



## HUMAN SERVICES COMMITTEE

### Agenda

Tuesday, June 17, 2014  
2:00 pm

Madison Avenue Meeting Room  
500 SW Madison Avenue

- Discussion/**Possible Action**    I. Council Policy Review and Recommendation: 92-5.04,  
"Hate/Bias Violence" (Attachment)
- Information                            II. Other Business

### **Next Scheduled Meeting**

Tuesday, July 8, 2014 at 2:00 pm  
Madison Avenue Meeting Room, 500 SW Madison Avenue

### **Agenda**

Corvallis Farmers' Market Annual Report  
Parks and Recreation Draft Master Plan Recommendation to  
Relocate Senior Center  
Open Carry of Weapons in Parks

Memorandum  
Corvallis Police Department  
May 30, 2014

To: Human Services Committee  
From: Jonathan M. Sassaman, Chief of Police   
Subject: Policy Review / Council Policy 92 -5.04 Hate/Bias Violence

ISSUE:

The Police Department is responsible for the biennial review of Council Policy 92 – 5.04 Hate/Bias Violence. Council action is required.

DISCUSSION:

The purpose of the Hate/Bias Violence policy is to denounce hate, bias and violent activity in Corvallis; to encourage and preserve a harmonious and respectful community environment; and to work toward tolerance of diversity with the goal of equal rights for all citizens regardless of age, citizenship, color, familial status, gender identity or expression, marital status, mental disability, national origin, physical disability, race, religion, religious observance, sex, sexual orientation, and source or level of income.

The policy directs staff to: 1). Investigate hate and bias crime incidents within the framework of existing criminal law and, 2). Establish and fund an ongoing training program for Corvallis Police Officers regarding hate and bias crime investigation and cultural diversity sensitivity.

This policy also enables Council to affirm its philosophy regarding hate, bias and discrimination activity in Corvallis and to biennially review its implementation.

Staff presented a biennial update on December 3, 2013. The current Council Policy references the City having a contract with Community Alliance for Diversity (CAD) who would liaise between the community and City regarding complaints and provide information and referral. CAD terminated the contract with the City in February 2012, as such staff recommended removal of CAD language in the Council Policy.

HSC directed staff to contact CAD to seek their continued involvement as an information and referral source, as well as a vehicle for reporting biased based complaints to the Police Department. Staff were also directed to contact the Martin Luther King Commission, CASA Latinos Unidos de Benton County and the NAACP and report back to the committee. Staff met and/or communicated electronically with CAD, MLK Commission, CASA, and the NAACP and the Oregon State University LGBTQ outreach and services coordinator. CAD declined involvement due to a lack of personnel and resources to be effective (see attachments 1 & 2). The

MLK Commission, CASA and the NAACP and the LGBTQ community accepted the invitation to review diversity training materials including advising the Department on matters related to diversity, inclusion and bias.

All "Hate Crime" offenses reported to the Police Department are investigated under the "Intimidation" statutes of Oregon. All staff have been trained to investigate such offenses and coordinate the investigation and prosecution with the Benton County District Attorney's Office. As appropriate, staff may also consult with the Federal Bureau of Investigation.

In 2005 and 2006 the City Council, the Corvallis Police Officers Association, Police management, the City Attorney's Office and HSC researched other city review boards, and implemented the Corvallis Citizen Review Board where unresolved complaints including biased based complaints may be taken by complainants for review. Biased based complaints involving department personnel may be submitted via any means to the Corvallis Police Department for investigation. This includes complaints received at City Hall, the City Attorney's Office, CAD, the Community Policing Forum, the newspaper or any other source (e.g. NAACP, CASA, MLK, LGBTQ). The Corvallis Police Review Board has been in existence since 2006, meets quarterly and consists of Mayor appointed and City Council approved members. The Review Board meets quarterly and is provided an update on all complaints received at the police department, including the nature of the complaint and the findings. The Review Board is additionally provided information about commendations for officer performance. Any modification to the existing Corvallis Citizen Review Board increasing authority and/or expanding its charge to review complaints in a manner that could subject union members to discipline is a mandatory subject of collective bargaining with the Corvallis Police Officers Association. Oregon Labor law subjects both parties to binding arbitration, if an agreement about the specific terms of mandatory bargaining subjects is not reached.

The Corvallis Police Department Professional Standards Unit, led by an exempt lieutenant and reporting directly to the Chief of Police, is responsible for: policies and procedures, training, and internal affairs (IA) investigations. The lieutenant is professionally trained in conducting IA investigations and complies with National Accreditation standards and the Police Officers Bill of Rights, consistent with the State of Oregon and labor contract requirements.

