



**MINUTES**  
**Committee on Public Safety**  
**Thursday, August 13, 2020 @ 4:00 p.m.**

Via ZOOM audio/video: <https://us02web.zoom.us/j/88078849030>; ID: 880 7884 9030; Dial In: (646) 876- 9923

**CALL TO ORDER via ZOOM**

The meeting was called to order at 4:00 p.m.

**ROLL CALL-via ZOOM**

Council Member Jeremy Garza, Chair  
Council Member Carol Wood, Vice Chair  
Council Member Brian T. Jackson, Member

**OTHERS PRESENT- via ZOOM**

Sherrie Boak, Council Staff  
Heather Sumner, Assistant City Attorney  
DeYeya E Jones  
Holly McDermitt  
Steve Purchase  
Luci Solis  
Blair Nelson  
Vicki Parker  
Blair Nelson

**Public Comment**

No public comment at this time.

**Minutes**

MOTION BY COUNCIL MEMBER WOOD TO APPROVE THE MINUTES FROM JULY 9, 2020 AS PRESENTED. ROLL CALL VOTE, MOTION CARRIED 3-0.

**Discussion/Action Items**

RESOLUTION – Appointment; DeYeya E Jones, At Large Member; Board of Police Commissioners; Term to Expire June 30, 2021

Council Member Garza asked Mr. Jones what his vision would be for the Board as a new member. Mr. Jones stated that he has served on boards in leadership roles and general membership and he does not like to make plans for change until he had an understanding of the relationship of the Commission. A key item he did focus on was working on the relationship building process, policy and procedure as it relates to use of force, and training on implicit bias. Mr. Jones noted from his view, he does not see that the LPD has as bad a relationship as other areas of the nation, and he is interested in looking into the policing in the community on how they police and why. Mr. Jones again stated he would not go in to the Commission changing things until he finds out how things are going. Council Member Wood

asked Mr. Jones about how he intended to interact with the public to make sure they are addressing their concerns and questions with the Commission. Mr. Jones stated he would like to get into the community and that will open the doors. He also noted their meetings are currently downtown, so he would be interested into in a discussion on moving them out of the LPD building into the community. Council Member Wood acknowledged she too has been a supporter in the past of moving those meetings to community centers, closer to the residents. She also encouraged Mr. Jones to look into attending the Ward meetings monthly. Mr. Jones was also encouraged to attend the citizen academy, and then asked if he had a philosophy on community policing. Mr. Jones confirmed he was not familiar with the community policing but would be interested in learning more. His thought on community policing would be to have the community policed by officers that look like them. He was encouraged by community policing as a key role for the residents and youth. Council Member Wood provided an overview of the establishment of community policing, and their roles in the community. Council Member Jackson asked Mr. Jones, if in his opinion, people who come in contact with officers understand there is a Police Commission. Mr. Jones stated he did not think they knew about the Commission. He was then asked if he thought the public knew about the complaint process, and if they knew the complaint is filed with LPD, the Internal Affairs Investigator and the Police Commissioners. Mr. Jones believe that the public is aware. Council Member Jackson asked Mr. Jones if he had any knowledge that in the past the Commission has found in favor of the Internal Affairs Investigator, at which Mr. Jones stated was not aware of any past actions of the Commission. Council Jackson asked Mr. Jones his opinion on if the complaint process should be transparent with their outcomes. Mr. Jones agreed it should be 100% and should not have bias, at that time Council Member Jackson asked if he thought it would be hard to eliminate bias if they are investigating LPD actions. He then asked if as a new Commissioner he could see that transparency is needed higher than anything else. Council Member Jackson recapped the interview of Mr. Carnegie at Committee of the Whole on August 10<sup>th</sup>, and the question he asked Mr. Carnegie on if transparency should be in all investigations. Mr. Jones agreed with that statement also but said the investigation should not be an open book until all findings are done. Peple should not interrupt an investigations based on opinions. Council Member Jackson asked if he thought that after the investigation findings, they should be transparent. Mr. Jones answered that he did not think someone should impeded the process of the investigation by Internal Affairs, but once the findings come to conclusion, those findings should be transparent. Council Member Jackson stated that there appeared to be a downward trend with the number of complaints and asked Mr. Jones if that is good or bad. Mr. Jones replied that he believed it was a good thing, and it could be a sign law enforcmentare doing the right thing, but it could also be the result that people did not know they could file a complaint or where to file a complaint, adding to make a true response he would need to know the data before the downward trend to see if it is good or bad. Council Member Jackson asked if he would be interested in being a leader in transparency and making the complaint process as friendly as possible; easier accessible, and support an independent review board. Mr. Jones answered that he would support a fair and injustice complaint process, and as far as review board, he asked if that was envisions to take the place of the Police Commission. Council Member Jackson said his vision would be that it would, but more of a group that looks at complaints before they gets to the Commission. Mr. Jones asked if that vision of a review board would include Commission members plus outside members, and Council Member Jackson stated that would be up to the Commission to determine who was placed on the review board, and his interest now is to see if Mr. Jones would be interested in it for the future. Mr. Jones asked if the review board would be just to look at complaints or other things also, and Council Member Jackson said he is looking for a review board to listen to citizen complaints and or investigations, and could be in tandem with internal affairs, and if they are not satisfied with internal affairs this review board could search more and be more responsive as an independent group not paid for LPD or the City. Mr. Jones agreed that a review board, to have the ability when needed to review and investigate

