

MEMORANDUM

To: Dr. Clare Ryan
From: Jacob Kovacs
Date: 2/27/2014
Re: Seattle Community Police Commission meeting, 1/22/2014

SUMMARY OF MEMORANDUM

This memo presents an analysis of a Seattle Community Police Commission meeting, held on 1/22/2014 from 8:30am to 12pm in the Seattle Municipal Tower (700 5th Ave). It first explains the larger context of the meeting (the Seattle police reform efforts), then examines the meeting's successes and weaknesses, concluding with a few general suggestions for more effective public meetings.

CONTEXT OF COMMUNITY POLICE COMMISSION MEETING

History: Why was the CPC established?

In 2011, the U.S. Department of Justice (DOJ) began to investigate the Seattle Police Department (SPD) for use of excessive force and biased policing, ultimately concluding that the SPD's policing practices were in violation of the U.S. Constitution (DOJ, n.d.). The DOJ mandated certain actions to correct this violation, spelled out in a legally-binding Memorandum of Understanding and a Settlement Agreement. To fulfill its obligations under these agreements, the City of Seattle issued an executive order founding the Community Police Commission (CPC) in 2012 (City of Seattle, "Home page", n.d.). Broadly speaking, the role of the CPC is to gather and synthesize public input for reform of policing policies. To date, the CPC has convened over 140 community meetings, administered a community input survey, advised the revision of four major policing policies, and published two reports (City of Seattle, "Get involved", n.d.).

Purpose: What happened at the meeting?

The purpose and structure of the 1/22/2014 meeting was two-fold. The first part of the meeting was devoted to routine business items: changes in membership, leadership, and working group structure. The second, much longer part of the meeting was an annual retreat, guided by a professional facilitator. The main purpose of the retreat was setting priorities for the upcoming year. During the retreat, commission members identified the CPC's past achievements, diagnosed past stumbling blocks, expressed a common guiding 'theory of change', and developed a list of priority work areas. More so than the routine business items, the retreat activities illuminated important aspects of the conflict over police reform—namely, its drivers and major stakeholders.

Conflict: What was driving the issue?

Nie (2003) lists major **drivers** of natural resource-based conflict. Though not a conflict over natural resources, a number of Nie's driving factors show up in the matter of police reform. During the meeting, CPC members commented specifically on the detrimental contributions of mistrust, power imbalances, complexity, irresponsible media framing and sporadic, crisis-driven public involvement.

Mistrust was a situation the CPC inherited, long brewing between police and some sections of the community. In this context, the CPC has needed to take visible steps to earn community trust for itself, so that it would be seen as an engine of reform and not a token organization, controlled by the SPD. During the meeting, one commissioner mentioned the possibility of building trust by getting the community engaged earlier—for example, in the brainstorming process, rather than merely soliciting comments on the CPC's

drafted recommendations. More ambitiously, beyond earning trust on its own behalf the CPC saw its mission as restoring trust in the SPD, once that trust was deserved. Crucially, the CPC's concept of trust was far removed from *blind* trust; it referred instead to trust based on clear mechanisms for police accountability. One member explained that "Our vision is for a shared process that builds trust, shared vision, and shared values." The CPC identified the development of this shared process as a priority for the upcoming year. Ultimately, the CPC hopes to build an institutional foundation for community engagement and oversight that lasts long beyond the terms set by the settlement.

Power imbalance is clearly present in unconstitutional policing, most obviously between police officers and victims of biased or violent policing. In addition to this, power imbalance was a concern for the CPC with respect to its reform partners and relevant decision makers (the police administration, rank and file police officers, the police union leadership, the mayor's office, the court, the DOJ-installed Settlement Monitor). During the meeting CPC members worried that their community-derived recommendations would carry little weight with decision makers, and make little difference in the habits of rank and file officers. This is a legitimate concern, since the Memorandum of Understanding makes only the weak promise that "The City will consider and respond to the Commission's recommendations in a timely manner" (DOJ, 2012, pg. 3). Dietz and Stern (2008, pg. 18) describe a failed effort in which a community advisory group was convened, then developed recommendations without input from the council; ultimately, the council ignored their recommendations. CPC members admit that communication with the Settlement Monitor and City Council has been lacking, so this seems like a real danger. Even if decision makers were to embrace the CPC's recommendations, though, the issue of officer buy-in remains. One commissioner offered his opinion that "When you legislate change, there is always an undercurrent of pushback. You have to have a conversation that gets to the heart of where people are." Until those sorts of conversations happen, the power of the CPC is questionable. A final aspect of power imbalance comes from CPC's alignment with marginalized populations. As one member stated, "the CPC is not for the input of the whole Seattle community. We're interested in communities most impacted by unconstitutional policing." By choosing to represent—especially—marginalized communities, the CPC has perhaps risked undermining their own stature.