The lieutenant is one of two department staff (and only three in the State of Oregon) who have completed advanced and facilitator training at the Museum of Tolerance in Los Angeles. The courses, "Tools for Tolerance – Perspectives in Profiling, have subsequently been provided by these employees to all Corvallis Police Department staff and to other law enforcement agencies throughout the State of Oregon.

The Police Department supports the Community Policing Forum made up of citizens and a Mayor appointed councilor. The Community Policing Forum:

- Uses a collaborative process for community policing,
- Includes members who represent and interact with a cross section of the community,

- Is a joint problem solving group of citizens and police personnel,
- Exchanges ideas and information to build and maintain a communication link between the community and the police department,
- Is a sounding board for the Chief and Management for policy direction,
- Assists in educating the public about community policing,
- Brings forth and discuss community concerns about law enforcement and criminal justice in Corvallis, and
- Serves as an advocate in support of the department's efforts in promoting a philosophy of continuous quality improvement and customer service.

The Community Policing Forum initiated and assisted the police department in becoming a nationally accredited agency through the Commission on Accreditation for Law Enforcement Agencies in 1995, including instituting "stop data" collection and supporting the creation of the Citizen Review Board. These efforts all contribute to a department focus on professional, intelligent, anti-bias, transparent policing.

The Police Department mandates annual training on bias-based profiling, including cultural diversity, inclusion, communication skills and hate crimes. Additionally legal aspects which impact our diverse community such as field contacts, traffic stops, search and seizure, forfeiture, interview techniques, discrimination and community support are addressed.

RECOMMENDATION:

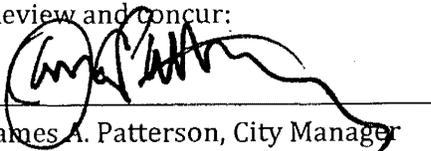
Staff recommends the Council amend the policy including the removal of language referencing the Community Alliance for Diversity and including language directing the Police Department to establish ongoing working relationships with community organizations to advise the Police Department on diversity issues and diversity training.

Staff further recommends on behalf of the City Manager's Office, Council amend the identified formatting changes to the Council Policy for consistency purposes.

Attachment:

1. E-mail communication with CAD Co-Chair Lauren Urey
2. Memorandum from CAD canceling contract with the City of Corvallis.
3. Minutes from December 3, 2013 Human Services Committee
4. Council Policy 92 – 5.04 Hate/Bias Violence

Review and concur:

  
James A. Patterson, City Manager

Review and concur:

  
Jim Brewer, City Attorney

**Sassaman, Jon**

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**From:** Laureen Hodges Urey [dlurey@yahoo.com]  
**Sent:** Saturday, January 11, 2014 8:57 AM  
**To:** Sassaman, Jon  
**Cc:** Kathy Thompson; Tom Johnston  
**Subject:** Letter terminating contract with City.doc  
**Attachments:** Letter terminating contract with City.doc; ATT00001.txt



Chief Sassaman-

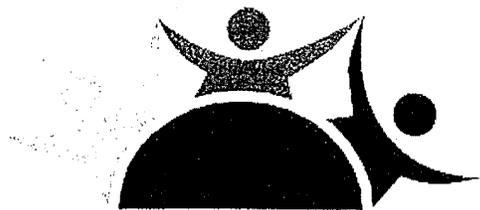
I'm sorry if you didn't receive the following update. I thought that I had sent it, but may have overlooked it in my travels. Please disregard if you have already received it. Thanks for your patience. Laureen

Chief Sassaman-

The Community Alliance for Diversity(CAD) Executive Board met on 12/16/2013 to consider your request for CAD involvement on CP 92-5.04. At this time we are unable to fulfill an advisory/advocacy role for this policy. We are currently experiencing a lack of personnel and resources and would not be able to carry out the role effectively. I have attached a copy of the termination contract sent in 2012 for further explanation. If you have any other concerns or questions, please feel free to contact me. Thank you again for your interest.

Sincerely,

Laureen Urey  
CAD Co-Chair



408 SW Monroe St  
P.O. Box M210E  
Corvallis, OR 97339

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## **Community Alliance for Diversity**

January 14, 2014

501 S.W. Madison Avenue  
P.O. Box 1083  
Corvallis, OR 97339-1083

Dear Mr. Patterson:

On January 10<sup>th</sup>, 2012 I, and the rest of the Executive Committee for the Community Alliance for Diversity, met with you to discuss the service contract our organization has with the City. Per that discussion I am providing you with this letter of termination that you requested as well as some history that will help you and the City Council better understand our need to terminate what has been referred to as the Ombuds contract with the City.

