

PUBLIC SAFETY COMMITTEE

January 26, 2021

A meeting of the Public Safety Committee was held this date beginning at 2:07 pm, by video conference.

Notice of this meeting was sent to all local news media.

PRESENT

Councilmember Shahid, Chair, Councilmember Seekings (arrived at 2:13 p.m.; left at 2:24 p.m.), Councilmember Shealy, Councilmember Mitchell, Mayor Tecklenburg **Also Present:** Chief Curia, Chief Reynolds, Stirling Halversen, Steve Ruemelin, Tracy McKee, Councilwoman Jackson

The meeting was opened by an invocation led by Councilmember Mitchell.

Approval of Minutes

On the motion of Councilmember Shealy, seconded by Mayor Tecklenburg, the Committee voted unanimously to approve the minutes of the November 23, 2020 and December 14, 2020 meetings.

Adoption of Open Data Policy

Tracy McKee stated that in November she presented a draft Open Data Policy and walked them through the history of open data in the City and why this was important. Based on the discussion in November, their recommendation was to go back to Department Head's and make sure they were fully engaged. She met with all Department heads that wanted to meet one-on-one and went through what their concerns were. One of the biggest reasons to focus on open data included reducing FOIA requests, which took up a lot of staff time and a lot of the data being requested was data that should be publicly available. It could be used to stimulate new ideas and services. It could increase internal data sharing within the City organization and with other agencies, as well. Because they were sharing the data, more people were seeing it and so it also helped them improve the quality of the data. No dataset was perfect, so anything they could do to increase the quality of the data was important. It also brought data to the forefront of how they did business. Last time, she talked a lot about the things that were already in place around open data. There had been a lot of good work done around open data in the City. They wanted to make sure this was memorialized. They didn't want to rely on individuals to make sure they carried the torch on the commitment to an open and transparent government. This policy also helped to define roles, responsibilities, and accountability mechanisms, as well, to make sure that it lived on past all of them.

Ms. McKee continued and stated that one of the biggest concerns she heard from departments was how much time it would take for their teams and what the commitment would be like. From the beginning, they would create an open data management team. Every department would have a representative on that team. Initially, they would conduct a data inventory. This was really just good data governance, as well. They should understand what they had, where it was, and if it contained sensitive or protected data. Once they had done those initial first steps, it was an annual cycle they would go through. They wouldn't publish everything at once. Departments would have total control over how much data was published every year. The only thing they were committed to was to produce a plan every year that said

what they would work to publish that year. It was a very thoughtful and methodical process. Once they understood what departments would like to work to publish, it went through a review first and then they would work to implement the plan. Part of the process also involved a report to Council annually. That was one change she made in the document after speaking with Ms. Wharton. They thought May 1st might be a better date to give the report to Council because it aligned better with the budget process. Once they had implemented a year's plan, they would then go back and review the inventory to see if there had been changes, if datasets had become irrelevant or if they had upgraded to a new system. They would add those things to the inventory and start the whole process over again. The point was that departments had a lot of control, but they would report on their progress every year.

Ms. McKee continued and stated it was important that this process allowed them to be good stewards of their data, not just from sharing and being open and transparent, but it was also about taking good care of the data. Knowing what they had and what it contained was important. As they thought about publishing the data, making sure it had a thorough legal review was also important so they felt confident that they weren't producing anything that could be potentially sensitive or protected. They were also respectful of IT practices and security practices. As they worked to automate the processes put in place to publish a dataset, they would work with IT very closely to make sure that was done safely and securely. Those things were inherent in the process. Based on conversations, they didn't really have any changes other than the reporting date to Council. She was happy to answer any questions they may have about the policy and how they could take this forward.

Chairman Shahid referred to the dissemination of material and stated that once that was done, they were really creating another set of records/data. She talked about reporting on an annual basis. He asked if they would keep a record of who made a request for FOIA information and how it was disseminated to that individual/organization. Ms. McKee stated this would be separate from what they did for FOIA. There was a system that tracked FOIA requests. They would use the information in that FOIA system to help prioritize data they would publish, but they would be publishing data basically in its raw format for citizens to view. Chairman Shahid said that when they made the annual report, they would report on how it had been working out and would include some hard data, but it also seemed to him that they would also incorporate the FOIA response to that. Ms. McKee said that report should include the number of FOIA requests and what data was being requested to make sure they were aligned in their open data process. Chairman Shahid said the other part of that, and he knew they talked about this in the early stages, was police reports and investigative reports that would also be included. Ms. McKee said that all data would be included in the inventory phase. They wanted to make sure they knew where everything was and what they had. But, whether a particular piece of data was published came down to working with the department and the Legal team to determine if it was fit for public dissemination.

Mayor Tecklenburg asked if Ms. McKee could give a few simple examples she had in mind of a dataset that would logically be made public under this open data initiative. Ms. McKee said that some of the datasets they already shared in the open data portal were things like zoning information, which was basically a geo-spatial dataset that showed zoning across the whole City. If someone wanted to know where the height zone boundaries were, they could download that information and use it without having to come to the City and get a map printed out. It allowed citizens to have the information more readily at their fingertips. Mayor Tecklenburg said he was sure there were many other examples. The whole point of this was to have a policy that was transparent of being able to provide the public with

information that, in essence, they already owned. They collected all kinds of information about many different things. In the process, it would mean they could be more open with the public about what they knew, and he believed it would lead to process improvements and innovation for the City over time in how they managed things. There would probably be some information/data that came out of this that would show the City could be doing a better job in different areas. It was a working philosophy going forward of transparency and innovation. He knew there were concerns about sensitive data, but there were plenty of controls in the policy that allowed the City to have review of what was appropriate to put in the public realm and to safeguard against anything that should be held private. He thought it was a step forward in the right direction and not something that would show immediate result, but overtime he believed it would.

