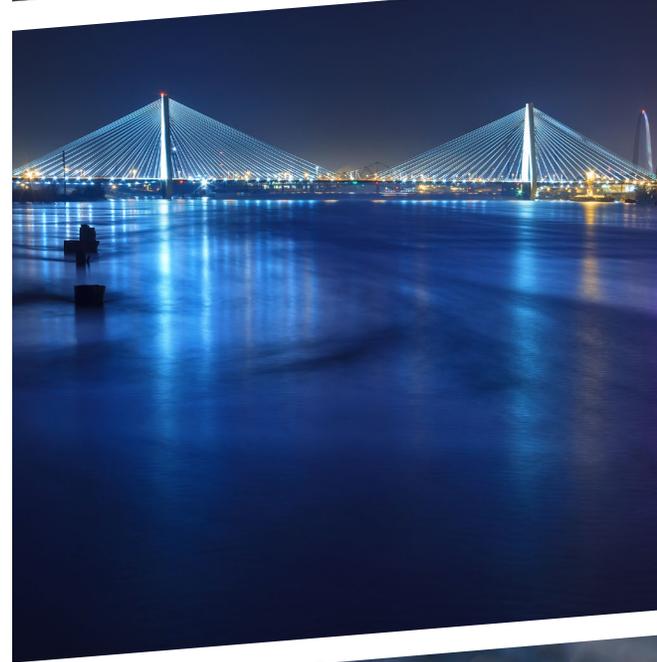




A Strategic Plan for Clayton, MO: Community Engagement and Reconciliation

July 3, 2019

PREPARED BY:
21CP Solutions and
Strategic Applications International



EXECUTIVE SUMMARY

Following their investigation of the event at the IHOP in the summer of 2018, 21CP Solutions was contracted by the City of Clayton to find a pathway for the key stakeholders of the city (the Clayton Police Department, the City of Clayton leadership, Washington University and students, the broader Clayton Community) to process the incident, listen to each other, and determine specific strategies they can take to reduce such incidents in the future.¹ The goal of the project was to use the outcomes/findings of these interactions to develop a Work Plan for the City of Clayton that could ensure a strong and diverse community through: (1) improved relationships between minority students, the resident/regional minority community, the broader community and with police; (2) clear steps that each of the key stakeholders can take to ensure a safe and welcoming environment for all; (3) specific steps that the Police Department and the City can take to further apply the principles of procedural justice, constitutional policing and bias-free policing; (4) educate and engage the public to understand the specifics of law enforcement training, policies, procedures and supervision that contribute to constitutional policing; and (5) identify what can be done to establish an authentic dialogue of listening and learning to determine how the citizens and stakeholders of Clayton can work together to grow a healthy and engaged community environment.²

Strategic Applications International (SAI), a subcontractor of 21CP Solutions (21CP) was engaged to begin a series of interviews with members of the Clayton community in October 2018. The goal was to better understand the Clayton community, its diversity and strengths, as well as the Clayton Police Department's (CPD) relationship with those they interact with in Clayton. Since that time, SAI has conducted 112 community/stakeholder interviews. Participants represented a cross-section of Clayton citizens, individuals who work in Clayton, members of the Board of Aldermen and employees of the police department as well as Washington University officials and professors. The participants were identified from suggestions made by city leaders, the police department, university officials, other participants and responses to solicitation in the city's newsletter and electronic publications. In addition, 21CP held listening sessions with the CPD.

The process, which initially focused on the "dine and dash" incident at the IHOP, quickly shifted away from the Clayton Police Department towards a deeper and more productive conversation on diversity and race relations in the broader Clayton community. Using the information gathered in the initial interviews, 21CP Solutions and SAI entered into a process of engagement from January to March 2019 that utilized the appreciative inquiry model and problem-solving facilitation tools to create a safe and constructive place for dialogue in small group meetings with varying segments of the community and the police department. Based on the input collected from the interviews and subsequent small group meetings, the following report provides a series of recommendations and actions steps on best practices in community/ police relations and diversity building specifically designed around Clayton's unique culture. The report provides practical tools to drive the process of growth and reconciliation. These tools focus on best practices in law enforcement, community policing, and rapid results action planning that develops measurable goals and outcomes. The recommendations build on inclusivity and bring key stakeholder groups together to help design a community driven action plan through strategic engagement and constructive feedback.

¹ 21CP Solutions Team. *21CP Solutions Phase Two Scope of Work. August 21, 2018*

² *IBID.*

Recommendations and Action Steps



Goal 1: Create opportunities for the City, Clayton PD, business owners and community residents to engage, on a regular basis, priority areas of community building that will create a Clayton that accurately reflects the community's perception.

1. Small group sessions between CPD and key stakeholder groups on a regular basis to establish and maintain open dialogue and problem solving
2. Integrate School District of Clayton (SDC) Community Conversation events as an effective platform for ongoing dialogue
3. City to establish a Diversity Working Group
4. Establish a CPD Social Media presence to improve community interaction and dialogue with CPD



Goal 2: 21CP Solutions and its partners recommend a thorough audit of the East Central Dispatch Center (ECDC) policy regarding the criteria used to determine when a *Suspicious Person Call* warrants the dispatch of an officer.

1. Audit of ECDC's call records and subsequent data encompassing FY2014 – FY2018
2. Review of current policies and standard operating procedures (SOP) for ECDC operators upon receipt of a suspicious persons call.
3. Conduct a random analysis of the ECDC call records to assess for reasonable suspicion or concern based on a caller's threat identifiers and suspect description.



Goal 3: The City of Clayton should, on a regularly basis, survey individuals who have gone through their municipal court system to learn more about defendant and plaintiff experiences with both the judicial system in Clayton as well as the police department.

1. Develop and conduct a survey of municipal court and CPD arrestees
2. Use to identify areas that need review and problem-solving to improve outcomes



Goal 4: Develop a Critical Incident Communications Plan between the Clayton Police Department, Clayton Mayor and Board of Aldermen, and the City Manager that defines a "critical incident" and outlines standard operating procedures for public communications, i.e., press conferences, public/ media statements, and investigation timelines.