he would not have an issue with especially if it would be to seek a second opinion. Council Member Jackson stated his goal is to appoint a commissioner that is not pro or anti police, but someone that sees transparency and what is good for the community, someone who wants to see the complaint to the end with transparency. Mr. Jones briefly spoke on his past experiences with fairness, equality and what is best for the community; phrasing that what is wrong is wrong and what right is right regardless if there was police involvement or not. Council Member Jackson asked if Mr. Jones felt he could address a situation where a police officer was not cordial to the person even if the person did commit the crime, and then went on to ask what Mr. Jones' opinion was on defunding the police or if the police should only respond to more serious calls and not respond to other things that aren't life threatening, or if he felt it should stay as it is. Mr. Jones noted he did not have a concern with what they respond to but a concern with how they respond. When it comes to defunding the police, those words do not mean much, people need to be more specific he said, and use the words reallocation and put the funds where they could be more beneficial. Council Member Garza asked if Mr. Jones would consider creating a pathway to get more interest in being officers in the community, and Mr. Jones agreed. Council Member Garza then asked his opinion on calling in officers from other communities if needed, and was told there was hope that would only happen if it was a secondary need. He went on to state that people say defund, they need to understand we don't have enough officers to respond now, so to defund could harm and not help. Some complaints could be handled differently. Council Member Wood, for understanding purposes for both applicants, explained that the Board of Police Commissioners is a "commission of review", and they get recommendations from the investigator and Citizen Investigator, not LPD. The Commission will hire and fire the Citizen Investigator, and there have been times where the Citizen Investigator report does not match the Internal Affairs report and those are cases where they can ask more questions. The Commission members have a broad role.

The applicant was invited to the Council meeting on August 24, 2020.

MOTION BY COUNCIL MEMBER WOOD TO APPROVE THE RESOLUTION FOR THE APPOINTMENT OF DEYEYA JONES TO THE BOARD OF POLICE COMMISSIONERS. ROLL CALL VOTE, MOTION CARRIED 3-0.

RESOLUTION – Appointment; Holly McDermitt; 1<sup>st</sup> Ward Member; Board of Police Commissioners; Term to Expire June 30, 2021

Council Member Garza asked Ms. McDermitt her vision for her role on the Commission and why she was interested. Ms. McDermitt first referenced her education of a Bachelors in Criminal Justice and a Masters in Criminal Justice Administration, noting she wants to take that and be a better representation for the community. Council Member Garza asked her if she too would be interested in a pathway for residents to become part of the community service in the City. Ms. McDermitt acknowledged her interest and confirmed that people see the police on the streets and are not sure how they got there. Council Member Garza then asked if she would consider incorporating officers living in the communities. Ms. McDermitt agreed with that suggestion, stating if they live there, there is an investment in the community. Council Member Jackson asked Ms. McDermitt if she had any comments on the questions he asked Mr. Jones earlier on transparency, investigative process and what she learned in while getting her bachelors and masters in criminal justice about the policing process. Ms. McDermitt agreed that transparency is key, and there are points in an investigation that need to be confidential for all people involved. The information needs to show how they got the answer, so the question can be answered. The process of how you get the conclusion is just as important as the conclusion. The complaint process used should be easier, even as simple as getting the word out on how and putting on the website. If the complaints have gone down, it could be two fold, fewer complaints, or the process is too complex. Regarding the movement of defunding, Ms. McDermitt stated it should be more of a reallocation of the funds. Hiring the

social worker, who is a civilian, is good and they are working with the police. She did not think defund is good, but they should look at a better way to use their resource. Regarding her education, any problems, with community policing if done correctly it is a good thing. If you have people who live in the community and work within the community they can learn about those residents. Council Member Wood asked, as a 1<sup>st</sup> Ward community member and being appointed to this Commission for that Ward how she intended to communicate with the public to get their reactions and listen to their issues. Ms. McDermitt confirmed she intended to attend ward meetings and neighborhood meetings, letting people know she has been appointed to this Commission, because she would be more approachable once they know their neighbor is on the Commission. Council Member Wood referenced earlier statements on the Citizen Investigator, and stated she has stated in the past, the citizen investigator should have a role of being in the community also talking about the complaint process so the residents understand there is a complaint process, how to go through it, and that it is not done by LPD but a Citizen Investigator hired by the Board of Police Commissioners. Ms. McDermitt was then asked if she would support asking the Citizen Investigator to go out to the public. Ms. McDermitt stated agreed the Citizen Investigator is more approachable, and has the knowledge in asking the questions and is familiar with the situations. Council Member Wood concluded by recommended to both appointees that they should participate in the Citizens Academy and also promote that to the public. The applicant was invited to attend the Council meeting on August 24, 2020.

