

To: Mayor and Council
From: Tom Fountaine, Manager
Date: November 18, 2019 Update
Re: Monthly Report on Diversity, Equity, and Inclusion

This report will provide an overview and status update on the work that the Borough has done to address diversity, equity, and inclusion in the community. This work builds on ongoing initiatives to ensure that State College is a diverse and welcoming community. Since the March 20, 2019, officer-involved shooting, there has been a community conversation about equity and inclusion, particularly racial equity.

In 2015, the Borough and Penn State jointly appointed a Task Force on Policing Communities of Color. The Task Force was formed to contribute to strengthened relationships between both the Borough and Penn State – University Park police departments and the racial/ethnic minority community (both campus and town) based upon recommended concrete action steps. Areas of focus included the recruitment and retention of racial/ethnic minority police officers by both departments, training of police officers concerning effectively serving a diverse community, communications with the community, and other topics that significantly impact police/minority community relationships. A final report conveying the findings and recommendations of the Task Force was issued in 2016.

State College, both the community and the elected leadership of the community, has valued diversity and inclusion. The State College Council has made statements to affirm its commitment to diversity and inclusion, and to take steps to ensure that State College is a welcoming community. Council has been engaged for the past three (3) years in the Race Equity and Leadership program with the National League of Cities. In 2017, State College was selected to be one of 15 cities from around the country, and one of three Pennsylvania municipalities to be part of a Learning Communities Program, which provides an opportunity to learn from its peers and national experts, and gain a comprehensive understanding of how they can implement and strengthen efforts to advance racial equity. Council's engagement in both the Race Equity and Leadership Program and the Learning Communities Program demonstrates its commitment to recognize the need to do more to strengthen its knowledge and capacity to eliminate racial disparities, heal racial divisions, and build a more equitable community.

In 2017 and 2018, Council adopted resolutions emphasizing that diversity, inclusion, and equity are pillars of the State College community. In addition to these resolutions, the Mayor has issued several proclamations addressing these issues. Council and the Borough staff have also partnered with the Penn State School of Law Center for Immigrant Rights to develop policies and procedures for working with the immigrant community in State College.

Following the March 20, 2019, officer-involved shooting, the Borough has engaged in regular dialogue with members of the community about issues related to diversity and racial equity, as well as mental health services. The Borough has hosted an opportunity for community members to speak about racial equity, concerns, and views on how to address the issue of racial equity and mental health. Many of the

comments made have directly addressed concerns about the relationship between people of color and law enforcement. The Borough remains committed to addressing these issues through a racial equity lens and continuing to improve diversity, equity, and inclusion within the Borough of State College organization and the community.

Over this time, several ideas have been discussed to advance this work. These are discussed and update as follows:

1. Task Force to address broadly the issues of racial equity, inclusion, and diversity. Mental Health and law enforcement were a critical focus in the overall charge for this task force. Since this was announced in May, the Borough has received significant feedback from members of the community. The majority of this feedback directly questioned the need for a task force on race and questioned the effectiveness of this approach. The Borough has listened to the community and determined that the original broad charge for the task force would not serve the community well, nor would it advance the work required to effectively heal the community.

As a result, the Borough has concluded that there are more effective approaches to address the issues of racial equity, diversity, and inclusion, though there continues to be overall recognition that the issues around mental health services can be effectively addressed through a task force. These approaches will be addressed below. In Pennsylvania, mental health services are provided through the County Government. Borough staff and County officials are engaged in a discussion about how best to organize a task force to review the practices in Centre County, evaluate practices in other Pennsylvania Counties, as well as research national best practices around mental health services. A key element of the mental health services to be evaluated will include the policies, procedures, and practices of law enforcement in meeting its legal requirements under Pennsylvania law to serve Section 302 commitment warrants.

This task force is expected to be appointed in July or early August following discussions with the Centre County officials.

July 15, 2019 Update: On June 27, 2019, the Centre County Commissioners hosted a Community Conversation on Mental Health. This conversation generated about 3 ½ hours of comments and questions from the public. County and Borough officials have met to continue working on the members and charge for a Task Force that will be appointed jointly by the County and the Borough to address mental health services and the role of law enforcement in the mental health system. A follow-up meeting is scheduled for the last full week of July to finalize details for the Task Force, and the appointment of members is expected in August.

August 19, 2019 Update: County and Borough officials met on July 25, 2019, to finalize the Task Force. Following that meeting, some modifications to the Task Force and the membership were completed. The final Task Force charge has now been developed and is attached with this report. The Task Force on Mental Health Crisis Services is to recommend enhancements to, and identify strengths of, the mental health crisis delivery system in Centre County. Specifically, the Task Force is tasked to examine the continuum of mental health crisis services, including:

- a. Mobile crisis services
- b. Delegate crisis services
- c. Involuntary commitment warrant procedures
- d. Police officers' role in responding to mental health calls and 302 warrant procedures
- e. Emergency Department procedures
- f. Post-Emergency Department services

The Task Force will provide recommendations and identify strengths on an ongoing basis with the majority of the anticipated work completed by Spring 2020. The Task Force will deliver periodic updates to both the Centre County Commissioners and the State College Borough Council. The Task Force membership will be appointed over the next few weeks, and the first meeting will be planned by mid-September.

