange for the requested accommodation, at any of the following:

Phone: (406) 447- 8490
TTY Relay Service 1-800-253-4091 or 711
Email: citycommunitydevelopment@helenamt.gov
Mailing Address & Physical Location: 316 North Park Avenue, Room 445, Helena, MT 59623.

City of Helena, Montana

October 28, 2020

To: Mayor and Commission

From: Rachel Harlow-Schalk City Manager
Steve Hagen Chief of Police

Subject: Police-Police Reform and SRO Working Group Update

Present Situation: On June 3, 2020, at the regular Administrative Meeting the Helena City Commission came to a consensus to conduct a review of Helena Police Department policies and procedures. The commission directed in the Interim City Manager to establish working groups to consider possible reforms.

During the summer and early fall of 2020 several special meetings were conducted to review several of the Helena Police Department policies, procedures, and programs.

On July 27, 2020, at one of the special sessions, the commission voted and directed City staff to work with various community partners to develop an School Resource Officer (SRO) MOU between the Helena Police Department and the Helena School District.

On September 9, 2020, at an Administrative Meeting, the Interim City Manager presented the outline for the working groups. The outline and basic purpose of the groups was approved through consensus of the City Commission.

Staff has since met with the Helena School District and developed a plan to move forward to complete an MOU for the SRO program. Staff also has developed a list of recommended participants in the SRO and police reform working groups.

Proposal/Objective: To provide an update and the recommended makeup of the working groups and the status of the SRO MOU discussion. To receive consensus on the makeup of the working groups.

Notice of Public Hearing: N/A

ATTACHMENTS:
Summary of Process to Date & Working Groups Summary

Rachel Harlow-Schalk, City Manager
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Helena, MT 59623

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MEMORANDUM

Date: January 6, 2020

To: Mayor and Commissioners

From: Rachel Harlow-Schalk City Manager
Police Chief Steve Hagen

Re: Police Reform Committees and Student Resource Officers

At the June 3, 2020, Administrative meeting, the Commission voted to conduct a review of police department policies and procedures.

In response and over the Summer and Fall of 2020, several conversations were held around law enforcement and methods employed by the Police Department. Additionally, the use of Helena Police Department School Resources Officers (SROs) was discussed with the community. These conversations resulted in the interim City Manager being directed to implement Working Groups in response to law enforcement methods. During the September 9, 2020 Administrative meeting, the Interim City Manager provided a list of four Working Groups to address primary themes within law enforcement conversations and outcomes of those Working Groups. The Interim City Manager was then directed to return with a list of potential participants onto these Working Groups and each Group was assigned a Commission member. On October 19, 2020, the City's permanent City Manager started work and the Interim City Manager shared their list of suggested participants to be submitted to the Commission. Separately, the Interim Manager was directed to, by June 30, 2021, revise the memorandum of understanding with the Helena School District from the original established in 2013 specific to the use of SROs.

As was part of the first 90 days plan from the permanent City Manager, the Manager committed to meeting with Police Chief Hagen to discuss the School Resource Officers (SROs). The intention of the meetings was to understand the commitment made by the City to the School District and why both are interested in maintaining SROs in schools. Not only did the City Manager meet with the Police Chief, several follow-up meetings with the School District Superintendent Tyler Ream were held to discuss what was needed to achieve the desired outcome in a new memorandum of understanding. The desired outcome is relationship building with police officers believed to be necessary for positive interactions students which they can carry into adulthood. It is believed that the SRO positions reinforce this positive relationship.

After completing meetings with the Police Chief and School Superintendent, the Working Groups drafted by the Interim City Manager were revisited keeping in mind that the Working Groups will focus on where we can support law enforcement and the community by providing the resources and training needed for improved outcomes and a resilient, inclusive community.

While the list of membership recommendations was added by the Interim City Manager from the September 9, 2020 meeting, the actual structure of these engagements had not been drawn out and potential volunteers do not know how much time would be asked of their active participation. Active

participation means completing homework in advance, listening to presentations and participating in consensus building. This kind of volunteer work, especially from the community experts being recruited, is more intense than listening and providing input.
As a result, the City Manager incorporated planning agendas and expectations for Working Group members so that it is understood up front the minimum expectation of their participation. Please see the attached further Police Reform and School Resource Officer Working Groups Engagement Plan. It is my recommendation that the City include the SRO discussion as part of these Working Groups by creating an additional Group focused on revisions to the memorandum of understanding. The outcome of revisions will be focused on improvements that result in establishment of a relationship with the Police Department and students that is positive and carried with the students into adulthood. The Group will include students and those on both sides of the SRO discussion. This recommendation is supported by the Police Chief as well as School Superintendent Tyler Ream and School Board leadership.