1. Create a working group to draft the CICIP
2. Draft the CICIP
3. Hold public comment on the draft CICIP
4. Hold a ceremony signing/celebrating the final agreement/plan

The goals and action steps are achievable and measurable. This report provides a roadmap for city and community leadership that will enhance communication and create an organizational framework to promote racial inclusion and reconciliation.

INTRODUCTION

In October of 2018, 21CP Solutions (21CP) and Strategic Applications International (SAI) were selected by Clayton's Board of Alderman to develop a strategic plan that will foster community engagement through a facilitated process and work toward citywide reconciliation. The challenges that have been experienced by Clayton, and other communities, often come to light following critical incidents, and issues of race and implicit bias have surfaced in the wake of such an event. Oftentimes, an event that may appear benign on the surface can induce a large response from the community because it holds a magnifying glass up to past personal and historical trauma. While the IHOP incident did occur in the summer of 2018, other events leading up to it, and occurring since, have brought the community's issues to the fore. To begin addressing the issues of concern and to learn about the perceptions of the community-at-large, the Team³ engaged key stakeholder groups, i.e., the Clayton Police Department (PD), Clayton residents and business owners, and Washington University (Wash U) faculty and students, regarding diversity and inclusion in Clayton. In addition to their collective experience as major metropolitan police chiefs, national union representatives, and experts in community police relations and in law enforcement, the Team collected community and police feedback. 21CP Solutions and SAI conducted interviews and met in small groups to better understand the background, culture, and future expectations of Clayton. The following document outlines both short-term and long-term goals that can be achieved through the creation of community-based events, the identification and implementation of best practices in law enforcement and community engagement, and the enactment of updated training policies that would reflect those practices and facilitate conversations on bias in Clayton.

Methodology

The Team initiated the discovery period with structured phone interviews and face-to-face conversations. Those interviews were held in correlation with the Team visiting Clayton to meet with the Mayor, PD leadership, the Board of Aldermen, and the City Manager, as well as administration and faculty from Wash U. The initial interviews were conducted one on one and sought to hear directly from individuals regarding their experiences, perceptions, and goals for Clayton. All participants were asked a structured set of questions that provided a framework for them to share their personal narrative and ideas with the Team. These are the questions that were asked of the participants:

1. Tell me about your experience with Clayton. Do you live or work there? Do you have children? Do you own a home?
2. What is your narrative or your perceptions of Clayton since the event of the past summer in regards to inter-community and police/community relationships, diversity in Clayton, and bias in the community?
3. Based on any problems/issues you may have identified (refer back to previous answer), what solutions do you feel could remedy them?
4. What's working right for Clayton and the community?

³ For the purposes of this document, the combined 21CP Solution and Strategic Applications International staffs will be referred to as the "Team".

Following the interviews, the Team transitioned into a series of small group sessions. This allowed the Team to address common themes and potential solutions with Clayton residents, students, business leaders and stakeholders. The Team believes the first step in community engagement is to identify the diverse opinions of the community within a facilitated conversation that leads to problem solving, heightened awareness, and peer-to-peer education.⁴ This step, conducted throughout January and February of 2019, assembled small groups of community members to reflect on points raised during the discovery period. The sessions were conducted using the following steps:

1. Personal Introductions
2. Table Top Discussion: What's Working in Clayton?
3. Two different perspectives that arose from Clayton interviews were presented as open-ended scenarios⁵ to elicit reactions and encourage discussion between participants. The flow of conversation was allowed to steer this segment, but certain themes were consistently examined:
 - a. *Does the statement ring true with participants?*
 - b. *Whether or not they felt the statement was true, could the participants empathize/sympathize with the sentiments being expressed?*
 - c. *If the statement felt true, how and why did they relate to you personally as a member of the Clayton community?*
4. The identification of problems/barriers and solutions to critical issues identified by the group.
5. Each session ended with active conversations regarding solutions identified and on crafting a unified perspective of the diverse and welcoming community that Clayton can, and should, be.



The police department was not involved in the small group sessions during January and February. The Team did, however, meet separately with police throughout the discovery period. In those meetings, the Team listened to their concerns regarding the necessity of the project, the culture of Clayton, and morale within the PD. It should be noted that, during these discussions, it was determined by the Team that the Clayton officers involved in the previous summer's incident, and in the vast majority of community/police interactions, were found to be operating within the parameters of departmental policies. Impressions from the interviews and small group sessions were presented to the PD and their perceptions, concerns, and needs were openly discussed. In March, the Team sent two of its experts to facilitate conversations regarding community building, engagement events, and possible next steps/solutions with the sworn staff and administration at police headquarters. Issues and ideas for engagement were discussed and the Team integrated these suggestions when constructing its recommendations.

⁴ S. (n.d.). *Preliminary Proposal on Next Steps (pp. 3.Rep.). 21CP Solutions.*

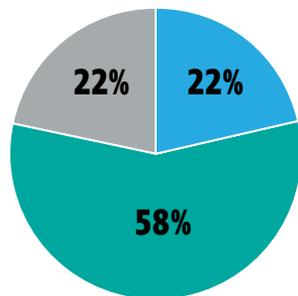
⁵ See Appendix 1 for the presented scenarios.

