

CITY OF SHORELINE
SHORELINE CITY COUNCIL
SUMMARY MINUTES OF REGULAR MEETING

Monday, March 1, 2021
7:00 p.m.

Held Remotely via Zoom

PRESENT: Mayor Hall, Deputy Mayor Scully, Councilmembers McConnell, McGlashan, Chang, Robertson, and Roberts

ABSENT: None.

1. CALL TO ORDER

At 7:00 p.m., the meeting was called to order by Mayor Hall who presided.

2. ROLL CALL

Upon roll call by the Deputy City Clerk, all Councilmembers were present.

3. REPORT OF CITY MANAGER

John Norris, Assistant City Manager, provided an update on the COVID-19 pandemic and reported on various City meetings, projects and events.

4. COUNCIL REPORTS

There were no Council Reports.

5. PUBLIC COMMENT

Jackie Kurlle, Shoreline resident, said that while she supports helping the homeless, she feels there is a need for a significant level of oversight on the operation of the Enhanced Shelter and encouraged the City to keep the safety of all residents at the forefront.

Nancy Pfeil, Shoreline resident, said King County Housing Authority will eventually transition the Enhanced Shelter property to public supportive housing and expressed her concerns regarding the possibility.

6. APPROVAL OF THE AGENDA

The agenda was approved by unanimous consent.

7. CONSENT CALENDAR

Upon motion by Deputy Mayor Scully and seconded by Councilmember Chang and unanimously carried, 7-0, the following Consent Calendar items were approved:

- (a) Approval of Minutes of Regular Meeting of February 8, 2021**
- (b) Authorize the City Manager to Execute a Labor Agreement Between the City of Shoreline and the Public, Professional, and Office-Clerical Employees and Drivers, Local Union No. 763, Representing the City's Maintenance Employees**

8. STUDY ITEMS

- (a) Discussion on Police Accountability - Body-worn Cameras, Policies, and Community Engagement

Jim Hammond, Intergovernmental Program Relations Manager, welcomed panelists Abiel Woldu, Anthony Finnell, Major Jeffrey Flohr, Jennifer Lee, and De'Sean Quinn and said they were invited to share their perspectives on community engagement and civilian oversight, and the specific tool of body-worn cameras and the role they play when it comes to law enforcement. The discussion began with each panelist sharing their background and involvement with police accountability.

Abiel Woldu, Chair of the Citizen's Advisory Committee (CACLEO) for the King County Office of Law Enforcement and Oversight (OLEO), described the ways they have helped guide conversation prior to implementing a measure such as body cameras. Mr. Woldu described his work in civilian oversight and shared his reasons for his unpaid involvement.

Major Jeffrey Flohr, an employee of the King County's Sheriff's Office (KCSO), is currently serving as part of the Command Team overseeing development of a KCSO pilot program for body-worn cameras in his precinct. He outlined his work in the development of the pilot program and summarized the community feedback he received during the information gathering process.

Anthony Finnell, an employee of the Seattle's Office of the Inspector General and board member of the National Association of Civilian Oversight of Law Enforcement (NACOLE), shared his background in law enforcement. He said he sees the value of body-worn cameras in adding transparency and accountability and benefiting officers by providing data to identify training deficiencies and aid in policy development. He asserted that when used and released properly, video footage helps build trust in the community and builds conversation for policy development.

Jennifer Lee, the Technology and Liberty Manager for American Civil Liberties Union of Washington, said the overall objective of her work is to protect and advance people's civil liberties and constitutionally protected rights in the face of game changing technology. She listed other key issues in legislation the ACLU is working on, and said the goal is to make sure technology is accountable to people and described the ways in which the ACLU takes action.

De'Sean Quinn, Tukwila Councilmember, joined the panel following his City Council meeting. He said it is good to see acknowledgement of the conversations that need to happen and reminded the Council that you need to make a way to hear from those with lived experience and make a seat for them at the table. He shared his pathway to creating change and his participation as a commissioner on the Criminal Justice Training Commission.

