

AURARIA CAMPUS POLICE DEPARTMENT COMMUNITY ADVISORY BOARD

Date: February 11, 2022

Location: Zoom Conference

Call to Order: The February 11, 2022, meeting of the Auraria Campus Police Department Community Advisory Board (ACPD CAB) was called to order at 12:30 p.m. and quorum established.

Zoom attendance: Cassy Cadwallader, Megan Cullen, Charles Musiba, Queen Pompee, Kim Myers, Jessica Valdez, Rosanna Sweeney, Nahum Kissner, Cody Phelps, Lisa Tafoya, and Alexis Nakabayashi.

Absent: Otavaia Davis.

AHEC administrative support: Leora Joseph, ACPD Commander Jason Mollendor, and ACPD Chief Michael Phibbs.

Public attendance: None.

Approval of Minutes: Approval of January 28, 2022, ACPD CAB Meeting Minutes was motioned by Megan Cullen, seconded by Charles Musiba, and passed unanimously without amendment.

Chairs' Reports: Queen Pompee asked board if they would like to change the rules for Public Comment. The Board agreed to remain flexible and transparent about Public Comment and determine whether public comment would be in the beginning or end based on the agenda topics. Public Comment will remain at the beginning unless the board would like Public Comment to be moved to the end based on agenda items. The board will also begin using a public timer to display how much time an individual has left to speak. Alexis Nakabayashi updated the board on the Public Comment inquiries on January 28 meeting.

Subcommittee Reports:

A. Policy and Procedural Review

The group did not have any updates.

B. Community Outreach

Cassy Cadwallader stated that the group is set to meet next Friday (2/18/22) at 12:30 PM via Zoom.

C. Marketing and Communications

Marcia Walsh-Aziz stated that the subcommittee continues to post and re-post about Black History Month. The group has remained active on social media and will post the application deadline based on the group's decision.

Priority Areas/Information Items:

A. ACPD Update

Chief Michael Phibbs stated that he and Commander Jason Mollendor will be working on putting together information to share with CAB during each meeting. Chief Phibbs and Commander Mollendor will send out a copy via email to be sent to the board and briefly speak about it during the meeting.

Commander Jason Mollendor spoke about their recent event, Cocoa with the Cops. ACPD gave out 10 gallons of hot chocolate, 5 gallons of coffee, and 234 cups. Commander Mollendor and Chief Phibbs stated that it was a successful event as officers, NCOs, and students were able to chat with officers and enjoy hot chocolate/coffee.

Nahum Kissner asked if there were any conversations which stood out during the event that aligned with what the board has been talking about. Commander Mollendor stated that ACPD wanted to the event to be low-key and supportive event. ACPD was willing to talk about anything that students/community members wanted to talk about without pushing an agenda. Chief Phibbs mentioned that numerous community members connected with Jett, the K9 for the department, and enjoyed conversations with others about their dogs and ACPD's K9 unit.

Queen Pompee asked if ACPD plans to host an event once a month in hopes of connecting with the campus and community. Commander Mollendor stated that ACPD is working on having one good event a month and are currently working on a petting zoo. ACPD would like to have events where officers and NCOs can interact with the community. Queen also asked whether officers were in uniform. Commander Mollendor stated that most officers were in uniform except for one officer who attended in citizen clothes. The ACPD uniforms did not seem to deter others from attending the event

Leora Joseph commended Queen for her leadership and informed CAB of Queen's actions.

B. Spring 2022 Meeting Time/Day

Alexis Nakabayashi stated that the group would need to take a vote as to which meeting time/day would work better as no time/day aligned with everyone's schedule. The group took a vote and determined that Friday 12:30-1:45 PM would be the established day/time. Jessica Valdez would be able to attend the first 30 minutes of the meeting but would need to leave due to a prior commitment. Queen stated that she would be willing to speak with UCD SGA's President to work out a plan.

C. Application Deadline

Alexis Nakabayashi stated that the current deadline (March 18, 2022) was chosen as it is the Friday before MSU and CCD's spring break. Marcia Walsh-Aziz supports the application deadline as applications could be processed during Spring Break and new members could join meetings after Spring Break. As of right now, the board has openings in CU Denver Staff, CCD Student, and MSU Student.

D. Body Worn Camera Policy

Chief Michael Phibbs gave a brief overview of the BWC. In 2019, the Legislator passed Senate Bill 217 which included police form, the first ten pages including BWC. Although ACPD is not required by Senate Bill 217 to enforce BWC, Chief Phibbs visited with members of SACAB and CAB about BWC to gain feedback and inform the two groups on BWC. As a result, SACAB developed a resolution which demanded that ACPD gain BWC. On the other hand, CAB chose to delay their decision on BWC. The state legislator offered a new grant program for BWC which ACPD applied for. ACPD's application was approved, and they were offered approximately \$62,000 in the first year of the program. In the first year, BWC equipment alone costs about \$111,000, so the grant will cover roughly half of the cost. The grant cycle started in January and ends June 31 which means that ACPD would need to have the BWC equipment on campus by June 31st. As the deadline approaches, Chief Phibbs wants to ensure that the BWC policy has been reviewed and approved by CAB. ACPD plans to go through Axon, a company in Arizona, for BWC. Axon appears to be the best choice for ACPD because 1) of the support software which goes with the BWC and is important to the Denver DA's office and 2) the Denver Police Department (DPD) also uses the Axon platform which would keep ACPD consistent with DPD since the two departments often work together. The Axon BWC are always recording (but not essentially saving the video), and these

BWC provide officers with a 30 second buffer meaning that when an officer turns on their camera, the BWC will have captured the 30 seconds before. Additionally, ACPD plans to purchase accessory features that would automatically start the recording on a BWC when an officer takes his service weapon out of the holster and/or when an officer takes out his taser. It should be noted that certain portions of the policy such as public records release is not flexible due to Colorado law.