Another driver is the **multidimensionality and complexity** of the issue, since police reform is entangled with "broader sociopolitical and cultural conflicts", notably race and class (Nie, 2003, pg. 311). In fact police reform bears the hallmarks of a "wicked" problem, described by Nie (2008) and echoed in commissioners' comments throughout the meeting. First, a wicked problem cannot be definitively solved, only managed. CPC members recognized that police reform demands ongoing community oversight, and identified the institutionalization of community engagement as one of their main goals. Second, part of a wicked problem is framing or defining the problem, since it is possible to frame in myriad ways (see Gray, 2003). One commissioner announced that the CPC had "never framed 'constitutional policing' and 'safe communities' as principles in tension", but it's easy to see how the CPC's frame might not be shared by other players in the police reform process. Third, a wicked problem is unique, demanding carefully tailored solutions. Commissioners spoke about the difficulties of being "first", with no good model for an effective community-based police advisory group. Finally, Nie notes that "every wicked problem can be considered a symptom of another problem" (2003, p. 311), whereupon the question become at which level to act. One commissioner expressed this very pointedly with her comment, "Racism is the elephant in the room. How do we change *that*?"

Media framing was a final driver mentioned by meeting participants. Nie characterizes typical media coverage as devoted to the "game of politics", employing an "adversarial frame" with "drama, conflict and polarization prerequisites for news worthiness" (2003, p. 311). Commissioners lamented this sporadic, crisis-driven attention to police reform, wishing for more sustained and productive attention of the sort that

would build partnership, trust, and truly safe communities. With no active crises in the news, the CPC could not count on media coverage to help them elicit public interest. In particular there was disappointing silence in response to CPC's good work compiling and publishing community-derived policy recommendations in fall 2013. Commissioners spoke of needing to compensate by developing their own unified communications strategy enlisting social media, community partners and word-of-mouth. Without sustained media attention and public involvement, the legitimacy and significance of the CPC would suffer, and with it the prospect of *managing* police reform through established public participation channels. In the course of a few short years the issue of police reform in Seattle would plunge from the top of the "conflict spiral" (Carpenter & Kennedy, 2001, pg. 12) to a state of dormancy, with every chance of emerging again in the future, unchanged.

Conflict: Were stakeholders at the table?

The CPC represents a case where the parameters of participation were set by the legal and political system. The DOJ-authored Memorandum of Understanding (2012) and the City of Seattle's executive order (2012) outline requirements and procedures for commissioner selection, stipulating that commissioners should reflect Seattle's diversity. Volunteer commissioners were chosen by the Mayor to satisfy this diversity requirement. In addition to their personal identities, the commissioners' professional biographies suggest that they may have been chosen on the basis of their ties and ability to communicate with particular communities (City of Seattle, "Police commission", n.d.). For example, the CPC includes members from the Seattle Police Management Association and the Seattle Police Officers Guild (the union). One commissioner pointed out during the meeting that this police connection makes them nationally unique, and gives the CPC more credibility, particularly with the Human Rights Watch.

Despite these substantial efforts to assemble a representative group, important stakeholders were not represented at the 1/22/2014 meeting. The attending commissioners were mainly women, white, and middle-aged or older—probably not the demographic at highest risk for biased, unconstitutional policing. Several commissioners expressed their concerns about commissioner absenteeism overall, and specifically absenteeism by one party responsible for youth representation. The absence of youth participation could undermine the quality and legitimacy of the CPC's recommendations (Dietz & Stern, 2008, pg. 43). But gaps in representation are not necessarily damning; they should be evaluated in light of the CPC's other work, eliciting community input through different channels. If the CPC succeeds in getting varied public input through their public meetings, surveys, etc., this might compensate for the deficits among the commissioners. In this respect, the CPC's extensive list of partner organizations provides an encouraging indication of its reach across different Seattle communities (City of Seattle, "Community partners", n.d.).