In discussing oversight, Mr. Finnell said most people focus on allegations of misconduct, but the topic is much broader. Oversight can help in changing the culture of a department and correcting systemic issues, and he described methods to use the data with the goal of amending policy while maintaining law enforcement intent, without causing harm to the community. Deputy Mayor Scully recognized the layers of restrictions in place around oversight and observed that the City's ability to radically reinvent policing is limited. He asked for panelists' opinions on the idea of a Citizen Review Panel. He described it as a reporting panel, convened to offer a different perspective. The pros and cons were discussed, with Mr. Finnell and Mr. Woldu agreeing that if the panel does not have authority to implement change it would probably create more frustration, especially if it was composed of volunteers. Mr. Quinn added that how you set the standard for an oversight committee is important, and community voices are imperative. He recommended paying people for their contributions.

On the topic of body-worn cameras and video footage, Ms. Lee said video footage has played a critical role in driving forward conversation around police accountability. She said as many voices call for the divestment of police resources and reinvesting to communities, it may not make sense to spend money to build and expand body camera programs that have not proven to be effective.

Councilmember Chang said the staff report gave her a lot to think about as far as the potential negatives to body-worn cameras. She asked if it is possible to create policy to avoid those negatives. Mr. Finnell said, while there are studies that speak to the negatives, from his perspective the evidence the footage provides is invaluable. He elaborated that body-worn cameras will not shift behavior, but they will help the agency to address the behaviors.

Ms. Lee said the evidence on whether body cameras are an effective tool for police accountability is mixed, and she shared information on studies suggesting that more research should be done. She stated that bystander footage helps communities watch the police, but the footage collected by the police from body-worn cameras can be incomplete and distort reality. In addressing privacy concerns, Ms. Lee asserted that the data captured in public and private spaces by body-worn cameras serve more as a tool to monitor civilians than to hold officers accountable, posing threats to people's privacy and civil liberties. Mr. Quinn said there is no consistent form of data collection, so there needs to be a commitment to improving in this area. He reflected on the historical systems of collecting data and how they were used to maintain power and he shared his experience with the implementation of body-worn cameras in Tukwila.

Councilmember McConnell questioned if the use of body cameras reduces the behaviors that need to be reduced, captures the reality of the incident, and wondered how admissible and reliable the footage recorded by the public is. Ms. Lee said the evidence is mixed at best, and more research needs to be done to see if it is effective in holding officers accountable. She

offered that video footage has played a big part in shining light on police violence but pointed out that there are unintended consequences to expanding a surveillance infrastructure. She described the differences in footage collected by police and by bystanders and said surveillance tools have always disproportionately harmed the most marginalized communities, citing examples of this throughout history. Major Flohr opined that the ACLU's concerns can be addressed with policy. He said there is now an expectation that video will be available. Mr. Finnell contributed that video is a valuable tool that helps recount a piece of the story and, and he noted there is a digital footprint created every time footage is accessed by law enforcement, ensuring accountability and accuracy. Mr. Quinn shared information on how Tukwila incorporates and updates best practices in their policies on use of body-worn cameras.

In addressing the question of whether body-worn cameras are worth the expense, Ms. Lee said there needs to be more research on whether the use of body-worn cameras stops police brutality. She said there are policy questions that may mitigate some of the concerns but observed that policies are often violated. Mr. Woldu asked if the money that would be spent on body-worn cameras could be better spent to change the behavior, rather than record it. Major Flohr said body cameras are very expensive and agreed that the question of how to spend resources needs to be considered. Major Flohr touched upon the value of supportive services such as RADAR and the Law Enforcement Assisted Diversion (LEAD) program.

The topic of managing public records requests for footage was raised and the ways to create policies to manage the process were discussed.

In outlining the pilot body-worn camera project he is leading, Major Flohr described the outreach done in their community and shared questions raised. He said the reaction was predominantly positive and said many deputies volunteered to participate in the program.

