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**City of Ypsilanti
City Council Work Session Agenda
Monday, September 14, 2015
City Council Chambers, 1 S. Huron St., Ypsilanti, MI
WORK SESSION: 7:00 p.m.**

I. CALL TO ORDER –

The meeting was called to order at 7:00 p.m.

II. ROLL CALL –

City Council

Council Member Anne Brown	Present	Council Member Robb	Present
Council Member Nicole Brown (7:09)	Present	Council Member Vogt	Present
Council Member Murdock	Present	Mayor Edmonds	Present
Mayor Pro-Tem Richardson	Present		

Human Relations Commission

Commissioner Elmgren	Present	Commissioner Pettit	Present
Commissioner Nordberg	Present	Commissioner Scott	Present
Commissioner Schuler (Chair)	Present	Commissioner Symanns	Present
Commissioner Melke	Present	Commissioner Saunders	Present
Commissioner Valadez (7:05)	Present		

III. INVOCATION –

Mayor Edmonds asked all to stand for a moment of silence.

IV. PLEDGE OF ALLEGIANCE –

"I pledge allegiance to the flag, of the United States of America, and to the Republic for which it stands, one nation, under God, indivisible, with liberty and justice for all."

V. AGENDA APPROVAL –

Mayor Pro-Tem Richardson moved, supported by Council Member Anne Brown to approve the agenda.

On a voice vote, the motion carried and the agenda was approved.

VI. AUDIENCE PARTICIPATION –

1. Mark Hergott, 111 Miles St., stated everyone in the room wants to do what is best for the community however not everyone agrees what right is and how to accomplish that, which is why the community has meetings such as these. He

said there are issues of distrust, possibly between elected officials and contracted employees. He said executive sessions are for discussing documents that are politically sensitive and explaining why the Police Department does not want to release these documents. He stated he (as a citizen) is okay if a closed session is held to have dialogue so elected officials can learn. He asked that everyone who speaks try to come from a position of good will. He stated he truly loves this community and he believes that everyone present cares for it deeply.

2. Nathan Phillips, 509 N. Washington #2, stated he is a 60 year old Vietnam Veteran and has been sober for over 30 years. He stated his wife of 25 years recently passed away and the reason that he and his family moved to Ypsilanti is for his wife's cancer to be treated at the University of Michigan Hospital. He said he has been in the community for nine years, and he owned a car six of those years. He stated he was routinely stopped by the Ypsilanti Police while driving. He said that each time he was pulled over it was by a different police officer and he thought it was due to curiosity because he was Native American. He said he respects police officer, and he was deputized by the Omaha Nation years ago and he still has the badge. He stated it is discouraging that individuals whom he should be standing shoulder to shoulder with to defend people are disrespecting him, at the very least. He stated he was arrested recently for stealing, which he is innocent of, and he thought that the police did not believe him because the accusers were white.
3. Anthony Morgan, 612 Congress #1, thanked the organizers and his supporters against the false charges issued by the prosecuting attorney and the actions of the Ypsilanti Police Department but it is not his intention to be inflammatory. He said he has been a polarizing figure in the last few months, and there are differences in the benefits people have and their access to resources. He thanked his supporters in word, deed, and action. He thanked the Human Relations Commission for listening to his case, but he is very disappointed in the business owners who have not supported the Black Lives Matter movement. He stated those individuals should be ashamed of themselves for not speaking up for black lives just as they had for gay lives. He stated he has received a backlash for doing what he felt was right and all he needed to do was be quite.
4. Tay Dale, 104 S. Huron, stated she is a youth advocate at Dedicated to Make a Change and is here to inform Council that a procedure has been created when a youth is approached by the police. She stated the procedure is calm voice, hands, attitude, and be polite, C.H.A.P. This procedure was designed because a person cannot enter a situation disrespectfully and expect a positive outcome. She said the police should reciprocate that respect and understand that a youth is nervous when speaking to a police officer. She stated when police pull over a youth they should not have to ask why they are being pulled over, the police should inform them.
5. Dave Hiekinnen, business owner, 133 Michigan Ave, stated the public needs to compliment the police and respect them and the work they do. He stated there have been 25 police officer killed in the line-of-duty this year. He stated the Police Department, City Administration, and Council all do a good job, and said nobody is perfect but the City has a good police force. He said it is important for the community to speak with the police and get to know them, and compliment them on a job well done.