ANALYSIS OF COMMUNITY POLICE COMMISSION MEETING

Efficacy: What made this meeting work?

Overall this meeting was effective because members paid **keen attention to process and structure**, at levels ranging from micro to macro. In conversation, for instance, members would clearly indicate when their comments were a continuation of someone else's line of thought, or a direct response to someone else's statement. This habit of acknowledgement kept the conversation coherent and focused rather than confusing and scattered. It also showed that members were listening to each other, respectfully and thoughtfully. At the intermediate level, a more formal mechanism was in place: the meeting was run in accordance with Robert's Rules and the CPC's own charter. The two chairs consistently enforced and explained the rules when necessary. Most broadly, this meeting seemed like a 'housekeeping' meeting where the CPC dealt with the overarching organizational structure and set a course for the year ahead. Agenda items included orienting new members, orienting new leadership, structuring workgroups and

ensuring communication between workgroups and the main committee. In addition to these items, the use of a retreat format helped the commission to paint a picture of the whole of CPC's work, and then get to the root of it—to the beliefs, values, and concepts underlying regular operations. Dedicating a specific time to this type of structuring/planning task seems like a valuable move. At very least, its value was to facilitate allocation of limited volunteer time to tasks identified as priorities.

Challenges: Where did this meeting falter?

Oddly, given the CPC's purpose as a vehicle for community involvement, this open meeting had some difficulties **incorporating guests**. It was slightly intimidating to enter the room since it wasn't clear where to sit, and who (if anyone) to inform about my attendance. There was no formal welcome at the beginning of the meeting, and unclarified acronyms were used throughout, making it difficult to follow key points and identify main players. There were no supporting documents distributed, and no follow-up after the meeting (for instance, they could have had a sign-in sheet to collect visitors' contact information and ask whether attendees wanted more information sent to them).

Though this was generally a strength, another subset of challenges concerned procedural issues—the way the meeting was run and structured. Most significant were **time management issues**. The meeting had an unexplained late start, and there was not enough time allocated to begin with. Even though several items were dropped from the agenda it was impossible to address the remaining agenda items with appropriate thoroughness. When it came to discussing commissioners' shared 'theory of change', especially, the pace of the discussion was too fast for the nature of the topic, making it a less worthwhile exercise than it could otherwise have been. A second problem was **equipment**: several commissioners were trying to attend remotely via speakerphone, but the speakerphone was never actually confirmed as functioning. This equipment should have been tested before the meeting began. Ideally—since the facilitator was taking notes on whiteboards—the speakerphone would have been supplemented by video streaming, so that remote attendees had access to the same **visuals** as other commissioners. In addition to dynamically populated whiteboards, commissioners in attendance had important hardcopy documents to reference for planning purposes. The balance between use of whiteboards (for participatory brainstorming) and hardcopy documents (setting the parameters of the discussion) seemed good, but again, the remote participants may not have had access to these important components of the discussion. Finally, the different tasks on the retreat agenda were not made sufficiently distinct from each other, leading to **repetition** that may not have been a wise use of time. Dukes and Firehock advise against this sort of fuzziness, suggesting that facilitators need to make clear the purpose and duration of different activities (2001, pg. 30).

GENERAL RECOMMENDATIONS FOR PUBLIC MEETINGS

After attending this meeting, I recommend that organizations make use of a retreat format occasionally, to step back from the mode of 'putting out fires' and get a broad, strategic perspective on their work. For a retreat to be worthwhile, though, I think it's important to allocate enough time to really engage and benefit from a collective brainstorming process. Also, I think a suggestion from Carpenter and Kennedy (2001, pp. 132-136) applies here: it might be helpful to make a clear distinction between brainstorming activities and problem-solving activities, so that truly creative ideas can come to the surface without the interference of participants' internal 'editors'.

Second, I recommend that convenors of public meetings give some thought to how they will include guests. Having a designated greeter, a sign-in sheet, an 'introductions' item on the agenda, or supporting documents to distribute (like additional agenda copies) would go a long way toward setting newcomers at ease and encouraging them to get more involved.

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