

Cold Spring Community Policing Agreement

INTRODUCTION

The Cold Spring Police Department's Community Policing Agreement (hereinafter referred to as the "Agreement") is the product of numerous discussions and good-faith collaboration between the Cold Spring Police Department's Office and members of the community. This Agreement was inspired by the St. Cloud Community Policing Agreement (2005; revised 2018) and the Stearns County Agreement. Work on the present Agreement began in December of 2021 and continued through May 2022.

The Cold Spring Police Department is responsible for the city limits of both Cold Spring and Richmond. It collaborates with all the other agencies in Stearns County and any other agencies that may request assistance. In addition, five City Council members represent the City of Cold Spring and work with the Police Department.

The purpose of the Agreement is to unite the Police Department to the community through a mutual understanding and cooperative spirit of what quality public safety should be. Through this understanding and on-going conversations, we can bridge the gap between law enforcement and community members they serve.

Although the drafters of the Agreement have worked to make it as clear and strong as possible, they recognize the need to review and reconsider it in the future in light of new experiences.

For general information about the Police Department, please see:
<https://coldspring.govoffice.com/publicsafety>

FAIR AND IMPARTIAL POLICING

The Cold Spring Police Department has and will continue to maintain and publicize its policy relating to fair and impartial policing. The history and tradition of the Cold Spring Police Department encourages and requires officers to take law enforcement action based on behavior and not appearance.

1. Accountability of Police Personnel.

The Cold Spring Police Department will continue to develop and implement evidence-based personnel policies to insure fair and impartial policing, including identification of officers who are at risk of engaging in biased policing.

The Cold Spring Police Department monitors and influences the performance of its personnel using structured supervision, performance management, "use of force" tracking, structured professional standards processes, and the utilization of progressive discipline. The department further ensures the standards of their personnel through a character-based hiring process, including detailed background investigations and psychological evaluations focused on performance criteria relating to fair and impartial policing.

2. Hiring and Recruitment Practices.

The Cold Spring Police Department, taking input from the community organizations signing this Agreement, may:

- a. Continue efforts to recruit, hire and retain officers representing diversity with the ongoing intent that the Police department should have a level of diversity that is representative of the city it serves.
- b. Review hiring strategies to increase the recruitment, hiring and retention of officers of color, and to prevent or avoid exclusionary and/or discriminatory practices and policies in employment.

3. Ongoing Collection of Data on Biased Policing.

a. The Cold Spring Police Department agrees to continue dialogue with community organizations and citizens to improve policies and practices dealing with fair and impartial policing including data collection and measurements, complaints and investigations, recruitment and training, traffic stops, and searches and seizures.

b. Officers should document in CAD (Computer Aided Dispatch) or report if there is a perceived bias by the reporting party and document the basis for the perception.

4. Fair and Impartial Police Training.

The Cold Spring Police Department requires officers to complete pre-service and in-service training in Fair and Impartial Policing which addresses the fundamental issues surrounding racial profiling, bias-motivated policing, and general principles regarding the effects of racial and social inequality.

5. Use of Business Cards.

The Cold Spring Police Department is committed to having all of its officers identify themselves by name to the people they serve. To provide this identification, the Cold Spring Police Department will facilitate the use of business cards by every officer. It is the responsibility of all supervisory personnel to ensure that officers acquire, carry and employ the business cards while performing their duties of a Police Officer. All officers will obtain and carry City approved and printed business cards. The primary response officer on scene, and any other officer, shall provide their business card upon request:

- At traffic stops.
- When anyone asks for the officer's name, badge number or business card.
- To any identified victim or complainant at calls for service.

The back of the business card should contain the following statement: "For comments or concerns, call 320-685-8666." The above statement will be in four languages: English, Somali, Spanish, and Laotian.

6. Consent Search Advisory.

The law provides reasons, that allow a Police Officer to search a vehicle or person. These include but are not limited to, a search pursuant to a search warrant, search incident to an arrest, plain sight exception and consent searches.

Cold Spring Police Department acknowledges that the use of pretextual traffic stops as a means for developing reasonable articulable suspicion for the purpose of conducting a discretionary or consent search is unprofessional and damages the relationship between the law enforcement community and the community.

Officers may request to conduct a consent search of a person or vehicle when the Officer believes that reasonable articulable suspicion exists. Factors considered by law enforcement include but are not limited to time of day, a person's actions, information received from citizen complaints or any other activity that is articulable by the officer.