6. Cheryl Farmer, 214 N. Huron, stated she has had a good experience with the police. She stated her home backs into Riverside Park and when there have been issues the police respond very quickly. She stated she lives on Huron, a very busy road, and when there are accidents the police arrive promptly. She added she recognizes other people might have had different experiences and she is interested in hearing those experiences. She stated if there are circumstances of the police motto are not being applied evenly throughout the community the Police Chief should address that issue appropriately. She stated the Ypsilanti Police Department has been in the advance guard on this issue and in the 1990's the Police Department received diversity training. She stated she is not certain that was continued and if not perhaps it is time to reintroduce it. She stated at that time they were told it is easier for the community to get to know the police then the police to get to know the community. She said at one time the City used foot patrol and bike patrol in order to get police into the community and out of the squad car. She added Community Policing Action Council (CoPAC), was formed to keep the community and the police in touch with one another. She said policing is more difficult now than it was in the 90s, because at that time there were more than 50 sworn officers, and now the department is down to 30. She concluded by thanking Council for holding this meeting and for everything they do.
7. Shirley Beckley, 3912 Sparola Dr., Ann Arbor, stated she lives on the border of Ann Arbor and Ypsilanti. She said she has lived in Ann Arbor for 73 years, but her family moved to Ypsilanti in the 1800's. She stated Ann Arbor has been protesting its City Council regarding these same issues and was hoping Ypsilanti and Ann Arbor could meet to address these issues. She added this is not just a problem for Ypsilanti and Ann Arbor, it is a problem in Washtenaw County and the nation. She stated a previous speaker during audience participation mentioned 84 officers being injured, and that is too bad, but there have been quite a few young black men and women murdered by officers and nothing has been done about it. She stated there is a problem of trust and in order to improve that trust the community and the police need to come together and not hate one another. She concluded by saying hopefully there is a way that Ann Arbor and Ypsilanti can find a solution to this problem before any more lives are lost.
8. Darius Simpson, 950 Railroad St., expressed how heartbreaking it is to find out that a group of teenagers have crafted a pamphlet on how to survive when interacting with the police. He stated he is heartbroken, saddened, and scared for the future. He stated he does not feel police officers need their egos stroked because there is enough of that going on currently. He said the scale is not balanced and the police and the community are not on the same level. He stated police officers do a difficult job and should not be on the same level as the community and they should be held to a higher standard. He concluded saying black lives matter, black man down, and the protest will continue indefinitely.
9. D'Real Graham, 3018 Roundtree Boulevard, Ypsilanti Township, stated it is interesting to see a full room of concerned citizens discussing law enforcement and black lives and how there is a minority group in the City that feels marginalized. He stated it is being talked about in person and on social media. but more needs to be done. He said he does not know how many City Council meetings need to be deferred to so Chief DeGiusti can make time to attend. He stated it should matter that there is a group of people in Ypsilanti that are

concerned how local law enforcement agencies provide a service. He stated six months ago Republic and Waste Management were vying to enter a contract with the City for garbage removal. He stated this conversation is still occurring only with lives. He said he does not feel the police should be constantly commended and complimented. He stated he hopes Council does not call these meeting as a formality, and so that it can be documented. He stated if Council continues to not take what is being said seriously people will not want to live in this community.

VII. REMARKS FROM THE MAYOR –

Commissioner Valadez stated there was a lot of commentary made during the last Human Relations Commission meeting and one key point that she would like to make. Ms. Valadez stated the intention of this meeting is to gain information on police procedures and protocols. She stated it is imperative that this conversation is not about making the Police Department as the villain. Ms. Valadez said it is not about targeting if this is, or is not happening in Ypsilanti, this is about taking reactions of how people are feeling in Ypsilanti. She stated she is glad this meeting is taking place, but there will be further meetings that will follow.

- Mayor Edmonds stated this is a launch of a work group formed by Council Members and Commissioners from the HRC.

Mayor Pro-Tem Richardson stated Ms. Beckley, during Audience Participation, said a special meeting be held between Ypsilanti City and Ann Arbor. Mayor Pro-Tem Richardson stated that is something the City might want to consider, which the two cities have done in the past, but since it effects the whole County the Board of Commissioners should be invited.

VIII. WORK SESSION –

- Update on City Administration and Ypsilanti Police Department Operations and Community Outreach Efforts as of September 14, 2015: City Manager, Ralph A. Lange, City Attorney, John Barr, Police Chief, Anthony DeGiusti

City Manager Ralph Lange introduced the topic of the work session. **(See Website)**

City Attorney John Barr provided opening comments for the work session. **(See Website)**

Council Member Anne Brown asked for the clarification of the rules of confidential and procedural police policies. Mr. Barr responded procedural policies are those that regulate the color of a police car and operational rules explain how the police work and within the operational rules there are some that are confidential. He said they are confidential because of State Law and some effect not only Ypsilanti Police, but all other cooperative departments. Mayor Pro-Tem Richardson stated she questions hidden rules because it leads to questions regarding transparency. She understands there must be confidential policies when it is an issue of safety. Mr. Barr said there are rules that regulate that process which need to stay confidential in order to maintain the effectiveness of the department. Mr. Barr stated the confidential rules are in place not to avoid transparency but Council has the right to know that the Police Department is doing.

Mayor Edmonds asked why information shared with insurance companies would affect why a policy would need to be kept secret. Mr. Barr responded if the insurance company finds that the Police Department is disclosing confidential information they might not insure that Police Department. He added Ypsilanti Police, the County Sheriff's Department and the EMU Police share common rules and if the Police Department makes those shared rules public other jurisdictions will not work with Ypsilanti Police. He concluded when officers are on duty they put their lives on the line and generally nothing happens but there need to be rules in place so when something does happen the officer will know how to respond.

Commissioner Shuler asked how separation of powers operates in a local government and asked how each branch answers to the people. Mr. Barr responded City Council is elected and they have legislative power, quasi-judicial power, and very limited executive power. Mr. Barr stated the limited executive power lies in the ability to appoint the City Manager and at that point the City Manager runs the operations of the City. He stated if the City Manager attempted to form law it would be inappropriate as would it be for Council to try and operate outside of its job classification.

City Manager Lange stated Council-Manager form of government is most similar to the parliamentary form of government in which the executive is appointed by a majority vote of parliament.

