

LA CROSSE COUNTY STUDY COMMITTEE ON POLICING



Final Recommendations

Prepared for: Judiciary and Law Committee, Margaret Larson, Chair

Prepared by: Tara Johnson, Chair, SCOP

September 26, 2023

STUDY COMMITTEE ON POLICING

CHARGE TO THE COMMITTEE

In recognition of the historical and ongoing challenges that exist with law enforcement agencies and racially marginalized (BIPOC) communities, and following the national, regional, and local protests that arose following the murder of George Floyd, La Crosse County leaders took action. La Crosse County's Criminal Justice Management Council (CJMC) had been exploring the concept of a Citizen Advisory Board or Police Oversight Committee, but it was believed that an ad hoc committee might provide a more focused setting to study and discuss into these concepts. Therefore, on November 2, 2021, the County Board adopted Resolution 34-11/21 which created the Study Committee on Policing (SCOP). The SCOP was established to "consider and make recommendations to the County Board regarding the name, feasibility and framework for any future committee including scope and authority; structure; and funding while also taking into account the nature of a county-wide multi-jurisdictional approach." The SCOP, an ad-hoc committee created under County Ordinance s.2.02(8) would assist the Board in making future informed decisions. At its February 17, 2022 meeting, the County Board approved the appointment of members to the SCOP, including local law enforcement leaders, subject matter experts, representatives of disproportionately impacted communities, representatives with legal and civil rights expertise, and victim advocates.

WORK OF THE COMMITTEE

The first meeting of the SCOP was held on March 22, 2022. The SCOP has generally met monthly and held its final meeting on September 26, 2023. The SCOP's work initially focused on "La Crosse County Policing 101," which was a presentation from La Crosse County Sheriff Jeff Wolf (ret.), City of La Crosse Police Chief Shawn Kudron, and City of Onalaska Police Chief Charles Ashbeck. It was intended to give all members of the committee a more complete and shared understanding of major components of law enforcement practices and policies in our community. Law enforcement officials also listened to concerns expressed by committee members. Over the next several months, a number of experts presented on topics including, the history of policing in America, class issues and policing, the scope and authority of Wisconsin's Police and Fire Commissions, the City/County Mental Health Co-response Team, and District Attorney Tim Gruenke provided his reflections on the relationship between the community and law enforcement. The SCOP members also completed surveys of their beliefs and concerns regarding policing in our community. Informed by these prior meetings, and after gaining some common understanding from the discussion of the survey results, the committee began discussion and deliberations leading to the formation of these final recommendations.

The unique and diverse perspectives, lived experiences, knowledge, and expertise of each member of the SCOP was invaluable and contributed to our work. Moreover, the collective efforts of the group created a synergy that was needed to accomplish the assignment.

RECOMMENDATIONS

| Description | Status | Refer to | Timing (?) |
|---|--------|--------------------------------------|------------|
| Establish a La Crosse County Civilian Review Board | Adopt | J&L and County Board | |
| Develop and incorporate into local agency training a law enforcement history curriculum regarding BIPOC residents | Refer | Chief's Association | |
| Collect, manage, and share law enforcement data | Refer | CJMC to be shared with LCCRB | |
| Expand Mental Health Co-response Team to entire county | Refer | J&L, HHS, CJMC and/or Chief's Assoc. | |

Recommendation: Establish a La Crosse County Civilian Review Board

By forming a Civilian Review Board (CRB), La Crosse County would be following the example of more than 300 communities across the country - some for as long as 15 years or more. The SCOP learned that there are a variety of such CRBs that exist in the United States, some with more investigatory power than others based on state and local laws governing such matters.

“Community Review Boards (CRB) can be broadly defined as the independent, external and ongoing review of a law enforcement agency or agencies and their operations by individuals outside of the law enforcement agency or agencies being overseen. Civilian oversight may entail but is not limited to, the independent investigation of complaints alleging officer misconduct, auditing or monitoring various aspects of the overseen law enforcement agency, analyzing patterns or trends in activity, issuing public reports and issuing recommendations on discipline, training, policies and procedures” (Vitoroulis et al., 2021).

CRBs vary but generally strive to enhance accountability, transparency, and community trust so as to improve relations between community and law enforcement. (Halliday and Wagstaff jr., 2022).

We recommend that the La Crosse County CRB be established under the auspices of the County and that it reports directly to the CJMC, which further reports to the Judiciary and Law Committee and the full County Board. While remaining within the parameters outlined in Resolution 34-11/21, which stated that “any recommendation, decisions and authority related to the hiring, termination or discipline of individual law enforcement officers remains under the control of each jurisdiction and their own law enforcement agency and personnel/Human Resource department” we propose the following official charge to the CRB:

To serve as a respected, trusted, and independent liaison between Law Enforcement agencies in La Crosse County and the communities they serve.