In June, 1993, seven organizations came together to form the Community Alliance for Diversity. Those organizations were the City of Corvallis, Benton County, Oregon State University, Linn-Benton Community College, 509J School District, the Corvallis Downtown Association and the Corvallis Chamber of Commerce. In July of that year one representative from each of these organizations was appointed to the Steering Committee of CAD. This committee was charged with designing, developing and overseeing an action plan to coordinate and promote existing and new activities and events that supported diversity. All resources for carrying out this responsibility (human and material) were provided by these organizations and 5 objectives were developed for the organization;

- Develop a principle for the Community
- Encourage community dialogue about diversity
- Develop a diversity event for the community
- Create a resource directory and community calendar for events; serve as clearing house for community organizations
- Formalize structure of the Community Alliance for Diversity

By the time the City and CAD agreed to enter into a contract to provide referral and presentation services for the City, the Community Alliance for Diversity had a healthy income of ~\$45,000 and had hired an Executive Director. It is my understanding that the services outlined in the contract would be part of the additional duties of the Executive Director who was already being paid for services from the generous support of those seven founding organizations as well as other funding sources. The City agreed to pay a stipend in support of that contract. Again, this amount was offered in support of an already existing, fully funded position and merely added to the duties of that position. Also, these funds were offered in addition to funds already provided by the City to support the organization's objectives that the City helped develop.

Today, we no longer get funding from those seven organizations in support of those objectives, with one exception. Larry Roper, from OSU, has continued to provide our organization with some funding in the hope that CAD would be able to continue the work it began over 15 years ago. While we greatly appreciate Dr. Roper's continued support, it can, in no way, match the funding CAD had seen when it was a healthy organization.

Due to the lack of financial support from most of the founding organizations our effort to continue to support the contract with the City has taken up most of the income and effort of our organization and the contract is negatively impacting CAD's fulfillment of its mission and activities. Because of this we can no longer support this contract. As Chair of the Community Alliance for Diversity I am, officially, giving the City 30 days notice of our intent to end this contract.

I wish you and the City all the best and offer hope that, should the Community Alliance for Diversity become a viable, fully supported organization, we can revisit support for this contract.

Sincerely,

Tom Johnston  
Chair – Community Alliance for Diversity

input. The retailers are more concerned about licensure change already treat e-cigarettes like tobacco products (behind counters, not selling to minors) and desire marketing equity and consistency throughout the County.

The Committee unanimously recommends Council amend Corvallis Municipal Code Chapter 5.03, "Offenses," by means of an ordinance read by the City Attorney.

III. Council Policy Review and Recommendation: 92-5.04, "Hate/Bias Violence"

Chief Sassaman reviewed the staff report. The goal of the policy is for equal rights for all citizens. It denounces hate/bias violence activity and directs staff to investigate hate/bias crimes and provide ongoing training for Corvallis Police Officers. The report includes a list of the trainings for the last two years. The policy references a contract with Community Alliance for Diversity (CAD) to act as a liaison between the community and the City regarding complaints and referrals. In 2012, the contract was terminated at CAD's request. Chief Sassaman was not able to make contact with CAD; however, Chair Sorte told him that CAD exists in a less structured environment.

Chair Sorte explained that CAD is a stand-alone group that no longer has support. He would prefer to amend the policy to continue working with CAD in an advisory role. He will discuss this further with CAD.

Councilor Beilstein confirmed that CAD requested to be released from the contract. CAD is not a strong organization. Its core group of four includes Benton County Health, elected officials, and a Council Liaison appointed by Mayor Manning (currently Chair Sorte). He opined that there is no relationship between this policy and CAD and that removing CAD language from the policy is appropriate. The contract between the City and CAD reestablished an ombudsman that had previously been located in the Police Department and, for a period of time, the City Manager's Office. Councilor Beilstein expressed concern about the current lack of an ombudsman position and function. He does not believe including CAD in this policy is a good way to fulfill that role.

Chief Sassaman said the policy takes a strong position against hate/bias and provides a good mechanism for enforcement.

Councilor York noted that everyone has bias and said it is sometimes difficult to understand how bias behaviors impact others. She expressed concern that no one is reviewing the impact of bias. She requested information about the Officer training curriculum how that training is evaluated.

Chief Sassaman said the City has a partnership with Benton County for diversity training. He attends specific diversity training that includes law enforcement representatives world-wide. The Department works with OSU and the Multicultural Center on local demographic issues and they provide training to one another. Internally, the Department reviews all laws related to anti-discrimination. The Department is one of a limited number of agencies that collects stop data. The data is reviewed and measured against other jurisdictions every five years. The Citizens Review Board was established to investigate and respond to biased-based complaints against law enforcement.

