



City of Kingston Special Policing Committee
Meeting Agenda
Thursday, January 23, 2020
6:30 PM
Conference Room 1

NEW BUSINESS

Call to Order

[20200123150219.pdf](#)

Undoing Racism Workshop

[20200123150242.pdf](#)

RUK Legislation-Moving Forward

[20200123150305.pdf](#)

OLD BUSINESS

Special Policing Committee Agenda Item Report

Meeting Date: January 23, 2020

Submitted by: Dee Sills

Submitting Department: Common Council

Item Type: Presentation Request

Agenda Section:

Subject:

Call to Order

Suggested Action:

Attachments:

[20200123150219.pdf](#)

Special Policing Committee
January 23, 2020
City Hall - 6:30 p.m.

A G E N D A

- I. Call to Order
- II. Undoing Racism Workshop (URW) Training/Material
 - a. Resolution to Establish Guidelines & Practices to KPC
 - b. 9-Member Advisory Commission Assignments
- III. Police Commission Vacancy
- VI. RUK Legislation - Moving Forward
- V. Next Meeting /Adjournment

Special Policing Committee Agenda Item Report

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UNDOING RACISM

The People's Institute
For Survival and Beyond

Kingston Workshop: Sept 28-29, 2018

UNDOING RACISM WORKSHOPS: Anti-Racism Training for Social Service, Healthcare and Education Practitioners

*Are You Challenged by How to Deal with Race Issues in Your Practice or Institution?
Are You Concerned about the Impact of Racism in our Communities?*

We invite you to take part in advancing institutional change for racial equity. Workshop participants will engage in a comprehensive exploration of how racism shapes American institutions, often without our conscious understanding that it is doing so. Applicants should be individuals in positions to take knowledge gained in the workshop back to their colleagues, institutions and wider communities.

These unique 2 or 2 1/2 day workshops are offered by *The People's Institute for Survival and Beyond*, a national, multiracial, anti-racist network from New Orleans dedicated to ending racism and other forms of institutional oppression. Now in its 39th year, the Institute has provided training, consultation, and leadership development to more than 1,000,000 people in organizations nationally and internationally.

Graduates of the workshop say that the workshop helps them deal with both cultural competence and racial dynamics in their practice and institution.

The People's Institute analysis moves beyond a focus on the symptoms of racism to an understanding of what it is, where it comes from, how it functions, why it persists and how it can be undone.

The workshop stresses learning from history, developing leadership, maintaining accountability to communities of color, creating networks, undoing internalized oppression, and understanding the role of organizational gatekeeping in perpetuating racism. Key areas of discussion include:

- Analyzing Power
- Defining Racism
- Understanding the Manifestations of Racism
- Learning from History
- Sharing Culture
- Organizing to Undo Racism

URWs are offered by the People's Institute for Survival and Beyond.
Learn more at www.pisab.org and www.antiracistalliance.com Hudson Valley
organizers: Peter Heymann heymann.peter@gmail.com and

Tracy Givens-Hunter thgivens@gmail.com

**“People are not poor because they lack programs and services;
people are poor because they lack power.”**

-Jim Dunn, Ph.D, Co-founder of PISAB-

The *People's Institute for Survival and Beyond*, a national and international collective of anti-racist, multicultural community organizers and educators, is dedicated to building a democratic society committed to social justice and equity. *The People's Institute* believes that an effective, broad-based movement for social transformation must be rooted in the following Anti-Racist Principles:

Undoing Racism™: Racism is the single most critical barrier to building effective coalitions for social change. Racism has been consciously and systematically erected, and it can be undone only if people understand what it is, where it comes from, how it functions, and why it is perpetuated.

Learning from History: History is a tool for effective organizing. Understanding the lessons of history frees us to create a more humane future.

Sharing Culture: Culture is the life support system of a community. If a community's culture is respected and nurtured, the community's power will grow.

Developing Leadership: Anti-racist leadership needs to be developed intentionally and systematically within local communities and organizations.

