

CITY COUNCIL STUDY SESSION MINUTES

May 17, 2016

The City Council of the City of Norman, Cleveland County, State of Oklahoma, met in a Study Session at 5:30 p.m. in the Municipal Building Conference Room on the 17th day of May, 2016, and notice and agenda of the meeting were posted at the Municipal Building at 201 West Gray, and the Norman Public Library at 225 North Webster 24 hours prior to the beginning of the meeting.

PRESENT: Councilmembers Castleberry, Heiple, Holman, Jungman, Karjala, Lang, Miller, Mayor Rosenthal

ABSENT: Councilmembers Allison

Item 1, being:

DISCUSSION REGARDING THE IMPLEMENTATION AND OPERATION OF A SCHOOL RESOURCE OFFICER PROGRAM.

Mayor Rosenthal thanked Mr. Keith Humphrey, Police Chief, Dr. Joe Siano, Norman Public School (NPS) System Superintendent, and Ms. Leah Messner, Assistant City Attorney, for their hard work on the implementation and operation interlocal agreement negotiations for the School Resource Officer (RSO) Program.

Mr. Steve Lewis, City Manager, said on April 1, 2014, Norman residents authorized the continuation of the Public Safety Sales Tax (PSST), which led to PSST II that included an SRO Program to be jointly funded with NPS. He said SROs are commissioned police officers selected, trained, and assigned to protect and serve in an education environment, which is in-line with the City's philosophy of community oriented policing. He also thanked Dr. Siano and his leadership team for their input on the interlocal agreement.

Chief Humphrey said the SRO Program has been in the making for over two years and the Police Department and NPS know what is expected of them in this program. When he was hired in 2011, he made it very clear he would not support any type of programs he was not comfortable with or programs he felt were not beneficial to the community. He said 27 years ago he was a SRO and has nothing but positive things to say about the program and being an SRO helped him in his leadership ability and getting where he is at today.

Chief Humphrey said the PSST II ordinance included the placement of 13 police officers in NPS along with necessary equipment that includes marked vehicles. To accomplish the goals of PSST II, Staff worked diligently with NPS Staff to draft an interlocal agreement. When researching the program, Staff reviewed agreements from other cities in Oklahoma, agreements from surrounding states, and research and studies published by American Civil Liberties Union (ACLU), the United States (U.S.) Department of Education, and others.

Chief Humphrey introduced Lieutenant (Lt.) Chad Vincent and said Lt. Vincent built the SRO Program from the ground up. Lt. Vincent said in 2014, the Norman Police Department (NPD) started to develop a strategic plan of implementation with the two (2) biggest components being a partnership with NPS and selection and training of SROs. He said NPS has participated in the selection of SROs who will be assigned to the schools this fall. After the SROs were selected, the training began and the SROs are state certified police officers like any other police officer and they have attended training provided by the National Association of School Resource Officers, which is the guiding organization throughout the U.S. for training and development of SROs. He said SROs have also been trained to work with special needs students and juveniles in crisis.

Lt. Vincent said school security is not limited to daytime hours as there is a huge component of after school security needs such as proms, sporting events, graduations, etc. The Norman SROs are some of the best officers trained in the State.

Chief Humphrey said the preliminary draft Memorandum of Understanding (MOU) (interlocal agreement) was reviewed and supported by NPS Staff, NPS legal counsel, the City of Norman, and the Norman PSST Oversight Committee. The agreement is for a term of five (5) years subject to funding beginning July 1, 2016, with a first year

cost of \$853,674 and NPS has agreed to pay half of that cost in quarterly installments. A total of six SROs will be assigned to schools the first year which includes one a supervisor beginning in August 2016. SROs will be employees of NPD, but will work cooperatively with NPS Staff to ensure best service to schools and students. In year two (2) of the program, the remaining officers will be assigned subject to NPS funding as NPS indicated that due to State level budget issues, it may not be feasible to move forward with full roll-out of the SRO Program during the second year. NPS and City Staff will continue to work to implement the program at a pace that acknowledges the NPS budget.

Chief Humphrey said Staff is moving forward with the proposed agreement by City Council and NPS Board in June. The NPD and NPS coordinated introduction of the program to the public, schools, and students and continued coordination between NPS and NPD to place officers in school for the 2016-2017 school year. He said the first year will be very crucial in identifying areas that needed improvement and NPD will continue to collaborate with NPS to identify appropriate further roll-out of the program in year two (2) and beyond. He believes the program will improve year to year and citizens of the community are excited about the partnership between the police and schools. He said the program is a strong part of community policing because schools are a vital part of the community with students becoming active members and leaders in society.

