

**APPROVED MINUTES
POLICE CITIZEN REVIEW SUBCOMMITTEE**

**May 10, 2023
Meeting Held Remotely Via Zoom**

Members present: Reggie Parson, Chair; Anne Hardcastle, Vice Chair; Rev. Lewis (joined during Roux presentation); Tim Smith; Jean-Raymond Desruisseaux (Gino); Kaylin Kerina (joined during Roux presentation); Xavier Botana

Members absent: none

Staff present: Associate Corporation Counsel Rachel Millette; Tracy Boyd

6:02 Call to order.

Motion was made by Anne and seconded by Xavier to adopt minutes of the April 12, 2023 meeting. Passage 5-0.

Presentation of the Roux Report (Assessing Arrest and Traffic Stop Patterns in Portland, Maine, released January, 2023) by Sarah Krichels Goan, Catherine Cutler Institute, University of Southern Maine and Jack McDevitt, Founding Director of Institute of Race & Justice, Northeastern University. The report analyzed arrests and traffic stops by the Portland Police Department with a particular focus on racial disparities. After the presentation the subcommittee asked the presenters follow up questions. Xavier asked what the standard is for identifying systemic disproportionality with respect to race in arrests and traffic stops, Jack responded a 5% difference. Xavier followed up with a question regarding youth arrests (reasons for arrest and time of arrest), Jack explained that they were too few to garner any significant data. Rev. Lewis would like the data and other aspects of the report to be included in the Annual Report so that when the report is forwarded to the City Manager the information can be utilized to develop recommendations that impact the work of the subcommittee. Rev. Lewis also asked if the unhoused population would be unlikely to make a police report. Sarah responded that the unhoused population wouldn't likely make an official complaint. Jack also brought up that undocumented people would also not be likely to file an official complaint. Kay inquired as to whether there was any analysis of data as it relates to school or school-related arrests. Xavier explained that the number of in-school arrests are low. Anne asked if there is a plan for any follow-up from the researchers. At this point in time there is no anticipated follow-up.

No public comment offered.

Xavier followed up the report presentation asking whether the police department ever offered any formal response to the report. Reggie will follow up with Major Martin to ask him. Gino responded to the question that the PPD did post some news releases regarding the report via social media, but no formal response.

The 2022 Annual Report discussion was tabled until next month. Once it is ready, it will be shared with the group.

Question 7 Discussion (Changes made by the Charter Commission): Rachel updated the group regarding the timeline as it relates to the new ordinance. The City Council will begin work on creating guidelines for the new ordinance during a workshop tentatively scheduled for June 21, 2023. Rachel is unsure as to whether or not it will take place in an Executive Session or in public session. Once the City Council has a draft of the ordinance it will be shared with current PCRS members for review and feedback. Then, as a courtesy, the draft ordinance will be shared with the police unions for their feedback. After these reviews the City Council will then need to vote to approve the new ordinance. Once it is approved, the current subcommittee will be dissolved and a new board will be appointed. Rev. Lewis inquired as to whether the subcommittee's review of the draft ordinance will take place in Executive Session or public session. Rachel will check in with Corporation Counsel for their opinion on Rev. Lewis's question. Rev. Lewis's preference is for their review to occur in public session. Kay asked about the application process that the current members will need to follow once the current subcommittee is dissolved. Rachel explained that the preference as articulated in the charter language is for current members to be appointed to the next board. The subcommittee discussed the application process for members of the board, including term limits and the timeline for appointment. Rachel responded that these issues have not yet been finalized. Xavier asked about the appeal process indicated in the charter. Rachel indicated that the City Council or their designee will hear appeals of the new committee's decisions. Rachel will look at whether officers can appeal the new committee's decisions or just complainants. The subcommittee had questions regarding staffing and budgeting of the new group. Rachel reported that discussions have begun but she was unsure of the final decisions made concerning staffing and the City Manager's proposed budget. Kay expressed concerns over the appeals process and the availability of resources available to complainants. Anne suggested that available resources could be included in the complainant letter sent after the committee has reviewed a case.

Rev. Lewis is concerned about timely review of any future cases while waiting for the new ordinance to be drafted. He would like the infrastructure and new SOPs drafted as soon as possible, in addition to the hiring of new staff, in order for the group to be fully functional as quickly as possible. Kay asked whether it would be permissible to attend the City Council meeting as a citizen, not a member of the current PCRS. Rachel assured her it would be okay to attend.

Reggie asked how the new board will receive complaints. Rachel said they are still working on that piece. Rachel will let the group know when the ordinance is on the City Council agenda and whether or not they can participate.

Anne is concerned about timeliness, she is hoping that the current review process will remain in place while the new ordinance is being drafted, adopted, and implemented. Rachel assured the group that the new board can adopt the previous work of the prior board if it wishes to.

Tim asked if the group can continue to review cases, Rachel explained that the old subcommittee will remain in place until the new ordinance is in place.

No public comment offered.

Discussion around the proposed quarterly in person meeting schedule. Anne reminded the group that there was conversation during the last meeting regarding taking August off from the meeting schedule. Gino would like the group to meet in person as he sees value of in person meetings. Rev. Lewis suggested that the group only meet, going forward, if there are cases to review until the new ordinance is adopted. Anne suggested that they meet in June to review and finalize the Annual Report and review any cases that are ready. Xavier added that the group will also need to meet in the future to review the new draft ordinance. The group will continue to publicly notice each month's meeting and cancel them if there are no cases to review. The June meeting will be held remotely and the group will decide about whether they are meeting in July in person, remotely, or not at all.

No public comment offered.

Review of Annual Report will be on next month's agenda. Reggie will check in with Major Martin to see if there are any cases to review. Kay asked if the group should identify areas that the group may need more training in, Anne suggested that they wait until the ordinance is drafted before analyzing any future training needs. Rachel is attending the City Council workshop to receive guidance from its members as it applies to drafting the new ordinance. Rev. Lewis suggested that they wait until the ordinance is drafted, then the committee can hold a workshop to review the ordinance. Rachel will provide a draft of the ordinance ahead of the meeting.

7:48 Motion was made by Xavier to adjourn, seconded by Tim. Passage 7-0.