Within each of the Working Groups, several community members were identified to be specifically invited to participate based on the belief their expertise is needed and they may be able to dedicate the time needed. Helena citizens can observe these Groups especially if they cannot dedicate the time necessary but would like to offer input by way of public comment. While we are not doing open, active recruitment, citizens interested in participating may volunteer for a Working Group but must be willing to dedicate the time needed. Groups listed in the attached summary have not been contacted yet to determine their willingness to participate. The makeup of the groups as listed are suggestions for the Commission's consideration and input. The final makeup of each of the Groups will be determined by consensus of the Commission.

Each meeting will be facilitated by a third party from outside of the Helena community to assure personal bias is removed. Working Groups will begin in late January or as soon as outside facilitation can be contracted. Locations for participation by those who cannot access Zoom will also be discussed in advance of establishing the meetings to ensure access as best as possible for community members based on the state of COVID-19 at the time.

Police Reform and School Resource Officer Working Groups
Engagement Plan
12/16/2020

Working Group #1
Police Department Policies and Procedures

Member Name	Affiliation	Notes
Andres Haladay	Commissioner, City of Helena	Commission representative
Capt. Brett Petty	Helena Police Department	HPD representative

Community Members Invited to Participate

Members will be expected to read ahead all documentation necessary to come to meetings prepared to provide their insight. Members must participate in ALL meetings and be prepared to speak from their area of expertise to content sent in preparation for the discussion. All meetings will be recorded and made available online.

- City of Helena, City Attorney's Office
- City of Helena, Human Resources Team
- ACLU (SK Rossi)
- Montana Human Rights Network - MHRN
- Office of the Public Defender
- Former Tribal Federal Prosecutor
- Helena Police Protective Association (HPPA)
- Montana Law Enforcement Academy
- 911 Dispatcher
- Montana Municipal Interlocal Authority

Meeting 1
Two Hours

Expectation of Participants: Each member must arrive at this meeting having reviewed the applicable policies and procedures sent in advance. The City team will flag those policies believed to be needing revised which this Group will confirm or add to, then move forward with revisions.

Outcome: In hour 1, participants will introduce themselves, their organization, what they bring as potential input or models to the conversation:

- Police Chief reviews the purpose of this Committee and what he needs this team to provide to him for recommendation to the Commission.
- Facilitator establishes definition of consensus with group
- Round Robin: Members of the Working Group provide an overview of their organization; the skills they bring to the Group and ideas they believe need to be incorporated into Police Department policies and procedures.

Outcome: In hour 2, identify List of Policies/Procedures to be Reviewed/Revised

- Public Comment
- Facilitator establishes definition of consensus with group
- Facilitator gathers list of policies and procedures to be reviewed/revised.
- Group arrives at consensus on which to review/revise
- Group agrees to review policies and procedures identified and send their revisions to Captain Brett Petty for incorporation.
- Group reviews the agenda for the next meeting and agrees on the process or makes revisions.
- Public Comment

Meeting 2
Two Hours

Expectation of Participants: Each member must come to the meeting prepared with their policy/procedure revisions as submitted to Captain Petty.

Outcome: Agree on edits to be submitted to the Helena Police Department and identify which revisions will result in increases to costs or other barriers to implementation.

Outcome: Each participant will review the edits they submitted to Captain Petty. Real time editing may take place on policies reviewed by participants.

- Public Comment
- Facilitator helps walk the Group through revisions submitted and those who have substantive revisions speak on them.
- Public Comment

Meeting 3
Two Hours

Expectation of Participants: Each member must come to the meeting having reviewed and made revisions the recommendation drafted by Captain Petty.

Outcome: Agree on recommendation to the Helena Police Department and those revisions the Group agrees will impact budgets.

- Public Comment
- Facilitator works with Group to identify which revisions will result in cost increases or any other barrier to implementation.
- Facilitator takes group through consensus on recommendation.
- Public Comment
- Dissolve Working Group

Working Group #2a: Mental Health Services – Mapping Existing Resources

Member Name	Affiliation	Notes
Wilmot Collins	Mayor, City of Helena	Commission representative
Emily Dean	Commissioner, City of Helena	Commission representative
Chief Steve Hagen	Helena Police Department	HPD representative

Members will be expected to read ahead all documentation necessary to come to meetings prepared to provide their insight. Members must participate in ALL meetings and be prepared to speak from their area of expertise to content sent in preparation for the discussion. All meetings will be recorded and made available online.