Demographics⁶

During the discovery period, the Team spoke to 112 individuals representing various demographics in Clayton. Where possible, the Team took every opportunity they could to collect data on the respondents either through direct survey questions, or as part of the personal narrative they shared. Seventy phone interviews were conducted, demographics were not asked for during the interviews as the names were provided to the Team from a number of sources including the police department, people who called the City and other referrals such as the mayor or aldermen, however to the degree possible, we have summarized the data we have:

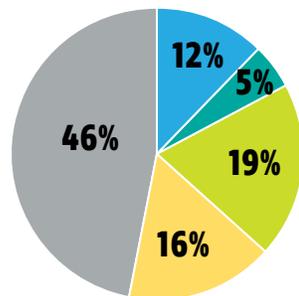
- ▶ **51 of the contributors identified themselves as a Clayton resident and 42 of those said they'd lived in Clayton for more than ten years.**
- ▶ **41% of the respondents work or own a business in Clayton.**

Race of Respondents



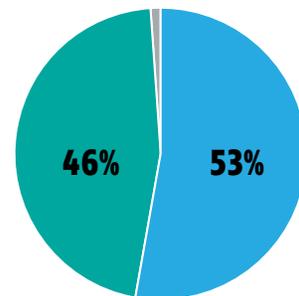
- African American
- White
- Other/Unknown

Age Demographics



- Between the ages of 0-20
- Between the ages of 21-40
- Between the ages of 41-60
- Over 61 years old
- Unknown

Gender



- Male
- Female
- Unknown (1%)



SUMMARY OF KEY LEARNINGS

The Team provides this summary of the key learnings from the discovery period and assessment of different factors and perspectives that influence the recommendations provided for next steps by the City of Clayton, the CPD, Washington University and the community.

1. There are very strong feelings on all sides about the response by the City of Clayton, the Clayton Police Department, Washington University, and the broader community to the IHOP incident and the engagement of 21CP and SAI to help the City through dialogues on bias and inclusivity.

⁶ Although every effort was made to gather demographic data on all respondents, not every interviewee or small group answered every demographic question. Therefore, 21CP has tried to make the data as representative of the whole group as possible without misrepresenting what was not discovered.

- a. *A number of citizens and the CPD are frustrated that tax payer dollars were committed to hire a consulting firm to do anything further once the CPD was found to have acted within policy.*
 - b. *The general opinion of long time, Caucasian Clayton residents is an approval of the police department (survey results of 93% positive rating⁷) and does not discriminate against people of color. They are offended that anyone would suggest that they or the police department are biased or act in a biased manner.*
 - c. *The Clayton police force is highly trained, certified by the Commission on Accreditation for Law Enforcement Agencies (CALEA), and serves as a model department for St. Louis County. With a culture in place that dictates a police response to almost every call, the argument was made by both officers and citizens that the calls for emergency services are often based on implicit bias of the caller, not the officer response, i.e., a caller who only identifies skin color, and ignores behavior, as justification for a suspicious person call will still receive a response.*
 - d. *74% of residents interviewed reported either directly experiencing and/or witnessing implicit bias during interactions with fellow Clayton residents.*
 - e. *There are intense emotions surrounding this discrepancy in perceptions of Clayton that make it challenging for a large public meeting or town hall to serve as even ground on which all perspectives and experiences are equally addressed.*
2. The Clayton Police Department was found to have followed department policy in the handling of the IHOP incident in the summer of 2018. While the incident may not have met the highest aspirations for how the students involved were left to find their way back to campus late at night, that did not violate standards or protocols.
 3. The reaction of the community and Washington University, particularly their minority members, is about much more than one incident or interaction. It was the local flashpoint for Clayton, mired in a five-year regional crisis, as well as for the nation following the shooting of Michael Brown.
 - a. *The Team was informed that Clayton's officers had been spit on, injured, and threatened while securing more than 130 protests and marches during their engagement with the regional response to Ferguson.*
 - b. *The counterview is that policing is perceived and experienced as disproportionately applied to communities of color. Clayton is facing an existential moment. They must decide if they want to sweep those concerns away and ignore them or if they want to withhold judgement, listen to each other and agree on the kind of community they want for their children.*



⁷ 2017 City of Clayton Satisfaction Survey: Findings Report (pp. 1-128, Rep.). (n.d.). Olathe, KS: ETC Institute. doi: <https://www.claytonmo.gov/home/showdocument?id=2052>

4. The small group meetings held during the discovery phase demonstrated the strengths and limitations of bringing people together across perspectives to hear all sides of the concerns and to find a constructive path forward as a community.
 - a. *The Team-led appreciative inquiry method asked participants the following questions: what is working right in Clayton, what are its assets and what do we have to build upon to provide a constructive starting point for dialogue.*
 - b. *The small group approach allowed people to hear, face-to-face, from their neighbors, students and colleagues about their experiences in the City of Clayton and uncovered a common ground amongst all in attendance: no child or adult should fear being in Clayton because of the color of their skin.*
 - c. *Maintaining a safe, respectful place for sharing, understanding, and healing was a consistent challenge when individuals used positive, solution-oriented events as an opportunity to publicly confront their fellow residents and air personal grievances.*
 - d. *It was a revelation to some in the group when other community members defended their right to call 9-1-1 and report anyone knocking on their door as a trespasser. Or the same residents felt justified to call 9-1-1 for anyone they felt looked suspicious in their neighborhood. This perspective was referenced a number of times when the discussion turned to community actions that result from implicit bias and the policies surrounding an officer's response to a suspicious person call.*
5. A number of the ideas generated in the small group meetings demonstrated that there are constructive, reasonable, realistic strategies that the community, the City and the stakeholders can engage in to create a stronger foundation and bridge to dialogue, understanding, and a commitment to a safer, more inclusive community.
6. Currently, the Clayton Police Department is seeking a new chief and, as such, is a department in transition. Emotions still run high among the rank and file, along with command staff, as they continue to perceive the actions of the former Chief, City Manager and former Mayor as acts of self-preservation and a deflection of blame. The Team is working with the CPD to focus on what can be learned by listening to the community in order to identify areas that can be improved to reduce the impact of implicit bias in the community.
 - a. *CPD continues even more to be trained on how to recognize and reduce the impact of implicit bias within their own practices.*
7. With new leadership emerging in Clayton, especially at the police department and Washington University, an opportunity has arisen to reestablish lines of communication and develop crisis management plans based on constructive, joint problem-solving efforts.

The Team is confident that the recommendations provided in the next section, based on the assessment and discovery phase, can help lead to a more inclusive and welcoming community.



RECOMMENDATIONS

Community Building Efforts



Create opportunities for the City, Clayton PD, business owners and community residents to engage on a regular basis to address priority areas of community building that will foster a Clayton that accurately reflects the community's perception.