Chair Sorte expressed concern about how the City would respond to a bias complaint without a third party group to investigate. He suggested that most of the policy language could be deleted and CAD and the Commission for Martin Luther King, Jr. (MLK Commission) could act in an advisory role to address complaints. The Police Department no longer supports a full-time ombudsman position; however, it is an important position to have. In the meantime, involving CAD and MLK Commission formally acknowledges the City's recognition that there needs to be another perspective.

Councilor York agreed with the concept of including another group, but not until training and development parameters are initiated.

Chief Sassaman explained that the Department's role is as an investigative body. CAD does not have that authority.

Mr. Patterson added that including the MLK Commission may require changing their mission and/or charge. Empowering a group of people to serve in an advisory role includes the expectation that those involved want that responsibility. Serving in an advisory role will require dedicated participation by all members, training, and time commitments. He suggested Chief Sassaman conduct outreach, meet with the MLK Commission, CAD, and the NAACP and report back to this Committee.

Councilor York said, several months ago this Committee directed the MLK Commission to revisit their mission and report back. According to their minutes it does not appear they will report for several more months. She expressed concern that they would be given additional responsibilities when they have not yet responded to a directive by this Committee.

Councilor York announced that the Public Participation Task Force is discussing the creation of a Human Relations Board that would include issues related to diversity, inclusion, bias, and outreach. This Board may be able to provide an advisory role for bias-related complaints.

Chair Sorte said the MLK Commission has been working on the January celebration. They are also planning a retreat to work on the mission.

After further discussion, Chief Sassaman agreed that there is no hurry to amend the policy. He will schedule time to meet with various groups and report back to this Committee in a few months. In the meantime, complaints will be investigated as usual.

Mr. Patterson noted that two cases of potential bias have been reported to him. The cases were reported to Chief Sassaman and investigated. He added that Chief Sassaman and his Department understand the importance of these types of complaints and address them appropriately.

Councilor Beilstein suggested Chief Sassaman also meet with CASA. He said meeting with external groups will provide information about what type of advisory role the organizations can offer and what issues are currently relevant in the community.

**CITY OF CORVALLIS**  
**COUNCIL POLICY MANUAL**

**POLICY AREA 5 - COMMUNITY SAFETY**

**CP 92-5.04**            **Hate/Bias Violence**

<b><u>Adopted</u></b>	<b><u>December 7, 1992</u></b>
Affirmed	1993/1994
Affirmed	October 16, 1995
Revised	October 6, 1997
Affirmed	December 7, 1998
Revised	October 18, 1999
Affirmed	April 16, 2001
Revised	November 3, 2003
Revised	October 17, 2005
Revised	December 3, 2007
Affirmed	November 2, 2009
Affirmed	December 19, 2011

**5.04.010**            **Purpose**

To establish a policy regarding hate/bias violence in the City of Corvallis.

**5.04.020**            **Policy**

**5.04.021**            a-  
Verbal threats and insults based on the recipient's age, citizenship status, color, familial status, gender identity or expression, marital status, mental disability, national origin, physical disability, race, religion, religious observance, sex, sexual orientation, and source or level of income are not acceptable in the City of Corvallis.

**5.04.022**            b-  
All physical violence or threatening behavior, including, but not limited to, the intent to cause inconvenience, annoyance, or alarm, or recklessly creating a risk thereof based upon the recipient's age, citizenship status, color, familial status, gender identity or expression, marital status, mental

disability, national origin, physical disability, race, religion, religious observance, sex, sexual orientation, and source or level of income is not acceptable in the City of Corvallis.

e-  
**5.04.023** Property damage or the threat of property damage based on the recipient's age, citizenship status, color, familial status, gender identity or expression, marital status, mental disability, national origin, physical disability, race, religion, religious observance, sex, sexual orientation, and source or level of income is not acceptable in the City of Corvallis.

**5.04.030** Goals of the Hate/Bias Violence Policy

a-  
**5.04.031** That the Corvallis City staff and elected Officials encourage, pursue, and preserve an environment that is harmonious, respectful, and fair in its treatment of all Corvallis residents, regardless of age, citizenship status, color, familial status, gender identity or expression, marital status, mental disability, national origin, physical disability, race, religion, religious observance, sex, sexual orientation, and source or level of income.

b-  
**5.04.032** That the City of Corvallis work toward tolerance of diversity in our pluralistic society with the goal of equal rights for all Corvallis residents, regardless of age, citizenship status, color, familial status, gender identity or expression, marital status, mental disability, national origin, physical disability, race, religion, religious observance, sex, sexual orientation, and source or level of income.

