



FARGO POLICE DEPARTMENT

A SAFE AND UNIFIED COMMUNITY BUILT ON TRUST, ACCOUNTABILITY AND INCLUSION

POLICE ADVISORY & OVERSIGHT BOARD

MINUTES

Meeting: Police Advisory & Oversight Board Regular Meeting

Date: 05.16.2024

Time: 5:00 p.m.

Location: City Commission Chambers

The Regular Meeting of the Police Advisory & Oversight Board of Fargo Police Department was held in the City Commission Chambers at City Hall at 5:00 p.m., Thursday, May 16, 2024.

The Police Advisory & Oversight Board members present or absent were as follows:

Present: Scott Paul, Todd Spellerberg, David Hogenson, Joanna Johnson, Conrad Thomas, Lucruchia King, Tonya Greywind.

Absent: None.

Item 1. Welcome and Introductions

Chair Johnson welcomed Members to the meeting and introductions were made.

Item 2. Approve or Amend Agenda

Member Paul moved the Agenda be approved as presented. Second by Vice Chair King. All Members present voted aye and the motion was declared carried.

Item 3. Approve or Amend Minutes

Member Paul moved the minutes of the April 11, 2024 Police Advisory & Oversight Board meeting be approved as presented. Second by Member Spellerberg. All Members present voted aye and the motion was declared carried.

Chair Johnson provided an overview of her tenure as Chair.

Item 4. Nomination of Chair and Vice Chair

Member Paul nominated Dr. Tonya Greywind to be the next Chair. Member Paul formally moved that Dr. Greywind be the next Chair. Member Hogenson seconded. All Members present voted aye and the motion was declared carried. Vice Chair King nominated Conrad Thomas to be the next Vice Chair. Vice Chair King moved that Conrad Thomas be the next Vice Chair. Member Spellerberg seconded. All Members present voted aye and the motion was declared

carried.

Item 5. Public Comment Period

- Faith Dixon provided photos to Board Members. She spoke of an incident that happened on May 4th, 2023. She is still seeking justice for what happened. She said that Fargo Police Department put their hands on her and caused her harm. She asked how police can police themselves. She is an activist. She has never been in trouble with the law. She saw a woman being beat up and stayed to wait for the Fargo Police Department to come. She was put in handcuffs. She said the Fargo Police Department is hiding behind a letter saying she shouldn't have been handcuffed, but police did not hurt her. She held up photos showing bruises to demonstrate otherwise. She believes the Fargo Police Department is using and abusing their power. This weekend, Downtown, while helping with a food cart, she saw police walk an intoxicated man home, and then he came back 10 minutes later to further harass people. The incident on May 4th, 2023 caused her harm and she wants justice.
- Wes Philome said three years ago, when he and Faith Dixon helped embark on creating the PAOB, they had a vision for the Board that the Board would be connected to the community, be a voice for the community, bring the community closer to the Police Department. Years later, he doesn't think that the community is anywhere near closer to the Police Department. If anything, he thinks the community is further apart. He doesn't feel the Board has been a voice for the community. The biggest issue that he has is that any time there is an explosive incident, the Police Department comes to the Board to validate themselves. The Board is being given a presentation and is not receiving raw data or files. What opinion can you form when the person you're supposed to be holding accountable just gives you their side of the story. How can the Board be an advisory board when the Police Department just shows up, does a presentation, the Board can ask a few questions and not get the answers they're satisfied with. He hopes a change in leadership will come along with a change in operation.

Item 6. Questions from Community Members – Sergeant Gamradt

1. Why can officers not look at mug shots side by side in the squad cars?
 - a. The Mobile Dispatch Computers programming doesn't allow for this option. It's a software limitation. The work-arounds are also limited.
 - b. Member Paul asked if mistaken identity is a common problem. Sgt. Gamradt does not have raw numbers at hand. From his experience, using mug shots alone to identify someone is very difficult. Even photo line-ups are questionable at times.
2. What type of Diversity/Cultural training do officers receive?
 - a. There is instruction in both the Academy and continued education.
 - i. The Police Department is in the process of putting together a panel for academy students. This has been done in the past.
 - b. New American contact card; name, spoken language, phone number, address, emergency contact, emergency contact phone number
 - i. Can work not just for new Americans, but anyone who doesn't speak English as their primary language.
 - ii. There is a QR code on one side of the card that brings you to Fargo Police Department webpage. There is a Google translator in there if you're on a computer. If you're on your phone and can set it to your preferred language, it should open the website and translate everything on it.

Member Thomas acknowledged the community members who came to speak and said that their concerns have not fallen on dead ears.

Item 7. Police Department Updates – Chief David Zibolski

1. The DC Trip was well received by the Department members who attended. He believes it will have a lot of positive outcomes. The Fargo Police Department appreciates the community support that allowed the Department send as many officers as they did.