In 2015, the principals of 21CP Solutions sat as members of the President's Task Force on 21st Century Policing that produced 59 national recommendations on fair and impartial constitutional policing following the events that took place in Ferguson, MO, and other parts of the country. The goal of the report was to "build trust between citizens and their law enforcement officers so that all components of a community treat one another fairly and justly and are invested in maintaining public safety in an atmosphere of mutual respect."⁸

The recommendations from the 2015 Task Force's report are as important today as they were when originally drafted. They are still a strong foundation for police and community development. As stated in the Implementation Guide, "...elected and appointed government officials, law enforcement agencies, and the communities they serve are a three-legged stool... that must be in place to support a comprehensive approach to reduce crime and build trust and legitimacy."⁹ In Clayton, although each entity exists to support that stool and is strengthened by its own vision, goals and engagement, they have yet to work collaboratively to address racial diversity, bias, and inclusivity within the community. The individual history and perception of each group allows them to provide a perspective and speak into these topics. However, these groups have yet to coalesce their viewpoints into a shared vision. Their independent efforts have not been able to produce an effective and comprehensive approach for the city of Clayton.

Change begins with listening.¹⁰ Just as 21CP and its partners opened our engagement in Clayton with interviews, listening sessions, and small group dialogues, so too should the three major entities of Clayton. Engaging in listening sessions can be accomplished through a variety of events, from concentrated strategic planning groups, consisting of representatives from Clayton's primary stakeholder groups,¹¹ to larger dialogues like the School System's Community Conversations coordinated and hosted by a collaborative team. One action that is critical to community building is nurturing an atmosphere of trust, consideration, and empathy that supports mutually productive dialogue.

During the discovery phase, the Team received input from a broad cross-section of Clayton, the community, police, and city leadership, as to what productive engagement would look like from their

⁸ *President's Task Force on 21st Century Policing. 2015. Final report of the President's Task Force on 21st Century Policing. Washington, DC: Office of Community Oriented Policing Services. Backcover.*

⁹ *Office of Community Oriented Policing Services. 2015. The President's Task Force on 21st Century Policing Implementation Guide: Moving From Recommendations to Action. Washington, DC: Office of Community Oriented Policing Services. Page 5.*

¹⁰ *Ibid.*

¹¹ "Stakeholder groups" is used in this publication to denotes the inclusion of local partners such as; Washington University, Clayton business leaders and community advocates.

position. The Team consistently heard appeals for healthy, open conversation between the stakeholders; therefore, it is the recommendation of the Team that the next steps in community building in Clayton begin with the following:

1. Small group sessions at the Clayton Police Department between rank & file officers and selected community members. These engagements will assist in the following:
 - a. *Familiarize police with critical conversations that are occurring in the community and allow community members to gain a better understanding of the SOP of policing as well as the limitations placed upon officer engagement during community or suspect interactions.*
 - b. *Facilitate conversations that sustain momentum and drive dialogue between the stakeholder groups.*
 - c. *Assist with the coordination of the initial invitation list as well as provide insight from the discovery period to ensure a positive conversation on the issues that have arisen.*
2. Continued investment in the School District of Clayton (SDC) Community Conversation events for the 2019/2020 school years.
 - a. *Build on the efforts of the SDC's events of 2018 to gather the community together to discuss important topics like recidivism and discrimination in the justice system.*
 - b. *To encourage participation, the City should offer support to the school system within the marketing and event planning spaces. Additionally, Clayton leadership and the police department should continue to be engaged in any facilitated and/or panel discussions as well as during the planning stages of each event.*
3. The Board of Aldermen should consider the formation of a diversity-working group that would initiate and coordinate events for the Clayton community to learn from one another and directly interact with local government. This group should also review and report on how diversity and inclusion plays a role in legislation being advanced by the Board of Aldermen. This could include advising on the creation of new programs, events, and curriculums that may be introduced throughout the city of Clayton.
4. Officers expressed a high interest in establishing and maintaining a social media presence, i.e., Facebook, Twitter, or NextDoor, to allow for a more direct approach to community building.
 - a. *The social media feeds of law enforcement agencies have become important national crime-stopping tools as police are able to release real time updates to their constituents about problems occurring in their neighborhoods as well as celebrate successes.*
 - b. *Public service announcements and educational tools on best practices in safety, law enforcement standards/ training, and collaborative events between the police and community can be highlighted through social media posts.*
 - c. *PD Executive leadership has already identified two commanders that could begin this marketing tool ASAP.*
5. The Clayton Police Department website should continue to feature a link to their current policies and community directives.

Community Building is not a one-and-done process that simply asks stakeholders to demonstrate an understanding of best practices. This is more than checking off boxes without following through on the introduction and execution of agreed upon action items. Effective community building is ongoing and requires active and intentional engagement between the community, its elected officials, and law enforcement. When community building is nurtured, valued, and embraced as a process that builds upon every success and learns from every failure, it can snowball into an avalanche of change and growth in any City. Over time, Clayton should expand their small engagements into facilitated town hall events that take a head-on approach to bias, safety, and community needs. The Team urges the leadership of Clayton to move forward with the progressive growth of the facilitated engagements that will build a foundation of trust and legitimacy based upon sharing, listening, and mutual respect.

Dispatch



21CP Solutions and its partners recommend a thorough audit of the East Central Dispatch Center (ECDC) policy regarding the criteria used to determine when a **Suspicious Person Call** warrants the dispatch of an officer.

Formed in a consolidated effort to take advantage of economies of scale and interoperability, the East Central Dispatch Center (ECDC) is a multi-jurisdictional center for all emergency communications with regard to fire, police, and medical services.¹² Emergency calls are routed from the ECDC's central office in Richmond Heights, MO to the Clayton Police, along with the staff of seven other municipalities in the St. Louis region.¹³ Created as a result of an intergovernmental agreement, led by an administrative team, and overseen by a Board of Directors comprised of the Managers/Leaders of the participating cities, ECDC is the sole dispatch center for all emergency service calls in 19.5 square miles with 153,528 individual calls being recorded in 2017.¹⁴

During the discovery phase of 21CP Solution's review, all groups shared the common concern that a disproportionate amount of calls to Clayton were being dispatched for reports of suspicious persons accompanied by descriptions based upon the individual's race. Respondents shared their belief that Clayton community members who may have seen an unfamiliar individual passing through their community were responsible for the suspicious persons 911 calls and submitted descriptions that focused on race, skin color, or a perceived sense of "belonging" while ignoring behavior, uniforms, and other forms of identification. Based on both sworn officer and civilian narratives of these calls, any person of color, regardless of time of day, clothing, or conduct, risks being stopped by the police and questioned as to their place of residency, purpose for being in a particular neighborhood, and/or required to show a state or federally issued form of identification. Of those interviewed, 68% held the impression that there was a bias in the Clayton community towards persons of color and/or ethnic minorities.

