

Minutes Human Relations Commission May 12, 2015

Minutes of the HUMAN RELATIONS COMMISSION held on Tuesday, May 12, 2015, 6:00 P.M. at City Hall, 3rd Floor Conference Room, 31 East Fifth Street, Tempe, Arizona.

(MEMBERS) Present:

Hannah Auckland
Don Calender
Dino Castelli
Belinda Chiu
Armando Espinoza
Isabel Hochhaus (on phone)
Peter Hodgson
Christopher Houk
Ira King Jr.
Jeanne Powers
Jay Scherotter

(MEMBERS) Absent:

Diversity Staff Present:

Rosa Inchausti, Diversity Director
Dee Hodson, Diversity Coordinator

Guests Present:

Chief Tom Ryff, Tempe Police Chief
Brenda Buren, Tempe Assistant Police Chief
Charles Cobbs, Tempe PD Community Affairs Specialist
Noah Johnson, Tempe Police Lieutenant

Meeting convened at 6:01 P.M.

Commissioner Espinoza called the meeting to order and invited members of the public to address the Commission.

Agenda Item 1 – Public Appearances

No comments.

Agenda Item 2 – Consideration of Minutes: HRC – April 14, 2015 Minutes (Motion Required)
April 14, 2015 HRC Commission Minutes

Motion made by Commissioner Scherotter to ACCEPT minutes.

Second by Commissioner Castelli.

Minutes unanimously APPROVED with correction of the spelling of Commissioner Houk's name.

Agenda Item 3 – Tempe Police Body Camera Presentation – Tempe Police Chief Tom Ryff

Brenda Buren began by explaining that she and Lieutenant Noah Johnson were the project managers on the Tempe Police Digital Evidence and Body Worn Camera Committee. Tempe's approach to a body camera program is to include a comprehensive planning process before implementation. The committee was formed approximately eight months ago and includes ten members in addition to Brenda and Noah. The committee members include Tempe officers, Union representatives, technology representatives, budget representatives and legal advisors. The process is designed to be very open and transparent. Brenda explained that officers can be skeptical on the impact of wearing body cameras and how the technology will work.

Commissioners received a draft of the body worn camera policy developed by the committee. The committee has created an RFP for the technology aspect, has participated in statewide meetings involving the archive criteria and has reached out internally gathering extensive information from the Tempe Police Force. The committee is now conducting outreach to Arizona State University (ASU) students, an ACLU attorney and the community. Brenda reported the program is three to four months away from implementation. Brenda reported ASU had received a \$500,000 grant from the John and Laura Arnold Foundation. Those funds will be used to study Tempe and Spokane, Washington's implemented body camera programs to determine their affect. The ASU research is a two year study and will involve being included in alternating weekly committee meetings. Brenda concluded by reporting that ASU Professor Dr. Michael White, who is heading up the ASU study, has conducted studies on body camera use and is the national point of contact on this issue.

Noah emphasized the importance of communication and officer input as the use of body cameras begins. Approximately thirty Tempe Officers currently use body cameras funded by a uniform reimbursement program. Those officers represented a welcoming attitude to body camera usage. A Share Point site was created to inform officers on all committee meeting discussions. Three months ago Noah and Brenda attended a meeting at the Maricopa County Attorney's Office who represent nineteen different law enforcement agencies, to talk about the status of the different programs.

Brenda then opened up the discussion to questions from the Commissioners. Commissioner Espinoza inquired on the amount of capital outlay required to implement the body camera program and asked where those funds were coming from. Brenda explained Tempe Police had viewed body cameras as a necessary direction before recent national events and had therefore received funding approval from the Mayor and Council last July. Technology changes are directing the charges to more of an ongoing monthly service fee rather than a large initial cost. Brenda approximated the costs in the neighborhood of two to three hundred thousand dollars annually to pay for video storage, camera replacements and redaction costs.

Commissioner Hodgson asked if the body cameras would be rolled out to all Tempe Officers. Brenda explained that ultimately all officers would be included per policy directives, but camera disbursement would begin with patrol officers for the purpose of the ASU study. Supervisors would also have a discretionary capability for certain areas such as SWAT teams and undercover officers.

Commissioner Chiu asked what changes were anticipated in officer's daily routines. Noah explained that officers are carrying more equipment than ever and deciding where to put the camera can be a challenge. The biggest impact will be what happens to the recorded data and how it needs to be downloaded. Vendors currently have some solutions to those issues. Each officer will have their own camera as well as an iPhone to tag recorded data for retention purposes. Brenda added that a new media data base is being created to accommodate the still photos and audio recordings in addition to the body camera videos.