Commissioner Elmgren thanked City Manager Lange, City Attorney Barr, and Chief DeGiusti for their time, and stated Mr. Barr mentioned he could not remember a time when the Michigan Civil Rights Commission (MCRC) found misconduct or negligence from an Ypsilanti Police Officer as a pertains to a civil rights complaint. Mr. Elmgren stated if the MCRC is always on the side of the police, it is a problem. Mr. Elmgren stated that information does not have any bearing on the information requested by City Council. Mr. Elmgren stated Council was looking for profiling statistics and there is no reason those policies could not be shared on the public record. Mr. Elmgren stated it is disturbing to him that an insurance adjuster is entitled to view these policies but elected officials are not. Mr. Barr responded it is possible that the MCRC may have ruled against the Police Department, but he does not recall any such occurrences at this time. Mr. Barr added the MCRC is very thorough in their investigations.

Council Member Murdock stated he has heard the City Attorney's speech regarding separation of powers for many years. Mr. Murdock stated Council has always been told it is the legislative branch of government, it makes policy and the administration implements the policy. Mr. Murdock stated Council does make policies and these are policies it should be making. Mr. Murdock stated in the 1980's Council made these policies for the Police Department. Mr. Murdock stated there was a wide variety of a discussion on how to deal with complaints. Mr. Murdock stated if Council wanted to have a policy on high-speed chases it should not be confidential. Mr. Barr respectfully disagreed and said City Council has the power by resolution to make changes. Mr. Barr said legally policies are found within the executive branch of the City but if there is a policy Council does not approve of there are ways to alter that policy. Mr. Barr stated in the 1980's new members of the Police Department came to Council with resolutions to change policy. Mr. Barr stated Council has the ability to look at policy and have input through resolution and ordinances. Mr. Barr stated for the Police Department to operate there has to be a command structure with a single person in charge who forms policy and disciplines if policies are not followed. Mr. Murdock stated the operational policies are what Council asked for and what Council expected. Mr. Barr agreed and stated once

Council hears the Chief's presentation it can decide whether the policies they asked for are presented.

Police Chief Tony DeGiusti provided a presentation on Ypsilanti Police Department Operations. **(See Website)**

Mayor Edmonds asked the Chief to explain the Eastern Washtenaw County Safety Alliance. Chief DeGiusti replied the Eastern Washtenaw Safety Alliance is comprised of the Ypsilanti Police Department, Washtenaw County Sheriff's Office, Eastern Michigan University Police, Ann Arbor Area Transit Authority, and some other groups. Chief DeGiusti stated the alliance was formed a year and a half to two years ago, in order to provide a force multiplier. Chief DeGiusti stated Eastern Michigan University officers are sworn in at City Hall. Chief DeGiusti stated the purpose is to allow officers to cross jurisdictional boundaries or borderless policing. Chief DeGiusti stated the alliance allows the force to operate effectively with limited resources.

Council Member Anne Brown asked if the "gun buy-back" could be down at the local level or is it best suited for the County. Chief DeGiusti responded the County produced a low total of guns turned in, so it is unlikely the City would be more effective but he would be willing to try. Chief DeGiusti added it is difficult convincing individuals that have illegal guns if they turn them no questions would be asked. Mayor Pro-Tem Richardson asked if that was the result from the first or the second gun buy-back. Chief DeGiusti responded those results were from the one that was just held.

Council Member Murdock asked if there are any other tactics to remove guns from the streets. Chief DeGiusti responded the department is engaging with the ATF, but he is not able to divulge information regarding the investigation due to operational security. Mr. Murdock stated he read a story out of Detroit that Police Departments were investigating felons to make certain that they did not possess firearms. Mr. Murdock asked if there is anything else that the department can do to remove illegal guns from the street. Chief DeGiusti replied there are a lot of guns everywhere and the department is paying close attention to that fact and officers are following up as best they can.

Mayor Edmonds asked what a consent search is. Chief DeGiusti responded it is when the police have permission to search an individual's home.

Mayor Edmonds asked if there are two openings for detectives. Chief DeGiusti responded there are actually three openings for police officers, and the officers would be moved around from within the department. Chief DeGiusti responded it is not necessarily that an officer would be hired in as a detective instead an officer on the force that already has experience would fill that position.

Mayor Edmonds asked for clarification of the FTO program. Chief DeGiusti responded the Field Training Program (FTO) is sixteen weeks of training following the academy and there is an entire checklist and tasks which the officer needs to meet, and some officers are not able to fill that requirement.

Commissioner Shuler asked for the demographic make-up of the command structure. Chief DeGiusti responded there is one female detective, and minorities have retired from the command staff, but at this time there are none.

Commissioner Valadez asked what parts of the interview process for police officers include cultural competency. Chief DeGiusti responded the interview questions are

designed to provide evidence in the applicant's character and they are judged by their answers. Chief DeGiusti added the interview is not a typical interview and many of the responses that are heard are not appropriate and the applicant is not hired. Council Member Anne Brown asked if the process is a national process. Chief DeGiusti responded in the affirmative, however, some questions are very specific to the agency. Council Member Anne Brown asked if Council would be able to see the interview questions. Chief DeGiusti responded in the affirmative.

Commissioner Shuler asked if promotions are done strictly from within the department. Chief DeGiusti responded he was hired from the outside, however by contract the remainder of the department is filled from within. Mr. Lange added he hires the Chief and the Deputy Chief but the union contract requires promotions to come from within the department.