¹² EAST CENTRAL DISPATCH CENTER. (2018).

Retrieved March 28, 2019, from <http://www.east-central.org/index.php>

¹³ Ibid.

¹⁴ EAST CENTRAL DISPATCH CENTER. (2018).

Retrieved March 28, 2019, from http://www.east-central.org/by_the_numbers/index.php

Additionally, many of the respondents shared a presumption that ECDC collects a profit on each service call, thereby creating financial motivation for upholding a less comprehensive vetting process. However, the Team has discovered that this belief is neither conducive to the ECDC's non-profit model, nor their municipal oversight by the City Manager Board. While the ECDC, for the most part, has not been within the scope of this investigative process, it has been determined that this misperception is detrimental to the relationship between the Police Department and the Community.

Taking into account the data collected by the Team, and how racial bias has been identified on a national scale as a leading cause for unsubstantiated stops and searches by police, the Team endorses a concentrated investigation into the motivation behind these calls and whether emergency dispatch to such calls is necessary. Interviews with sworn staff in Clayton exposed the belief that many feel they are being dispatched to suspicious person calls at an elevated rate with many noting multiple calls in the same day for the same subjects. They expressed the viewpoint that their sworn duty to serve and protect requires them to respond to these calls and that dutiful response has cast a shadow of bias over the department while the community allows officers to bear the brunt of the outcry for reform. To better understand the process by which a suspicious person call is received, processed, and dispatched, the Team recommends:

- ▶ An audit of ECDC's call records and subsequent data encompassing FY2014 – FY2018
- ▶ A review of current policies and standard operating procedures (SOP) for ECDC operators upon receipt of a suspicious persons call.
- ▶ A random analysis of the ECDC call records to assess for reasonable suspicion or concern based on a caller's threat identifiers and suspect description.
- ▶ The distribution of educational material to Clayton residents around when to call the police regarding a suspicious person. Suggested materials could include:
 - *A Clayton Newsletter Article*
 - *The distribution of magnets with critical phone numbers, key identifiers for crime reporting that help eliminate bias and city and/or PD social media links.*

The research findings would allow the parties to better understand how a dispatcher may discern a legitimate threat/ concern from that of community bias. In the event an audit demonstrates the need to revise ECDC's SOP on suspicious person calls, the Team would also recommend redrafting the curriculum on suspicious person calls and implementing mandatory retraining sessions for all dispatch staff.¹⁵ This should incorporate documented and accredited best practices in threat analysis from the International Association of Chiefs of Police (IACP) and the Department of Homeland Security (DHS). Finally, investigating the progression of an emergency service call, from community reporting to the establishment of a call's credibility to the dispatch of officers, will allow the Team to gain more insight into potential racial bias in the Clayton community in order to support the implementation of educational programs and future staged interventions/community events.

¹⁵ While these actions are beyond the Team's current scope of work, an amended contract could be drafted to provide for the provision of these services by 21CP and SAI.

Collecting Feedback



The City of Clayton should, on a regularly basis, survey individuals who have gone through their municipal court system to learn more about defendant and plaintiff experiences with both the judicial system in Clayton as well as the police department.

Encompassing the Washington University Campus and bordered by the townships of Richmond Heights to the South and University City to the North, Clayton maintains 2.6 square miles of township that encompasses over 7,000,000 square feet of business space, another 1,000,000 of retails and restaurant space and numerous residential neighborhoods and communities.¹⁶ In the 2017 Community Satisfaction Survey of Clayton, 96% of residents surveyed expressed satisfaction with the City's Public Safety divisions, highlighting their rapid response time and level of customer service.¹⁷ Additionally, 77% of respondents were satisfied with the services rendered by and their interactions with City employees, clerks and city services staff.¹⁸ However, as reported to the Team during their April site visit, the majority of those that interact with Clayton's public safety representatives, such as the police or city clerks, e.g., the Municipal Court Clerk, are not residents of Clayton and were, therefore, not surveyed.

Constructive feedback is critical to any organization's sustainable development and growth. In Clayton, understanding the experience of those interacting with their police department during traffic stops, and other public employees throughout the subsequent process, will prove vital to this exploration process. The members of the Clayton police department, both sworn and unsworn, are proud of the community's satisfaction with their work and have used the data generated by the 2017 survey to resist any suggestion that there may be room for improvement. The question does arise, however, if Clayton's community members are, in fact the majority of individuals stopped, questioned, and/or ticketed on a regular basis by the PD? It was a commonly held opinion, among most of those interviewed by the Team, that the party who is most often the subject of police interactions, as well as municipal court appearances in Clayton, are those who live in St. Louis City or the surrounding townships. Therefore, the satisfaction survey results that are often touted as a measure of success may not reflect the opinion of the majority of those individuals who interact with the police department and the municipal court.