**5.04.040** Actions to Implement the Hate/Bias Violence Policy and Goals

a-  
**5.04.041** This pPolicy directs City Sstaff to investigate incidents of hate/bias violence within the framework of existing criminal law. ~~Additionally, through the contract with the Community Alliance for Diversity (CAD), CAD shall act as a liaison to receive and refer complaints; provide information and referral for assistance from City Departments, neighborhood groups, community programs, and other resources; provide presentations that include: information about available assistance from City Departments, neighborhood groups, community programs, and other resources; receive housing and employment complaints; and receive discrimination complaints regarding City employees.~~

b-  
**5.04.042** The Corvallis Police Department will work with community organizations representing Corvallis' diversity (e.g. National Association for the Advancement of Colored People [NAACP], Commission for Martin Luther King, Jr., Court Appointed Special Advocates [CASA], and Latinos Unidos de Benton County) to advise the Department on diversity issues, including diversity training of Department staff.

**5.04.043** An ongoing training program for all Corvallis Police Officers involved in patrol and investigation of hate/bias violence shall be established and funded.

e-  
**5.04.044** The goals of this officer training are to:

- 1)  
a. Enhance sensitivity to cultural diversity and individual differences.
- 2)  
b. Recognize that hate and bias is **are** not acceptable in Corvallis.
- 3)  
c. Document sufficient facts for prosecution.

5.04.050 Review and Update

~~This Community Safety Policy shall be reviewed every two years in October by the City Council and updated as appropriate.~~  
**The Police Chief will prepare the Council Policy review every two years for Council approval.**

**HUMAN SERVICES COMMITTEE  
SCHEDULED ITEMS**

**June 12, 2014**

MEETING DATE	AGENDA ITEM
June 17	<ul style="list-style-type: none"> <li>• Council Policy Review and Recommendation:               <ul style="list-style-type: none"> <li>• 92-5.04, "Hate/Bias Violence"</li> </ul> </li> </ul>
July 8	<ul style="list-style-type: none"> <li>• Corvallis Farmers' Market Annual Report</li> <li>• Parks and Recreation Draft Master Plan Recommendation to Relocate Senior Center</li> <li>• Open Carry of Weapons in Parks</li> </ul>
July 22	<ul style="list-style-type: none"> <li>•</li> </ul>
August 5	<ul style="list-style-type: none"> <li>•</li> </ul>
August 19	<ul style="list-style-type: none"> <li>• Social Services Semi-Annual Report</li> </ul>
September 2	<ul style="list-style-type: none"> <li>•</li> </ul>
September 16	<ul style="list-style-type: none"> <li>• Rental Housing Program Annual Report</li> </ul>
October 7	<ul style="list-style-type: none"> <li>• Council Policy Reviews and Recommendations:               <ul style="list-style-type: none"> <li>• 93-4.11, "Public Library Policy for Selecting and Discarding Materials"</li> </ul> </li> </ul>
October 21	<ul style="list-style-type: none"> <li>•</li> </ul>
November 4	<ul style="list-style-type: none"> <li>• Council Policy Review and Recommendation:               <ul style="list-style-type: none"> <li>• 95-4.08, "Code of Conduct on Library Premises"</li> </ul> </li> </ul>
November 18	<ul style="list-style-type: none"> <li>•</li> </ul>
December 2	<ul style="list-style-type: none"> <li>• 2015-2016 Social Services Priorities and Calendar</li> <li>• Council Policy Reviews and Recommendations:               <ul style="list-style-type: none"> <li>• 91-1.03, "Naming of Public Facilities and Lands"</li> <li>• 91-4.01, "Guidelines for Selling in Parks"</li> </ul> </li> </ul>
December 16	<ul style="list-style-type: none"> <li>•</li> </ul>

**HSC PENDING ITEMS**

- Council Policy Review and Recommendation:
  - 99-4.14, "Use of City Hall Plaza and Kiosk" CMO
- Municipal Code Review: Chapter 5.01, "City Park Regulations" Parks & Recreation  
(Alcoholic Beverages in Parks)
- Municipal Code Review: Chapter 9.02, "Rental Housing Code" Community Development
- OSU/City Collaboration Project Recommendations (Action Items Community Development  
4-1, 4-3, 4-4, 5-1)

**Regular Meeting Date and Location:**

Tuesday of Council week, 2:00 pm – Madison Avenue Meeting Room