



STATE OF MINNESOTA

Violent Crime Coordinating Council

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St. Paul Police Ex. Commander, Ken Reed, Chair; Duluth Chief Gordon Ramsay, Vice-Chair

MEETING MINUTES FOR 6/13/2012 OF THE VIOLENT CRIME COORDINATING COUNCIL (VCCC)

Council members in attendance: David Voigt , Deputy Attorneys General ; Cari Gerlicher, DOC; Dave Bjerga, BCA (for Wade Setter); Chris Benson, White Earth Police Department; Sheriffs Representatives: Matt Bostrom, Bill Hutton and Pete Dietzman (for Rich Stanek); Chiefs of Police Representatives: Gordon Ramsay, Michael Goldstein, Scott Gerlicher (for Tim Dolan), and Ken Reed; County Attorney Representatives: Hilary Caligiuri and Benjamin Bejar; Citizen Representatives: Hector Garcia, Melvin Carter, and Bill Ziegler.

Staff: Sue Perkins, State Program Administrator and Kristin Lail, Grants Manager, OJP. John Gross, Assistant Attorney General (legal counsel)

Excused: Carol Keyser (for B. Todd Jones), U.S. Attorney's Office; Sheriff Jim Jensen; and Bob Bushman, OJP.

Guests: Dan Rothstein, DOC, Manuel Guerrero, and Mara Gottfried, Pioneer Press

WELCOME AND INTRODUCTIONS

There were brief introductions and the meeting was called to order at 10:00 a.m. by Chair Ken Reed.

Meeting materials included: agenda, 4/11/2012 meeting minutes, statewide coordinator's report, DEA narcotics training announcement and Heroin in Minnesota Fact Sheet.

Action on 4/11/12 meeting minutes: Motion by Caligiuri and second by Guerrero to approve. Motion passed.

Action on 6/13/12 agenda: Motion by C. Gerlicher and second by Ramsay to approve agenda. Motion passed.

Action on amendment to the VCCC bylaws: Chair Reed summarized the changes to the bylaws discussed at the previous meeting and e-mailed to members. Hilary Caligiuri clarified that the Professional Standards & Accountability Committee would review audit reports and present findings to the VCCC which would then make recommendations to the Commissioner of Public Safety. Ramsay moved to accept the proposed committee structure clarification, Benson seconded and the motion carried. Reed then asked for a motion

to accept changes to the VCCC bylaws. Caligiuri made the motion, C. Gerlicher seconded, and the Bylaw changes were approved.

GOVERNANCE COMMITTEE

Gordon Ramsay summarized the VCCC Strategic Framework noting that it was the work product of the retreat last fall and provides a road map for the next year. A draft was distributed at the previous meeting for review. There were only a few edits with no substantive changes. There were no additional comments or changes. **Action** on VCCC strategic Framework: Motion by Caligiuri and second by C. Gerlicher to approve. Motion passed.

Sue Perkins announced that the retreat will be held on October 9-10 in Canal Park in Duluth. The executive committee will meet to determine agenda items and location. Plan to begin at noon with brief business meeting then focus on afternoon retreat topic and concluding by noon on the second day. She noted that the April meeting minutes included list of proposed retreat topics, but it may be too close to election to invite legislators.

COMMUNITY ENGAGEMENT COMMITTEE

Pete Dietzman reported on behalf of Kip Carver about plans for this new subcommittee that will hold its first meeting later this summer to develop action steps in support of key elements from the strategic framework. The six action items, established in February, include reporting to citizens on task force activities, establishing minimum requirements for task force community meetings and presentations, and developing a method for ongoing community input. Gross serves as Attorney General's liaison to Councils of Color and forwards VCCC information to those who do not attend. C. Gerlicher noted that this subcommittee will have a report at the next VCCC meeting.

DATA COMMITTEE UPDATE

Mike Goldstein reported that the Data Committee have met several times with law enforcement and community input, followed by a word-by-word review of all gang criteria recommendations. He directed members to the June 2012 draft of the Gang Criteria Recommendations to the Commissioner of Public Safety. Caligiuri asked if the cover letter was included and Reed read aloud the brief transmittal letter. Caligiuri also clarified that the report cover, page 1 and transmittal letter should all refer to subdivision 3(8) rather than 12(8). Goldstein further explained that the committee was very deliberate in taking time to review input to develop a balanced report representative of many interests. The focus is on the 9 point criteria with recognition of prevention and intervention for consideration in the future. He noted that there were concerns about database references that were not addressed in this report, but will also require future consideration.

C. Gerlicher asked about the change from "felony" to "crime of violence" at the top of page 5, noting that female offenders are often involved in significant property crimes. She also recommended changing "prisoners" in the 5th bullet on page 8 to either "incarcerated individuals" or "inmates." Caligiuri asked about the written documentation such as drawings, lists, prayers and the Chair clarified it was addressed in Criteria #6 on rosters and #9 on graffiti. Ziegler thanked the committee for their work in capturing the voice of community concerns about both prevention and enforcement.