Mayor Edmonds asked for demographics of the police academy itself. Chief DeGiusti responded only 3% of graduates from the academy are minorities. Chief DeGiusti stated it makes it difficult to create a diverse precinct but when the community trust improves perhaps more minorities will attend the academy.

Commissioner Valadez asked who performed the Cultural Awareness Training and when last time it was updated. Chief DeGiusti responded this past one was the first he had attended while employed by Ypsilanti and he is uncertain what organization performed the training. Ms. Valadez asked if the Chief was aware of how often the training occurs. City Manager Lange responded the Fire Department received training a few years ago, and the Police Department received training in the most recent session.

Commissioner Melke asked if defensive tactics include de-escalation. Chief DeGiusti responded it does include de-escalation and the proper use of force. Ms. Melke asked what percentage of training involves de-escalation tactics. Chief DeGiusti responded the whole point of tactics in the force continuum is de-escalation. Chief DeGiusti asked what Commissioner Melke means by de-escalation. Commissioner Symanns added she used to be a defensive tactics instructor and the goal of defensive tactics is de-escalation. Ms. Symanns stated it is difficult to quantify a percentage. Ms. Melke stated her question was based on her understanding that there is training specifically toward de-escalation. Ms. Melke asked how often officers receive defensive tactics training. Lieutenant Derek Gress responded each officer receives defensive tactics once a year. Chief DeGiusti added each officer has to be recertified once a year.

Council Member Robb asked how the department keeps track of what training an officer has had, and if it can't be listed when the last time the department received cultural training it means it hasn't. Chief DeGiusti responded because he doesn't know does not mean it didn't happen, but he could provide that information to Council. Lt. Gress added he has a schedule from his 18 years with Ypsilanti Police Department that lists all the training he has received. Commissioner Valadez asked if the department could provide a copy of the training schedule to Council and the Commission so that the quality of the training can be assessed. Chief DeGiusti responded the Human Resources will have all the information that you have requested.

Commissioner Elmgren asked if the Police Department has a codified policy regarding the frequency and quality of cultural training officers receive and if so is City Council privy to that information. Chief DeGiusti responded Council has access to that information. Chief DeGiusti added no person in the department ever said that it would withhold policies from the City Council that is not the intent. Chief DeGiusti said there are certain policies

that are in the best interest of the public to be confidential. Mr. Elmgren responded his concern comes from the City Memorandum from the City Manager's Office and from the Office of the City Attorney. Chief DeGiusti stated there are certain aspects of department policies that are not transparent, such as the active shooter policy. Chief DeGiusti added that information is not something the department wants the public to be aware of and it is not just the department's policy because the tactics were developed Countywide. Chief DeGiusti stated the department's code of conduct is available to the public and the department has nothing to hide but the department is trying to safeguard things that shouldn't be available to the public.

Commissioner Symanns asked if the department is willing to share its training policies. Chief DeGiusti responded in the affirmative.

Mayor Edmonds stated Commissioner Elmgren's question was asking if the department has a policy for the frequency and quality of cultural diversity training, and asked if there is a policy. Chief DeGiusti responded the department does not have a policy in place but the reality is this is a small department and he knows when people in his department have an issue. Chief DeGiusti said it depends on an officer's background and performance if they would require cultural training.

Commissioner Symanns stated training is probably going to be something that is focused in on but this is a small department and it is probably running call to call. Commissioner Symanns stated training takes time and every time an officer is pulled off the road it is an issue. Chief DeGiusti agreed.

Council Member Vogt asked if any part of the training being discussed is a part of the training officers receive at the academy. Chief DeGiusti responded some of it is and some of it is a continuation of training.

Commissioner Melke stated at one point there was an alliance between the police and mental health professionals, and asked if that is still occurring. Chief DeGiusti responded when the police go out to a scene and there is an individual that requires that type of assistance the Department of Community Health will be contacted. Ms. Melke asked if there is enough training for officers to assess those situations. Chief DeGiusti stated until an officer speaks with the individual it is difficult to assess the individual's mental state. Ms. Melke stated often a family member of an individual in metal health crisis will call the police and too often you hear that person would end up being killed. Ms. Melke stated there must be a better way, to deal with situations such as these, and asked what the City is doing to avoid that. Chief DeGiusti responded the officer does not know the situation until they arrive at the scene, once the officer is there they have the opportunity to assess what is needed for the situation. Ms. Melke stated she would be interested in seeing policies regulating how an officer reacts to an individual with a mental health issue. Chief DeGiusti responded the department does not have a specific policy for that scenario.

Commissioner Shuler asked if there is any specialized training for command staff. Chief DeGiusti responded in the affirmative and explained command staff goes through a series of three one week classes, revolving around management and leadership. Chief DeGiusti said once an officer reaches the rank of lieutenant they are sent to EMU for Police Staff and Command where they receive administrative training such as budgeting and policy formation. Commissioner Shuler asked if the Chief involves himself in any training. Chief DeGiusti responded he has a Master's Degree from EMU in Public Administration, attended the FBI National Academy, attended the Northwestern School of

Police Staff and Command, and he has been on the job for 28 years, and learns every single day on the force, but as far as formal training, no, other than update training.

