

Assessing Teton County & Jackson Public Safety

A Pathway Through the Process

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Introduction

On June 30th, 2020 the Teton County Commissioners voted to approve an initial budget of \$10,000 for seed funding to convene a task force dedicated to making a public safety/law enforcement assessment. The purpose of this assessment is twofold: to better understand the policies, processes, and use of funds of our law enforcement departments, and to utilize this understanding to make meaningful changes that improve our community. An assessment like this is essential not only because we can use it to make informed decisions, but also because it simply has not been done in Teton County or Jackson before. We need to understand how our tax dollars are spent, and how our citizens can be best served by our public infrastructure.

This report will provide a structure by which the Commissioners, Councilmembers, and stakeholders can begin the process that will lead to a completed law enforcement assessment. Our recommendation for the general assessment process (outlined in Figure 1 below) is as follows. First, a task force of officials, stakeholders, and community members is convened. The task force then uses this report and their local expertise to create an RFP containing specific questions and more general areas they would like to see answered by a formal public safety assessment. The RFP is used to hire a third-party consultant or consulting firm as well as a subject matter expert with experience reimagining public safety, who will then use the RFP, as well as their own background knowledge, to investigate our law enforcement's policies, practices, use of budgetary funds, and any other relevant information. The completed assessment will be delivered to all relevant parties and made available to the general public and will then be used to make informed decisions at all levels of local government, as well as potentially in the nonprofit and private sectors, and anywhere else it is relevant.

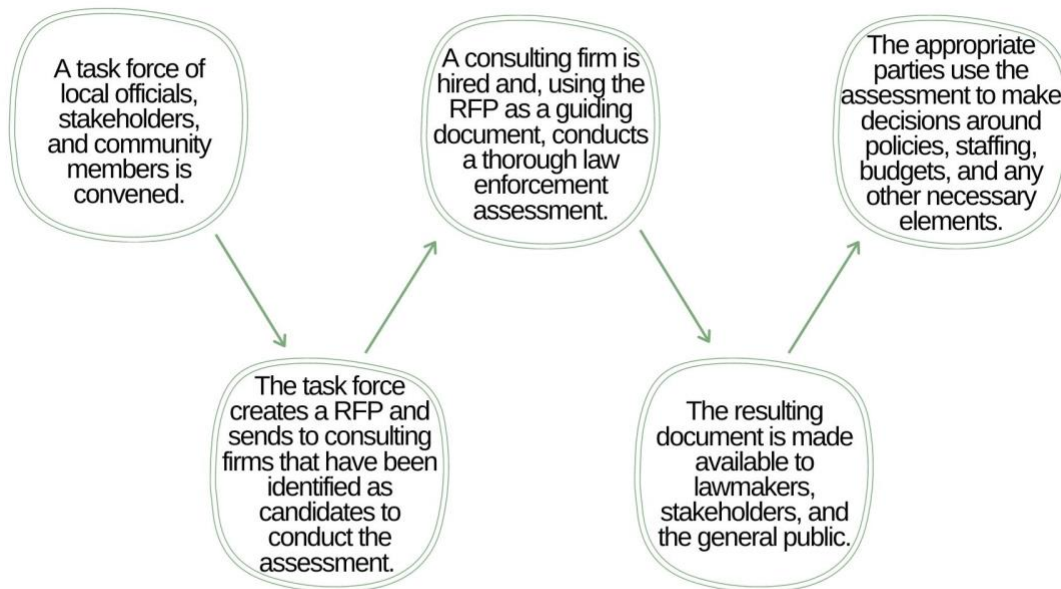


Figure 1 (created by ActNow JH)

In this report we will present a plan for the initial steps of the process outlined above, including a list of potential task force members, questions and ideas to be included in the RFP, a list of consulting firms capable of doing this work, and examples of similar reports or processes done in comparable areas of the country. We will also discuss potential outcomes of the final assessment in order to maintain a focus on long term goals throughout the process.

The Task Force

In considering task force membership we must create a clear list of criteria. We must also be able to answer why each member of the task force should be there. As a starting point, we recommend that the task force include public servants, care providers, activists, business owners, and many more who form the complex network of our community.

Specific focus should go to those who work with our local population, make decisions, and impact anyone who might enter into a “need for service” or “need for care” situation so that we can best understand their policies, practices, organizational culture, budgets, and outcomes...as well as understand key decisions that could be made differently and earlier in a chain of events that eventually leads to a community member ending up in a “need for care” or “need for service” situation. How might we identify those who have the power and the knowledge to enact preventative and restorative lenses to community care, instead of catching problems after they have already happened that usually involve law enforcement and punitive outcomes?