At the August 19 2019, regular meeting, Council will consider a supplemental appropriation of \$50,000 to provide support for this Task Force.

October 21, 2019 Update: At the August 19 Council meeting, Council approved a supplemental appropriation of \$50,000 to fund the work of the Task Force. \$12,5000 was transferred from this appropriation to provide funds to retain a consultant to assist the Task Force with conducting a mapping of the current mental health crisis system and to make recommendations for changes and/or enhancements to this system. The Borough signed the agreement with Forensic Systems Solutions (FSS) for this mapping work.

The Task Force appointments were completed by early September and the Task Force has now met twice, once in September and once in October. The consultant attended the October meeting of the Task Force to begin the mapping process. The Task Force is chaired by Dr. Billie Willets and has been charged to complete its work by Spring, 2020.

November 18, 2019 Update: The task force continues to meet, and will provide updates to both the Borough and the County periodically. This will be the final update as part of this monthly report. All future updates will come directly from the Task Force Chair.

2. **Advisory Committee on Practices to Improve Policies and Procedures:** The Borough has discussed how to take advantage of subject matter experts in the community, both from the Penn State University faculty and community members. Borough staff is working to identify those that can be part of an advisory committee that will be asked to provide evidence-based recommendations on policies, practices, and procedures to address equity and inclusion. This work is expected to identify specific performance measures to facilitate the regular evaluation of this work and advance the goal of building a safe community for people from all racial, ethnic, and cultural backgrounds.

July 15, 2019 Update: The Borough met in May with a representative of a group of faculty members who have expressed interest in pursuing evidence-based policies, procedures, and practices that effectively address equity and inclusion. Since that meeting, staff has not been able to get in touch with this faculty member. Recently, staff contacted an additional faculty member who had also expressed interest in this work. No update is available at this time.

August 19, 2019 Update: This advisory committee relies on subject matter experts, several of which are Penn State faculty members. We hope work on this advisory committee can begin after the start of the academic year, though to date we do not have a commitment for this work from the faculty members who originally expressed interest in this work.

October 21, 2019 Update: Tom King and I met with Penn State faculty members who are subject matter experts on October 9th. We discussed the work that the Borough has accomplished over the past few months. We spent some time discussing the Task Force on Mental Health Crisis Services charge, the NLC REAL project, and the IACP consultant project. We then discussed how this group of faculty members, and perhaps others, might be involved in the Borough's work to address issues of race, equity, and inclusion. We agreed to continue this discussion after everyone had an opportunity to reflect on our discussion.

November 18, 2019 Update: There is no update this month.

3. **Racial Equity Plan:** Over the past month, Council Members and Borough staff have engaged in discussion with the National League of Cities leadership and staff of the REAL program to talk about assistance and facilitation of conversations within the State College government and its employees, and with the community. Staff talked with the REAL Program Director and a member of his staff during the week of June 10, 2019. The Borough and REAL are talking through the scope for the REAL Tactical Team to provide facilitation and assistance in developing a racial equity plan for State College. Although racial equity is at the center of this conversation, over the past three months, other under-represented groups have also expressed concerns, and these concerns should also be addressed by this project.

The REAL Tactical Team assist in the following areas:

- Train local elected officials on how to analyze policies through the lens of racial equity.
- Connects the community to local voices in your region who specialize in racial equity and healing.
- Guides the community through a 3-step process toward crafting a locally-developed plan of action.
- Facilitates the discussions necessary to finding the solutions that will address the community's unique challenges.

The first series of conversations and training sessions involved in this work are expected to occur in September, if not sooner. More information and details about the scope of this work will be made available over the next six weeks.

July 15, 2019 Update: Borough staff worked with staff from the National League of Cities on this project. Based on a conference call held on July 12, 2019, goals and objectives for this project were clarified. Some additional work needs to be done to finalize the project and budget. I expect to have a proposal ready for Council to approve in August.

August 19, 2019 Update: The final proposal for this project is ready for Council approval at the August 19, 2019, regular meeting, council will be asked to approve a supplemental appropriation to provide \$100,000 to fund this project over the next 18 to 24 months. Council is also asked to approve the proposal and agreement for this work. The final scope for the project is being reviewed and is expected to be executed on or before August 30, 2019.

In addition to the scope of the NLC REAL agreement, staff, Council and the Borough's REAL committee participated in a video conference with the NLC REAL team on August 14, 2019. The handbook from this session, Responding to Racial Tension in Your City: A Municipal Action Guide, is attached with this memo.

