



STATE OF MINNESOTA

Violent Crime Coordinating Council

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St. Paul Asst. Chief Ken Reed, Chair ; Duluth Chief Gordon Ramsay, Vice- Chair

MEETING MINUTES FOR 2/08/2012 OF THE VIOLENT CRIME COORDINATING COUNCIL (VCCC)

Council members in attendance: Carol Kayser, Assistant U.S. Attorney (for B. Todd Jones); David Voigt, Deputy Attorney General ; Cari Gerlicher, DOC Office of Special Investigations; Wade Setter, BCA; Chris Benson, White Earth Police Department; Sheriffs Representatives: Bill Hutton, Matt Bostrom, Jim Jensen and Kip Carver (for Rich Stanek); Chiefs of Police Representatives: Michael Goldstein, Scott Gerlicher (for Tim Dolan), and Ken Reed; County Attorney Representative: Hilary Caligiuri and Ben Bejar; Citizen Representatives: Hector Garcia and Bill Ziegler.

Guests: Nate Browning (St. Paul NAACP), Manuel Guerrero, John Kirkwood (RCSO), Howie Padilla (SPPD), Mark Dunaski (DPS), Dave Bjerga (BCA), and Mara Gottfried (St. Paul Pioneer Press)

Office of Justice Program staff: Sue Perkins - State Program Administrator. Jeri Boisvert, Executive Director

Legal Counsel: John Gross, Attorney General's Office

Welcome and Introductions

Introductions followed by the meeting being called to order at 10:00 a.m. by Chair Ken Reed.

Meeting materials included: agenda, 12/14/2011 meeting minutes, List of 2012 awards, Section 3-05 of the Operations Manual, Two versions of Gang Criteria and the 2012 VCCC Tactical Action Plan.

Action on 12/14/11 meeting minutes: motion by Voigt and second by Gerlicher to approve with one change noting Hilary Caligiuri as present but not representing Ben Bejar. Motion passed.

Action on 2/8/12 agenda: motion by Cari Gerlicher and second by Caligiuri to approve with no changes. Motion passed.

UPDATE BY U.S.A.O.

Carol Kayser reported that all but one of the 26 individuals sought in the Native Mob case are detained. She indicated that they were able to get the case declared complex and that they are taking special actions to prevent witness intimidation. The case, which has been under investigation since 2010, was the result of an effective collaboration of multiple federal, state and local agencies. She reported that the story is of great interest in Washington D.C. and that the N Y. Times may be doing an article about it.

Carol also reported that that the Supreme Court ruled that placing GPS tracking devices on cars is considered a search. The Department of Justice is developing guidelines to clarify proper procedures.

UPDATE ON 2012 RFP PROCESS AND GRANT AMOUNTS

Perkins reported the Task Force Commander training held in January was very well received. Commanders heard from the State Auditor about the process they can expect; and Cody Wieborg and Rick Moldenhauer presented on opiates and other drug trends. The Commanders were very pleased to have the opportunity to meet and talk with Chief's Goldstein and Reed at their annual round table. They appreciated the chance to comment on the gang criteria.

Perkins presented the list of 2012 awardees and explained there were 3 denials by the review group. Applicants were offered the opportunity to address the conditions that resulted in denials. St Cloud Metro Gang Strike Force and the Central Minnesota Task Force merged into the Central Minnesota Violent Offender Task Force to address the issue of duplicate task forces and received funding. The Minneapolis and St Paul application for Twin Cities Safe Streets was withdrawn. The Mille Lacs application was denied for inadequate staffing. OJP staff and the state coordinator will continue to work with this task force area to enhance their capacity to safely address drugs and violent crime in their region. No funds were awarded. Carver asked if there were funds remaining given the denial of two applications, Perkins answered that all available funds have been awarded.

UPDATE ON STATE AUDITOR AGREED UPON PROCEDURE AUDITS

Perkins reported that OJP, in compliance with legislation, has entered into an agreement with and outside agent, the State Auditor, to conduct audits of all task forces. The Auditor is focusing on the forfeiture process and buy funds procedures to ensure that all are following written guidelines. Three have been completed to date and they are posted on the Auditor's website. Carrie Gerlicher asked if we could link the VCCC site with the State Auditor's site so that reports could be easily accessed and Perkins agreed to do so. All task forces will be audited over the next two years.

ANNUAL REPORT TO THE LEGISLATURE AND LEGISLATIVE UPDATE

Perkins reported that she has completed and submitted the required DPS legislative report on the task forces. The report addresses three specific areas: the status of task force audits and resolution of identified problems; the results of audits conducted on data submitted to the criminal gang investigative data system, completed by the BCA and; the activities and goals of the coordinating council. She and Bushman are working on compiling the annual report of task force threat assessments, trends and annual statistics for the VCCC.

COMMITTEE REPORTS & DISCUSSION

Professional Standards Committee- Follow-up on Amended guidelines

Cari Gerlicher asked for a motion from the group as to whether they should keep the last sentence of Section 3-05 in the guidelines as there was disagreement in the committee. After discussion, a motion was made.

