



## **Equity Subcommittee – Special Meeting to discuss proposed Parks After Hours Ordinance (22 May 2023)**

**Attendance:** Sarah Dixit (Chair), Stephanie Beans Courtney (Vice Chair), Jennifer Moms, Council Member Betsy Wilkerson (Council Liaison), KJ January, Kiana McKenna, Jesus Torres

**Staff:** Alex Gibilisco

**Proposed Response:** [Subcommittee Members' edits are in blue.](#)

### **RESPONSE TO MAKING IT A MISDEMEANOR TO BE IN THE PARKS AFTER HOURS**

The goal of the Equity Subcommittee in this review is to be able to provide feedback and a process to consider policy and programmatic impacts on historically impacted communities. Recognizing that the policies proposed came toward the end of the proposal there is a lot more retrospective feedback. It is difficult to provide full feedback without having a wider discussion about policing and the impacts on marginalized communities.

The Equity Subcommittee received two policy proposals regarding establishing a misdemeanor for violation of park hours.

### **TWO PROPOSALS: BOTH MAKING IT A MISDEMEANOR TO BE IN THE PARKS AFTER HOURS**

#### **J. Other Uses of Park Property and Facilities**

A violation of this section is an unlawful trespass on City park property and shall be punishable as a misdemeanor.

And

Any person who refuses a lawful order by an authorized City employee directing them to leave a park during the hours of closure commits unlawful trespass on on City park property, which is punishable as a misdemeanor

### **THE PROBLEM THE POLICY CHANGE IS LOOKING TO SOLVE:**

Public parks have become venues for after-hours shootings and other violent crimes. Three parks in Northwest Spokane (Franklin, Shadle and Dwight Merkel) are in the top ten locations for calls for service over the past 6 months for all locations in Northwest Spokane. [To date the only data received was from SPD in the memo and the Racial Equity Assessment.](#)

Gangs exploit venues they know are secluded and unpatrolled by park security. Closed parks have consequently become a haven for these groups, subjecting the parks to uninterrupted drug activity and gun fights. The threat to public safety cannot be managed under the current regulatory framework.



The timeline presented did not allow for further community engagement and there was no collaboration with impacted communities. Understanding that SPD is working to implement this before the Summer.

## **RECOMMENDATION**

We do not recommend criminalizing as a first response. Residents with a criminal record, even after completing their sentences and have been released from prison, face tens of thousands of documented legal and financial barriers in addition to widespread social stigma and other detrimental effects on their health and family outcomes. The concerns highlighted in the presentation of vandalism, drug, and alcohol use, and violence are already crimes. Making it a crime to be in the park after hours appears to be for the convenience of enforcing other crimes, does not solve any root issue related to individuals being in parks after hours whether due to behavioral health concerns, houselessness or other causes. Parks should absolutely be one of the safest and most accessible areas in the City and they are provided for by tax dollars from residents including the ones who use them after hours. It would be a good investment to put resources into raising awareness about park best practices, rules, and community engagement instead of criminalizing individuals for using public spaces.

The equity assessment was not clear but in the accompanied memo it appears that suspects and victims of violent crimes were more diverse than the general population. Members of those various communities do not appear to have been engaged in identifying a solution. It was clear that this proposed policy would not include any room for nuance – early morning runners, people walking across the park. It also does not have in mind that anyone houseless sleeping in a park after hours would be arrested for trying to find a public space to sleep. Enforcement could apply differently in various scenarios, there were some mentions of good vs bad uses of parks during the not allowed hours, with discretion given to responding officers.

SPD and Parks are rushing to implement this ordinance. The timeline presented did not allow for further community engagement and there was no collaboration with impacted communities.

The subcommittee recommends that collaboration between various departments, community organizations and residents to understand the needs, gaps in services and to develop solutions. Stakeholders that could be consulted include, organizations working with youth, gang prevention programs, trusted messengers in diverse communities and neighborhood groups, along with city council, police and parks. This approach would allow the departments to build stronger relationships with various stakeholders in the community.

**SUPPORTS:** The commitment to transparency, consistent monitoring, and reporting of data regarding initiated contacts that are broken down by gender, age, race and ethnicity, along with the results of contacts.

Follow up question: if disparities are showing up what are option of actions that could be considered/implemented? We are specifically referring to protocol in the police department in examining disparities and taking actions to mitigate them.

## **IF IT MUST BE IMPLEMENTED**



To implement the communications plan. Have the tools and know-how to communicate to diverse communities and impacted. Not clear if the communication plan has considered resident's language diversity, level of access to city information/media outlets and technologies. Community engagement with impacted communities and in neighborhoods and recommended getting information to a diverse group of trusted messengers to get the word out.

One part of the implementation plan is to also give warning to people occupying the park. How would an in-person warning be given to people with limited English proficiency? Is there a need to provide that in other languages? How is a warning given when the community members do not trust law enforcement to keep them safe?

If the data collected show a disparate arrest rate with BIPOC communities, how is the department prepared to close disparities? What efforts is the department taking for bias and equity training? How would that be shared with the communities disproportionately impacted?

#### **ADDITIONAL CONSIDERATIONS**

Budget impacts and compared with other [mitigation](#) strategies. Parks are looking to save money and not spend it cleaning up vandalism, but we are looking to spend more as a City on more policing. [We would like to see how we invest more in park programming and education. Specifically in communities living around the park.](#)

Cost of overtime hours worked in addition to the wellbeing of officers working continuous overtime when there is already a staffing shortage within the department. [What are the impacts of overworked officers in the community.](#)

[How much money was allocated to programs developed to support young adults, and youth?](#)

Jesus Torres motioned to approve the response to approve the Subcommittee and Stephanie and Kiana seconded to approve the response from the Subcommittee.

Voting in the Affirmative: Kiana McKenna, Sara Dixit, KJ January, Jesus Torres, Stephanie Courtney

No Nays, No Abstentions.

The letter was approved unanimously and recommended to be sent to Councilwoman Karen Stratton and the rest of City Council.