Maintaining Accountability: To organize with integrity requires that we be accountable to the communities struggling with racist oppression.

Networking: The growth of an effective broad-based movement for social transformation requires networking or "building a net that works". As the movement develops a strong net, people are less likely to fall through.

Analyzing Power: As a society, we often believe that individuals and/or their communities are solely responsible for their conditions. Through the analysis of institutional power, we identify and unpack the systems external to the community that create the internal realities that many people experience daily.

Gatekeeping: Persons who work in institutions often function as gatekeepers to ensure that the institution perpetuates itself. By operating with anti-racist values and networking with those who share those values and maintaining an accountable relationship with the community, the gatekeeper becomes an agent of institutional transformation.

Undoing Internalized Racial Oppression: Internalized Racial Oppression manifests itself in two forms:

- **Internalized Racial Inferiority**: The acceptance of and acting out of an inferior definition of self, given by the oppressor, is rooted in the historical designation of one's race. Over many generations, this process of disempowerment and disenfranchisement expresses itself in self-defeating behaviors.
- **Internalized Racial Superiority**: The acceptance of and acting out of an superior definition of self given is rooted in the historical designation of one's race. Over many generations, this process of empowerment and access expresses itself as unearned privileges, access to institutional power and invisible advantages based upon race.

Identifying and Analyzing the Manifestations of Racism: Individual acts of racism are supported by institutions and are nurtured by the societal practices such as militarism and cultural racism which enforce and perpetuate racism.



THE PEOPLE'S INSTITUTE FOR SURVIVAL AND BEYOND

UNDOING RACISM™ WORKSHOP

Why we need a deep-dive into Race and Racism in America

After 300+ Years of Racism Baked in to Our Society...

We have still not Reconciled our deep seeded Racism

Anticipated Outcomes of URWs

- Develop a common definition of racism
- Develop a common language and analysis for examining racism in the United States;
- Understand one's own connection to institutional racism and its impact on his/her work;
- Understand why people are poor and the role of institutions
- Understand the history of racism in America
- Understand the historical context institutions in perpetuating racism in America
- Understand how all of us are adversely impacted by racism every day, everywhere;
- Develop awareness and understanding about ways to begin undoing racism™;
- Gain knowledge about how to be more effective in the work you do with your constituencies, your organizations, your communities, your families;
- Understand the role of community organizing and building effective multiracial coalitions as a means for undoing racism™.

The People's Institute for Survival and Beyond, Website: www.pisab.org.

People's Institute Northeast: www.antiracistalliance.com

Resolution to Establish Guidelines and Practices Relating to the Kingston Police Commission

Whereas the members of the Police Commission must deal with some of the most fraught community and safety issues in Kingston;

Whereas the members of the PC must represent a wide constituency of groups and individuals;

Whereas a great deal of recent research has demonstrated the potential dangers of both explicit and implicit bias;

Whereas the Kingston Police Department has endeavored to understand the effects of bias (both explicit and implicit);

Therefore, the members of the Kingston Police Commission should:

