

City of Coral Gables City Commission Meeting
Virtual Meeting
Agenda Item G-2
July 14, 2020
City Commission Chambers
405 Biltmore Way, Coral Gables, FL

City Commission

Mayor Raul Valdes-Fauli
Vice Mayor Vince Lago
Commissioner Jorge Fors, Jr.
Commissioner Pat Keon
Commissioner Michael Mena

City Staff

City Manager, Peter Iglesias
City Attorney, Miriam Ramos
City Clerk, Billy Urquia
Assistant HR Director, Maria Milian
Police Chief, Ed Hudak
Major Raul Pedroso

Public Speaker(s)

Agenda Item G-2

A discussion regarding the steps our Coral Gables Police Department and City Administration will take to continue self-evaluating and implement policies that combat structural racism and incentivize just policing practices. (Sponsored by Commissioner Mena)

Mayor Valdes-Fauli: I will take first Commissioner Mena's G-2, a discussion regarding the steps of our Coral Gables Police Department and City Administration to continue self-evaluating and implement policies that combat structural racism and incentivize just policing practices.

Commissioner Mena: I believe Chief Hudak as well as somebody from HR was going to be providing some updates for us.

City Commission Meeting

July 14, 2020

Agenda Item G-2 – Discussion regarding steps CGPD and

City Administration continue self-evaluating and implement policies that combat structural racism

[Date]

1

City Manager Iglesias: Commissioner, Mayor, we will have a presentation by HR and then followed by the Police Department on our new proposed initiatives concerning the structural racism issue. With that I turn it over to our HR Director Karla Green.

Assistant Director Milian: Good morning Mayor, Maria Milian, Assistant Human Resources Director.

Mayor Valdes-Fauli: Good morning.

Assistant Director Milian: Good morning. Today we have a brief presentation outlining diversity trainings scheduled to be deployed citywide, starting the week of July 27th and to be completed by...[Inaudible]. These trainings will be web based and can be completed either online...For those employees who do not have access to a personal computer can schedule them through their supervisors and allowing them to use onsite computers. In addition, during the month of September, we will also be deploying trainings, specifically geared toward management. These trainings will geared be on approach, benefits, and best practices for organizations to follow in order to embrace diversity. All three presentations, the police will provide an update of their own. Mr. City Clerk, if you can show the presentation please.

[Presentation by Maria Milian]

The following presentation will provide an update on our workplace diversity trainings scheduled to begin July 27th.

The first course is called Your Rolling Workplace Diversity. The...course is designed to help us embrace diversity by challenging us to examine our core values and beliefs....our worldwide view of others, especially from diverse backgrounds and provide knowledge of other cultures. Adjust our communication style and promote inclusive language which ultimately enables everyone to feel respected, engaged and valued for who they are and for their contributions to our organization. Improve our active listening skills by suspending judgement and listening carefully to their ideas and thoughts of others. Finally, to support diversity through our own actions, specifically by showing empathy and understanding the perspective of other individuals.

[Video Presentation]

The second course is titled, Overcoming your own unconscious bias. Unconscious bias describes situations where a background, personal experience, stereotypes and cultural beliefs impact our decisions and actions without us realizing this is the case. As such, this course will challenge our employees too, recognize and observe our own unconscious bias objectively, simply by asking is the bias factual or opinion based. Form new relationships with co-workers of different cultural backgrounds and beliefs, avoid making rash decisions in the workplace because of unconscious bias, and finally combat the return of unconscious bias by becoming aware of your own thoughts and reactions.

[Video Presentation]

City Commission Meeting

Assistant HR Director: Thank you.