Mayor Pro-Tem Richardson stated it did not seem like Chief DeGiusti understood the question of Commissioner Melke's question. Ms. Richardson stated she understands the officer will not know if there is a mental health issue until they arrive at the scene, but what does the officer do once they realize there is a mental health issue. Ms. Richardson stated she understands there is not a policy in place, but feels like one should be developed. Chief DeGiusti responded to have a specific procedure is difficult because mental health issues are very different and sometimes the only thing that is required is simply getting the individual to the hospital. Ms. Richardson responded there are steps taken before getting the person in the car and taking them to the hospital. Ms. Richardson added there needs to be policy in place, so officers know the proper protocol, and a public health professional should be contacted. Chief DeGiusti responded much of the time the public health professional is contacting the department for its assistance in transporting the individual. Ms. Richardson responded she is certain there are times that the police should contact a health professional. Chief DeGiusti responded that is definitely something the department can examine.

Commissioner Anne Brown stated there is \$23,000 allocated in the budget for officer training, and asked if there could be collaboration with the County for additional training. Chief DeGiusti responded the department has leveraged all the free training it can get.

Commissioner Valadez stated she read samples of local police departments that work with social workers to perform a multi-disciplinary approach to both response and training practices for mental health issues. Commissioner Valadez asked if that has been discussed in the department. Chief DeGiusti stated EMU would be the most likely partner in that scenario, but at this time it is not being discussed, and he is not certain either agency has the resources to create that partnership. Council Member Nicole Brown added she works in the mental health in Wayne County and there are modes that work in conjunction with the police department. Ms. Nicole Brown said she knows EMU professors and students who would devote time to a program if it were developed. Ms. Nicole Brown added she is not certain of the funding mechanism but the possibility is there. Chief DeGiusti asked if what is being referenced is a mental health professional and the police always going to the scene together. Ms. Valadez responded there are several scenarios Campaign Zero has developed. Ms. Nicole Brown added her organization employs a co-responder where a mental health professional will be contacted while on route or while the police are on scene.

Mayor Edmonds stated she spoke to an individual this summer that works on a Countywide Coalition on human trafficking. Mayor Edmonds stated the coalition provides training to local police forces regarding the topic, and asked if that is on the list of training the department has completed. Chief DeGiusti responded no, and said the department would love to get more training but the issues is if an officer is sent to training another officer has to be in their place.

City Manager Lange asked how many times a police officer has discharged a weapon on duty. Chief DeGiusti responded it has not happened since he has been Chief. Council Member Nicole Brown responded it is wonderful that a weapon has not been discharged, but it does not negate the fact that these issues need to be discussed. Commissioner Elmgren stated the issue is not only violence it is the use of policies and ordinances to take aggressive legal action against people in a biased way. Mr. Elmgren stated it doesn't necessarily have to be physical violence but violence in other ways.

Commissioner Shuler asked if the budget for training is adequate. Chief DeGiusti responded he would love to have the funds available for more training, but the issue is more the amount of officers on the force, which limits the opportunity that an officer can be trained.

Mayor Pro-Tem Richardson stated when she became a Council Member in 2000 or 2001 she attended a number of trainings on community policing and she never heard of it described as enforcement. Ms. Richardson stated the department needs to build relationships with community members in order to build trust. Ms. Richardson said when Ypsilanti was involved in community policing the community knew the officers and were willing to call if there was an issue. Commissioner Symanns stated as a former community policing officer she was hired on a federal grant, and just like training community policing takes extra time and effort, and as budgets shrink it makes it more difficult. Ms. Symanns stated she hopes the City will get to the point that it is able to utilize community policing, but it is the luxury of resources. Chief DeGiusti responded it is a balance of the priorities the department has to do opposed to the things it would like to do. Ms. Richardson replied the emergency call should take priority but there are times when officers are not taking calls that they could engage the community.

Commissioner Valadez stated Interrupters is the most recent program in the community, and asked how it operates, and said her immigrant's rights youth group is not listed. Ms. Valadez asked what the policy is for undocumented individuals. Chief DeGiusti responded Interrupters is basically not a police program at all and it is purely a community driven group that the police simply assist.

Mayor Edmonds asked for clarification of the school resource officer in the middle school. Chief DeGiusti responded before the school did not have an officer onsite and there were some serious disciplinary and criminal issues. Chief DeGiusti stated Officer Elizabeth Hunt was assigned to the Middle School and had such an effect that the school invited her to be year round. Chief DeGiusti stated her function is to aid the school and restore a proper learning environment. Chief DeGiusti stated the County places a deputy at the high school and the two work in conjunction.

Mayor Edmonds asked if different venues are chosen each month for coffee with a cop. Chief DeGiusti responded in the affirmative.

Council Member Anne Brown asked how many officers are on the street per shift. Chief DeGiusti responded three to four. Mayor Edmonds asked how many officers will there be once at full capacity. Chief DeGiusti responded when at full capacity there would be an officer from 3:00 p.m. to 3:00 a.m. Mr. Lange stated the structural overtime has a problem in the department which is beginning to be solved. Council Member Anne Brown asked if the three to four officers per shift would cross jurisdictional borders for increased patrols in terms of the Safety Alliance. Chief DeGiusti responded if that is where the investigation leads but not active patrolling.

Commissioner Melke asked if the DDA officer only works during the day. Chief DeGiusti responded yes, mostly during the day. Ms. Melke asked if there would be a benefit to scheduling the DDA officer at night. Chief DeGiusti responded most of the duties that officer has and the people he needs to keep contact with, are around during the day. Ms. Melke stated she was under the impression that the DDA officer was supposed to be in contact with citizens. Chief DeGiusti responded no, he is the Downtown Development

Authority Officer, and is involved with the business community, and he performs the citizen police academy.

