



Agenda Item Report

City Commission - Jun 07 2022

Department	Staff Contact
City Manager's Office	Brandon McGuire, Assistant City Manager

Recommendations

Consider proposal to form a Community-Police Oversight Work Group to review and make recommendations related to the police complaint process and Community Police Review Board.

Executive Summary

The Community Police Review Board and City staff, including Police Chief Rich Lockhart and Assistant City Manager Brandon McGuire, collaborated on the attached proposal (project charter) to form a work group charged with reviewing and making recommendations about the process in which complaints against law enforcement officers are addressed and the Community Police Review Board's role in that process. At its May 10, 2022 meeting, the Community Police Review Board voted to advance the Community-Police Oversight Work Group project proposal to the City Commission for discussion and final approval. Commission approval would prompt the following tasks to be completed as soon as possible.

1. City Commission will appoint five community members representing diverse and marginalized populations to serve on the work group. These appointments should be made as soon as possible at a future Commission meeting.
2. City staff will select a professional facilitator to support the work group's project.

Upon completion of these tasks the work group will begin meeting to work on its objectives which are outlined in Section 3, Project Expectations and Scope of Work in the proposed project charter. At completion of the work group's project, recommendations will be submitted to the Community Police Review Board and City Commission in an executive summary report. Submission of the report is anticipated by the week of November 7, 2022.

The Work Group proposal comes after efforts by the Community Police Review Board to review its responsibilities, authority and requirements for board appointment following City Commission discussions in June 2020. The proposal also responds to findings and recommendations in the [Police Department Study Report](#) completed in May 2021. The proposed project enables Police Department leadership, Lawrence Police Officers' Association leadership, historically marginalized community members and Community Police Review Board members to collaboratively develop recommendations for improvements to the police complaint process and citizen oversight of that process. Successful completion of the project will advance the City's commitments to Equity and Inclusion and Engaged and Empowered Teams as well as the Safe and Secure Outcome. The proposed project will help us build a community where all people feel safe and secure and have access to trusted public and community-based safety resources.

Questions for the Commission's discussion follow.

1. Members of the Commission previously discussed general aspirations for the work group. Does the proposed scope of work in section three of the project charter meet the Commission's expectations?
2. Section five of the project charter describes the work group membership. Would the Commission like to consider alternatives to the proposed membership?
3. The project charter recommends engaging a locally-based third-party facilitator to support the work group's process. Alternatively, the work group could work without a facilitator or City staff could facilitate the work group. Does the Commission support engaging a third-party facilitator?
4. Referencing the International Association of Public Participation (IAP2) spectrum of public participation, the project charter recommends public participation at the consultation level between the Work Group and the public. Would the Commission like to consider a different goal for public participation in this project?

Pending Commission discussion, City staff and the Community Police Review Board members are ready to implement the project.

Alignment to Strategic Plan

Safe and Secure

Fiscal Impact

City staff will engage a third-party facilitator to support the Work Group pending approval of the recommended action. A facilitation contract is expected to cost \$30,000 or less and will be competitively procured.

Action Requested

Approve and authorize the Mayor to sign the Citizen-Police Oversight Work Group Project Charter which will initiate the formation of the Work Group and the authorize the outlined scope of work.

Previous Agenda Reports:

[January 4, 2022 Regular Agenda Item No. 1](#)

Receive a letter from the Community Police Review Board regarding the project to revise the Board's authorizing ordinance and provide direction as appropriate.

ACTION: Receive letter from Community Police Review Board and provide direction, as appropriate.

[Agenda Item Report 21-932 - Pdf](#)

Attachments

[Proposed CPRB Working Group Project Charter](#)



City of Lawrence

Project Charter

Community-Police Oversight Work Group

MAY 16, 2022

A Note about the Project Charter

The project charter will be reviewed by the Community Police Review Board (CPRB) and a final draft will require endorsement by the Community Police Review Board and approval of the City Commission (the project sponsor) prior to implementation. The project charter will be used as a guide for the Community-Police Oversight Work Group throughout the course of its work. The project manager may amend the charter to reflect changes to the scope of work, timeline or deliverables. Any amendments must be presented to the Work Group for approval with notice provided to the CPRB and City Commission.

1. Project Description

A comprehensive review of the Lawrence, Kansas Police Department completed in May 2021 included 75 recommendations for changes to policies, procedures and other topics. Contained in the report were findings and recommendations pertaining to the handling of complaints against law enforcement officers, community-police relations, public trust and transparency, citizen oversight and the Community Police Review Board. The proposed project involves a review of the complaint process, including a review of the CPRB draft ordinance, relevant findings and recommendations from the Lawrence, Kansas Police Department Study and relevant laws, regulations, policies and procedures.

2. Project Purpose

Review, discuss and make recommendations regarding the Community Police Review Board's proposed ordinance revisions. Assess existing policies, procedures, systems and other information relevant to the receipt and investigation of complaints against law enforcement officers in the Lawrence Police Department and citizen oversight of that process.

3. Project Expectations and Scope of Work

The Community-Police Oversight Work Group will review the entire existing process in which complaints against the LKPD are handled, including complaint intake, investigation, resolution, public reporting and the CPRB's oversight role. The following provides an outline for topics within the Work Group's purview.