Chief Hudak: Good morning Commissioners, I take it that's my queue to follow up after the presentation. Policing in the United States of America changed greatly over the last few months. It has been evolving throughout my tenure as a police officer and it continues to do so. We are not immune to the criticisms; our officers are not immune to the second-guessing and criticisms of a society that doesn't necessarily know how we do business in Coral Gables. To that end, I believe to be responsive we always have to relook at ourselves and also have an exterior view of what we are doing here in the Police Department and it is my commitment to you all that we are going to do that and my predecessors have also looked at it that way. I sit here confidently as the Chief today understanding that I can always do better as the Chief. I believe our department can always do better, but I don't want to sugarcoat anything. Right now, being a police officer in the United States of America is not a good job, because you are damned if you do and damned if you don't. I don't know how else to put it. Within our own community, we go from making sure everybody has the right to peacefully protest. From there we transition to making sure everybody wears their masks, and some people in our community want us to issue citations and just be the enforcers, while I believe the direction of our community leaders, as well as this Commission is to also do it compassionately. That is the balance. Everyday my officers and myself see things on social media throughout that vilify us because of the job that we do. To the point where it is disgusting to see some of the things, which is why I often tell my family, don't read the comments. We have become a society of a vicious attack of people, not just because they are police officers, but also because of the color of their skin, and that is the systemic racism that we as police officers have to address inside as well as outside. There are a few issues that we have talked about before. I think HR has done a great job of looking at it in a totality picture in their presentation and training, which we all are going to go through. In policing it's a little bit different because we do have to deal everyday with other people's biases and other people's racism, and we have to do it impartially and that does take its toll. I don't want to sugarcoat this for what our officers do. The moment that we think we are doing good, we get hit down with some other kind of, in some cases, ludicrous point of effort of what we are doing and how we do it. So how do we go forward? – and I believe Commissioner Mena is right on. I will never rest on the laurels of what this department does. We are accredited, we are a national guiding light of how we should do things. Our policies continue to be reviewed by others for what we do differently. We don't have the communities throughout the country that seems to be plagued with this violence. However, we do have to go above and beyond how we interact with people that come into our community and deal with them as human beings, not because of the color of their skin, which is not an easy task for younger, less diversified officers, not that they are bad, but we've had to change how we train, and I think you will see that we have to do that. To that end, I don't believe that an additional oversight board is necessarily for the Coral Gables Police Department, and I say that with all due respect to you all, the elected officials and those who have come before. You know that we are accountable to you. You are the voices of our community, and I believe as we have done in the past through the City Attorney's office, the City Manager's office, we will constantly look at what we do as a police department to make sure we

City Commission Meeting

[Date]

3

July 14, 2020

Agenda Item G-2 – Discussion regarding steps CGPD and

City Administration continue self-evaluating and implement policies that combat structural racism

are doing it right. And I should be held accountable as other Chiefs if we are not doing that correctly. However, I do believe there is some transparency issues that we can kind of move faster on and we have. With me today is one of my Majors, Major Raul Pedrosa, we have been looking at the body worn cameras. There are a lot of issues, I believe, at stake when you look at this in the totality of this practice, if you will. One is the cost alone. As we are in the middle of the pandemic and my conversations with the Manager, this could be a very, very costly item to ensure what it is doing, as far as our transparency. A word that I believe sometimes is overused by police departments throughout the country, so I don't do it lightly. To bring you all up to speed briefly is Major Pedrosa, who will talk briefly about where we're at in our body worn camera pilot program, and then I will return with our next recommendation. Major Pedrosa.

Major Pedrosa: Good morning Mr. Mayor, Commissioners. In regard to our body worn camera, we started a pilot back in 2018, we've tested various systems and we concluded that research and that testing last month. We met as a senior staff. We were briefed by the officers and supervisors that ran that study, and as a result, we've now entered the next phase, which is to select and work to procure the body worn camera system and technology that we want to move forward with as an agency. One of the things that we've identified in communicating with the vendors and also other law enforcement agencies that have body worn camera is, the technology is one aspect, but the staffing that's involved in making sure that you are operating the system the right way, that you are handling any issues so that you don't have technology failures that go unrecognized, and also that you have the personnel in place, because with body worn cameras you can imagine, there is an incredible amount of record requests that go on from the public and also with respect to the courts, not only in criminal court, but in traffic court there is a reliance on access to that footage that the officers have when engaging and using body worn cameras. So, we've entered that next phase now, where we are going to work to identify the funding source and move forward with procurement of a device.