Hutton readdressed the crime of violence concerns and Bjerga noted that it is very broadly defined in subdivision 5 of the Minnesota Statute. Reed questioned the change from “felony and gross misdemeanors” in the previous definition and Goldstein noted it was a deliberate change by the committee to crimes of violence. Caligiuri confirmed that the focus of the decision was on officer safety. Bejar pointed out that the definition of gang affiliation is based on a minimum of 3 of the 9 criteria, but that a conviction for a crime of violence is required for confirmation.

Action on gang criteria: Reed asked for a motion to approve the gang criteria with the correction of the noted subdivision and change from the wording of “prisoner” to “incarcerated individual”. Caligiuri made the motion, Bejar seconded and Perkins requested a roll call vote. The vote was unanimous to accept the gang criteria and forward the recommendation to the Commissioner of Public Safety. Carter thanked the committee for their work.

PROFESSIONAL STANDARDS & ACCOUNTABILITY COMMITTEE UPDATE

Cari Gerlicher noted that the State Auditor has completed several task force reports that have been reviewed by the committee. Bjerga suggested that the committee summarize common issues identified, allowing time to discuss any significant findings.

- * impound lots should send a copy of signed owner release back to task force
- * supervisors should sign forms when there is a disbursement of confidential funds
- * supervisors should not sign out funds to themselves
- * record of confidential funds disbursement should be in both the case file and a central file

Guerrero asked if audit reports are available online and Reed requested a link on the VCCC website. Perkins noted that the statewide coordinator prepares a corrective action plan and monitors it on subsequent site visits. She also noted that anything egregious would be brought to the committee immediately.

Perkins also noted that the Lakes Area Task Force (in Baxter, Brainerd and Crow Wing County) had been sent a conditional termination letter because they had an old MOU in place and had not taken steps to develop a new joint powers agreement. Voigt clarified that this action was taken by the grant manager rather than the VCCC. Perkins agreed and noted that if terminated, she would inform the VCCC. There has been no response to the letter from the Sheriff but the County Attorney had contacted Bushman for sample JPAs. Bjerga believed that Sheriff Dahl was aware of the issue and that they would meet the deadline.

11:00 Break for lunch—VCCC reconvened at 11:30

Perkins verified that the state auditor reports will be posted on the DPS website.

Gross noted several questions as follow-up to legal update provided at the Can-Am conference, particularly on changes to forfeiture law. Perkins noted that the County Attorney’s Association was developing a Webinar on forfeiture law changes.

OJP UPDATE

Sue Perkins provided a summary of Bushman's state commander update including Task Force Commanders Training, Can-Am Conference, PCA Hearing, upcoming DEA narcotics training, Heroin Facts, and Marijuana anti-legalization resources on CD and Minnesota Gang Trends handout. Gross noted that if it was intended for "law enforcement purposes only" it should not be distributed at a public meeting. It was agreed that such reports could be forwarded directly to law enforcement members.

Perkins explained that the funding plan for 2013 would support all current task forces at the same level amending all grants in good standing. They would plan for 1-year grant extensions, which would change only if state legislature makes cuts in the next session, which is not expected. However, she noted that there have been significant cuts in Federal JAG funding which will affect grants in 2014.

Perkins noted that heroin is an emerging issue citing task force arrest and seizure data, a survey and meeting of commanders and meeting of task force analysts. As a result, each task force has designated a heroin liaison to work with DEA and other task forces using an informal pointer system. Perkins is also preparing a disk of heroin prevention resources. Garcia suggested that DPS could connect with youth through his organization and Ziegler agreed that training frontline staff would be most helpful. Reed also noted that Chiefs and Sheriffs have connections with community organizations beyond the task forces. Training for patrol officers, kid, parents and service provides will be helpful.

Bejar requested similar resources for bath salts and other synthetic drugs noting that prosecutors are struggling to make cases. Bjerga agreed citing a backlog in testing since the chemical formulas are constantly changing. Ramsay noted that in August the new law raises it to a felony with the Board of Pharmacy reviewing analogs. Gross cited continued concerns about weights and repeat offenders. Dietzman noted that there have been some recent deaths on synthetic drugs, but difficult to prove. Bejar reiterated that synthetics also seem to be a significant issue for prevention and training. Perkins agreed.

NEW BUSINESS

There was no new business proposed. A motion to adjourn the meeting was made by C. Gerlicher, seconded by Hutton and passed. The meeting was adjourned at 11:30 p.m. The next meeting will be on Wednesday, August 8th at the DOC.

Respectfully submitted by: Kristin Lail, OJP