1. Provide feedback to candidate selected to provide facilitation services in support of the Work Group. Oversee the work of the facilitator throughout the project, including any consideration for alterations to the facilitator's scope of work.
2. Document and explain the existing complaint process in a diagram.
3. Assess the existing complaint process to identify concerns and conflicts as well as opportunities to improve trust and transparency.
4. Research and review evidence-based and best practices, policies and procedures for receiving, investigating, resolving and reporting on complaints against law enforcement officers.
5. Review the CPRB proposed ordinance changes to determine if it supports the goals of the Work Group for improving the complaint process and enhancing citizen oversight.
6. Assess and make recommendations regarding the CPRB's role and authority in serving in an advisory, oversight and/or review capacity.

7. Identify goals for CPRB membership, including number of board members, qualifications and strategies to achieve diverse and inclusive board composition. Review evidence-based and best practices for board member appointment that advance goals for diverse representation and inclusion.
8. Review evidence-based and best practices and make recommendations about public reporting related to the complaint process.
9. Document and explain the proposed complaint process, including roles and responsibilities of each party involved.
10. Produce an executive summary report for the City Commission addressing the work and process conducted by the Work Group and findings and recommendations for Commission consideration.

4. Strategic Plan Alignment with Goals for Public Trust

The proposed project seeks to improve trust in the process in which complaints against members of the Lawrence, Kansas Police Department are handled. The complaint process and citizen oversight provided by the CPRB represent an important part of a system of oversight and accountability. Community trust in the complaint process is essential to achieving positive community-police relations and honoring the commitment to a Safe and Secure Outcome as stated in the City’s Strategic Plan. The City is committed to making Lawrence a community where all people feel safe and secure and have access to trusted public and community-based safety resources.

- The proposed project will impact Safe and Secure Progress Indicator #6 (SaS #6): Variance of satisfaction with perceptions of safety by race, gender, education and income.
- The proposed project will impact Safe and Secure Progress Indicator #8 (SaS #8): Percent of residents rating trust in emergency services departments as satisfied or very satisfied (Police).

The City’s Strategic Plan includes three commitments for how the City accomplishes its work which are directly relevant to this project proposal.

- Community Engagement: Listen, share, and engage with our community to drive action and build trust in City government.
- Efficient and Effective Processes: Intentional and consistent delivery of city services.
- Equity and Inclusion: Fair and impartial delivery of services so that no group is disadvantaged or burdened along with having inclusive representation and participation for all.

5. Work Group Membership

This project charter proposes the following Work Group membership.

1. Community Members: Five community members representing diverse communities. Each city commissioner will nominate one community member for consideration by the full Commission. Each nominee will be appointed and confirmed by a majority vote of the Commission.
2. Community Police Review Board: three members of the CPRB will be appointed by the CPRB.
3. Lawrence, Kansas Police Department: The Chief of Police and a member of the LKPD command staff as selected by the Chief of Police.

4. Lawrence Police Officers' Association: Two members of the Lawrence Police Officers' Association as selected by the LPOA.

Additional City staff will be available to assist the Work Group with technical knowledge and project support, including members of the City Manager's Office, the Office of Diversity Equity and Inclusion and City Attorney's Office. These employees will not serve as members of the Work Group, but will attend meetings in a non-voting capacity.

6. Assumptions

Facilitation: The project team will receive support from a professional facilitator. The facilitator selection process will comply with the City's Procurement Policy. City staff will oversee the facilitator selection process, select the facilitator and oversee the facilitator's work. Use of a facilitator is recommended to enhance trust and effective communication among the Work Group members.

Work Group Meetings: Work Group meetings will occur at a City of Lawrence facility. The first meeting will occur at the Lawrence, Kansas Police Department Facility and Work Group members will decide the location of future meetings.

Updates: Periodic status updates about the Work Group's work will be provided to the CPRB and City Commission.

7. Constraints and/or Risks

Constraints on the proposed project include the following.

- **Fiscal:** The project is unbudgeted and funding for the facilitator agreement and any ancillary costs will come from existing budgeted resources. As such, funding for the project is likely to come from salary savings in the City's 2022 Adopted Budget.
- **Time Commitment:** The Citizen Oversight Work Group will be served largely by volunteers, including appointed community members and Community Police Review Board members. The Work Group is expected to meet twice per month for two hours in the evening on a set schedule in order to aid volunteer Work Group members in managing this time commitment. The meeting schedule may be altered as needed with the approval of the Work Group.
- **COVID-19:** Ongoing pandemic-related safety protocol could limit the Work Group's ability to meet in-person and a surge in COVID-19 cases could hinder the Work Group's rate of progress. The City has developed useful solutions to mitigate pandemic-related impacts on our work, but the risk is worth noting.
- **Community Engagement:** Community members with direct or lived experience of interactions with law enforcement can provide important context and insight for the Work Group. This is especially true with communities who have historically had or are presently experiencing disproportionate contact with the criminal justice system. Input from these community members is key to the project's outcome. Hesitancy from marginalized community members to engage with the Work Group poses a risk to the project. Community engagement methods developed by the Work Group must account for this risk.