- Intermountain Children's Services
- Lewis and Clark County Sheriff's Office-LCSO
- Center for Mental Health
- God's Love
- Mobile Crisis Response Team-MCRT
- Treatment Provider
- NAMI-National Alliance on Mental Illness
- YWCA
- The Friendship Center
- PureView
- HPPA
- 911 Dispatch
- Executive Director of Good Samaritan
- St. Peter's including MCRT
- State of Montana Mental Ombudsman

Additional resources: Community Development team as needed

Meeting 1
Two Hours

Expectation of Participants: Each member must arrive with a list of what they know to be the mental health services in the community, through whom and gaps they have identified.

Outcome: Establish a list of mental health services in place and identify gaps.

- Public Comment
- Police Chief reviews the purpose of this Committee and what he needs this team to provide to him for recommendation to the Commission.
- Facilitator establishes definition of consensus with group
- Round Robin: Each member introduces themself to the Group, their area of expertise. what they bring to the conversation, their list of services in the community and gaps they believe exist.
- Group arrives at consensus on list of services in the community.
- Group arrives at consensus on which gaps exist in the current system.
- Group agrees to come to next meeting with ideas on how to address gaps and barriers that may exist.
- Public Comment

Meeting 2
Two Hours

Expectation of Participants: Each member must arrive with a list of ideas on how to address gaps and barriers that exist in the community.

Outcome: Establish a list of mental health service barriers in the community along with ideas that may address those barriers.

- Public Comment
- Facilitator establishes definition of consensus with group

- Round Robin: Group members share their list of ideas to address gaps and barriers that may exist.
- Group arrives at consensus on list of ideas to address gaps and barriers that may exist.
- Public Comment
- Dissolve Working Group

Working Group #2b: Mental Health Services – Agree on a New Model

Member Name	Affiliation	Notes
Heather O'Loughlin	Commissioner, City of Helena	Commission representative
Sean Logan	Commissioner, City of Helena	Commission representative
Chief Steve Hagen	Helena Police Department	HPD representative

Community Members Invited to Participate

Members will be expected to read ahead all documentation necessary to come to meetings prepared to provide their insight. Members must participate in ALL meetings and be prepared to speak from their area of expertise to content sent in preparation for the discussion. All meetings will be recorded and made available online.

- City of Helena, City Attorney's Office
- Fire Department, City of Helena
- Lewis and Clark County, County Attorney's Office
- City of Helena Judge
- Former Judge
- Center for Mental Health
- YWCA
- The Friendship Center
- Citizen
- LCSO
- LC Public Health
- HPPA
- 911 Dispatcher
- Criminal Justice Services
- Good Samaritan
- St. Peter's (including MCRT)
- East Helena Police Department

Meeting 1

Two Hours

Expectation of Participants: Each member must come to the meeting having reviewed the information from Working Group 2a and arrive with their ideas on models that could be adopted to address the needs in Helena.

Outcome: Select top choice of model.

- Public Comment
- Police Chief reviews the purpose of this Committee and what he needs this team to provide to him for recommendation to the Commission.
- Facilitator establishes definition of consensus with group
- Round Robin: Each member introduces themself to the Group, their area of expertise. what they bring to the conversation and models they believe could be used to address gaps and barriers to mental health services in the community.
- Group agrees to arrive at next meeting having reviewed models brought by Working Group members.
- Public Comment

Meeting 2

Two Hours

Expectation of Participants: Each member must come to the meeting prepared with potential barriers to implementation including cost.

Outcome: Select top choice of model, partners, and any barriers including cost.

- Public Comment
- Facilitator walks group through collection of barriers to implementation and ideas on how to remove those barriers.
- Group arrives at consensus to submit top model, barriers to implementation and recommendations on how to address those barriers.
- Public Comment
- Dissolve Group

Working Group #3: Civilian Review Boards

Member Name	Affiliation	Notes
Wilmot Collins	Mayor, City of Helena	Commission representative
Emily Dean	Commissioner, City of Helena	Commission representative
Chief Steve Hagen	Helena Police Department	HPD representative

Community Members Invited to Participate

Members will be expected to read ahead all documentation necessary to come to meetings prepared to provide their insight. Members must participate in ALL meetings and be prepared to speak from their area of expertise to content sent in preparation for the discussion. All meetings will be recorded and made available online.