¹⁶ *City of Clayton, MO: Community. (n.d.). Retrieved March 28, 2019, from <https://www.claytonmo.gov/community>*

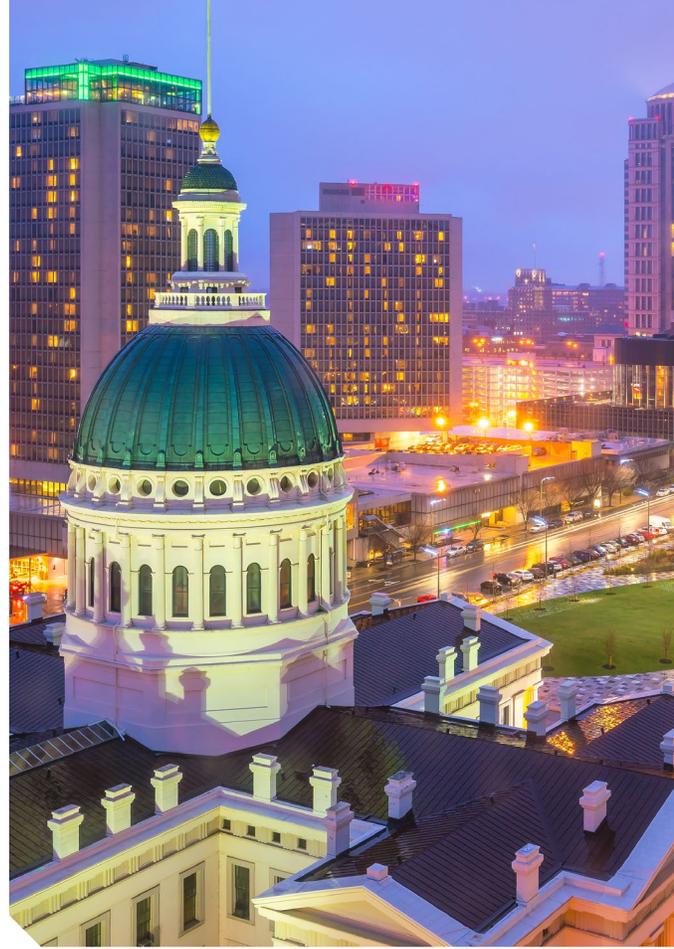
¹⁷ *2017 City of Clayton Satisfaction Survey: Findings Report (pp. 1-128, Rep.). (n.d.). Olathe, KS: ETC Institute. doi: <https://www.claytonmo.gov/home/showdocument?id=2052>*

¹⁸ *Ibid*

In order to better understand how the Clayton Police Department and the Clayton Municipal Court are perceived by individuals interacting with them, the Team recommends the following:

- ▶ Municipal Court defendants should be surveyed as to their experience following the process of settling their cases and paying fines, but before their departure from the Clayton Police Department building. Participants would respond to questions that allowed them to rate their level of satisfaction with the Municipal Court process as well as their interaction(s) with the police department.
 - *Request that defendants participate in the survey, verbally, after engaging the court clerk, via website, or employ stand-alone touch screen kiosks/tablets.*
 - *Offer discount on court fees or parking to encourage citizens to participate*
 - *See Appendix II for model survey from Boulder, CO.*
- ▶ Send mailed/written survey to a randomized selection of those who have been held and/or processed by the Clayton Police Department, post-release, to gauge the inmate experience inside the Clayton Police Department's holding cells.
- ▶ Utilize the survey results to identify any shortcomings in Clayton's arrest, charging, or court experience.

The concern that surveying those who may be angry, have a grudge against the police department, or dislike the city can create a negative feedback loop is not baseless. However, the Team suggests that addressing those concerns would be one reason for conducting the survey. While the results may have a lower-than-anticipated approval/satisfaction rating for the Municipal Court and the City's public service departments, it provides another perspective as to Clayton's position as one of the highest rated municipalities in the region. One of the participants in our interviews from Clayton provided the following perspective, "A 40% on a satisfaction survey may be a failing grade but if everyone else gets a 25% in the region, then perhaps we are still a model for others to work towards." Growth comes from understanding and embracing one's need for improvement. A simple survey would allow departments an opportunity to better understand what works and what does not work within their system. Growth and change evolve from strategic goals based on an informed investigation of need; a well-structured survey of the public's experience with the various municipal systems of Clayton is an ideal way to investigate this need, collect data, and structure a response in an informed and strategic fashion.



Critical Incident Communications Plan



Develop a Critical Incident Communications Plan (CICP) between the Clayton Police Department, Clayton Mayor and Board of Aldermen, and the City Manager that defines a “critical incident” and outlines standard operating procedures for public communications, i.e., press conferences, public/ media statements, and investigation timelines.

In the summer of 2018, a lawful stop of a group of Washington University (Wash U) students by the Clayton PD following an incident at an IHOP was publicized by local and national media. Some people felt as though the stop was motivated by bias and discrimination on the part of the Clayton PD. Officers expressed confusion at their portrayal in the media as racist and biased, when their training and policies supported their actions. Additionally, Clayton’s major stakeholder groups each chose to address the incident within the vacuum of their own perspective/ institutions and ignored a well-rounded, collaborative approach. The missed opportunity to release a unified message opened a rift in the flow of information from the stakeholders to the citizens and to the media. Well-intentioned efforts to close that gap led to the City Manager, as a representative of the Board of Aldermen and police department, issuing a public apology that was viewed by the police department as destructive and, in turn, harmed the department’s relationship with City leadership. Although there were attempts to get ahead of the message through collaboration between Wash U and Clayton leadership, all entities involved shared that a breakdown in understanding each other’s goals, timelines, and expectations led to internal divisions and a negative public perception as to their now-damaged partnership. When the City did issue a public statement, members of the Clayton PD felt unsupported as the statement seemed to promise a change in the PD prior to a comprehensive investigation. This resulted in a communication breakdown where officers rejected the City Manager and Chief’s acceptance of guilt and refused to endorse their public apology.

Today, the daily operations of the police department belies the anger that resonates at the mention of these past actions. For members of the rank & file who feel they were unsupported by their then-Chief and the City during the summer of 2018. Some feel that events since the summer of 2018 have led officers in the department to:

- a. *Consider resignation*
- b. *Resent City leadership and PD Command*
- c. *Withdrawal from the community*
- d. *Experience a pervasive fear that, even when following policy, an officer could find themselves under undue scrutiny*

Nationally, this is a concern of many police officers; the fear that, following a use-of-force incident, leadership will not support them and leave the officer’s action to be tried in the court of public opinion.¹⁹

¹⁹ Cople, Colleen, Jessica Drake, Nola Joyce, Mary-Jo Robinson, Sean Smoot, Darrel Stephens, and Roberto Villaseñor. 2019. *Law Enforcement Mental Health and Wellness Programs: Eleven Case Studies*. Washington, DC: Office of Community Oriented Policing Services.