2. Traffic Stop Demographics: many traffic citations go through the TraCS software. Criminal citations still are being handwritten. They are working on getting all citations into the TraCS software so data can be pulled. After speaking with Sergeant Ystebroe, they believe it will be about 30 days before that is accomplished. The next step would be to have formal written warnings issued rather than verbal, so that data can also be tracked. Another piece being worked on has to do with the Police Data Initiative (2015-2020ish), regarding aggregating traffic stop data for the community to look at. He's not sure if that's still viable, but he has a message in to the National Policing Institute. Once he gets a response, if it's still viable, someone will be trained on that so the data can be pushed on on a monthly basis. Traffic stop demographics will not match Fargo population demographics; not everyone drives, and not everyone who is stopped in Fargo lives in Fargo.
 - a. Member Hogenson asked if the TraCS software is used on a typical traffic stop. It is used for any charges that aren't criminal. Charges that are criminal (driving under suspension, driving under the influence, etc) cannot currently go through TraCS. Member Hogenson asked if all traffic citations will be going through TraCS in 30 days. Not just traffic citations; all city citations (such as marijuana possession) will hopefully be going through TraCS in 30 days. Member Hogenson asked how demographics won't match up. Chief Zibolski said people don't drive based on racial demographics; some people don't drive at all. Some people don't live in the city, so when you're using city demographics, the data will be skewed. Scientifically, to have a valid metric, you have to have a benchmark. If looking at a specific area of the city and the demographics of who was stopped, to have a valid scientific benchmark you would have to know the demographics of the people driving in the area at that time. Member Hogenson commented that that makes sense from a micro standpoint, but not from a macro standpoint. He asked how might we misunderstand the data if it doesn't match. Member Spellerberg asked if on the TraCS system, can you filter out non-Fargo addresses. Member Paul asked if the TraCS system is used nationwide. It is used across North Dakota, but the chief does not know if it is used in all states. Member Paul asked if the Fargo Police Department can manage the database. The Fargo Police Department cannot control the nomenclature of the database, but can pull data from it. Member Paul asked if the Fargo Police Department thinks it's sufficient for the issues Fargo deals with. In terms of are we capturing enough data, Chief Zibolski does not think so, and not just in traffic stops. Ethnicity in particular, there is no component for that. Member Paul asked if this is an issue that we want advanced. Chief Zibolski has had discussions with federal counterparts about that since databases start at the federal level. Chair Johnson commented that the check boxes are limited; she knows people that don't fit in any of the options and just select White because they aren't represented. Member Hogenson commented that the TraCS system and data being collected isn't a legitimate tool for judging whether or not minorities are stopped at a great rate than not. If that's the case, what other tools are used or how will that be evaluated? Chief Zibolski said it is not the TraCS system, is the use of population demographics compared to traffic stop demographics that is not a legitimate tool for analysis of bias. Member Hogenson asked if, in the chief's opinion, is that the data doesn't match demographics prevalent throughout a lot of law enforcement jurisdictions. Chief Zibolski thinks it's an issue for everyone. It's set up by the federal government; there are only so many categories to pick from. Depending on where you are, you could be mischaracterizing some of that data. The officer is trying to make a judgement of race based off of five categories. Member Hogenson asked if there are any other tools at the Department's disposal that can help provide legitimate rationale to understand if the diversity training and anti-bias training is effective. Chief Zibolski said it's judged in a lot of ways, including community feedback, in the fact that the department has diversified exponentially in the past few years, complaints and the investigations of those complaints. Member Paul recommended that the conversation be continued at another meeting so the agenda could be continued.
3. CRI TAC update: still working on a critical response review. Chief Zibolski followed up with them regarding a use of force review. They are going to get another person to do that. In reading the work plan, he thinks use of force would be included in that, but they wanted to this group focus on critical responses as a whole and have another Subject Matter Expert look at use of force policy.
 - a. Member Hogenson commented that originally, use of force, as it relates, was not included in the scope of the project. He asked if the use of force review is a new project. Chief Zibolski answered that it is a new project.

Member Hogenson asked the length of time to find an SME for the new project. Chief Zibolski does not know, but the first report will be the most in depth. The review of the policy is not as difficult for someone to look at and provide feedback. He doesn't know how long it will take for them to assign someone, hopefully quickly.

4. The Fargo Police Department will be participating in the National Police Institute Sleep Study. It will be an in-depth study of sleep patterns and things of that nature on up to 30 Fargo Police officers. That will be a pretty significant study that might help inform some operational decisions and also identify more healthy things for the officers to do from both diet to sleep and what those patterns are.

Item 8. Intelligence Presentation – Lt. Matt Christensen

Due to time constraints, Member Paul moved that this item be moved to the next meeting. Member Spellerberg seconded. All Members present voted aye and the motion was declared carried.

Item 9. Presentation Questions

Item 10. Adjourn

The time at adjournment was 5:55 p.m.