The three primary functions of the La Crosse County CRB would be to advocate and act as a liaison for civilians with law enforcement complaints or concerns, to perform community outreach about the CRB and to those with concerns or complaints, and to collect and annually share data about its work. These are the specific responsibilities and duties we see the CRB having in each of those functional areas:

Advocate

- Assist impacted parties in navigating existing law enforcement systems and/or connecting with support and/or investigative services regarding their complaints or concerns.
- When requested by a civilian with a concern or complaint, advise the civilian as to their options and work to protect and maintain their confidentiality and anonymity.
- Create a professional and ongoing relationship between CRB members and law enforcement.
- Provide ongoing education to CRB members as to law enforcement operations, standards, and practices to better understand their work.
- Work to recognize and mitigate power differentials between civilians and law enforcement agencies.

Community Outreach

- Actively promote the CRB in the community as a resource for complaints and concerns regarding law enforcement.
- Receive and document concerns, complaints, or allegations relating to law enforcement actions, officer misconduct, unnecessary use of force, police intimidation/harassment/retaliation, racial profiling, or biased law enforcement policies/practices.
- Respond to concerns and examine civilian complaints.
- Support the individual in their concerns about police behaviors, practices or policies.
- Promote and affirm the voices of civilians exercising their right to express their concerns and complaints and their right to be heard within the appropriate venue.
- Communicate trends and insights to all law enforcement agencies in the County.

- Based on work and communication with communities who have suffered from disparate treatment in the criminal justice system, make recommendations for effective methods to repair and build relationships between law enforcement agencies/police.
- Recommend evidence-informed improvements such as implicit bias and fair and impartial policing studies to law enforcement agencies, and advocate for changes to policies and practices based on trends and findings from community-lived experiences and evidence contained in studies.

Data Collection

- The SCOP felt that general criminal justice-related data collection is vital and perhaps should be enhanced using a data specialist, but that it should remain the charge of the CJMC (see below). Nonetheless, the SCOP recommends that the CRB should, at a minimum, collect and provide data regarding its work. The SCOP believes that the process by which the CRB receives, collects, maintains, and analyzes complaints and concerns would best be determined by the CRB with the advice of the Judiciary & Law Committee and Corporation Counsel given issues relating to maintenance of open records and confidentiality. However, the SCOP recommends that the CRB should, at a minimum, do the following:
 - Collect records of complaints and concerns it handles.
 - Analyze, decipher, and share data regarding records in a manner and format that is understandable to all.
 - Look for patterns of concern and provide anonymized patterns of complaints/concerns to the CJMC.
 - Track its work on community outreach to analyze its effectiveness; and
 - Produce an annual report to the public and CJMC.

Structure of Civilian Review Board

To carry out this important work, the SCOP recommends that 5-7 citizen members be appointed by the County Board Chair and approved by the County Board to serve staggered 3-year terms. We recommend that appointees be a combination of stakeholders (representatives of historically under-represented communities) and community advocates at-large. The CRB should elect a chair and vice chair. We expect the CRB will convene monthly but may need more frequent meetings as they prepare and launch. Given the nature of the work, meeting frequency may ebb and flow over time.

The CRB should be staffed by one or more County employees, to be determined by county administration and those involved in criminal justice, human services, and justice support services. Ideally, both the staff and members of the CRB should be involved with and versed in the concerns of minority communities and those who have been disproportionately affected by law enforcement and criminal justice practices and policies. Ideally, individuals involved should be well-versed in and/or trained in the following:

Policing practices and policies
Anti-racism/race relations

STUDY COMMITTEE ON POLICING

LGBTQ+ communities and their challenges
 Disability justice issues
 Mental health
 Domestic violence
 Addiction and criminal justice issues
 Poverty, housing issues, and criminal justice

We recommend the County launch the CRB as soon as possible as a 2–3-year pilot program. It should be evaluated annually, and at the completion of the pilot phase, recommendations made by the CRB for improvements and adjustments for the next phase of its existence.

Civilian Review Board Compensation and Budget

Although we discussed it at length, at this time we are not recommending compensation for CRB members. In part, this is because the County, with rare exception, does not compensate citizen members of other boards, commissions, or committees. However, we do respectfully request this issue be part of the evaluation process because the work of the CRB is so vital and compensation of some sort may be needed to ensure the highest quality of work gets done.

Regarding the budget, the SCOP found it difficult to estimate a cost for the work the CRB and county staff would be doing. Realistically, and without knowing how the community will respond to the CRB's work, it was difficult for the SCOP to determine a figure. Ultimately, the SCOP thought it best to leave that to County Administration with the assistance of the departments who might be providing staff to assist the CRB with its work.