Leora Joseph noted that ACPD is happy to gain feedback on the BWC policy, but certain parts of the policy are not flexible due to laws which guide operations policies. Leora also asked for feedback on ways to communicate that BWC will be coming to campus in the summer/fall.

Chief Phibbs mentioned that one part of the policy (which he is seeking legislative review on) that he and Leora struggled with is the BWC policy pertaining to victims of a sensitive crime. In hopes of protecting the victim, Chief Phibbs is working towards a legislative change in BWC policy on this issue.

Megan Cullen voiced her support in limitation of the number of records that exist pertaining to people who experience trauma.

Kim Myers asked how a part of the policy would affect the Early Learning Center. The policy states that the BWC will not be recorded on elementary and secondary schools. Chief Phibbs stated that BWC will not be recording when officers are interacting with those at the Early Learning Center. The cameras will only be on when officers are investigating a crime. This also applies to other settings as the cameras will not be on when officers are interacting with those on campus unless they are involved in a crime.

Lisa Tafoya suggested that ACPD use Cocoa with the Cops as a way of informing the community about BWC.

Chief Phibbs also mentioned that the BWC are identified specifically to each individual officers.

Megan asked what training would be given related to HIPAA as the policy states that the cameras would be deactivated in response to patient/medical privacy. Leora stated that HIPAA only applies when it related to a medical provider speaking to a patient, so ACPD would not technically be under HIPAA. Upon the arrival of the BWC, Chief is going to conduct trainings on how and when to use BWC, and when not to use BWC. Chief Phibbs stated that there will also be trainings for officers on their role (when they are a law enforcement officer versus medical). Leora clarified that just because a BWC captures something, it does not mean that it is subject to the Open Records Act. Megan also noticed numerous mentions of member discretion and voiced concern since this is where other BWC policies have failed. With the best intention, Megan brings this up with the understanding that discretion is where other BWC policies have failed and been criticized. Leora notes that she and Chief Phibbs have talked in-depth about this concern and determined that once the camera is, it does not get turned off. Chief Phibbs asked for clarity on the wording, and Megan agreed to send different wording pertaining to that part of the policy. Megan also suggested listing what actions will be taken when an officer improperly uses his/her camera and asked why cameras would not be turned on during a motorist assist. Chief Phibbs noted Megan's request about the motor assist which he will investigate. As for the consequences, there are different types of consequences whether an officer fails to turn on a BWC which Chief will reference on a note in the policy. Commander Jason Mollendor voiced questions which came through the Zoom chat. One question asked whether BWC would be activated when officers are reaching for a panic button, to which Commander replied yes. Another question asked if officers would need to have BWC on during a conduct meeting with the institutions to which Chief Phibbs responded that the BWC would not be on. Only criminal matters will be recorded.

E. Ballistic Vests vs. Duty Belts

Commander Jason Mollendor asked the group for their reactions on the ballistic vests and whether it is too tactical. The reason for transitioning to the vest is that the ballistic vest is significantly lighter and might prevent hip/back problems which officers often suffer from due to the duty belt.

Jessica Valdez stated that she did not notice a difference and did not feel that it may be too tactical.

Megan Cullen stated that the vests appear bulkier and if the vests are worn frequently, then there will not be much of a problem. Additionally, Megan suggested informing the community about the reasons for the

ballistic vests pertaining to officer health. Megan emphasized Rosanna Sweeney's point that since the main purpose is health, then there is not much of an issue.

Queen Pompee noted that the vests look heavy and exhausting. Queen questioned what would be inside of the ballistic vests. Commander Mollendor stated that the vests would contain the same equipment as the duty belts and are significantly lighter and healthier for officers. The vests would evenly distribute the weight rather than be concentrated on the torso. Queen asked whether officers have had to use all the equipment on their duty belts. Commander Mollendor stated that they have not used all the equipment of their duty belts. Queen asked whether ACPD had considered taking certain equipment off the duty belt and requiring a designated officer to hold all the equipment. Commander Mollendor stated that officers attempt to deal with situations in with the least amount of force and equipment, but officers likely need all the equipment on their belt even in case they are in a situation which requires it.

Lisa Tafoya stated that people's perceptions of police officers, whether they are wearing a duty belt or ballistic vest, is based on experiences. People with negative perceptions of police officers may feel threatened or confused as to why officers are wearing ballistic vests. Lisa suggested using events such as Cocoa with the Cops to educate the community on ballistic vests as well as the equipment on their duty belts.

Queen Pompee appreciated Lisa's suggestion and emphasized that educational events are necessary.

Action Items: None

Board Comments/Announcements:

Board seeking Vice Chair.

Proposed Agenda Items for Future Meetings:

- Further review of AHEC Strategic Plan
- By-law review and revision
- Body Worn Camera summit
- ACPD Complaint Procedure process
- Request from Chief: Overview of current oversight of ACPD

Public Comment: None.

Adjournment: The meeting was adjourned at 1:47 PM.