October 21, 2019 Update: The Borough and the NLC REAL team have agreed on the scope of work for this project and the general schedule for the work. Council approved a special appropriation of \$100,000 for this project at the August 19 Council meeting. I have executed the contract, and we will now work with the REAL team to finalize the schedule and prepare for the work to begin. The project is set for an 18 month period.

November 18, 2019 Update: Borough staff and the Real Team are working on preparing the schedule for this work. Due to scheduling conflicts, the final implementation plan and schedule are not complete. I expect this to be completed following the National League of Cities Annual Summit, which will be held this week.

- 4. Community Conversations:** In July and August, the Borough will work with Community and Campus in Unity (CCU) to organize and facilitate a series of small group community conversations to help define and plan for additional recommendations. These conversations will include a broad spectrum of the community, including members of Community Diversity Group (CDG), Standing Up for Racial Justice (SURJ), 3/20 Coalition, and other groups that are addressing racial equity in the community. The work with CCU to define this process will occur in July.

July 15, 2019, Update: Over the past month, Borough Staff has met with the Community and Campus in Unity (CCU) leadership to discuss how these community conversations will proceed. As a result of those discussions, CCU has suggested that it would be more appropriate if CCU were part of this conversation, but not necessarily lead the process. Borough staff is now working to identify possible facilitators to convene and lead these conversations as part of a community healing process. Additional details and process will be presented in August.

August 19, 2019, Update: Borough has received the names of three (3) possible facilitators from the NLC REAL team. Borough staff is also seeking other potential facilitators. The next step is for staff to complete the review of the facilitator credentials, interview consultants and make a recommendation to Council.

October 21, 2019 Update: After reviewing potential candidates for this work, staff has concluded that it will be effective to coordinate this work as part of the NLC REAL contract and work with local facilitators for these conversations.

November 18, 2019 Update: Please refer to the Racial Equity Plan update.

5. **Assessment of the State College Police Department (NEW October 21, 2019):** The Borough identified consultants that are able to provide an independent review and assessment of the State College Police Department. The International Association of Chiefs of Police (IACP) submitted a proposal to conduct a systematic evaluation of the operation of the State College Police Department. This project will involve a comprehensive and independent assessment of State College Police Department's critical policies, practices, and procedures and provide actionable recommendations in areas in which improvement is identified by the three (3) consultants. The results of this assessment will help further progressive change within the agency and set the course for improved interactions with all segments the community. Council approved the contract with the IACP at their October 14, 2019 meeting.

The proposal has identified three (3) experienced law enforcement professionals. They include Dr. Jessie Lee, Lead Subject Matter Expert, who is the former Executive Director of the National Organization of Black Law Enforcement Executives (NOBLE), Chief Sue Riseling, former and long-standing Chief of Police at the University of Wisconsin-Madison, and Mark Lomax, retired Major with the Pennsylvania State Police. More complete information on these consultants are part of the IACP proposal.

The proposal provides a six (6) month timeline for the consultants to complete this work. The cost of the proposal is \$60,000. Funding for this work was previously included in the special appropriation approved by Council on August 19, 2019. Signatures for the approved contract are currently being executed by the IACP and the Borough. Work is expected to begin on this project in November.

November 18, 2019 Update: The IACP Project Manager and the Lead member of the Assessment Team were in State College to meet with Borough Administration and Police Administration staff on November 15, 2019. The Assessment Team is contracted to review department information, policies, procedures and training. The full Assessment Team will be in State College the week of January 20, 2020 for onsite interviews and work. More information will be provided as the schedule for that week is finalized.

The Borough staff continues to engage in discussions with members of the community about the issues to be addressed. Several other ideas about approaches to healing the community are continuing to be discussed. Additional recommendations may be brought forward over the next few months. It is also

important to note that these discussions will continue as students return to the community in August, so their voices and input are part of these ongoing discussions.

I will continue to update Council and the community on this work with monthly reports.

August 19, 2019, Additional Updates: In addition to the updates on the previously identified initiatives, Borough staff is working to identify consultants to assist with an independent review of policies, procedures and training that will enhance the reviews that are regularly performed as part of the State College Police Department accreditation. The accreditation process provides a regular review of the Borough's policies, and its compliance with those policies. This review is based on nationally recognized standards for police practices, including use of force and anti-biased based policing. The independent review that will be conducted will provide an additional review, beyond what is conducted through the accreditation process, to ensure that the Borough's standards reflect current practices in law enforcement, and recommend enhancements, if any.

Borough staff also is continuing to work on updates to the statecollegepa.us website to update information and provide better, more transparent links to data and reports. Among the updates that are being improved include the progress reports on implementation of recommendations from the Task Force on Policing Communities of Color Report, data reports from the SCPD accreditation re-certifications, and other data for the Borough government.

Finally, as identified by Council in the 2020 budget goal setting, the 2020 budget proposal will include priority on equity and inclusion, including a review of appropriations through a racial equity lens.