ADDITIONAL RECOMMENDATIONS FOR CONSIDERATION

During the time the SCOP was working to make its recommendations to Judiciary & Law Committee, it listened to and participated in wide discussions of law enforcement issues, some of which it felt it would recommend to the Judiciary & Law Committee/County Board but were technically not part of the mandate given to the SCOP by the County Board. Nonetheless, the SCOP felt strongly that it should make the following “additional recommendations” for the Judiciary & Law Committee and County Board to consider.

Additional Recommendation # 1 Research potential expansion of mental health co-response teams. In July 2022, the committee heard from City of La Crosse Police Captain Avrie Schott, Police Officer Joel Miller, La Crosse County Crisis Program Supervisor Sam Seefeld, and La Crosse County Mental Health Crisis Specialist Morgan Wittkowske about the Mental Health Co-Response Team. This is an innovative and collaborative initiative launched in August 2021 that focused on more effectively responding to the growing number of mental health crisis calls in the City of La Crosse. SCOP members were very impressed with the team's work and success to date. Moreover, committee members were moved by the compassionate, professional approach team members use in dealing with vulnerable members of our community whose mental health challenges put them in

contact with police. So profound was the group's response that we immediately identified expansion of this work as one of our recommendations. The committee readily agreed when a member declared following the team's presentation, "This is how policing should be done - everywhere and at all times in our community!" Given the committee's response, we feel further research is mandated.

Additional Recommendation #2: Develop and establish a law enforcement history curriculum regarding racism and other impacted groups in policing.

Officers in training are required to learn a lot, training time is typically too brief, and getting trainees out into the field as quickly as possible all put constraints on training curriculum for law enforcement agencies. When people think of racist and biased policing, they may think of Birmingham, Alabama or Stonewall, New York. However, there have been local instances of bias that compel us to move forward with the recommendation. That said, there is a pressing need for more regional and local history to be taught, especially history and statistics relating to law enforcement's relationship with BIPOC residents and visitors. The failure to teach racist examples of policing in our community such as the City of La Crosse Police targeting Black Americans in the 1920s-1940s or the barring of Black American soldiers stationed at Fort McCoy from entering the City of La Crosse following a 1942 incident in which soldiers were accused of harassing some white girls (who could not identify anyone specifically) is wrong. Police also should be informed about historical and current statistics and studies, including numerous reports written at the request of La Crosse County. One such report Entitled "La Crosse County Juvenile Justice Best Practices Stakeholder Group" by Dr. Nickolas Bakken and Dr. Lisa Kruse is an example of how data can be used to guide education. The link to the report is here: [La Crosse County Juvenile Justice Best Practices Stakeholder Group](#).

The absence of an accurate, local history of policing in La Crosse County as part of the established curriculum for policing students will foster the continuation of historical and ongoing misunderstandings, biases, and trust issues between law enforcement agencies and BIPOC communities. An example of a model training is that child welfare workers must be trained on the Indian Child Welfare Act. While law enforcement agencies provide training for law enforcement personnel, it's recommended agencies go beyond current and past training to include the history of policing in the United States, along with how local policing began.

Additional Recommendation #3: Collect, manage, and share law enforcement data.

The SCOP has recognized that data and evidence-based decision making has been the backbone of the work of the CJMC and its many initiatives, studies, and recommendations. The SCOP spent significant time discussing the need for more data to be collected by all local law enforcement agencies and the need for it to be shared. Examples might include arrest rates and associated bond types based on various demographic filters (e.g., race, geographical location, home address (if any) of civilian involved, driver's license status, etc.) We are advocates for that happening and we remain committed to that concept. Two factors, however, lead us to refer this recommendation to the CJMC; we believe the CJMC is better positioned to take on the wide scope of that project and we believe this work falls outside the assignment to the SCOP. We do, however, recommend that the Civilian Review Board collect data on its work, share it, and issue a public report of its work on an annual basis.

FINAL THOUGHTS

The County Board and our community is indebted to the members of the Study Committee on Policing for their work. The group worked longer at a more challenging assignment than we thought we were taking on when recruited. These recommendations are well thought out and are doable. We respectfully encourage their adoption.

COMMITTEE MEMBERS

Tara Johnson – September 2023
Amanda Goodenough – September 2023
Andrew Rasmussen – September 2023
Avrie Schott – October 2022-September 2023
Chuck Ashbeck – September 2023
Hailey Polk – August 2022
Heidi Svee – January 2023
Henry Greengrass – September 2023
Jeff Wolf – December 2022
Joe Veenstra – September 2023
John Siegel – January - September 2023
Dr. Jonathan Locust – June 2023
Keith Belzer – September 2023
Laura Abellera – July 2022
Dr. Lisa Kruse – September 2023
Luis Delgado – September 2023
Mark Huesmann – June 2023
Shawn Kudron – August 2022
Thomas Huh – September 2023
Vincent Loera – September 2023