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› *Police review*

## An independent all-civilian commission benefits police and community

By Kay Pranis

For the first time in its two decades of existence, St. Paul's Police Civilian Internal Affairs Review Committee (PCIARC) could be structured to provide an independent avenue for community concerns about policing. St. Paul residents continue to call on our city council members to follow the recommendations of two independent reviews, and provide the appropriate complement to the department's internal review process with an all-civilian review board.

Those arguing that it is necessary to include an active-duty police officer and a commander on the commission to generate department buy-in are peddling a false bill of goods, and residents aren't buying.

Input from the police department is already embedded in the structure and process of the commission, to such an extent that its integrity as an independent review board has been questioned by two reviews, which both recommended that police be removed from the commission. Those vying for department participation should spend less time worrying about influencing the outcomes of what should be a civilian commission, and devote more energy to ensuring that fewer complaints end up before the board in the first place.

Council members' proposal to keep police on the commission in a non-voting capacity does little to address the problematic influence of police on what must be an independent and civilian commission. Defense and prosecuting attorneys are typically excluded from juries because of the common-sense recognition that their participation would unduly bias other jurors' assessments. Including police on the commission is akin to including staff from the defense or prosecution team to deliberate in jury proceedings. This conflict is why most models for commissions are all-civilian, including in places like Milwaukee, Baltimore, St. Louis and Cincinnati.

Community members are not objecting to the police department's structured input and collaboration with the

commission. What we reject is a structure that allows for excessive influence, where an active-duty police officer and commander are permitted to not only vote but also insert perspectives through deliberation. Allowing police to deliberate on the commission undermines the independence of a necessary space for civilian assessment of community complaints. The chief of police, who ultimately has all the power to decide the outcome and any discipline for individual cases, deserves to have civilian recommendations.

Civilians serving on the review board have ample avenues for input and information from the police department. Internal Affairs prepares the investigation materials, which are reviewed by the commission. Representatives from Internal Affairs attend the meetings, and are available to answer questions or concerns from the commissioners. The degree of input from the department has, in fact, been historically problematic, with Internal Affairs having provided not only investigation information but also recommended outcomes. The PCIARC, almost without exception, followed those recommendations. Although this practice has stopped, it speaks to the need to safeguard its independence.

Beyond the formal structures for input and collaboration, civilians who serve on the commission undergo training on policing, and are offered the ongoing possibility of ride-alongs in officers' cars. Commissioners serve multi-year terms and develop expertise. These are not individuals who are out to capri-

ciously punish police. But to truly serve the community through its strictly advisory role to the chief of police, the commission needs to create independence from the department by removing officers and commanders from not only voting, but also deliberating.

It should be noted that police interviewed by the U of M audit expressed concerns particularly about active-duty officers serving on the commission, who face a conflict of interest reviewing their own peers.

Additionally, the most recent audit expressed concerns about the gap between the composition of the commission and the community members it serves. While more than half of the complaints of police brutality were submitted by those who identify as black, only one out of seven of the commissioners identified as black.

In part because of the sensitive nature of complaints, much of the operation of the commission is not subject to public review. The commission operates in a purely advisory capacity, and the community must trust that it operates independently. Removing officers from participation in deliberations would only strengthen the integrity of the commission, to the benefit of both the community and the department that is so urgently seeking to build trust and relationships.

What I have learned in my work across the country is that an informed lay perspective in a thoughtful, reflective process is a great source of wisdom. I also know that lay folks are often intimidated by "experts" and underestimate the importance of their own wisdom when "experts" are in the room. This is an advisory group — their advice should come from a clean process of accessing the wisdom of ordinary citizens.

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