Council Member Murdock asked if the three or four officers on a shift include the lieutenant and sergeant. Chief DeGiusti responded it includes the sergeant, and there is always a lieutenant at the station. Mayor Edmonds asked if there were always three or four officers on the road. Chief DeGiusti responded in the affirmative.

Council Member Anne Brown asked how many people does the parole meet and greet affect. Chief DeGiusti responded Ypsilanti is there every third month, but it is held monthly by other communities. Ms. Anne Brown asked how many people are reentering the community. Chief DeGiusti responded anywhere from eight to sixteen.

Mayor Edmonds stated from the picture of the Citizen Police Academy it appeared that mostly white individuals in attendance, and asked if a better cross-section of the community could be recruited, or was it just the photo that was shared had mostly white people in it. Chief DeGiusti responded he does not believe that was the case. Mayor Edmonds stated she wants the opportunity for people to learn and build relationships to remain open.

Commissioner Melke asked where the Police Open House has been advertised and that she hasn't seen any advertisements. Chief DeGiusti responded signs have been given to businesses around town, Officer Hunt has been talking to people at the school, and there is information at the Police Department. Council Member Anne Brown asked if Commissioner Melke has seen a hardcopy of a flier. Ms. Melke responded no, she hasn't seen a flier or anything on Facebook. Chief DeGiusti responded the Police Department does not have a presence on Facebook.

Council Member Anne Brown asked if the survey to help identify the strategic plan will be available online or in hardcopy. Rasheed Atwater responded it can be but it is still being decided what the best medium would be for the survey.

Council Member Nicole Brown stated there is not a reason why Ypsilanti Police should not have a presence on Facebook. Chief DeGiusti responded he agrees but he does not have staff available to administer the Facebook page. Council Member Robb stated he feels the City should have one place to access information about Ypsilanti. Mr. Robb stated Council should discuss this and form a policy. Mr. Robb stated as far as not hearing about the Police Open House, Commissioner Melke should speak with her CoPAC representative, and that fliers were distributed on Saturday, September 12th in his neighborhood.

Council Member Murdock asked if policies that are not confidential will be provided to Council. Chief DeGiusti responded the department is currently transforming the policy manual into general orders which provide more information.

Commissioner Melke asked when Council requested this information why did the department not provide a list of what information could not be given to Council and the Commission. Chief DeGiusti responded it was probably a miscommunication, but he prepared the presentation based on the questions listed in the Mayor's email, and he was unaware that all police policies were requested. Chief DeGiusti apologized for not providing the information, and will do so in the future. Mayor Edmonds stated this meeting was put together quickly, and it is only the beginning, and more information will be available in the future.

Mayor Edmonds asked if a list of policies that are confidential could be provided. Chief DeGiusti responded it could not be easily completed because all policies would need to be reviewed. Mayor Edmonds asked what the timeline is for the completion of the general orders. Chief DeGiusti responded it should take around a year.

Council Member Anne Brown asked if the search and seizure policy would be able to be viewed by Council. Chief DeGiusti responded in the affirmative, however search and seizure is not something the department has a policy on, it is regulated by case law. Mayor Edmonds stated as a next step is to provide information on what is regulated by case law and what is regulated by policy.

Council Member Robb stated this has been a frustrating process for everyone. Mr. Robb stated it is not his intention to change policies he simply wants to be able to articulate questions well to help understand policy. Mr. Robb requested a list of policies held by the Police Department so he is able to ask questions. Chief DeGiusti responded if Council wants the table of contents he can provide that to them. Mr. Robb stated the general orders that were provided to Council need to include the number order that supersedes it.

Commissioner Shuler asked if the policies have a hierarchy to them. Chief DeGiusti responded it is all incorporated into the general order. Mayor Edmonds asked if a complaint was filed against the department for being biased how the policy would be used in that process. Chief DeGiusti responded the investigation would be independent of what the general order states. Chief DeGiusti stated the behavior would be examined and it would be dependent to what the circumstances are. Chief DeGiusti stated when an officer is disciplined the general order that was violated would be cited in the disciplinary action. Council Member Anne Brown asked who would perform the investigation. Chief DeGiusti responded for the most part the investigation is performed at the shift level. Chief DeGiusti stated if it is a formal complaint, the majority of those are performed by Lt. Gress. Ms. Anne Brown asked if there are only two levels of investigation. Chief DeGiusti responded depending on the seriousness complaint he would review it. Chief DeGiusti stated if there is a criminal element to the complaint an outside agency would perform the investigation. Ms. Anne Brown asked if there is a citizen review of complaints. Chief DeGiusti responded Mr. Lange reviews the complaints. Ms. Anne Brown asked if there was a non-employee citizen that reviewed the complaints. Chief DeGiusti responded no.

Council Member Murdock asked if information regarding the hierarchy of complaints, and what the formal complaint process is. Chief DeGiusti responded yes. Commissioner Shuler stated the HRC met with the former police chief to improve the complaint process making it more transparent. Mayor Edmonds stated the complaint form is available at both the Police Department and the Clerk Department, and can be turned in at either of those departments or the City Manager's Office.