- City of Helena. City Attorney's Office
- City of Helena, Human Resources Team
- Former Judge
- Indian Alliance
- HPPA
- Attorney General's Office
- Police Officers Standard and Training (POST)

Meeting 1

Two Hours

Expectation of Participants: Each member must come to the meeting having reviewed the City's current state of Civilian Review Boards for the Police Department.

Outcome: Clarify role of Civilian Review Boards for Helena

- Public Comment
- Police Chief reviews the purpose of this Committee and what he needs this team to provide to him for recommendation to the Commission.
- Facilitator establishes definition of consensus with group
- Round Robin: Each member introduces themself to the Group, their area of expertise, what they bring to the conversation, and what they know about Civilian Review Boards.
- Group agrees to arrive at next meeting with ideas on Civilian Review Boards needed within Helena, what their purpose should be and membership ideas.
- Public Comment

Meeting 2

Two Hours

Expectation of Participants: Each member must come to the meeting having drafted their ideas on the purpose of Civilian Review Boards, and membership of those Boards.

Outcome: Arrive at consensus on what the purpose of Civilian Review Boards should be in Helena and membership on such Boards.

- Public Comment
- Round Robin: Each member shares their ideas on the purpose of Civilian Review Boards, and which are needed in Helena.
- Round Robin: Each member shares their ideas on who should be members of Civilian Review Boards.
- Group members agree to arrive at the next meeting with their list of potential costs and other barriers to implementation along with ideas to resolving barriers.
- Public Comment

Meeting 3

Two Hours

Expectation of Participants: Each member must come to the meeting having drafted their list of potential costs and barriers to implementation along with ideas to resolving barriers.

Outcome: Arrive at consensus on list of barriers and ideas on how to resolve them.

- Public Comment
- Round Robin: Each member shares their ideas on barriers to implementing Civilian Review Boards and ideas on how to resolve barriers.
- Group arrives at consensus on which barriers and resolution methods should be recommended.
- Public Comment
- Dissolve Working Group

Working Group #4: Data and Records Management Systems

Member Name	Affiliation	Notes
Sean Logan	Commissioner, City of Helena	Commission representative
Assistant Chief Curt Stinson	Helena Police Department	HPD representative

Community Members Invited to Participate

Members will be expected to read ahead all documentation necessary to come to meetings prepared to provide their insight. Members must participate in ALL meetings and be prepared to speak from their area of expertise to content sent in preparation for the discussion. All meetings will be recorded and made available online.

- City of Helena, City Attorney's Office
- City of Helena, City Clerk's Office
- City of Helena, Human Resources Team
- City of Helena, Public Information Office
- Helena Citizens Council
- LCSO
- Dispatch Union
- Records Union
- Montana Legal Services Association (MLSA)
- MMIA
- HPPA
- East Helena PD

Meeting 1

Two Hours

Expectation of Participants: Each member must arrive with an idea of the kinds of records they would need to be able to search in order to answer questions they have or share information to partners.

Outcome: Identify the current records and data management systems within the Helena Police Department, and limitations of those systems.

- Public Comment
- Police Chief reviews the purpose of this Committee and what he needs this team to provide to him for recommendation to the Commission.
- Facilitator establishes definition of consensus with group
- Round Robin: Each member introduces themself to the Group, their area of expertise, what they bring to the conversation, and how they use information from the Police Department.
- Presentation by the Police Department on the current system both positive and negatives.
- Group agrees to arrive at next meeting identifying improvements they need to the Police Department data and records systems to complete work electronically.
- Public Comment

Meeting 2

Two Hours

Expectation of Participants: Each arrives with a list of improvements needed to the Helena Police data and records systems to complete work electronically.

Outcome: Identify a list of improvements needed to the records and data systems.

- Public Comment
- Round Robin: Each member shares their improvements needed from the Police Department records and data system to complete their work electronically.
- Group agrees to research what electronic systems their peers use from other cities/organizations including how they use data. Also, any one-time set-up and on-going annual maintenance costs other cities/organizations may have with these systems.
- Public Comment

Meeting 3
Two Hours

Expectation of Participants: Each arrives with what electronic systems their peers use from other cities/organizations including how they use data. Also, any one-time set-up and on-going annual maintenance costs other cities/organizations may have with these systems.

Outcome: Identify a list of electronic systems from other cities/organizations including how they use data. Also, any one-time set-up and on-going annual maintenance costs other cities/organizations may have with these systems.