In sharing final observations from the discussion on police accountability, Mr. Finnell emphasized that input from those with lived experience is invaluable. Mr. Woldu suggested that the communities that are harmed the most should be actively brought to the table and be given the loudest voice, and he encouraged the City to continue to focus on oversight. Ms. Lee emphasized that in an increasingly data driven world, data can be used to harm with the brunt of it often felt by the most vulnerable in the community, and she agreed that feedback from a range of voices is important. Mr. Quinn reminded Council that an intentional process with discussion will be informative. He said in his perception, the community is getting closer to having a shared vision around accountability, and new normalizing is happening, and institutions need to be part of the solution.

Mayor Hall recognized the level of expertise held by the panelists and thanked them for their participation.

(b) Discussion on Resolution No. 470 - Amending the Council Rules of Procedure

Jessica Simulcik Smith, City Clerk, delivered the staff presentation. She shared the background and purpose of the Council Rules of Procedure, said they are periodically reviewed and have

been amended on multiple occasions, and described the amendments being proposed in Resolution No. 470.

Ms. Simulcik Smith stated that updating Section 3 would remove outdated language for agenda preparation to bring the Rules into conformance with current business operations. She reviewed Mayor Hall's requested amendment to Section 5.3A, moving the Approval of the Agenda to the third place in the order of business. She reviewed that deleting Section 5.4(H) would remove the rule regarding scheduling community presentations from organizations with opposing viewpoints, which would be challenging to administer. She concluded by stating that the remainder of the proposed amendments are housekeeping items that seek to provide clarity and grammatical consistency corrections.

The pros and cons of placing Approval of the Agenda as item three were discussed, with Councilmember Roberts observing that the current order of business makes it easy for the Council to add an emerging issue brought up in public comment. Mayor Hall recognized his point and shared his perspective, stating that earlier approval of the agenda would give the Council the flexibility to easily reorder the remainder of the agenda that could also benefit the public.

In discussing amendments to Section 3.2, Deputy Mayor Scully questioned the necessity of the procedures for adding items to the agenda, stating that they set artificial constraints. He suggested modifying the procedure to remove the communication format and timing considerations. Ms. Simulcik Smith recognized that the five-day deadline occurs after the meeting packet has been issued, so there may not be benefit in this portion of the procedure for getting a staff report sent prior to the meeting. Deputy Mayor Scully noted that as the procedure is currently written, there is a power inequity between the process for adding something to the agenda by the Mayor, Deputy Mayor, and City Manager in comparison to the Councilmembers. Councilmember Roberts said the section is not clear as to whether it pertains to adding items to the current week's agenda, or just to a future agenda. He said he would not be in favor of two Councilmembers being able to add an item to an upcoming meeting without preparation. The various ways to interpret the procedure were discussed, with Deputy Mayor Scully and Councilmember Robertson agreeing that it is important to avoid setting up a situation for power plays.

Councilmember McGlashan expressed support for the reordering of the agenda but he does not feel that deadlines to add an item to the agenda need to be indicated in the Rules of Procedure.

Mayor Hall said providing a minimum of a five day notice is done as a courtesy to the City Manager, and while the Mayor or Deputy Mayor can add something to the agenda at the last minute, that has been exceptionally rare. Late additions to the agenda can lead to challenges, so having established procedures are good for transparency.

In determining how to move forward with the proposed amendments, Councilmember Roberts said the larger question can be saved for future discussion, and Councilmember Robertson agreed. Councilmember McConnell said it is important to support City staff's workload, and not add last minute items to the agenda unless there was consensus on the urgency. Mayor Hall

agreed that the suggestions recommended by staff improve the Rules of Procedure but do not address Deputy Mayor Scully's concerns.

The Council decided that proposed Resolution No. 470 should return as an Action Item, allowing opportunity for amendments.

9. ADJOURNMENT

At 9:22 p.m., Mayor Hall declared the meeting adjourned.

Allison Taylor, Deputy City Clerk

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