Commissioner Scherotter asked what kind of resistance is being voiced by officers. Noah said officers had the same concerns as citizens do in that it is a big brother situation. Noah explained the policy addressed those concerns stating the cameras cannot be used inappropriately like auditing an officer. Most officers welcome the use of cameras when an event occurs.

Commissioner Scherotter also asked if ASU police would be utilizing body cameras in the future. Chief Ryff replied that ASU is planning on adding cameras in a few months.

Commissioner Houk inquired on video redaction policies and if plans include adding staff to facilitate redaction. Brenda said the redaction policies are a bit unclear now due to current state archive mandates regarding the time information must be retained. State agencies are currently meeting with legal advisors and police to confirm redaction policies that work for everyone. Brenda added that the minimum is looking like 180 days for retaining video because it meets archive standards and that is also the amount of time citizens have to file a complaint. Video retention time frames are longer for criminal offenses such as robberies. It is important that purging time frames are also established due to the costs involved of storing video.

Commissioner Houk asked what type of redaction would be done. Brenda explained it depends on what type of redaction capabilities different vendors have, which is currently being reviewed. The hope is that new redaction technology will be available down the road. Brenda explained the complexity of redaction issues require additional investigation. Brenda added that budget costs had been included for additional staff addressing redaction in the attorney's office as well as the police department.

Commissioner King asked about when officers are instructed to turn on their cameras. Commissioner King expressed concern about officers being at risk while turning on their cameras. Noah explained cameras should be turned on when officers are going to have an enforcement contact such as a traffic stop. The intention is that turning on the camera will encourage a more civil exchange but Noah pointed out the camera is also collecting evidence. Noah explained the RFP contains a camera vendor that includes a buffering capability in the camera. Some cameras constantly record and re-record over video meaning the camera can back up the previous thirty or sixty seconds of video once the camera is activated.

Chief Ryff applauded the work of Brenda, Noah and their staff on Tempe's body camera policy adding that other cities are looking at Tempe's as a model program. Chief Ryff emphasized the value of early support from community, officers, ACLU, and the union. Brenda offered an open invitation to anyone interested in attending committee meetings held every other Thursday morning.

Chief Ryff offered to provide an update on 21st century policing at a future Human Relations Commission meeting. Chief Ryff clarified an update would include explaining current city policies as well as receiving input from commissioners. Commissioners agreed they would like an update from Chief Ryff added to a future agenda.

Agenda Item 4 – Mayors Advocating Marriage Equality Discussion – Peter Hodgson

Commissioner Hodgson began by referencing copies each commissioner received of the March 6, 2015 press release entitled “Mayor Mark Mitchell joins mayors to advocate marriage equality to the U.S. Supreme Court”. Commissioner Hodgson explained he had begun drafting a preliminary thank you letter but stopped to first confirm the purpose of the letter with the commission. Commissioner Hodgson also wondered if thanking the Mayor for his support was still relevant two months later. Commissioner Hodgson asked about the process involved for quicker written responses from the HRC for possible future concerns. Commissioner Hodgson explained his original thought was a simple thank you note of support but after commissioner discussions at the last meeting, realized it had become a bigger issue.

Rosa reported she had been asked to research the Mayors for the Freedom to Marry statement regarding religious exclusions. After checking with the Human Rights Campaign, Rosa confirmed that the statement does not include any religious exclusions.

Commissioner Houk said that in his view the statement should include exclusions respecting religious liberties and that a statement without any exemptions might be problematic (i.e. pastors needing to marry same sex couples, churches losing their religious exemptions and seminaries needing to accept people regardless of sexual orientation). Commissioner Houk explained his concern was protecting religious liberties among people with differing religious viewpoints. Commissioner Houk would like the commission to support the many areas of consensus that gets to the love and respect we should have for all people regardless of who they are, such as bullying issues.

Commissioner Hodgson wondered if thanking the Mayor for supporting the Freedom to Marry statement meant the HRC was taking a side or was it simply saying the Mayor’s work was appreciated. Commissioner Castelli said a thank you from the HRC implies the commission’s endorsement. Commissioner Hodgson said he felt supporting the statement was in line with the HRC’s purpose but the issue was an important discussion to have. Commissioner Hodgson said it goes to the fundamental reasons for the HRC, asking if the commission is to simply handle issues as they arise or if the commission’s responsibility includes promoting possible sticky issues. Commissioner Calendar would support a thank you note to the Mayor for promoting equality but going past that might be tricky.