Councilmember Miller asked how the six (6) officers will be assigned since there are several schools in Norman and will the supervisor be assigned to a school? Chief Humphrey said the plan for the first year is to have two officers at each high school with one officer from each high school available to respond to the elementary and middle schools and that can be adjusted as needed, one police officer will be available as a roving SRO to go where needed, and the supervisor. Councilmember Castleberry asked if the fifth roving officer will have a presence at a different school each day or just be available to go to the school if needed and Lt. Vincent said, in discussions with NPS, it was felt the biggest gains will be in the middle schools so the fifth officer will be assigned to middle schools only and will rotate between those four schools, but he will go where he is needed so there will not be a pattern to his schedule. Councilmember Castleberry asked where Lt. Vincent will be and he said the first year he will essentially be wherever the school administrators need him to be.

Councilmember Holman asked if the officers assigned to the high schools stay at a particular high school in order to build relationships with the students and Lt. Vincent said most likely yes. He said once a relationship is built, the school and NPD will want to continue building on that and have no intention of moving those officers around. He said NPD wants to build relationships with the elementary schools as well so the officers at the high schools will be sharing responsibilities for the elementary schools so when an elementary school needs an officer, NPD will dispatch an SRO officer from one of the feeder high schools. He said that obviously leaves one officer at the high school and second position could be backfilled by a patrol officer, if needed, until the SRO returns from addressing the issue at the elementary schools. Councilmember Holman asked if the backfill officer will have SRO training or would the officer be a random police officer and Lt. Vincent said additional officers have been trained and certified for the SRO Program so one of those officers would be utilized.

Councilmember Holman said, in the agreement, there are rules about officers being there to enforce the law and not school policy and asked what that entailed. Mayor Rosenthal asked Dr. Siano to speak about the relationship of the NPS and SRO and Dr. Siano said he appreciates the opportunity to partner with the City on the SRO Program. He said trained officers in the schools is not a new thing in NPS, but security was cut many years ago so this is an opportunity to build that back up and many would agree that school safety has become a larger issue now than it ever was before. He looks forward to the consistency of providing security to students as well as building a relationship with the community through the children in the community. He said the SRO Program will have a long term community benefit. He wants students to see police officers as partners, confidants, and mentors. He said NPS wants to clearly differentiate between student discipline, policy issues, and issues that might be in the nature of a criminal offense, which does occur occasionally. He said many times people not related to the school bring that criminal nature into the school and the community needs to know NPS can address those issues when they happen; however, the SRO Program gives NPS the opportunity to contract with people who deal with criminal issues every day and brings a level of training to the schools that cannot be provided internally.

Councilmember Miller said speaking as a former middle school principal, the line between student discipline and criminal nature issues has always been drawn and the NPD has always understood that school officials were responsible for policies and officers were responsible for the laws.

Councilmember Holman asked for clarification on the "Hold Harmless Clause" on page five of the agreement and what that means to the City. Ms. Messner said this is a typical clause seen in agreements between State agencies or municipalities that release one party of liability that might have created by the other party.

Councilmember Castleberry does not anticipate the school budget will get better in year two and said the City has given flexibility to the school to not fund their half. Does the City have that same flexibility given the ballot language? What if the program cannot be funded in year two? Is that money earmarked for SROs only or can it go back into the PSST Fund? Is the City obligated to use the money for the SRO Program? Mr. Jeff Bryant, City Attorney, said the ballot language, as written, was always a cooperative agreement between NPS and the City so the City will do the best it can to meet that agreement; however, there is flexibility in the language to continue working towards that goal. Councilmember Castleberry asked if the City could be accumulating years of SRO funding or can that money go back into other listed expenditures in the PSST II. Mr. Bryant did not believe the language requires the City to accumulate the money. Councilmember Castleberry said the language authorizes the City to use the money for SROs, but does it require the City to use the money for SROs? Mr. Bryant said the City should work towards implementing what was in the ordinance. Dr. Siano said if there is a delay in funding the program, he hopes it is not a long term delay.