This task force should be built on a collective understanding of how we might serve our community members better, spend tax-payer money more responsibly, and create shared buy-in on reimagining public safety. Below is a list of task force membership criteria, roles and/ or organizations that should be represented on the task force, and why.

- Public Defenders
 - Play an important, public-facing role in the criminal justice process
- Organizations that serve the Latinx community
 - Latinx residents have higher rates of incarceration and law enforcement interaction than their white counterparts
 - Latinx residents make up the majority of working poor population
- Immigration attorneys
 - Immigrants face complex challenges in navigating the legal and law enforcement system
- Organizations that serve youth
 - At-risk youth have a high probability of being negatively affected by police activity
- Organizations that work in mental health and/ or substance abuse
 - Mental health and substance abuse are common factors in police incidents and arrests
- Organizations that work with domestic violence victims or do preventative work
 - Domestic violence victims, advocates, and police often work together
- Educators
 - Educators have a direct line to families and understand their issues, and are affected by the existence of SROs
- Public health officials
 - Local hospital and health care providers, discovering statistics and common problems that cross over into public safety and policing
- Religious organizations
 - A large portion of our community regularly attends religious services and should have their voice represented
- Business/ property owners
 - These individuals have a large amount of economic capital and thus social capital in the community
- Non-profit organizations

- Non-profits provide significant services to fill the void of the eroded public service sector of Teton County/Jackson
- Local activists
 - Activists whose goals and work are linked to this assessment must have a seat at the table
- Previously incarcerated individuals
 - These individuals have perhaps the most intimate knowledge of our law enforcement and criminal justice system and their input is highly valued

Other considerations

The County Commissioners have ample experience in convening task forces for specific goals. That being said, this task force’s goal is markedly different from anything our community has set out to accomplish in the past. This means that our task force must also be different. We cannot have a task force of majority white individuals working on an issue that disproportionately affects Black, Indigenous, people of color, and other marginalized groups. Nor can we have a task force made up entirely of men.

Because of this, the task force must have intentional membership criteria regarding race so that we do not end up with an all or majority white and/or male group. At the very least, the task force should be representative of local racial demographics, meaning it should be at least 30% Latinx, and should have Black and Indigenous representation as well. At best, the task force should strive to have majority non-white (or white Hispanic) membership. A diversity of voices in this effort is crucial.

Considerations for an Effective RFP

Example Questions/ Topics

It is the task force's job to create an RFP for the law enforcement assessment. In creating this RFP, individual task force members will be charged with researching and cultivating an understanding of the issues at hand. As a supplement to this research, we offer our own suggestions for questions and topics to include in the RFP. These are cursory suggestions and in no way represent the entirety of what the assessment will study.

- How can we leverage the recent Human Services report by PPI and apply it to public safety/ law enforcement?
- How has Sublette County achieved its status of having one sheriff's department for the county, and no town police? Is that feasible for Teton County?
- What are the relevant state statutes and how can they help or hinder us in creating a public safety force that best fits our needs regarding our Sheriff's Dept?
 - <https://law.justia.com/codes/wyoming/2019/title-18/chapter-3/article-6/>
- What are some tasks that have historically been delegated to law enforcement but might best be served through social services? Below are potentials for identifying resources/tasks that can be redirected to social services:
 - Identify all emergency situations based on the type of emergency response that should have been used (law enforcement, medical, counseling, etc.)
 - Identify all emergency situations based on the type of emergency response that was used (law enforcement, medical, counseling, etc.)
 - Compare the above two points for economic (costs of service) and social (harm and outcome) analysis
 - Identify all situations where law enforcement responds in lieu of other, more appropriate emergency responders
 - Repeat above four bullets with School Resource Officer compared to other school employees like nurse, counselor, social worker
- Mapping where patrol happens in Teton County/ Jackson and the demographics of the areas that receive the heaviest patrol, if relevant.
- How can we transition 911 calls related to mental health or substance abuse away from the police and to the appropriate social services responders?
- How can we achieve more transparency in data collection and reporting so the public can understand our crime rates and the police's role in local crime?
- What are our community's basic needs that, if met, could reduce crime, and how can we best meet them?
 - One example to start with is a "Topsy Bus" style program, that could divert DUI and PI incidents

- What are the existing restorative justice and criminal justice initiatives that exist in our area, how have they been received, and how can we support their goals?
 - One example to start with, is doing a deep dive into Teton County Drug Court practices, results, costs, and value with regard to rehabilitative/restorative justice
- How does law enforcement interact with ICE? What are the implications of this interaction for our community?