Council Member Vogt moved, supported by Council Member Nicole Brown, to extend the meeting by one hour.

On a voice vote, the motion carried and the meeting was extended.

Council Member Anne Brown stated the force continuum allows the officer to apply a level of force one higher than the perpetrator. Chief DeGiusti responded it depends on the situation if an officer of a smaller physical stature needs to arrest a mixed martial arts

fighter that officer would need to increase force by more than one level. Chief DeGiusti stated generally the one plus one policy is applied when using force, however, there are exceptions. Ms. Anne Brown asked if that information is available to the public. Chief DeGiusti responded this information is on the internet.

Mayor Edmonds asked what the policy is regarding record keeping and the use of force, and how is that data used. Chief DeGiusti responded Council Member Murdock shared a piece put out by the Department of Justice called emerging use of force issues. Chief DeGiusti stated the article states force was used in 1.9% of the 40 million police calls. Chief DeGiusti stated every use of force is documented by the department in the police report and a separate use of force form. Chief DeGiusti stated the shift commander reviews the report, then Lt. Gress, and then by himself. Chief DeGiusti added the same protocol is employed when reviewing pursuits. Chief DeGiusti stated all deployments of Tasers are reviewed by the shift commander, Lt. Gress, and himself and are downloaded periodically to ensure that each time that Taser has been discharged. Chief DeGiusti said the shift commander will periodically check the patrol car video and write a report each month and submit it to the Chief. Chief DeGiusti said all injuries to prisoners are documented by the shift supervisor, forward to Lt. Gress, and then the Chief.

Mayor Edmonds asked if video of prisoners is recorded or is it a live feed. Chief DeGiusti responded it is recorded but he is not certain of how long it is stored. Mayor Edmonds asked if prisoners are given water. Chief DeGiusti responded there is water in the holding cell.

Commissioner Melke asked if prisoners are given medication. Chief DeGiusti responded if they have the medication with them and it is properly labeled they are allowed to take it, or if someone can bring the medication to them. Chief added being that prisoners are not held for longer than 12 hours rarely does the department run into these situations. Ms. Melke asked what the policy is if a diabetic person is in police custody. Lt. Gress responded the Fire Department will monitor until Huron Valley Ambulance arrives.

Council Member Anne Brown asked if video recording retention is done in case there is an investigation. Chief DeGiusti responded in the affirmative. Lt. Gress added for the department's protection as well, in case a prisoner hurts themselves and attempts to blame it on the police.

Mayor Edmonds asked how the department judges if a person is intoxicated or not. Chief DeGiusti responded the department uses a personal breath test (PBT). Mayor Edmonds asked if that is used for everyone. Chief DeGiusti responded no, only if the person is visibly intoxicated. Lt. Gress responded if a prisoner blows .30 they are immediately transported to the hospital. Mayor Edmonds asked what the protocol is for an individual being high on a drug. Chief DeGiusti responded it depends on the kind of drug. Lt. Gress responded many times they will be transported to the hospital.

Council Member Anne Brown asked if a minor is arrested are they not allowed a phone call. Chief DeGiusti responded there are a different set of rules for minors, and the officer will call the minors parent, or guardian.

Commissioner Melke asked if a person is in custody and they begin to incriminate themselves should they not have been told their rights even if they are not being interrogated. Chief DeGiusti responded no. Mayor Pro-Tem Richardson asked why Miranda Rights was developed. Chief DeGiusti responded Miranda was developed as a result of extreme police interrogation tactics.

Mayor Edmonds asked if a prisoner does not have an attorney, and they are being detained what are their options. Chief DeGiusti responded generally at arraignment they receive a court appointed lawyer.

Council Member Anne Brown asked how many people can be detained at one time. Chief DeGiusti responded it depends, there is one cell that can either hold one prisoner, or three, not two. Chief DeGiusti explained the reason why is if there are two prisoners they are more likely to get into a fight. Chief DeGiusti added it also depends on the gender of the prisoner on where they can be placed. Chief DeGiusti stated there are not that many people detained at the department.

Mayor Edmonds asked when a person is detained are they always called a prisoner. Chief DeGiusti responded in the affirmative.

Mayor Edmonds asked what are the legalities involved in sharing information with the public when someone has been detained. Chief DeGiusti responded people have a right to their own confidentiality and the police will not share with the public. Mayor Edmonds asked if people know why they are being detained. Chief DeGiusti responded prisoners absolutely know what they are being detained for. Mayor Edmonds stated when a person is arrested they are informed of the charge. Chief DeGiusti responded in the affirmative, and said the police do not charge an individual the prosecutor sets the charges. Lt. Gress said the prosecutor also must prove the charge beyond a reasonable doubt the police only require probable cause to make an arrest.

Commissioner Melke asked what the policy for civil disobedience is. Chief DeGiusti responded there have been a lot of demonstrations in Ypsilanti and accept for one incident there have been no problems. Chief DeGiusti said generally demonstrators contact the department to inform the police that they will be demonstrating and the police inform them of the rules, which are: stay on the sidewalk, don't block traffic, don't be on private property, and don't disturb the public. Chief DeGiusti stated at that point the officers leave, and the department does not station officers on scene to monitor the protest. Ms. Melke asked if there is a written policy that illustrates what the Chief has just said. Chief DeGiusti responded in the affirmative. Chief DeGiusti added when problems arise as a result of a demonstration it is when one person feels their rights supersede the rights of someone else. Mayor Edmonds stated she was reading the ACLU's policy regarding protesting and the Ypsilanti Police follow those same standards. Chief DeGiusti stated while he was Deputy Chief for the City of Wayne there was a strike at the Ford Plant every other year. Ms. Melke stated there is a strong difference in perception of striking auto work and the Black Lives Matter movement. Lt. Gress responded there is no difference when it is based on behavior. Council Member Murdock added there is a difference between civil disobedience and demonstrating and civil disobedience implies someone is trying to get arrested.