When requesting a consent search, officers will follow well established law and department policy. Officers must have reasonable articulable suspicion leading them to believe that the person, premises, or vehicle to be searched may be involved in criminal activity.

- a. If a consent search is conducted the officer will articulate the results and details in his/her report as required by department policy to include how they were advised and how consent was given. The officer should advise that they can refuse consent without retaliation

7. Immigration Status.

The Cold Spring Police Department recognizes and values the diversity of the community it serves. The purpose of this Agreement is to provide guidance to the officers on the issue of immigration status and to ensure equal protection and fairness is afforded to all persons, regardless of their immigration status.

The primary concern of the Department is public safety. However, the Cold Spring Police Department will cooperate with the U.S. Immigration and Customs Enforcement (ICE) as it would with any other law enforcement agency. It is the policy of the Cold Spring Police Department that its officers shall not arrest or detain any person solely for a suspected violation of immigration laws, except upon the request of or when assisting ICE. The Cold Spring Police Department has a responsibility to investigate and contact any person it believes is involved in suspicious activity. If upon investigation probable cause to arrest exists, officers may effect an arrest for that specific violation unrelated to the person's immigration status.

Officers may require evidence of a person's identity and may ask to see a person's personal identifying documents when authorized by law. Presentation of an official photo identity document issued by the person's nation of origin, such as a driver's license, passport, or matricula consular (consulate-issued document), shall be accepted and shall not subject the person to a higher level of scrutiny or different treatment than if the person had provided a Minnesota driver's license or State ID. Presentation of a photo identity document issued by the State of Minnesota, or other photo identity document, will be accepted as proof of identity unless the officer has other reason to believe that a person's identity is in question.

COMPLAINT PROCESS

The Cold Spring Police Department encourages communication to the Department regarding questions and/or concerns about Police conduct, procedures, or policy. To create an environment that allows for this information to be effectively communicated to the Police Department, there are formal and informal complaint processes. Both processes are guided by an open-door policy in which all persons are

encouraged to ask questions, describe concerns, and, when necessary, file complaints. The Police Department will accept and investigate all complaints made to the department.

1. Informal complaint process

This process occurs when an individual has a question or concern about his/her interaction with a Police Officer, the policies or procedures of the Police Department, or the Police response to a circumstance or situation. We encourage individuals to communicate this information to both the officer and/or the officer's direct supervisor by phone, in person, or by writing/email. The goal is for the information to be received by the Police personnel and the issues addressed either by further explanation through open dialogue and/or corrective action of the issue at hand. Due to the informal nature of this process, the range of documentation will depend on the individual circumstances.

2. Formal complaint process

- a. The Cold Spring Police Department has a formal complaint process which allows any member of the public to make a complaint regarding the conduct of any Police Officer or a complaint with respect to the policies or procedures of the Police Department. (Policy PM 103)
- b. A complaint is initiated by contacting the Cold Spring Police Department. A complaint may be made to any Police Officer, and the matter will then be forwarded to the appropriate supervising authority to initiate the investigation.
- c. The individual making the complaint will be asked to sign a formal complaint and provide an audio-taped statement to the investigating official. A refusal to sign the complaint will not stop the investigative process, however a determination will need to be made whether or not the administration will sign the complaint based on the information provided. An audio-taped statement is essential to the formal process. Although a refusal to provide an audio-taped statement will not stop the investigation, it could compromise the ability to complete a full and thorough review of the matter.
- d. An investigation will begin in which all documented information, including the complainant's statement, all police reports, and any evidence including audio/video recordings regarding the complaint, will be collected and reviewed. A memorandum will be written which documents this information and the actions taken by all involved persons. This document is then reviewed by administrative staff, at which time it is determined whether further information is needed and/or more investigation should take place.
- e. If more information is required, a full investigation will take place in which involved officers may be formally interviewed along with any potential witnesses. All statements will be recorded. All aspects of Minnesota State Law will be followed regarding the Minnesota Officer Bill of Rights during this investigation. Additional evidence may be collected and/or reviewed including both audio and/or video footage from entities outside the police department. Upon completion of the investigation all information is documented in a formal written report. The final report is presented to the Chief of Police and/or the Chief's designee for review and final disposition.

3. Advocacy

If a person is uncomfortable approaching the Police Department with a complaint, that person may use an advocate to accompany him/her during the process. An advocate may be any person the complainant chooses.

Organizations signing this agreement as well as other community based non-profits may have experience with this process and may provide extra guidance.