Example RFPs

Below are some examples of RFPs for social/ criminal justice initiatives.

[Denver Climate Action Facilitator RFI](#)- A request for facilitators to aid Denver officials in convening and facilitating a task force that will research the city's climate impacts and actions the city can take.

- Brief and to the point
- Includes a thorough timeline of meetings, as well as the research subjects of each meeting so facilitator and task force members are informed in advance

[West Harlem Community Reentry Project RFP](#)- A request for proposals for a lead entity to employ restorative justice measures in response to a mass incarceration event in West Harlem, NYC.

- Has a clearly stated goal
- Defines key terms like reentry, restorative justice, and trauma-informed
- Provides clear application guidelines

[Mecklenburg County Juvenile Crime Prevention Programs RFP](#)- A request for community-based programs that reduce juvenile crime while providing safe, non-carceral interventions for at-risk youth and families.

- Provides background research done by the county to clarify their proposal
- Provides a list of acceptable program types to give clear options

Consultant Information

Consultant Qualifications

Understanding the uncertainty of this nascent taskforce, we are trying to imagine what a successful effort will look like, and what qualities the right consultant should have. We envision roles for 2-3 consultants, with core assessment duties going to someone focusing on program management, mediation and facilitation, as well as the additional and very important inclusion of a consultant with subject matter expertise and experience with reimagining public safety.

Through research and conversations with specific consultants, we have identified a list of preferred traits, and some specific recommendations. *Any consultant with an asterisk next to their name has spoken directly with ActNow JH about this project.

Preferred consultant traits:

- Mediation skills
- Project management skills
- Experience in public planning/ working with governments
- Experience with conducting virtual meetings
- Knowledge of state and local services/ issues
- Understanding of basic social justice tenets
- Understanding of current sociopolitical landscape with regards to law enforcement
- Understanding of alternative public safety and restorative justice
- Prioritizing BIPOC consultants over all-white consulting firms

Potential consultants

- [The Avarna Group](#)
 - Supports the outdoor and environmental sectors in learning about and implementing strategies for justice, diversity, equity, and inclusion (JEDI)
 - Provides a wide range of services, including workshops, presentations, and assessments so they can be flexible with our needs
 - Their staff is majority BIPOC
- *Frances “Fran” VanHouten- [Rainmaker Coaching LLC](#)
 - Certified facilitator with extensive local experience working with our municipalities
 - Understanding of how to facilitate groups with opposing interests with language that communicates shared interests, while not entering the realm of empty, meaningless work
 - Her work with the Teton County Drug Court is relevant in creating institutions built upon preventive measures and restorative justice
 - Familiar with the Board of Commissioners and navigating our local government.
- [Keystone Science and Policy Center](#)
 - Emphasis on equity and inclusiveness, civil discourse, and collective action
 - Applies representative participation to ensure that a range of voices are considering, including those most affected by the issue at hand
 - Extensive work with Native American populations, a group that is incarcerated at disproportionate rates in Wyoming

- [Police Assessment Resource Center \(PARC\)](#)
 - Works directly with law enforcement agencies to provide evidence-based counsel to improve police accountability
 - Does formal monitoring of police departments to ensure that changes are being made and upheld

- [Critical Resistance Educators](#)
 - Educators who provide presentations and workshops to increase awareness of the Prison Industrial Complex (PIC) and ways to fight against it
 - Represent a wide range of voices whose interests are close to these issues, from university professors to currently incarcerated individuals
 - Have been doing this work for decades and are a formative voice in the fields of abolition and restorative justice

- *Robyn Paulekas- [Meridian Institute](#)
 - Experience facilitating solutions for outdoor-oriented communities
 - Grew up in Laramie and now lives near Denver, so she has an understanding about the social considerations related to working within rural mountain towns
 - She was clear in her stance that she is not a subject matter expert in this field, but appears to be incredibly competent in bringing people together in a mediation role
 - Meridian offers “Research” as one of their services, which could be a strong asset in forming and implementing an assessment

Studies, Reports, & Plans of Action

In this section we will examine relevant studies and reports that were created either for a specific location, or for general informational purposes. We will also provide examples of plans of action created by cities around the country working to assess and defund their law enforcement departments.

[Burlington, VT Equity Report](#)

- An annual report, started in 2018, that focuses on different aspects of the city through an equity lens
- The 2019 Equity Report focused on identifying structural inequities in the city “with the goal of better aligning the services the City provides to improve residents’ ability to participate, contribute, or benefit from the Burlington community.”