- Represent all constituencies of Kingston, with no Ward having more than one Representative on the Commission and at least one coming from the area of the City where the most police actions occur,
- Be comprised of residents who are neither elected officials nor related by family or other close ties to currently serving members of the KPD,
- Be appointed on the basis of a clear set of affirmative action and other guidelines and criteria determined by the Mayor and Common Council in concert and with the latter having the power of approval of each member by a majority vote,
- Serve staggered terms of three years each ending on March 31,
- Have the option for one reappointment of three years and with no member serving for more than six consecutive years,
- Receive reappointment only after evaluation, according to the guidelines noted above, by the Mayor and Common Council,
- Be removed if missing three or more meetings in a year without excuse,
- Be removed for cause as determined by the Mayor and consented to by a majority vote of the Common Council and in accordance with the guidelines noted above,
- Be thoroughly trained in the dangers of explicit and implicit bias of all sorts, as well mental-health crisis and trauma issues, according to best practices as determined by the ACLU or other independent agency determined by the Mayor and Common Council,
- Be recruited through a process that is inclusive, is open to public scrutiny and participation, and is done in a timely manner with at least thirty days, publicly and widely announced, set aside for the acceptance of applications, with applications and/or biographies of applicants made easily available on the City's website,
- Have the authority to set departmental practices in recruiting, hiring, promoting, and disciplining in accordance with statutory authority,
- Make recommendations to the Mayor and the Chief of Police regarding practices, procedures, policy, and planning,
- Have the power to recommend the disciplining of police officers based on a formal structure of mandatory guidelines developed by the Commission and not subject to reversal by the Department,
- Make disciplinary and policy recommendations to the Police Chief,
- Have the power to review, evaluate and change police policy,
- Conduct investigations into the conduct of members of the Department concerning any investigative category, even in the absence of a civilian complaint
- Determine policy for the police department after consultation with the community at large and calling on community expertise,
- Possess full administrative access to all databases maintained by the Kingston Police Department,
- Have input in the interviewing and hiring all police officers.

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Draft Resolution to Establish Guidelines and Practices Relating to the Kingston Police Commission

RiseUpKingston.org | @RiseUpKingston | 140 Tremper Ave. | (845) 383-1947

association with a party to or a witness in a matter before the Commission, the member shall disclose the situation to the Chairperson, and shall recuse themselves from deliberations or action in connection with that case.

B. Powers and Duties

- a. *The Commission shall be independent of the KPD and shall investigate and adjudicate complaints of misconduct against the KPD or any of its officers, staff, administrative and executive professionals, including but not limited to the Chief, deputies, captains, lieutenants, commanders, and all other law enforcement,*
- b. *The Commission and staff shall seek and participate in a broad range of training annually. Training resources will be selected by the Commission and may include individuals and organizations such as social justice organizations, attorneys, and any national, state, or local resources with expertise and experience in civilian complaints, investigation, police policies, auditing/monitoring, and other appropriate skills and knowledge. The Commission and staff orientation and ongoing training shall include but not be limited to, the following:*
 1. *All relevant local, state, and federal law*
 2. *implicit bias and anti-racism*
 3. *gender identity and sexuality*
 4. *disability rights, including but not limited to physical disabilities, intellectual and developmental disabilities, psychiatric disabilities and traumatic brain injuries;*
 5. *classism, poverty and homelessness*
 6. *trauma-informed policing and crisis intervention*
 7. *KPD employee patterns, practices, policies,*
 8. *Procedures of the KPD Police Commission and Local Law X*
 9. *civilian oversight history, models, trends, theories, standards and best practices*
 10. *how to conduct independent and objective civilian complaint investigations, e.g. interviewing, collection and preservation of evidence;*
 11. *community outreach to inform how the Commission functions and serves the community and public reporting;*
 12. *discipline and remediation, education-based discipline, early warning systems, processes of arbitration/grievance*
- c. *Have the authority to set departmental practices in recruiting, hiring, promoting, and disciplining officers in accordance with statutory authority, utilizing the Discipline Matrix outlined below,*
- d. *Make recommendations to the Police Chief and Mayor regarding practices, procedures, policy & planning.*
 - i. *Determine policy for the police department after consultation with the community at large and calling on community expertise,*
 - ii. *Have the power to review, evaluate and change police policy,*
 - iii. *Will also establish guidelines, directives, and mandatory training for city employees responsible for taking and handling complaints.*
- e. *Conduct investigations into the conduct of members of the KPD concerning any investigative category, even in the absence of a civilian complaint,*

consideration to preferences of the individual deserving such services, and access to ASL interpreters.

ii. Initiation of Complaints:

- 1. Complaints may be received directly by the Commission, or upon referral from the Mayor, the Council, any Councilmember, or the Chief.*
- 2. The Commission shall receive complaints by telephone, in person, by mail, email or web form. Complaints shall be received and considered whether submitted with a signature or anonymously. Efforts to simplify the procedure shall be made to encourage filing. Professional standards of confidentiality with regard to the written release of information and informed consent will apply to all complaints filed. With respect to the confidentiality of all interested parties, the Commission shall comply with all local, state, and federal law, including Civil Rights Law Section 50-a.*
- 3. Before proceeding with the complaint process, the complainant shall be made aware of and referred to organizations that advocate for people who have experienced police misconduct and can explain the process of the Commission and complainant may, at any time, decline to have their complaint investigated and reviewed by the Commission. Such declination must be made in writing by the complainant, and shall be forwarded to the Chief by the Commission.*

C. Complaint Process

- a. The process will incorporate supportive initial interviews and follow-ups, access to and for relevant community groups for complainant support
- b. Reporting of complaints alleging criminal actions by officers to the District Attorney for investigation
- c. Implementation of an appeals process for complainants to decisions by the Commission regarding complaints
- d. After disposition of complaint - record is public about category of complaint, disposition of case (with training and disciplinary actions in place to prevent this need)
 - i. *All complaints shall be issued a public tracking number, which shall be included in the quarterly and annual reports.*
- e. Complaints and all evidence *must* be reviewed by commissioners at next meeting prior to questioning of complainants, victims, and witnesses, if they are willing
 - i. *The panel shall report its findings and decisions to the Commission at its next scheduled meeting.*
- f. Process for evidence to be submitted by community
- g. Decisions should be made within sixty (60) days
 - i. *Within thirty (30) days of the receipt of a Notice of Panel Decision or Notice of Commission Decision, the Chief shall provide the Commission with a written explanation of the exact discipline imposed in accordance with the **Discipline** matrix.*
- h. Decision by quorum (actions and rulings must have votes from all eleven (11) commissioners)
 - i. *A quorum of six (6) Commission members must be present to conduct Commission business, regardless of vacancies. No business shall be*

- (10) years of the incident and whether or not those complaints were sustained.
- v. *The number of times and the types of use of force used per complaint and the total number of times and types of use of force used;*
 - vi. *The number of times pepper spray was deployed per complaint and the total number of times pepper spray was deployed;*
 - vii. *The number of times and types of pain compliance tactics used per complaint and the totals for each use of pain compliance tactic;*
 - viii. *The number of times and types of use where a Taser was deployed;*
 - ix. *Complaint and sustain rates for each KPD section;*
 - x. *In the event where an KPD employee uses their firearm:*
 - 1. *the type of weapon used (firearm, brand, type);*
 - 2. *number of shots fired;*
 - 3. *the range from which the firearm was fired;*
 - 4. *injuries sustained by the complainant, animal(s), KPD employee(s), and/or any bystanders;*
 - 5. *any medical care provided and what type; whether the person or animal was killed.*
 - xi. *The number of cases where the Commission's disciplinary decision was enforced by the chief*
 - xii. *The number of cases where the Chief disputed the disciplinary decision of the panel;*
 - xiii. *The type of sanctions imposed;*
 - xiv. *The type of sanctions decided upon;*
 - xv. *The number of cases reviewed by the Commission;*
 - xvi. *The number of complaints found not to have reasonable cause to be heard;*
 - xvii. *The number of complainants contacting the Commission but not following through with a formal signed complaint;*
 - xviii. *The length of time each case was pending before the Commission;*
 - xix. *The number of complainants who filed a notice of claim against the City while their complaint was being considered by the Commission.*
- b. *The annual report is to be published on the Commission's website for the public and delivered as a hard copy to the Office of the City Council and the Office of the Mayor and shall contain:*
- 1. *The recommendations related to changes in KPD patterns, practices, policies, and procedures;*
 - 2. *Whether the prior year's recommended changes have been implemented;*
 - 3. *A summary of complainant and public survey data with an assessment of if and how Commission policies should change to accommodate concerns.*
 - 4. *Quarterly and annual reports shall be publicly available on the Commission's website.*
 - 5. *Any video associated with the complaint that can be made public, shall be made publicly available.*