

AGENDA

Committee on Equity, Diversity & Inclusion AGENDA FOR JULY 27, 2022 AT 4:30 PM



Lansing City Hall, City Council Conference Room
124 W. Michigan Avenue, 10th Floor

To provide input or ask questions on any item that is listed on the agenda,
members of the public may contact the City Council at city.council@lansingmi.gov or (517) 483-4177 prior to the meeting.

AMENDED 7/25/2022 P.M.

Council Member Jackson, Chairperson
Council Member Brown, Vice Chairperson
Council Member Hussain, Member

1. **Call to Order**
2. **Roll Call**
3. **Minutes**
 - A. May 25, 2022
4. **Public Comment on Agenda Items (Up to 3 Minutes)**
5. **Presentations:**
 - B. Traffic Stop Policy Update
6. **Discussion/Action:**
 - C. City Tree Canopy Review
 - D. Office of Financial Empowerment Programs/Proposed Economic Justice Policies
7. **Other**
8. **Adjourn**

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Minutes
Committee on Equity, Diversity & Inclusion
Wednesday, May 25, 2022 @ 4:30 p.m.
City Council Conference Room

CALL TO ORDER

Council Member Jackson called the meeting to order at 4:30 p.m.

PRESENT

Council Member Jackson, Chair
Council Member Brown, Vice-Chair
Council Member Hussain, Member

OTHERS PRESENT

Sherrie Boak, Council Staff
Mary Bowen, OCA- left the meeting 5:03 p.m.
Lisa Hagen, OCA
Chief Sosobee, LPD
Lt. McNamara, LPD

MINUTES

MOTION BY COUNCIL MEMBER HUSSAIN TO APPROVE THE MINUTES FROM MAY 11, 2022 AS PRESENTED. MOTION CARRIED 3-0.

PUBLIC COMMENT

No public present at this time.

PRESENTATIONS

DISCUSSIONS – Potential Policy/Procedure on LPD Process & Complaint Business Card and Update on Traffic Stop Policy

Chief Sosobee first apologized for missing the last meeting. He then referenced the draft business card in the packet and provided a sample of language for a QR code. Chief Sosebee confirmed that all officers have the new business cards, and have a laminated version of the QR code card to be used, which will take them to quick access on the website to the Chief and complaint process.

Council Member Brown referenced the language on the back of the card, and asked for confirmation on the language. Chief Sosebee stated the new process for how the LPD takes citizen complaints, along with investigator, all complaints will go through the office the independent investigator. Council Member Brown then asked if the process starts with the Independent Investigator with HRCS. Council Member Brown asked if her contact should be listed on the card as well, to eliminate the middle step of LPD, but straight to HRCS. Chief

Sosebee confirmed that could be changed. Council Member Jackson concurred with the visible contact information and appropriate channel to HRCS. Chief Sosebee acknowledged the request but stated he would speak to the internal investigator because in the past she did not want any impression to the LPD. The Committee spoke briefly on independent language for the card. Chief Sosebee confirmed the budget to do all new business cards for everyone will be \$80,000. Council Member Hussain asked for a future report on the status of the distribution, results from the cards, and calls to the independent investigator.

Chief Sosebee then discussed with the Committee the recently established Traffic Stop Policy. This included a statement of a meeting with the prosecutor on communications outlining the policy and wants to run the document past OCA before distribution. This document will include details on what the prosecutor will or will not prosecute based on the stop.

Council Member Jackson asked if LPD could insert policy internally until that is resolved. Chief clarified that he met with the prosecutor to make sure they both knew each other's expectations to the traffic stops. The policy will be then to make sure the clarification is clear for the officers. Council Member Jackson asked what could a secondary stop be, and Chief Sosebee stated those do not change, but one they are getting clarification on is unlicensed vehicles or no license plates. The LPD policy does not supersede anything MSP has. Council Member Hussain asked if there is a significant shift on pulling people over on secondary violations. Chief Sosebee confirmed they are working with MSU to assist with statistics to see if there is a change. Council Member Jackson asked how the officers are being trained. Chief Sosebee stated he has addressed all the officers, addressed in trainings, and advising on secondary violations.

Council Member Jackson asked about the forfeiture policy. Lt. McNamara stated when forfeiture funds with drug dealing nexus, they are provide with documents, with instructions on how to respond within 20 days. Council Member Jackson asked about the charges. Lt. McNamara distributed a copy of the form.

Council Member Jackson informed the Committee the meeting on June 8th will be canceled because there is another diversity event in the City Hall lobby with HRCS and the Mayor.

DISCUSSION

RESOLUTION – Commitment to Climate Protection and Environmental Justice

Council Member Jackson stated Ms. Welch sent an email confirming she had no issues with the changes.

Ms. Hagen stated the changes from the original submission reflect from City of Lansing to Lansing City Council, there were some clerical additions to add “;and”, removal of language that would cross the line into the administrative function, removal of “will invest”, instead of accepting the role, but encourages the Administration.