Benefits:

- It is annual, so it creates a regular way to check in on citywide goals and initiatives
- An easy way to measure the success of these goals, and to readjust goals periodically
- Incentivizes data keeping across all sectors of the city
- Provides a broad overview so that interdepartmental connections can be made, and partnerships facilitated

[Minneapolis, MN “Enough is Enough” 150 Year Performance Review](#)

- A report reviewing the 150-year history of the Minneapolis police department
- Done by MPD150, an independent association of organizers, activists, and researchers
- Structured as:
 - Where We’ve Been- Past analysis
 - Where We Are- Present analysis with community professionals
 - Where We Are Going- Future possibilities relying on community
- Supplemented with case studies, community interviews, and alternative resources

Benefit:

- Extremely thorough and wide temporal scope allows for a greater understand of how current practices came to be so that they can be dismantled and recreated to better serve the public
- Incorporating various forms of information (case studies, interviews etc.) creates for a robust and nuanced view of the police department, not just one presented by the department itself
- A focus on future possibilities emphasizes actionable steps to improve community safety

[Northampton, MA Policing Review Commission](#)

- A public body made of Northampton residents will study law enforcement and “recommend reforms to the current organizational and oversight structures, municipal funding allocations, and policies and ordinances that together can transform how the city delivers policing services while ensuring community safety equitably and justly for all.”
- Commission members are appointed by mayor and city council, with clear guidelines to have a majority of members who are Black, Indigenous, people of color, or identify with other historically marginalized groups
- Clear timeline of a preliminary report being filed and made public in December of 2020, and a final report in March of 2021 so that budget decisions can be made

Benefits:

- A body made intentionally of residents, prioritizing residents from marginalized groups, ensures that local knowledge, insight, and lived experiences will be centered
- The commission has clear goals, and their reports and recommendations have vested power among the mayor and city council
- A clear deadline ensures that change will be made at a reasonable pace and not drawn out or forgotten

Helena, MT Police Reform Discussion Plan

- Lays out a plan for local government and stakeholders to learn about and review law enforcement history, policies, practices, and funding
- Listening sessions for anyone who would like to speak on their experiences with law enforcement related to racial bias
- Includes information on work sessions with specific outcomes

Benefits:

- Gives lawmakers and stakeholders a firm foothold in the work to come
- Listening sessions include public input throughout the process
- Listing specific outcomes holds lawmakers accountable for making meaningful change

San Leandro, CA Task Forces*

- Mayor and city council removed \$1.7 million from law enforcement budget and have established a process to redistribute those funds with community input
- Residents will apply to participate in one of two task forces: a budget task force and a race & equity task force
 - Budget task force will look into the city's entire budget, specifically focusing on line items in law enforcement budget that could be better served in different departments
 - Race & equity task force will research the city's historic and current issues with race and equity, possibly with outside help from a third-party consultant
- Using reports from both task forces, decisions will be made around budget reallocations, alternate public safety initiatives, equitable community resources, and more

Benefits:

- Two separate task forces allow more community members to participate, and to focus on specific subjects rather than fitting a wide breadth of research into a narrow scope
- Removing funds from law enforcement from the beginning forces council and mayor to be accountable for what will happen to that money

*Note: While there is no publicly available document of these plans, we learned about their details through an interview with Pauline Cutter, San Leandro mayor.

Outcomes

As community activists we are not interested in governmental processes that express interest in doing the right thing by conducting studies with public money and then fail to take action. We know our county is strained for resources and as such we value all resources as means to materially affect the lives of our residents. We do not pretend to have a clear vision of a completely reimagined community but based off historical examples we can offer several possible outcomes that will tangibly improve community safety.

- Proposals to decrease law enforcement and redirect funds to social goods
- Proposals to consolidate Jackson PD into Teton County Sheriff’s Department
- Proposals to disarm officers
- Proposals for data transparency to the public
- Clearly identify calls where law enforcement is not necessary, and identify which emergency responder is
- Clearly identify the scope of work done by law enforcement with commensurate resource allocation to each role (i.e. 25% to patrols, 15% to traffic stops, etc.)
- Proposal to decrease patrol levels

Funding cuts/police force reductions	YES
Restrictions on police use of emerging tech and predictive tools	YES
Reparations for victims of police violence	YES
Officer requirements for personal liability insurance to cover costs of brutality or death claims	YES
Community reinvestments of policing funds	YES
Disarmament	YES
Demilitarization	YES