- Public Comment
- Round Robin: Each member shares electronic systems their peers use from other cities/organizations including how they use data. Also, any one-time set-up and on-going annual maintenance costs other cities/organizations may have with these systems.
- Group members review their notes and information from this and the last two meetings so that they may come to meeting 4 ready to make recommendations on: 1. Electronic system improvements needed.; 2. Why improvements are needed; 3. Anticipated costs for one-time then annual maintenance; and 4. Barriers to implementation with ideas on solutions.
- Public Comment

Meeting 4
Two Hours

Expectation of Participants: Each arrives ready to identify recommendations on electronic system improvements needed, why it is needed, and the anticipated costs associated for one-time then annual maintenance.

Outcome: Arrive at consensus on 1. Electronic system improvements needed.; 2. Why improvements are needed; 3. Anticipated costs for one-time then annual maintenance; and 4. Barriers to implementation with ideas on solutions.

- Public Comment
- Round Robin: Each member shares 1. Electronic system improvements needed.; 2. Why improvements are needed; 3. Anticipated costs for one-time then annual maintenance; and 4. Barriers to implementation with ideas on solutions.
- The facilitator brings the Group to consensus on areas 1, 2, 3 and 4.
- Public Comment
- Dissolve Working Group

Working Group #5: School Resource Officer MOU

Member Name	Affiliation	Notes
Emily Dean	Commissioner, City of Helena	Commission representative
Capt. Brett Petty	Helena Police Department	HPD representative

Community Members Invited to Participate

Members will be expected to read ahead all documentation necessary to come to meetings prepared to provide their insight. Members must participate in ALL meetings and be prepared to speak from their area of expertise to content sent in preparation for the discussion. All meetings will be recorded and made available online.

- City of Helena, City Attorney
- 2 High School Students—will convene student panels so they represent student input
- 2 School District Employees (one admin one teacher)
- 2 School Mental Health Service Reps (1 Intermountain/1 Shodair)
- Previous BIPOC SRO
- 2 Racial and social justice advocates (Rachel Rivas)
- Court Services (juvenile probation)
- 2 parents (preferred BIPOC)
- 1-member mobile CRT

Meeting 1

Two Hours

Expectation of Participants: Each member must arrive having read the 2013 Memorandum of Understanding with the Helena School District establishing the SROs in schools.

Outcome: Ensure participants understand that the outcome is recommended edits to the memorandum of understanding that will result in relationship building between students and the Police Department.

- Public Comment
- Police Chief reviews the purpose of this Committee and what he needs this team to provide to him for recommendation to the Commission.
- Facilitator establishes definition of consensus with group
- Round Robin: Each member introduces themself to the Group, their area of expertise, and what they bring to the conversation.
- Presentation by the Police Department and School District on purpose of SROs. Include a review of the current memorandum of understand and actual SRO activity in the schools. Note also what happens to the SROs over the summer.
- Group agrees to arrive at next meeting with improvements to the memorandum of understanding that take into consideration their concerns and result in the outcomes the School District and Police Department believe are important.
- Public Comment

Meeting 2

Two Hours

Expectation of Participants: Each member must arrive having ready with their revisions to the 2013 Memorandum of Understanding with the Helena School District establishing the SROs in schools.

Outcome: Ideas on how to improve the memorandum of understanding to reflect stakeholder needs.

- Public Comment
- Round Robin: Each member reviews revisions they made to the memorandum of understanding and why those revisions are suggested.
- Group arrives at consensus on "themes" from presentations on revisions that MUST be incorporated into the memorandum of understanding.
- Group agrees to review the balance of recommended revisions that MAY be implemented and be prepared to discuss which they believe are the most important for incorporation into the memorandum of understanding.

- Public Comment

Meeting 3
Two Hours

- Anticipated continuation meeting from meeting 2

Meeting 4
Two Hours

Expectation of Participants: Each member must arrive having ready with their potential edits which MAY be implemented.

Outcome: Ideas on how to incorporate important elements that MAY improve the memorandum of understanding.

- Public Comment
- Round Robin: Each member reviews revisions they made which MAY be added to the memorandum and why the revision is important.
- Group arrives at consensus on revisions that MAY be added that improvement the memorandum of understanding.
- Group arrives at consensus on whether the remaining revisions are "NICE TO HAVE" items which should/should not be recommended for consideration.
- Public Comment

Meeting 5
Two Hours

- Anticipated continuation meeting from meeting 4
- Closing comments from the Police Chief, Mayor Collins, Commissioner Dean
- Dissolve Working Group