MOTION BY COUNCIL MEMBER BROWN TO APPROVE THE RESOLUTION FOR THE COMMITMENT TO CLIMATE PROTECTION AND ENVIRONMENTAL JUSTICE AS AMENDED WITH THE CORRECT RESOLUTION NUMBER OF 2017-148. MOTION CARRIED 3-0.

OTHER

No other topics of discussion.

Adjourn

Adjourned at 5:10 p.m.

Submitted, Sherrie Boak

Recording Secretary, Lansing City Council

Approved by the Committee on



Andy Schor, Mayor

Lansing Police Department

Office of the Chief of Police

Chief Ellery Sosebee

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Lansing, MI 48933

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Ellery Sosebee, Chief

To:	LPD Employees
From:	Chief of Police Ellery Sosebee
Date:	6/6/2022
Re:	Updated Guidelines for Traffic Stops

Background

In response to a national debate in 2001, the Lansing Police Department (LPD) began a voluntary and comprehensive process of ensuring LPD officers did not practice what has become known as “racial profiling” or “racially biased policing”. As a means to monitor officer behavior related to traffic stops, LPD began collecting traffic stop data for analysis known as the Management Analysis of Traffic Stops -- or MATS -- program. This report is the annual analysis of MATS data. Importantly, as an analytic assessment, the MATS data does not identify individual officer behavior attached to any particular traffic stop. Rather, this is an analysis of the aggregate data collected from reported traffic stops that seeks to determine if there are any questionable or anomalous “patterns or practices” in LPD traffic enforcement operations. The Office of Internal Affairs and Chief of Police will continue to conduct ongoing reviews of traffic stop data that has been provided by David L. Carter, Ph.D. and Joseph A. Schafer, Ph.D. over the last 21 years.

In July of 2020, this department established new and restrictive guidelines for routine traffic stops. Since that time, the Ingham County Prosecutor’s Office (ICPO) created its “Policy Regarding Heightened Scrutiny of Traffic Stops and Automobile Searches” (“ICPO Policy”). The ICPO Policy is an expression of the ICPO prosecutorial discretion and its unfettered ability to control charging decisions. It does not create new law or take the place of established legislation or case law. It does, however, provide guidance as to the expectations of the ICPO, which directly impacts police practice and procedure. As stated in the ICPO Policy, it is intended to “promote equity, justice and fairness” in charging decisions. The Lansing Police Department will adhere to the ICPO recommendations to

“Capital City’s Finest”

seek solutions to these local and national concerns and ultimately receive the requested charges and response from the ICPO.

The rationale for the Lansing Police Department 2020 memo was based on a perception that routine traffic stops for regulatory based infractions result in disparate outcomes for some members of our community. The Lansing Police Department continues to actively work to eliminate bias, implicit or otherwise, in the execution of legitimate traffic safety management activity that has a goal of improving the safety and quality of life for everyone.

This updated memorandum is meant to provide clarity to the officers so that they are able to use their remaining officer discretion within these parameters. This ICPO Policy does not create new legal rights for citizens but does impact criminal justice decision making at all levels. It is expected that by decreasing the time spent on secondary violations, we will be able to better allocate our limited resources to alternate criminal justice and community-based endeavors.

The following guidelines are consistent with LPD Procedure 600.2 (Management Analysis of Traffic Stops) which both emphasize that all traffic stops should be conducted in a bias-free and Constitutional manner. Supervisors shall continue to ensure that officers do not engage in discriminatory traffic stops. Furthermore, consistent with MCL 257.750, LPD does not establish ticket quotas and officers must have a lawful reason allowed by this and the ICPO Policy coupled with good judgement when making a traffic stop. The following guidelines are applicable to all LPD sworn officers, uniformed or otherwise, when conducting traffic enforcement duties.

Purpose

The intent of following updated traffic stop guidelines is to establish consistency between the ICPO Policy and our Constitutional policing model. We are focused on protecting individual Constitutional rights of our citizens and to eliminate any aspect, inferred or otherwise, of bias-based policing practices.

It is the goal of this memo to avoid, when possible, an action that could damage police legitimacy and/or improperly disrupt the lives of those that live, visit and work in the City of Lansing.

Primary and/or Public Safety Related Traffic Violation

The Lansing Police Department's focus is public safety. LPD encourages and has a strong interest in traffic stops based on primary violations that focus on public safety traffic issues. These stops include but not limited to:

- a. Failure to wear seat belt/child restraints
- b. Inoperable headlight/s after dusk hours
- c. No brake lights
- d. Expired license plate
- e. Speeding
- f. Careless and reckless driving
- g. Violation of traffic control devices
- h. Impaired driving and other unsafe and dangerous driving situations
- i. Operating an unregistered vehicle/ no plate
- j. Failing to stop leaving a private drive
- k. Failing to use a turn signal,
- l. Improper lane use (driving in the left lane)

To clarify, a primary violation is based on the presence of a danger or dangerous actions occurring.