Commissioners agreed additional research of the actual Freedom to Marry statement was required. The Freedom to Marry website, which includes the statement signed by the Mayor, and the Supreme Court amici brief, will be forwarded to commissioners.

Commissioner Scherotter said although his personal opinion supports a thank you note to the Mayor, it should not move forward without commission consensus. Commissioner Scherotter then asked that consensus be defined and wondered if it meant unanimous support. Commissioner Espinoza said that a consensus to him implies a unanimous decision. Commissioner Scherotter said a unanimous decision means everyone agrees where as a consensus says that everyone can live with the decision. If one commissioner cannot live with the decision, no consensus is reached. Commissioners agreed the process must be respected and defined.

Commissioner Houk asked about the policy of working subcommittees. Rosa confirmed the city does not allow subcommittee work, but that commissioners can bring individual research back to the commission for review.

Commissioner Espinoza asked commissioners to research the Freedom to Marry statement individually and return to the June HRC meeting with their recommendations for the commission's next step. In addition to the original question of thanking the Mayor for his support, if marriage equality consensus cannot be attained, Commissioner Houk asked for alternative ideas intended to move the discussion forward regarding fostering respect. Commissioner Hodgson asked that the process be better defined for future reference. Commissioner Powers inquired if there was room on the June HRC agenda for additional marriage equality discussion. Commissioner Espinoza explained the agenda was up to the commission's discretion. The Freedom to Marry statement will be added to the next agenda.

Agenda Item 5 – BuildUp Campaign Update – Isabel Hochhaus

Commissioner Hochhaus reported she attended the group's final BuildUp Campaign project presentation at ASU, in which they received an A+. The ASU students who created the BuildUp Campaign are continuing their progress via social media and are committed to continuing the campaign momentum after graduation. The group took the commission's advice and is working on trademark protection before moving forward. They are currently negotiating with a charter school to acquire approval for their wall mount installations.

Commissioner Espinoza asked if there was anything else the commission could do to assist the BuildUp Campaign. Commissioner Hochhaus said the group may return to the commission for additional support once their current work is completed. Commissioner Hochhaus added that the group is also continuing their work on designing more open and friendlier restroom designs.

Agenda Item 6 – Council Challenge Day Presentation Report – Jay Scherotter

Commissioner Scherotter reported the Council presentation was a huge success. Tempe Union High School District (TUHSD) has reportedly sent in the required request forms to the Challenge Day office for programs in the 2015-2016 school year. Commissioner Scherotter hopes to report at the next HRC meeting on the acceptance for Challenge Day programs to be held at Tempe Union High School, Compadre Academy, Corona del Sol and Desert Vista. Commissioner Scherotter and Commissioner Chiu will be attending the Living the Change adult Challenge Day program May 22 – 25, 2015.

Commissioner Scherotter reported that Chief Ryff offered to pay for all four high school Challenge Day programs (and possibly three middle school programs) with RICO (Racketeer Influenced and Corrupt Organizations) funds perhaps continuing past the 2015-2016 school year. Using RICO funds for Tempe's Challenge Day programs would make Unity Grant monies available for other purposes. Rosa asked for commissioner direction at the next meeting regarding remaining Unity Grant funds (approximately \$16,000) and assistance rewriting the RFP for next year's Unity Grants.

7 - Diversity Department Update – Rosa Inchausti

Rosa reported Tempe's Diversity Steering Committee, a workforce group representing all employee groups, Human Resource Department, City Attorney's Office, the City Manager's Office, employee associations and unions, had just completed establishing new priorities via two day strategic planning sessions. Commissioner Espinoza attended the first planning day giving the perspective of the HRC. Rosa will bring that Strategic Plan to the HRC once the document has been vetted through the entire organization.

Rosa said she was very proud of the Challenge Day presentation to the Mayor and Council because of the tremendous positive impact the HRC and the City of Tempe is having on Tempe's youth.

Commissioner Chiu reported the past Diversity Dialogue went very well and included a closing discussion on the last evening. The next Diversity Dialogue program will begin in the fall.

Commissioner Espinoza asked how commissioner's summer vacation plans would be impacting meeting attendance. The decision was made to cancel the usually scheduled July HRC meeting.

Next HRC Meeting – June 9, 2015

**Motion made by Commissioner Calender to adjourn the meeting.
Second by Commissioner Auckland
Meeting adjourned at 7:00 p.m.**

Prepared by: Dee Hodson

Reviewed by: Rosa Inchausti

Rosa Inchausti, Diversity Director