

# REAL SOLUTIONS: ACTIONS BY THE MINNEAPOLIS MAYOR AND CITY COUNCIL THAT WOULD FIX POLICING RIGHT NOW

In the aftermath of the murder of George Floyd by four Minneapolis police officers, people are rightly concerned about the conditions that led to the killing and what can be done to change them. The city council put forward a badly written charter amendment proposal that had no chance of passage due to technical flaws. They can correct the language and get the amendment on the ballot in November 2021 but there is no need to wait until then to rein in the MPD.

Here is a list of actions, large and small, that can help improve policing and make police officers more accountable to the community. These actions have been compiled through research by Communities United Against Police Brutality. Some actions are specific to City Council members and some to the Mayor's office. Nonetheless, these are all actions that are within the realm of our elected officials.

## What Will Work

- **Downsize the MPD and redirect the funds to more appropriate responders.** The city council can remove the minimum funding requirement currently in the city charter on a unanimous vote, giving the city flexibility to build a network of more appropriate responders for mental health crisis calls, drug overdoses and other medical emergencies, homelessness and other social service issues. This would not only save money but improve service to the community.
- **Enact robust civilian oversight of police.** Scrap the current Office of Police Conduct Review, which replaced the Civilian Review Authority (CRA). From its onset in October 2012 through June 2020, this agency took in 3133 complaints from community members but disciplined only 13 of them, a rate of 0.42% (less than half of 1%) when the national average is 7–8%. Real civilian oversight is needed, with subpoena power and the power to enforce discipline.
- **Put discipline in the hands of the community.** In the City Charter, the mayor is granted complete authority for police discipline. It is only a matter of practice that mayors have delegated that authority to the police chief. The mayor could delegate that power to a civilian body, enabling robust civilian oversight.
- **Adopt a disciplinary reset mechanism** so that discipline is upheld in arbitration and not overturned due to lack of documentation, failure to engage in progressive discipline, or past disciplinary practices.
- **Negotiate a better police union contract and include the community in the process.** The police federation is very powerful, but this is because the council and mayor allow it to be. MPLS for a Better Police Contract crafted 14 recommendations for improving the contract, including limiting overtime, more frequent psychological testing and steroid and drug testing of cops involved in critical incidents. These provisions need to be incorporated in the contract and the city council should not sign off on it if they aren't. See <https://www.mplsforabetterpolicecontract.org/>
- **Completely revamp off duty work** so that the city controls all assignments and cops are paid through the city payroll system rather than cash under the table while using city resources. Many brutality complaints stem from police in off-duty work settings yet they get the pay while we get the liability.
- **Implement an early intervention system (EIS)** to address problem officers early. Such a system would have flagged Derek Chauvin long before he had the chance to kill George Floyd and would have prevented the department from using him as a training officer. The department has talked about an EIS for years but never moved forward on it.
- **Require a detailed review of all critical incidents** (incidents in which someone is killed or seriously injured). We are still waiting for a long-promised analysis of the Justine Damond shooting. There should be a thorough review of all such incidents to learn from them with the goal of making changes to reduce the risk of future incidents.
- **Implement ABLE/EPIC bystander intervention training.** Despite a policy requiring officers to intervene, it became painfully clear in Mr. Floyd's case that without training and a culture that supports intervention, junior officers cannot step in to stop more senior officers. ABLE/EPIC bystander training equips officers with the tools to effectively intervene and creates a culture of permission and encouragement to step in even with supervisors and senior officers.

- **Treat cops who kill or seriously injure people like any other suspect.** They must be detained, sequestered from other officers, and interrogated immediately. They must not be given days to meet together and get their stories straight. There is no requirement to wait 48 hours to interview officers in critical incidents but this is the current practice and it must end. The special treatment afforded the four officers in the killing of George Floyd caused great anger in the community. There was probable cause to arrest all four officers immediately.
- **Fire cops who lie under oath or on police reports.** Police lies in court and in police reports cause innocent people to go through the criminal justice system and sometimes to prison. Current policy requires cops who lie to be terminated but they almost never are.
- **Document all lawsuits against the city on the city's website.** This is one important way to know about problem officers and how much they are costing us. This is done in Chicago and other major cities but not here.
- **Document and publicize statistics on arrests not leading to prosecution,** including racial disparities. Identify problem officers as well as problems in the city attorney's office.
- **Analyze the results of searches** in comparison to the items in the search warrants. Identify problem officers who falsely claim probable cause.
- **End anti-camping laws and other ordinances criminalizing homelessness.** The pandemic has devastated people financially and with eviction and foreclosure moratoriums ending, more people will be forced into the streets. Anti-camping and "quality of life" ordinances provide the excuse for over-policing, harassing and brutalizing homeless people. Use the funds currently being wasted on addressing homelessness through a law enforcement lens to provide more housing and social services to reduce homelessness.
- **De-prioritize the enforcement of drug possession,** which primarily targets people of color, leads to excessive incarceration of non-violent offenders, and provides a pretext for police action. End police stops that are based on no more than the belief that the suspect possesses illegal drugs.
- **End the use of rubber bullets and chemical weapons on protesters.** The level of violence committed by MPD officers against protesters in the aftermath of the killing of George Floyd is unacceptable in a democratic society. Multiple individuals, including a photojournalist, have been blinded by rubber bullets.
- **Make police badges and name tags easier to read.**

### What Won't Work

1. *Phony measures like implicit bias training and procedural justice that purport to improve "police-community relations."* These don't help, because this is the wrong framing. The issue is not how well the police and community get along; it is about police misconduct, the oppression that underpins it, and the lack of accountability that allows it to continue. If police were consistently professional, respectful, and accountable, police misconduct would nearly disappear and police-community relations would improve on its own, with no special efforts needed. Further, studies show implicit bias training to be utterly ineffective in changing officer conduct.
2. *Residency requirements.* The legislature and state supreme court have already determined that residency requirements for state workers are unconstitutional. Further, not a single study has shown that a residency requirement improves the quality of policing.
3. *Body cameras.* Because the legislature has made virtually all footage non-public, these devices have no possibility of being useful for police oversight.

**Note:** The lists above are not in order of priority. CUAPB has additional information and research available.

Information provided by **COMMUNITIES UNITED AGAINST POLICE BRUTALITY**. Join us! We meet every Saturday at 1:30 at 4200 Cedar Avenue S in Minneapolis. For more information or for help with a police brutality incident, call our 24-hour hotline: **612-874-STOP** or see our website at **www.CUAPB.org**.