Simplification of process of dissolving existing police departments	YES
Data transparency	YES
Cutting contracts with schools and other public institutions	YES
Overtime caps	YES
Suspension of paid administrative leave for officers under investigation	YES
Withholding of pensions for officers involved in excessive use of force	YES
Restrictions on political influence of police unions	YES

Figures 2 & 3: Approved outcomes (created by d4pa.org)

Conversely, there is historic precedent that teaches us about potential outcomes that we would like to avoid for various reasons. From careful analysis of past outcomes from community safety efforts, there are certain changes that claim to hear the concerns of the public, but intentionally or unintentionally end up empowering the current system of policing. These often take the form of “reforms” and are counterproductive to our vision of community safety. After all, we agree with Sheriff Carr and Chief Smith that they are tasked with too many roles and will only accept changes that reduce their scope. Below are examples of outcomes we must be aware of so as to not end up repeating the mistakes of the past.

- Reforms that allocate more money to Law Enforcement
- Reforms that advocate for more policing (often using euphemisms such as “Community Policing”)

- Reforms that enhance technology (increases funding, little public benefit & often public harm)
- Reforms based on individual discussions with individual officers on taxpayer money (reinforces idea that we are attacking individual officers, when we are in fact trying to dismantle an overarching harmful system)
- Roundabout efforts such as expanding procedural requirements so that officers have to memorize appropriate conduct rather than not entering into situations in which their conduct could be inappropriate or dangerous
- Efforts that focus on prosecuting individual officers, because they do not attempt to make overall changes to a flawed system, but instead expend efforts on criminalizing individual officers as incidents occur, which distracts from larger goals

Community policing	NO
Expanded training	NO
Use of force restrictions to be enforced internally	NO
Tech tools for surveillance	NO
Expanded procedural requirements	NO
Deescalation requirements to be enforced internally	NO
Funded dialogues/assemblies convening departments and the public	NO
Civilian oversight/review boards	NO
Expanded criminal prosecutions of police officers who have committed misconduct	NO

Figure 4: Undesirable outcomes (created by d4pa.org)

Conclusion

The need for this study is rooted in the idea that the nation is coming to terms with the reality that we are simultaneously overinvested in law enforcement agencies and underinvested in social services. For all of Teton County's uniqueness, we are not absolved from the inequities of the prison industrial complex.

In the supposedly most free country in the world, America houses 25% of the world's prisoners despite accounting for less than 5% of the world's population. What's more, [Wyoming, as a state](#), incarcerates people at a higher rate than the US and subsequently any other country in the world. The extent to which our law enforcement interacts with ICE is not clear to our community, and this makes certain populations unwilling to call the police when they need help. All of this happens in the "The Equality State" in the "Land of the Free". The tasks we are undertaking have never been attempted in Wyoming before, and for this we should not underestimate the importance and ability of our community to lead the way.

2020 has started off this decade with extreme hardships, but also incredible opportunities to reshape our society. COVID-19 has revealed the vast social inequalities that our most vulnerable populations face, as well as created new struggles for those of us who previously lived in comfort. The narrative of personal responsibility is failing to meet the moment at time when the health of a community depends on every one of its members having access to life-affirming systems of care, regardless of class or race. Regardless of your ideological views, the need for [vital social services rooted in compassion](#) and dignity have quickly shown to be necessary to prop up our as a community. We deserve community resources that serve the interests of the populace, not that of the wealthy few.

Taking a deep dive into local law enforcement's history, current policies, practices, and funding is a worthwhile endeavor. Such a robustly funded and powerful arm of our government deserves to be fully understood by lawmakers who fund it and influence its policies, as well as the community it proclaims to protect. Any number of statements can and have been made about our law enforcement: that they are good, that they are bad, that they are over or underfunded, that without them we would be in immediate peril, or that we would be safer. Without a thorough study, these statements vary from informed theories to common myths. It is time to rely not on stories we've been told, or feelings in our guts, but on the evidence.

As evidenced by the various studies and action plans included in this report, it is clear that there are many ways to go about the process of learning more about law enforcement. We believe that a process that uses a third-party consultant, a subject matter expert with experience in reimagining public safety and restorative justice, along with significant community input from the many voices that form our complex community. It will allow us to receive unbiased information and recommendations from a party that is not intimately involved in the results. It may also end up saving us tax payer money in the long run, while simultaneously providing better care and service to our population.

There are many roadmaps for this process. We can use them to guide us, but we will inevitably have to take the plunge and begin somewhere. This process is lengthy and requires input from all areas of our community. If we plan accordingly, stick to a timeline, and listen to each other, we will be able to find the answers we need, and to make real change based upon them.