This feeling of uncertainty and the communication breakdown has harmed officer morale and depleted the valued collaborations that could once be expected between Clayton City Hall and the Police Department; bridging this divide and beginning to rebuild trust between the two entities is of critical importance.

While assessing the concerns of Clayton's rank & file over the last year, the Team found that officers wanted the policies they follow and the training they receive to align as their best defense against public critique. Previously, officers felt the citizens of Clayton valued their efforts and their approval ratings supported this belief, but the last year has left them feeling insecure about the community's confidence in the police force and understanding of policies and practices. The rank & file feel that protocols for critical incident communication between agencies are necessary to support a swift and fair investigative response based on law enforcement standards and procedures. The Team recommends the following steps be taken to establish such protocols:

1. Establish a working group of Clayton PD leadership, staff (sworn and unsworn), community members, and City leadership to collaborate on the development of a Critical Incident Communications Protocol.
2. Review the Department of Justice Police Critical Incident Check List for national best practices in Critical Incident Communications Protocol development. (See Appendix III)²⁰
3. Establish relationships with key stakeholders or community groups in the area and solicit feedback on the protocol once it has been established.
 - a. *This could include partners like the school system, Wash. U., business leaders, and advocacy groups.*
4. Release the draft protocol to the public and allow thirty days for public comment to address any unforeseen community concerns.
5. Once complete, host an honorary signing event with City Leadership, the Clayton Police Department, and community members formalizing the agreement for future use as needed.

Established relationships and direct lines of communication with critical partners are central to a department's success when managing a crisis.²¹ A police chief may need to deploy their staff and resources in multiple directions during a critical incident, and communication polices that outline a chain of command to establish a flow of information will ensure that nothing is overlooked during a time of crisis.²² Law enforcement staff, both sworn and unsworn, have earned the support of their leadership and communities. During critical incidents, SOP's decrease anxiety in the unknown for those involved while increasing partner engagement because they provide clear expectations and a predetermined process that leaves little room for error or confusion. Developing and enacting a Critical Incident Communication Protocol will afford officers the peace of mind that comes from knowing certain action steps in the wake of an incident.

²⁰ *Police Critical Incident Checklist (Community Relations Services Toolkit for Policing, pp. 1-4, Publication). (2016). Washington, DC: Department of Justice. doi: <https://www.justice.gov/crs/file/836421/download>*

²¹ *Ibid. Page 2.*

²² *Ibid. Page 1.*



SUMMARY OF RECOMMENDATIONS AND ACTION STEPS



1. COMMUNITY BUILDING EFFORTS

- a. Small group sessions between CPD and key stakeholder groups on a regular basis to establish and maintain open dialogue and problem solving
- b. Integrate School District of Clayton (SDC) Community Conversation events as an effective platform for ongoing dialogue
- c. City to establish a Diversity Working Group
- d. Establish a CPD Social Media presence to improve community interaction and dialogue with CPD



2. DISPATCH

- a. Audit of ECDC's call records and subsequent data encompassing FY2014 – FY2018
- b. Review of current policies and standard operating procedures (SOP) for ECDC operators upon receipt of a suspicious persons call.
- c. Conduct a random analysis of the ECDC call records to assess for reasonable suspicion or concern based on a caller's threat identifiers and suspect description.



3. COLLECTING FEEDBACK FROM THOSE EXPERIENCING THE SYSTEM

- a. Develop and conduct a survey of municipal court and CPD arrestees
- b. Use to identify areas that need review and problem-solving to improve outcomes



4. CRITICAL INCIDENT COMMUNICATIONS PLAN

- a. Create a working group to draft the CICP
- b. Draft the CICP
- c. Hold public comment on the draft CICP
- d. Hold a ceremony signing/celebrating the final agreement/plan

Appendix I.

Open Ended Scenarios:

1. The Clayton Police Department helped to cover over 130 protests in the region since Michael Brown's passing. They were threatened, spit on, verbally assaulted, and their families were also targeted. Despite their efforts however, incidents of the summer have left them feeling distant from the community and hurt.
2. A black Clayton resident feels he has to wear his business suit as armor or he will be asked regularly, "What are you doing here, in our community?" – a question often asked by community members and police.

Appendix II.

Example of a Municipal Court Survey executed by the City of Boulder that could be replicated in the Clayton Municipal Court. Found at <https://bouldercolorado.gov/municipal-court/boulder-municipal-court-satisfaction-survey> (Not featured below is a comment box for additional feedback)

Name (Not Required)
 First Name Last Name

My Experience With The Court Was:

Case or Ticket Number (if available)

	Strongly Agree	Agree	Somewhat Agree	Somewhat Disagree	Disagree	Strongly Disagree	Not Applicable
1. My court case was handled fairly	<input type="radio"/>						
2. I was treated with courtesy and respect by court staff	<input type="radio"/>						
3. I was able to get my court business done in a reasonable amount of time	<input type="radio"/>						
4. As I left court, I understood what happened in my case	<input type="radio"/>						
5. Court staff paid attention to my needs	<input type="radio"/>						
6. The judge gave me the opportunity to plead my side of the case before making a decision	<input type="radio"/>						

Appendix III.

Example Critical Incident Check List (see following pages)

Police Critical Incident Checklist

The Police Critical Incident Checklist is a planning resource for police executives to prepare them for responding to a potential controversial incident. This checklist can also be used to assist police executives during an incident. This checklist is not meant to be comprehensive list of steps or a rigid timeline for responding to a critical incident, but rather acts as a flexible resource, highlighting many important steps that police executives should consider.