Commissioner Symanns stated without getting into a debate about the first amendment it does not allow a person to say whatever they want any place at any time.

City Manager Lange stated he has a very close working relationship with the police department and he understands their tactics, and they include not engaging or escalating a situation if it is not required.

Council Member Anne Brown asked if the LAWNET investigations are linked to the distribution of narcotics. Chief DeGiusti responded some are.

Mayor Edmonds asked if the heroin issue is across age range. Council Member Anne Brown stated most overdoses were white males from 18 to 40 years old.

Council Member Murdock stated a few years ago a charter amendment was passed that basically places low priority on marijuana. Mr. Murdock stated the charter amendment requires an annual report from the Police Department. Chief DeGiusti responded he is still trying to find that report, and he has spoken with past Chiefs who were unaware that a report needs to be written. Chief DeGiusti added he will need to examine the charter amendment to see exactly what the report needs to include. Mr. Murdock stated the charter simply states a report is required it does not dictate what it looks like. Chief DeGiusti responded he will need to create a report to satisfy the charter requirement.

Council Member Murdock asked if the complaints that are being listed are formal. Chief DeGiusti responded in the affirmative.

Mayor Edmonds stated the field testing for the body cameras needs to be completed in order to create a policy. Chief DeGiusti responded in the affirmative and said the goal is to create a usable policy.

Council Member Murdock asked if Council will be able to see the body camera policy before it goes into practice. Chief DeGiusti responded he is willing to sit and take suggestions from anyone willing to make them.

Mayor Edmonds asked if each agency involved will adopt the same body camera policy. Chief DeGiusti responded the policies will not be identical.

Commissioner Symanns asked how the officers feel about the body cameras. Chief DeGiusti responded the department has had a very positive response to the cameras.

Commissioner Shuler asked if there are dash cameras on the police cruisers. Chief DeGiusti responded in the affirmative. Mr. Shuler asked if the retention policies for body cameras would be any different than the policy for dash cameras. Chief DeGiusti responded no because the amount of memory needed is roughly the same. Council Member Murdock stated dash cameras are unlikely to be turned off. Chief DeGiusti responded body cameras are denser when it comes to memory. Mr. Murdock responded he was referencing the policy formation. Chief DeGiusti responded he has been speaking with vendors who informed him that they are attempting to tap into the microphone on the dash camera.

Council Member Murdock stated when people are charged with a crime and the property is seized if the charges are dropped, it is very difficult to get your property back. Chief DeGiusti responded there was a recent situation that a person had \$1,600 seized and once that person produced two paystubs they were returned their money. Lt. Gress stated the paperwork involved with property seizures is extreme, and the department would rather not seize property. Council Member Vogt asked for an example of when the department kept property. Chief DeGiusti responded the department recovered \$30,000 that was found in the trunk of a car with drugs and both people involved claimed not to know what it was. Council Member Murdock stated on average the department seizes \$10,000 a year. Chief DeGiusti responded in the affirmative.

City Manager Lange provided a conclusion to the presentation. **(See Website)**

IX. AUDIENCE PARTICIPATION –

1. Mark Hergott, 111 Miles, stated he is a white male landowner whose family has been in this country over 150 years. He said he does not have to care, but he does care, and there are many like him that do care, but they are not that good at expressing themselves. He said the public needs meetings like this one in order to listen and be more humble.
2. Nathan Phillips, 509 N. Washington St., thanked Council and the HRC, and said the reason why these meetings are important is because the white man does not need to care. He said he feels very offended by what was said by the previous speaker, and apologized to the Police Department for what he said. He said everyone must care in this town and it shouldn't matter what color they are. He said it seems like the Native Americans are the least of the community and it seems like Native Americans are treated very poorly, but they still care. He said the form of government in the United States was given by the Native Americans it wasn't the Magna Carta. He said this form of government was created by the Iroquois Confederacy. He stated he would like to make a complaint about the Police Department supporting a football team called the Huron Braves.
3. Dave Hiekkinen, 133 W. Michigan, stated he has a close friend who is a professor in sport business management in Central Florida and is an African American. He said they were at Pub 13, while it was open, and his friend was stopped by the police while walking back to his shop. He said the scariest person he has ever met in the City was a gentleman who came in his store wearing a sport coat and asked if he would print KKK and Neo-Nazi stuff. Mr. Hiekkinen responded he would not, and he wasn't sure what would happen, but that was what got him to want to get to know the police. He concluded saying the police are here for us and they should be thanked.

X. REMARKS FROM THE MAYOR –

- Asked the HRC Chair Commissioner Shuler to get in touch with the joint taskforce to schedule the work group meeting.

XI. ADJOURNMENT –

Council Vogt moved, supported by Council Member Nicole Brown to adjourn the meeting.

On a voice vote, the motion carried and the meeting was adjourned at 11:02 p.m.