Action: Hutton moved that the last sentence, "A copy of the Operational Plan shall be made a part of the investigative file" be removed; Second by Cari Gerlicher. Motion passed

Data Committee:

Committee Chair Goldstein reported that he and the committee had listened and learned from three public meetings and from a meeting with the task force commanders about the 10 point gang criteria. Two versions of the now nine criteria were presented for consideration. The first was the committee version and the second, presented by Chair Reed was a slightly enhanced version of the first.

Committee Chair Goldstein reported that both versions significantly reflect feedback gleaned from stakeholders. He outlined a process for formal adoption. The committee would review and approve a version today to post for at least 30 days to illicit further public input. Public comment would be sought through a variety of strategies including: DPS PIO working with St. Paul PIO to do a press release; emails sent to task forces to distribute; engage the Chiefs and Sheriffs Associations and other community groups. After the public comment period, the criteria would come back to the body for review and possible re-approval and then submitted to the Commissioner of Public Safety.

There was much discussion among the committee members about the nine point criteria on topics such as:

- intent to widen or narrow the scope;
- appropriateness of 14 year olds being considered;
- clarity of the language;
- the need to ensure that the nine point criteria were never published without the accompanying clarifying/defining language below each point;
- the need for training to correctly interpret and employ and;
- the need to ensure that prevention and intervention are included in the overall strategy.

Action: A motion was made to approve the nine point criteria as clarified by Chair Reed (version with red and blue language changes) and with the amendment proposed by Caligiuri to be inserted on page one under the section entitled *Criminal Gang Identification Criteria*, after the first sentence ending in “these nine indicators.” “A single fact may not be used to satisfy multiple criteria.” Motion Passed.

11:50 Break for lunch--VCCC reconvened at 12:10

Chair Reed asked that the Committee Structure/VCCC Roundtable agenda item be moved to after the Governance Committee item on the VCCC Tactical plan. There were no objections.

2012 STRATEGIC PLANNING TACTICAL PLAN

Co-chair Kirkwood was asked to present the plan to the committee on behalf of Chair Ramsey. Kirkwood and Perkins explained that the Tactical Plan is the action plan that emerged from the VCCC fall retreat. Kirkwood reviewed each priority to obtain feedback from the committee on priorities, timelines and feasibility.

Priority 1- Amend Chapter 13

Goldstein advised the group that the Chief’s and Sheriff’s Association has taken on this project one and are working on legislative language and seeking authors to introduce this session. Assistant Commissioner Dunaksi reported that Commissioner Dohman will review the language created by the Associations and determine her position. The group agreed that it would be important for VCCC to weigh in and support the Associations actions. Perkins reminded the group that this has long been a high priority for the task forces. It was agreed that VCCC would work in support of the Association’s efforts.

Priority 2-Develop a centralized data base for information and intelligence sharing

Data Committee Chair Goldstein reported that he and committee members have had an informal presentation by the BCA to explore the feasibility of using ACISS as the system to manage this data. He reported that the stakeholders are very concerned about where it would be housed, what would be contained in it, who would have access, who would hold the verification of the criteria and how might it be audited and purged. Setter reported that ACISS could be used but would likely cost \$500,000 or more to adapt. Goldstein invited Setter to join the data committee to continue the discussion and Setter agreed. Bostrom volunteered the support of the Ramsey County analyst who manages GangNet to help review and think through the development of the database. Timelines are contingent on the completion of the gang criteria process.

Priority 3-Engage with Communities

Chair Reed discussed the great need for open and frequent communication between law enforcement and communities. He proposed the creation of new engagement committee and asked for volunteers. Hector Garcia, Cari Gerlicher, Jim Jensen, Kip Carver and John Gross volunteered to serve. Chair Reed indicated that Gordon Ramsey and Sue Perkins would meet with the new sub- committee to initially assist.

Priority 4- Identify Ongoing Resources

Setter and others stated that this has been and always will be a priority issue but that in this financial climate it is difficult to take an aggressive role in seeking resources. To simply keep this as a high priority might be the best action. OJP did agree to research what task forces in other jurisdictions are doing in this arena and report back. This may lead to the development of legislation for next year and/or identifying funding for one-time needs such as the data system. Hector Garcia indicated that he did want a letter to the Councils of Color from the VCCC. He stated that it would be helpful to the funding effort to broaden the audience that is aware of the important work of the VCCC and the task forces. John Gross stated that he has been communicating the minutes and meeting materials from VCCC meetings to the councils.

Priority 5-Develop, Disseminate and Implement the Strategy

Perkins agreed to draft the Strategic Plan and present it to the governance Committee for review and then to the full council at the April meeting.

Action: It was moved to accept the Tactical Report as submitted with the clarifications provided under each priority area in these minutes. MOTION APPROVED.

COMMUNITY ROUNDTABLE DISCUSSION- See priority #3 in discussion above

NEW BUSINESS- None identified

MEETING ADJOURNED AT 1:00

RESPECTFULLY SUBMITTED BY: Jeri Boisvert, OJP

APPROVED: April 11, 2012