Items to Consider Before a Critical Incident Occurs for the Police Executive

- Discuss notification and response protocols with the mayor, city manager, and any elected/appointed boards or commissions which have police oversight. Have a plan for incidents, including an agreement on what they want to be notified about and when these notifications should occur.
- Establish relationships and direct lines of communication with key community leaders. Have a list of these community leaders ready with cell phone numbers.
- Establish relationships and direct lines of communication with police union leaders, if applicable. Have a list of these union leaders ready with cell phone numbers.
- Once relationships have been established, consider forming an Advisory Board that reflects the diversity of the community. For example, the Advisory Board could include one or more representatives from each policing area (district, precinct, ward, etc.). The Advisory Board should meet regularly and can help determine the best ways to engage the community and de-escalate any tensions if an incident occurs.
- Ensure that you have a protocol for major incidents, including a media plan, and that investigators, supervisors, and command staff members know their roles and responsibilities.
- Top police officials should visit officer roll calls, meet with specialized department units, and establish relationships with key local news media personnel during non-crisis times. Maintain communication with them.

Items for the Chief Executive to Consider Immediately After a Critical Incident

Immediate Action Items (within approximately 2 hours of the incident)

- Ensure that a command-level staff member is on the scene and providing information directly to you as it is received.
- Notify key public officials and community leaders about the situation promptly.
 - Let them know that you are gathering additional information and that you will contact them as soon as you know more.
- Gather as much preliminary information as possible about the incident. If possible, go to the scene of the incident yourself.
- Contact your public information or media office or liaison and develop an initial plan for their role. Start planning a press gathering to release information as quickly as possible. This planning should include the use of various media to keep the public informed. Social media, particularly Twitter, increasingly is being used by police to share information directly with the public and the news media on a minute-to-minute basis during a critical incident. Address misinformation directly. If new information contradicts earlier department reports,

issue the correct information as soon as possible. As time allows, use translation services to address the language needs of the community's diverse stakeholder groups.

- Avoid “dueling” press conferences; try to engage all interested parties to share podium time so that the community can see unity among their local leaders.
 - If applicable, assign staff to begin watching social media and activity to assess what is being said about the incident and to gauge the mood of the community.
-

Action Items (within approximately 8 hours of the incident)

- Provide the preliminary information you can to the public about the incident (i.e., what you know, what you don't know, what the department is doing about it); and if applicable, explain why you cannot provide additional information, and indicate when you will be able to share further information.
 - **Emphasize that this is preliminary information in every statement.** You are balancing the need for transparency with the reality that sometimes the first information about an incident may change as additional information emerges.¹
 - If applicable, avoid making any prejudgments about officers' conduct before you have complete information, unless your statement is clearly needed (e.g., if a publicly available video depicts overt police misconduct or criminal behavior by an officer).
 - Explain that it may also take longer for some information to be released if there is an ongoing police investigation.
 - Let the public know how often you will update them on the status of the incident or new information, and how these updates will be provided.
-

Action Items (within 24 hours of the incident)

- Brief community leaders and ask for their help in defusing community tensions while getting accurate information to their constituencies. Ask for calm and patience as the incident unfolds. Be flexible in briefing various community organizations and advocates; some may want to meet in groups, others may prefer to meet individually. Other leaders may have a preference for meeting in-person rather than over the phone.
- Engage public officials and community leaders to agree on a unified message that presents a transparent and cooperative process. Create a plan to work together should the incident start to escalate. While there can be disagreement or differing perceptions early on as to what has occurred, all leaders should be in agreement about the need to keep the peace; conduct a thorough and impartial investigation, if applicable; and make a commitment to keep the community informed. Craft the unified message around these statements that all local leaders can support.
- If applicable, publicly explain the investigatory process and any related policies that impact the release of information or determination of findings. Clarify policies related to contentious issues. Explaining the rationale for policies or practices that the public may not understand may be helpful in maintaining the community's patience and deescalating tensions.

1. See, for example, St. Louis Metropolitan Police Chief Sam Dotson discussing an officer-involved shooting incident in the PERF report “Defining Moments for Police Chiefs,” pp. 7-8. <http://www.policeforum.org/assets/definingmoments.pdf>.

- When applicable, publicly clarify departmental policies governing the status of any officers who are involved in a controversy. This may include explaining laws that protect the rights of police officers (especially any requirements that prevent their names from being released), and any other policies that help explain administrative and investigatory actions taken that may not be immediately apparent to the public.
 - If applicable, announce publicly your willingness to cooperate with investigations of your department by other agencies (local, state, or federal).
-

Action Items (within 1 week of the incident)

- Consider the circumstances of the incident. If appropriate, you may choose to visit involved individuals, and to provide an update on the investigation and what to expect from the department, to extend an offer to provide updates, or make a liaison from your agency available to them. **Based on the circumstances, you may consider moving up the timeline for this call/meeting to the first 24 hours of the incident.*
 - Anticipate and take precautions to prevent new incidents or confrontations. This includes giving supervisors guidance on how they should discuss the situation with officers at roll calls, closely monitoring unusual calls or activity, obtaining information from community leaders, and watching social media activity in the community.
 - Frequently attend community events to explain the department's handling of the incident, as well as department policies and practices.
 - Develop a strategy for releasing public information regularly, using social media, television, radio, or other forms of communication.
 - Engage with both sworn and civilian staff within the department to address any concerns resulting from the incident. Ensure that employees have access to counseling, if appropriate.
 - Issue a statement about the incident to all department employees and offer ample opportunities to discuss their concerns. Make sure this message is consistent with the message that you are delivering to the public.
-

Action Items (long-term incident aftermath)

- Request the assistance of community groups or others that may be able to assist with inter-group conflict assessment and conciliation moving forward.
- Consider having an after-action review of the incident conducted by an outside review team. The after-action review should include lessons learned and should highlight promising practices. Share these findings and lessons learned department-wide. You may also consider making the findings from the after-action report public.
- Survey different community groups to learn about their concerns with the police or department operations.
- Consider opportunities for the community to provide additional input. Consider having third parties or community leaders host and facilitate the meetings.
- Consider conducting a review of any policies, accountability systems, or training protocols related to the incident.
- Consider establishing a public commission, task force, or other work group to develop recommendations for addressing specific concerns.
- Consider conducting an assessment of your department's community policing practices.
- Remember to continually update internal stakeholders in the aftermath of the event.