Councilmember Karjala said she did not grow up in schools with SROs and asked how SROs would work with school counselors to understand which students they need to be more aware of than others. How does that relationship work? Lt. Vincent said since SROs are in the schools day in and day out they are able to visit and exchange information with school administrators, counselors, and teachers and that process is currently being formalized. Dr. Siano did not see a time where specific students would be pointed out and that is the quality of the idea of building the relationships and getting to know the students. He said there are places and times where certain students may need mentors or support and the counselor can ask the SRO to reach out to the student and he would love for the SROs to be part of that relationship building. Councilmember Karjala asked if five officers would be able to meet regularly enough to be effective for the middle and elementary schools and Lt. Vincent said absolutely and at full implementation of the program there will be four officers assigned to middle schools only. Chief Humphrey said officers are currently present in schools and the SROs recruited and trained are not new to Norman or NPS and some are the product of NPS and are excited to be involved in the program.

Councilmember Karjala asked about the racial background of the SROs and Chief Humphrey said it is the same percentage of minorities as the Police Department and most likely the school district. Councilmember Karjala asked what that meant and Chief Humphrey said there are two African-American officers and the rest are white males. He said that is not because the opportunities were not available as Lt. Vincent spread the word around about the program very well, but he thinks there are officers waiting to see what the first year brings before they commit to being a SRO. He knows there are female officers interested and believes there are other ethnic officers interested as well. Councilmember Karjala said she is interested in seeing how the first year works out as well and asked if the NPD will be keeping statistics and Chief Humphrey said absolutely. Chief Humphrey understands Councilmember Karjala's concerns and all these topics have been discussed on a regular basis and in depth because the City only has one chance to get this right and all it takes is one incident to put a blemish on the program so NPD is very cognizant of that.

Councilmember Lang said under the "Termination of Assignment" the program can be terminated after 60 days and his concern is what will happen to the SROs if the school system decided to back out for any reason. Dr. Siano said NPS wants Council to understand that the provision regarding the second year funding is just something he needed to include because he does not know what next year brings. He said safety and security is not an option in the reduction of budget so regardless of how challenging things get going forward, NPS will never reduce that below current budget standards. The only issue is the speed of implementation and the goal is to try to meet timelines that have been laid out as closely as possible and he just wanted to be upfront with the City as to next year's budget not knowing what will happen.

Councilmember Castleberry asked if the SROs will carry firearms and what is the policy of use of force? Chief Humphrey said the City will not deploy any officer in any type of program and have them equipped differently than any other officer so SROs need to be equally equipped as an officer on the street because they are police officers. He said SROs will follow the same use of force protocols as any other officer. Nothing changes as far as standard policies and operating procedures.

Mayor Rosenthal said the agreement will be reviewed by Council for approval on May 24th.

Mr. Casey Holcomb, interested citizen, said according to the statistics provided for different juvenile arrests, 31% of those students were African-American yet African-Americans only represent 6.6% of the total district enrollment so he is curious to know how this program will address issues such as racial disparity. How will students be disciplined? Will African-American students and minorities be disciplined more severely than white students? Dr. Siano said the training and preparation of the SROs will create a different approach of how things are addressed in the schools as the program is implemented across the district. This program gives the schools an opportunity to reset how some of those things are addressed and how statistical data is used. There is currently a School Climate and Alternative to Suspension Task Force working on a variety of issues and the SRO Program will be ingrained in the work of that Task Force. He said student suspension is a challenge across the country and there are students that are disruptive to the classroom, but the SRO Program is an opportunity to create alternative programming for those students and those types of issues. He said a set of recommendations is being prepared by the Task Force and will be ready by the end of the summer prior to fall classes beginning.

Councilmember Karjala asked what in the SRO training specifically gets at Mr. Holcomb's question and Lt. Vincent said that is a broader discussion, but the good thing about this partnership is the SRO Program brings in a multitude of training programs that can be utilized at the schools whether it is drug awareness, alcohol issues, technology issues, etc. SROs will not get involved in the administrative policies of the schools as far as suspensions, but will be there to provide security. He said discussions have been ongoing about alternatives to keeping kids in school and not sending them home.

Items submitted for the record

1. Memorandum dated May 12, 2016, from Steve Lewis, City Manager, to Mayor and Council
2. Interlocal Agreement Between the Norman Public Schools and the City of Norman for Implementation and Operation of a School Resource Officer Program with Attachment A, School Resource Officer (SRO) Duties, and Attachment B, School Resource Officers and School Discipline
3. PowerPoint presentation entitled, "School Resource Officer Program," City of Norman City Council Conference, dated May 17, 2016

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The meeting adjourned at 6:15 p.m.

ATTEST:

City Clerk

Mayor