COMMUNITY RELATIONS

1. In cooperation with the community organizations signing this Agreement, the Cold Spring Police Department may hold an annual public meeting. The purpose of this public meeting will be to report mutual issues in the interest of forwarding community policing and enhancing community relations, and to evaluate the effectiveness of this Agreement.
2. The Cold Spring Police Department will hold their Officers accountable on and off duty according to Cold Spring Police Department policies.
3. The Cold Spring Police Department and the City of Cold Spring Mayor and City Council will continue to review, develop and/or support community based programs in a focused effort to enhance and increase communication, strengthen existing relations, and build new relationships with the community, inclusive of those groups represented in this Agreement. When appropriate, the Cold Spring Police Department will engage with the community to advise on these programs, so they are developed to best suit the community.
4. The Cold Spring Police Department will review policies for the risk of disparate racial treatment.
5. The community organizations who have signed this Agreement will support reasonable and appropriate efforts of the Cold Spring Police Department to implement this Agreement.
6. Organizations and individuals acting as advocates for complainants are expected that they will neither comment nor release any information of alleged Police misconduct until it has been first reported to the Cold Spring Police Department. Before either the organization acting as a contact point, or the Police Department releases any information, both parties will meet and confer regarding the nature of any such releases.
7. If able, the organizations will acknowledge participation in this Agreement on websites, social media, and other media platforms. To assist in this process, Cold Spring Police Department and the City of Cold Spring will make this Agreement readily available on all appropriate media platforms.
8. The Cold Spring Police Department's members will continue training with a community-based perspective. The Cold Spring Police Department will assist in educating the community on aspects of law enforcement, police policies and other pertinent issues.

FUTURE MEETINGS BETWEEN COLD SPRING POLICE DEPARTMENT AND PARTIES TO AGREEMENT

1. This Agreement shall be reviewed by the Police Department and the parties to this Agreement during January of each year following the year in which the Agreement is signed. The parties may meet before that time, to review various issues in the community and the Police Department, and then meet with the Police Department to determine whether there should be any changes to the Agreement.
2. The parties of this Agreement understand that issues of concern and emergencies may arise between the Cold Spring Police Department and communities of color. When such matters occur, either the Cold Spring Police Department or the parties to this Agreement may call a meeting to discuss and share ideas with respect to such issues of concern and emergencies.

MODIFICATIONS TO AGREEMENT

No modifications of this Agreement are valid unless made in writing and signed by the parties to this Agreement.

The above affirmations and commitments are hereby agreed to as signed and witnessed this 4th day of May 2022.

SIGNATORIES ...

SIGNATORIES ***

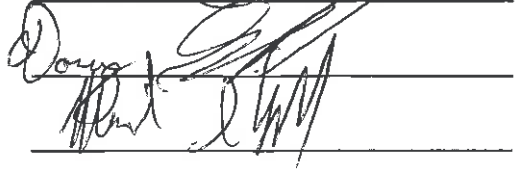


Cold Spring Mayor- Dave Heinen



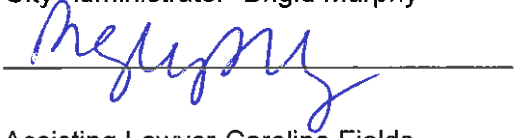
Police Chief
Jason Blum



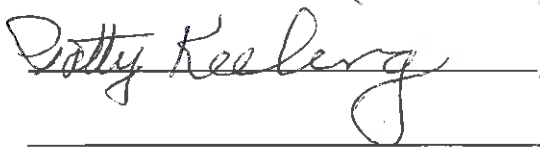


Cold Spring City Council

City Administrator- Brigid Murphy

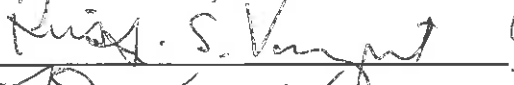


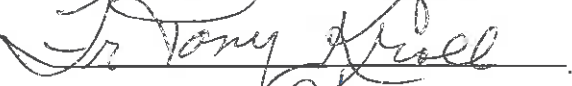
Assisting Lawyer- Caroline Fields



Fe Y Justicia, Unidos MN and Community

















~~Jose Luis~~

~~Jose Luis~~

Jose Cenrad

Miriam Friedman

Rosy Mercedes

Ma Eknei Gutierrez

Ana Acosta H.

Zoraida Vega

Ann Perroya

Maribel Perroya

Adrian Bustillos

JOSE A. ANAYA

Espejo ZM

~~Alfonso Zaccarias~~

Valentin Cruz

John Fitzgerber

Alfonso

Fr. Efran Rosado

Evelin De Leon

Dany Lee

the man