Chief Hudak: Thank you Major, I appreciate that. Again, we are not going into this lightly Commissioners. Again, there is definitely a cost associated with all of this, and it is my job to make sure I present that to the Manager and to you all, but its not as easy as just taking a camera. What a lot of departments have said is, it has reduced the he said, she said kind of complaints against the officers, but it also does give us a view from the officers' standpoint of how we deal with issues every day. I have said this often, there is Coral Gables during the day and Coral Gables at night, which my officers are very aware of because that's what we do, and we will continue to do. The second part of this overall documentation, if you will is, you all know that Assistant Chief Hajir Nuriddin joined us this past year, kind of jumped right into it with everything else that we've had to do. However, her expertise and what she's grown up with, if you will, in California and that police department, the documentation of these incidents is key. Part of our internal mechanism that we are going through right now on point is that, how are we as a senior staff and mid-managers accurately documenting everything else that we do within our police department. We work very hard with, or very well, I should say, with our police legal advisor and the City Attorney's Office, so that is another phase of us getting better. Finally, I think what we are all here to talk about as

City Commission Meeting

well is, we have assembled three people that I believe are giants in the industry. I sent you all their CV's as part of the agenda item. My intention is to take all of our collective SOP's, rules, guidelines, practices and deliver to all three of the individuals in the Sunshine, to have them look over that and give you all an independent recommendation of what we need to be as a police department, what we need to do better as a police department, and where we should go in the future. Again, we have done this in the past with people that have done internal audits of Internal Affairs, which was extremely beneficial, but I believe this is somewhere where you all can have a comfort level, not just me trying to defend what we do. Again, I believe as a police officer it is not an easy time for us to be doing this job and not because of anything that we've done, as we continue to plough through the pandemic. As we talked about today, whether we are opening restaurants, as you heard the public commentary, we are expected to be the enforcers. With that, we will only use the force that's necessary as those enforcers, and we continue to do that. I'm still very proud of our department. I'm proud of our senior staff. I'm proud of the officers that go out there every night to make us, and the way they do it is correct, and that is important to me as the Chief, its important to our citizens, but believe me, as many good things that we've done to celebrate our officers, the rhetoric and the commentary, if you will, against our officers is deafening at times and to their families, and that's what I'm seeing is the concern and the support, which I understand that all of you have been very supportive of it, that does not dissuade us from actually putting together this group to make sure that we continue to self-evaluate, implement new policies, to deal with the structural racism, because racism is something of color and its something that somebody is treated wrongly. As a profession, I would submit to you that just wearing a uniform in different circles is a very dangerous position right now and has been. So, we will address it, as far as the officers are concerned, and we will supply a report to you all and I'm open for your questions, Commissioner Mena, at this time.

Mayor Valdes-Fauli: Thank you very much Chief. Commissioner Mena you want to make a comment?

Commissioner Mena: Yes. First of all, thank you Chief for your comments, but also for your review of the policies. Can you give us, (a) can you give us an idea on what you expect the timing of that to be, and then, also I know you talked a little bit about the possibility of some sort of body cam policy. I know there is a significant cost. My question on that would be, one, is that something you expect this committee to review and address as part of their review of our policies? – and then two, while I appreciate the economic times right now are very difficult and that there is a significant economic component to that, you know I do think that if that's the direction we decide to go that its something where we can pass something that gives that direction and we can work towards that as we do with many items in our budget, obviously with some expedience, but understanding that it's a very expensive proposition. Can you suggest the timing and whether that would be a part of that discussion?

Chief Hudak: Yes sir. We will have our complete packet, if you will, of everything that we believe is germane to the issue of our policies and practices toward bias-based policing and how we deal