MOTION BY COUNCIL MEMBER WOOD TO APPROVE THE RESOLUTION FOR THE APPOINTMENT OF HOLLY MCDERMITT TO THE BOARD OF POLICE COMMISSIONERS. ROLL CALL VOTE, MOTION CARRIED 3-0.

#### DISCUSSION/PLACE ON FILE – Board of Fire Commissioners Rules of Administrative Procedures

Council Member Wood informed the Committee that this document was referred by the Commission per the rules of procedures. This Committee cannot make any changes but can make recommendations and the Board of Commissioners can then consider their recommendations but do not have to make them. There is no action by Council.

Mr. Purchase went through the changes to the document, noting it had not been reviewed in a couple years, and they intend to review it annually. The changes included language cleanup, striking of irrelevant language, removing the secretary from the Commission since that role is not a voting member, but an administrative position. They added 3.5 which requires the secretary to provide materials to the Commission; inserted Article 5 which is mirrored from the Board of Police Commissioners asking for structure in incident briefing to the Commission. This would institute and generate the Chief to members up to speed on incidents. It would not be required for a Commission member to attend a briefing however. The language changes in the document, he noted have been reviewed by the attorney. Mr. Purchase went on to explain additional changes which included adding Article 6 and 7 as “reserved”. Article 6 will be for discipline authority, but currently the collectively bargaining has separated the Commission out or excluded them. The Chief is currently working on a structure, and the Commission will continue to look at that structure moving forward. They will not just look at the discipline, but who and how. Mr. Purchase then referred back to Article 2 which states the Chair can be elected for 3 terms, however over the last terms they have voluntarily rotated annually, and the Commission thinks that is a solid practice. Lastly, it was noted the Commission has established a standing budget review committee working on projections so to make their recommendations to the Mayor before he finalizes his budget. Council Member Wood asked if they would consider taking a recommendation for a change to not just have the secretary provide materials on OMA, FOIA, ethics, etc. but the Commission participate in an annual training on those materials. Mr. Purchase stated he would be in favor of that adjustment and it

would be helpful and instructive. He would take that recommendation back to the Commission and resolve it at their next meeting, then return the document back to City Council. The Committee stated that when the new document comes back to this Committee there would be no need for Mr. Purchase to attend unless there are other amendments. Council Member Garza asked if the Commission meetings are recorded and available to the public. Mr. Purchased state that the meetings have been recorded during this COVID time but he was not sure if they were retained. He did note the last meeting was not held.

DISCUSSION – Update on Walnut Park Property – Chief Green  
Chief Green was not available and the OCA had no updates.

Council Member Wood asked the Chairperson to place this topic and Autumn Ridge on the next agenda. Council Staff was asked to invite Chief Green to that meeting.

Council Member Garza asked Ms. Sumner for an update on ongoing litigation with Autumn Ridge. Ms. Sumner stated that in that litigation there was a hearing in front of Judge Jamo, and the judge requested, based on that the plaintiff brought up new claims and new information, so he requested additional briefings which the City did submit. Currently the City is waiting on Judge Jamo's opinion. The City has filed an injunction to stop them from renting, however they continue to rent which is not legally allowed. Council Member Garza stated he had reason to believe that Code Officer Klein did an inspection and there are still issues remaining, therefore he asked if the City is seeking penalties or fines. Ms. Sumner stated those are wrapped in the lawsuit and ongoing litigation. Initially the owners moved for preliminary junction against the City and that was not granted. Therefore the City is moving forward with litigation to handle in circuit court. Ms. Sumner concluded her overview on the case by noting that the with the current COVID situation, the courts are moving slower so she is not sure there will be anything additional to update the Committee on at the next meeting. If and when any judgement comes through, the OCA will provide that. Ms. Parker asked if there was a way to see any of the court documents, and Ms. Sumner stated any records that are public she would forward to Council Member Garza to forward onto Ms. Parker.

**Other**

No other topics of discussion.

**ADJOURN**

Adjourned at 5:22 p.m.

Submitted by Sherrie Boak,

Recording Secretary,

Lansing City Council

Approved as presented: August 27, 2020