Councilmember Mitchell stated he thought this would be a good idea, but when it came to the Police Department, he thought it would be much different and a little difficult in some instances because of some of the things that came through the Police Department. They couldn't divulge certain things at certain times. The community may then sometimes think they were hiding things. He didn't know how they would soothe that concern within the community. There were incidents that involved SLED, and they had to wait on SLED to give out information before they could. This would be a different scenario compared to other departments. Ms. McKee stated that she had a lot of experience with that when she worked with the City of Baltimore. One of her duties was to run their open data program and publishing police and crime data could be tricky, but that's why having the safeguards in place to make sure it had a proper legal review and that they were following IT policy was important. It could be done, and when it was done well the amount of burden it took off the Police Department in fulfilling individual FOIA requests could be very good. It was a challenge, but it was possible, and they just needed to make sure they did it thoughtfully and carefully. Chairman Shahid stated those were good points and they were things they always needed to be cognizant about. Mayor Tecklenburg said he recalled that in the policy, it mentioned 'publishable data'. There were certain datasets that the Police Department would have that would never be publishable to start with. It wouldn't qualify to be in the public realm. Those safeguards were there, and he assured that everyone would be very sensitive to make sure they didn't publish something that shouldn't be. Chairman Shahid said he thought that was all covered under section one, under definitions.

Councilmember Shealy said he didn't have any questions. He was appreciative and supportive of this. Chairman Shahid stated that the availability of information, from a lawyer standpoint, was becoming much more accessible and more easily attainable which made things a lot easier because they could obtain multi-jurisdictional documents and weren't pinned down to a department or organizations office/working hours. Councilwoman Jackson said she appreciated the fact they were trying to stay up with communities like theirs and do the right thing. She was sure she wasn't alone in seeing a huge increase in public interest and involvement over the last couple of years. The more they could say 'yes' more than 'no' was a big feather in their cap.

Ms. Halversen stated that Ms. McKee had worked very closely with the Legal team on this. They had put a lot of information in there about how the process would work with legal review. From their department's perspective, they would be very involved and hands on in determining which datasets should be released and which ones they should take a closer look at and possibly redact certain information. They would be on the lookout for personal information. They felt very confident that they had a good process worked out.

Chief Reynolds stated that he had talked to Ms. McKee a lot about this. It was the right thing to do. This wasn't a police-centric issue, but had a significant impact on their department and all other departments, as well. President Obama enacted a task force he called 'The 21st Century Policing Task Force'. It was co-chaired by Laurie Robinson and Charles Ramsey. Out of that, they had certain pillars, recommendations, and best practices. Among those was the White House Data Initiative which was consistent with what they were talking about as a best practice that made sense. The community had a very strong appetite for data. This wouldn't be easy. It would be ongoing. CPD started this many years ago under Chief Mullen and he thought they were well on their way, but there was a lot more they needed to do. He was excited about this, and they embraced it. Everything that had been said was correct. They had to be very thoughtful, strategic, and sensitive about what they released and how. But, he also agreed that there were certain things they put a lot of work into single releases they did hundreds of times that they could just do one time. There was a lot of commonality in certain requests and they may be able to do that one time and have a release for multiple people that could then review it publicly. He thought this would help with the Racial Bias Audit. People tended to go to the hardest issues first such as officer-involved shootings and SLED investigations. Those things would be challenging, but there were a lot of things that were much less challenging that people had an interest in. Many years ago, as a Station Commander, he wanted to get more data out, so they just started doing it and the data they got out was not clean. It wasn't helpful and it actually created more problems. They had to pull back and refine the conversation. They had to work on filtering it better in that situation. There was a lot of work in the process, but it was a great first step of the City to make the statement and commitment.

Chief Curia echoed what Chief Reynolds said. He thought it was a good thing. With the Fire Department, he would like to get the data into the hands of the community. One of the things they had tried to do was gain traction with the high schools to set up a high school fire academy concept. While they had a hard time getting that off the ground, he thought the mindset of younger people and the willingness to put data into their hands, it may be a spring board for them to get into the community and have someone who was more technically savvy than they were or someone who had more discretionary time to look at the data and drilling down into where the fire problems existed, as well as teaming up the fire problems with medical responses to see where interventions should be. It would take a while to set it up properly. Chairman Shahid said that he thought this would be a benefit for the public, but also for the internal departments. He thanked everyone for their comments and for getting this together. It wasn't a very long policy, but that didn't reflect the amount of hours spent on working this out and putting it together.

On the motion of Councilmember Mitchell, seconded by Councilmember Shealy, the Committee voted unanimously to adopt the Open Data Policy.

Having no further business, the Committee adjourned at 2:38 p.m.

Bethany Whitaker
Council Secretary