- **Diverse Perspectives:** The proposed Work Group comprises individuals from diverse personal and professional backgrounds and the potential for conflicting ideas must be recognized and mitigated with appropriate facilitation techniques. The diversity of perspectives and healthy conflict of ideas in the Work Group forum can strengthen the proposals and subsequent buy-in from community members and City employees.
- **Community Survey Data:** The City plans to undertake a community survey to evaluate public perceptions and satisfaction of various City services and operations. The survey will oversample minority community members to gain more authentic insight about levels of trust in public safety and other services. Data from this survey will be valuable to the Work Group but it likely will not be available until August 2022.

8. Public Engagement

The Work Group will seek diverse input from the community, prioritizing marginalized communities and those experiencing disproportionate contact with the criminal justice system. Input from individuals with direct or lived experience will be sought. The public engagement process will be designed in consultation between the Work Group and facilitator.

The Work Group proposal envisions a collaborative process between community members and direct stakeholders (CPRB members, police leadership and Lawrence Police Officers' Association leadership), with input from Lawrence community members and members of the Lawrence Police Department. Appointed community members serving on the Work Group will enhance the level of public representation and collaboration in the Work Group's process. The Work Group itself, though, will approach public engagement (with community members who are not part of the Work Group) as a consultative process in reference to the International Association for Public Participation (IAP2) Spectrum of Public Participation (see following diagram).

IAP2 Spectrum of Public Participation



IAP2's Spectrum of Public Participation was designed to assist with the selection of the level of participation that defines the public's role in any public participation process. The Spectrum is used internationally, and it is found in public participation plans around the world.

INCREASING IMPACT ON THE DECISION					
	INFORM	CONSULT	INVOLVE	COLLABORATE	EMPOWER
PUBLIC PARTICIPATION GOAL	To provide the public with balanced and objective information to assist them in understanding the problem, alternatives, opportunities and/or solutions.	To obtain public feedback on analysis, alternatives and/or decisions.	To work directly with the public throughout the process to ensure that public concerns and aspirations are consistently understood and considered.	To partner with the public in each aspect of the decision including the development of alternatives and the identification of the preferred solution.	To place final decision making in the hands of the public.
PROMISE TO THE PUBLIC	We will keep you informed.	We will keep you informed, listen to and acknowledge concerns and aspirations, and provide feedback on how public input influenced the decision.	We will work with you to ensure that your concerns and aspirations are directly reflected in the alternatives developed and provide feedback on how public input influenced the decision.	We will look to you for advice and innovation in formulating solutions and incorporate your advice and recommendations into the decisions to the maximum extent possible.	We will implement what you decide.

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9. Project Deliverables

Executive summary report to the City Commission addressing the work and process the Work Group conducted, findings and recommendations related to the entire complaint process, the Community Police Review Board's role in the complaint process and other relevant considerations for citizen oversight of the complaint process.

10. Project Milestones

Note: The Work Group should complete it the project within four months following its first meeting. The draft schedule below will be revised following the first Work Group meeting.

Milestone Date (Draft*)	Milestone Name	Milestone Description
06-24-2022	Solicitation issued	City staff solicits proposals for facilitation services.
07-12-2022	Community member appointment	City Commission appoints five (5) community members to serve on the Work Group.
07-15-2022	Facilitator selected	City staff selects and enters contract with a facilitator to support the Work Group's project.

Week of Aug 1 st	Work Group convenes	First meeting of the Work Group – member introduction, review project charter, clarify scope of work and expectations
Week of Sept 12 th	Mid-project briefing	Work Group chairperson present mid-project briefing to CPRB and/or City Commission
Week of Oct 17 th	Final Work Group report	Facilitator (or Work Group Chairperson) submits final report to Work Group for review and reaction
Week of Nov 7 th	Present report	Report presented to CPRB then to the City Commission
Week of Nov 17 th	Project closeout	Identify next steps and responsibilities for implementation of recommendations

*Milestone dates are subject to change depending on the schedule agreed upon by the Work Group members.

11. Project Manager

Brandon McGuire, Assistant City Manager will serve as the project manager. The project manager is responsible for ensuring fulfillment of the following responsibilities.

- Coordinate the development and execution of the project scope and plan
- Manage the project plan, scope, timeline and budget throughout the project, and modify as needed and approved by the Work Group with notice provided to the CPRB and City Commission.
- Manage risks to the project timeline.
- Coordinate the facilitator, supporting City staff and Work Group members. Delegate functions as appropriate to ensure project completion.
- Coordinate the solicitation process for facilitation services and manage the facilitator contract.
- Manage communications for the project team and keep the CPRB and City Commission apprised of the project team’s work. Seek guidance and approvals as needed.

12. Intentionally Left Blank

13. Authorization

Endorsement of this project charter by the project team members and the project sponsor signifies authorization to initiate the project.

Approved by the Project Sponsor:

Courtney Shipley
Mayor

Date: _____

Endorsements

Jennifer Robinson
Community Police Review Board Chairperson

Date: _____