with racism within the department, as well as a department. We will have that package, if you will, which will be a public package sent to the three panel members by the end of the month. That is just compiling everything. Part of their observation would be obviously to look at the body worn camera pilot program that we've done, but also look at the policy that myself and staff are doing. When I tell you it's a policy, its about 15 pages of written documentation right now to try and cover every issue that we possibly could cover with that; and the decisions are like, how much do we cover – 15. Do you do it as wide as the human eye can see, or even a bigger vision? As far as the numbers, the cost isn't so much of the equipment as it is the storage of the equipment. And to the same point, as the country deliberates about qualified immunity and things like that, it would cost us hundreds of hours of personnel to redact these things. If five officers go to one scene in a snapshot, that would be a 20-minute scene could have to be reviewed five times, which takes a little over three hours before we can provide that to anybody who asks us. And we do get a lot of 119 requests, public records requests now, we have to anticipate what that would be. So, to your point Commissioner, I believe, although I couldn't give you a dollar amount now, instead of the defunding thing that's scraping over the country, we really have to fund what we've done. I think the police department, we kind of lead the way as far as upgrading our tasers, the bollar wrap. We were the first ones in South Florida to go with the less lethal or non-lethal situations. We are going to have to put together a comprehensive group of ideas for you all to consider through the budget process. I probably don't see us getting through to start working on that until January, right now our focus is the transition to the building, to start coming up with a comprehensive sustainable plan going forward. The first year of the body cameras in talking with the City Manager is, I'm going to try and do that continued pilot program through FAF funds, which would not have immediate impact on the budget, because of everything that we are trying to close the gap, if you will, through the pandemic cost, and then go forward from that. So, they will be giving you, the panel will be giving you a response to what they think and including an independent review panel. I believe that this is like the last cog that all of you can see what our officers see immediately, but I also want to do it right. So that's kind of where I stand on that. I do believe that they will weigh in on all of those issues. We will handle the administrative side as far as what the cost would be and the sustainability of that, because I don't know if its going to take more officers going forward. As we continue to grow vertically and those are conversations the Manager and I have had very prolifically of what's the police department is going to look like in two years, as we continue to grow vertically. And what kind of specialized things are we going to have to do as a police department, and should we do to continue to show our downtown, to keep it as safe as it is. So those are strategic issues that we will address, and we will present to that group, but also to you all.

Commissioner Mena: The last thing I'll add is, as we discuss these policies and these rules that sort of govern how you guys operate. I think the hallmark of any good policy of that nature of governing any professional, certainly police as a unique profession, but governing any professional and not only is intended to protect those who that individual serves, but also the people themselves who are executing those policies. I think a good policy shines a light on all of the officers who are

doing things the right way and protects them from any, to your point, you touched on one of them, you are talking about body cameras. A lot of times that helps to alleviate the he said-she said situation where somebody said that something happened in an interaction and having that footage really can clear that up for the officer who maybe did things the right way. Its not just the situation where, as we've seen in the media and have happened in certain instances throughout the country, go awry, but also when situations are handled the right way. I know that you know this, and we've had a lot of conversations about it. I'm looking forward to seeing what the panel, that's being assembled, has to say about our policies and if you can just keep us posted as that process plays out so that we know when we can engage with them on their comments and that review.

Chief Hudak: And in talking with the City Attorney, it is a Sunshine meeting when they are meeting and talking about it, so it will obviously be advertised when they are talking about reviewing our policies. Some of the other things that have come up and Commissioner, I kind of skipped over this, we do not have the choke policy. We have revised it, we continue to look at it, different things that we are constantly reviewing. We talk a lot about our accreditation, and I was here when we started the accreditation, and we all thought this is something that we don't need and that's as an old school cop. I'm very proud of the fact now that we are reaccredited with excellence, which is one percent of the police departments throughout the country. Places like Minneapolis don't have that, and we have 180-some odd standards, if you will, we hit all of them but two and the only reason we don't hit those two is because we don't have a corrections component. So that is indicative of how proud we are as a department to do things the right way and our policies. That being said, we are still going to look at them, we still need to change how we do those. The documentation among senior staff is a big issue. Our reports have to stand on their own. The City Attorney and I are constantly reviewing points within a report when we get sued, and we know we get sued all the time, whether "Big Brother" is watching or whatever, and I'm very confident of the fact the way our department has written those standards all these years and as we go forward. And as far as the officers and how they feel, I don't think it's so much about how our residents treat them, but its how the rest of the country treats them just because of what they do.

Mayor Valdes-Fauli: Thank you. Thank you very much Chief.

Commissioner Mena: Thank you very much Chief.

Mayor Valdes-Fauli: Anything else Commissioner Mena?

Commissioner Mena: No, that's it for now. I wait to hear back from the Chief as that process plays out.

Mayor Valdes-Fauli: Thank you very, very much. Anybody else wants to say anything.