Secondary Equipment and/or Regulatory Traffic Violation

The LPD has a reduced interest in defective equipment and non-moving violations due to their regulatory nature and lack of relationship to traffic safety. Defective equipment, non-moving, and vehicle regulatory violations are secondary violations. Officers **shall not** make a traffic stop for the following equipment, non-moving, or regulatory violations (secondary violations) unless a primary violation is also present.

- a. Cracked windshields
- b. Inoperable license plate lamp

- c. Cracked taillights
- d. Driving while License suspended
- e. Operating without financial surety
- f. One head lamp, rear lamp, or brake light
- g. Motor vehicle noise violation or loud exhaust
- h. Dangling ornaments, cracked windshields, or other minor obstructions
- i. Missing mirrors
- j. Improper attachment of plate
- k. Insufficient tire tread

Procedures

The Lansing Police Department will no longer initiate traffic stops on drivers for the above listed secondary/regulatory violations. These defective equipment, non-moving, and regulatory violations are deemed secondary violations and will only be enforced if a motorist is stopped for a primary (public safety related) traffic offense. Officers are encouraged to provide a verbal or written warning for all defective equipment and regulator violations as allowed by law.

There is a narrow exception in those rare cases wherein a defective equipment (secondary offense) is so severe that it poses a safety threat to the driver and/or other community members. In those cases, the officer may initiate a traffic stop for the secondary violation for public safety purposes and issue a verbal or written warning. In these instances, the officer must alert their supervisor to review the traffic stop and ensure it is consistent with the following guidelines.

Criminal Activity Based Traffic Stops

This policy does not prohibit an LPD Officer from stopping a vehicle, where there is the appropriate level of reasonable suspicion or probable cause to believe the vehicle, driver, or passenger is engaged, or is about to engage in an offense defined as a criminal misdemeanor or felony unrelated to a motor vehicle violation. Contacts that directly relate to a criminal investigation are not impacted by this traffic enforcement policy. To

be clear, any and all traffic stops, whether public safety, criminal activity based or otherwise must adhere to the applicable legal standard, statute and/or doctrine.

Law Enforcement Information Network (LEIN)

The Lansing Police Department prohibits the indiscriminate checking of license plates using LEIN without an articulable and non-bias public safety reason.

Compliance and Accountability

This internal memorandum is a department Order. The ICPO Policy is incorporated into this memorandum for reference. The Ingham County Prosecutor has the sole discretion as to the issuance of criminal charges brought to them for review while the OCA makes the charging decision on cases presented to their office.

Violations of these LPD guidelines may subject an employee to discipline. Based on the circumstances of a violation, the discipline may include an educational based disciplinary action or any additional or remedial training. Severe or continuous violations may result in discipline within or outside the usual and customary disciplinary matrix. Violations of this Order are applicable to LPD Procedure #100.03 (Rules of Conduct)

Assessment

Data collected beginning June 1, 2022, through December 31, 2022, will be evaluated for effectiveness. The Civilian Commissioned Investigator, Police Board of Commissioners, Office of Internal Affairs, and Chief of Police will continue to conduct ongoing reviews of traffic stop data in addition to utilizing the 20-year MATS study to maintain transparency.

This order will remain in effect until further notice.



Ellery Sosebee
Chief of Police

OFFICE OF FINANCIAL EMPOWERMENT PROGRAMS & POLICY PROPOSALS



Andy Schor, Mayor



(517) 482- 4285



1220 W. Kalamazoo St, Lansing, MI 48915



lansingmi.gov/ofe

BACKGROUND

- OFE was founded in 2013 with the launch of the Financial Empowerment Center, one of the first in the country!
- Lansing SAVE began opening accounts in 2015, Michigan's first CSA!
- The City was awarded the Offender Success contract for Region 7 in 2017.



GOALS OF THE FEC

- Connect individuals to banking services and products that are safe and affordable.
- Assist clients in establishing a credit score if they have none.
- Increase the credit score of clients once one has been established.
- Establish savings practices that can be maintained to increase total savings.
- Prioritize and reduce total debt.



IMPACT & OUTCOMES

Since launching in March 2013:



\$1,146,490
INCREASED SAVINGS



\$13,409,641
REDUCED NON-MORTGAGE DEBT

15,844
SESSIONS
COMPLETED

5,246
CLIENTS
SERVED

IMPACT & OUTCOMES [CONTINUED]

Since launching in March 2013:

**775 SAFE AND
AFFORDABLE
ACCOUNTS OPENED**

**955 CLIENTS HAVE
REDUCED NON-
MORTGAGE DEBT BY
10%**

**297 CLIENTS HAVE
INCREASED THEIR CREDIT
SCORE BY 35+ POINTS**

**367 DELIQUENT
ACCOUNTS PAID OFF**

FEC CLIENTELE [CONTINUED]



**52% OF FEC
CLIENTS ARE
RENTERS**



**70% OF FEC CLIENTS
RETURN FOR A
SECOND SESSION**



**76% OF FEC
CLIENTS
ANNUAL
HOUSEHOLD
INCOME LESS
THAN \$25,000**



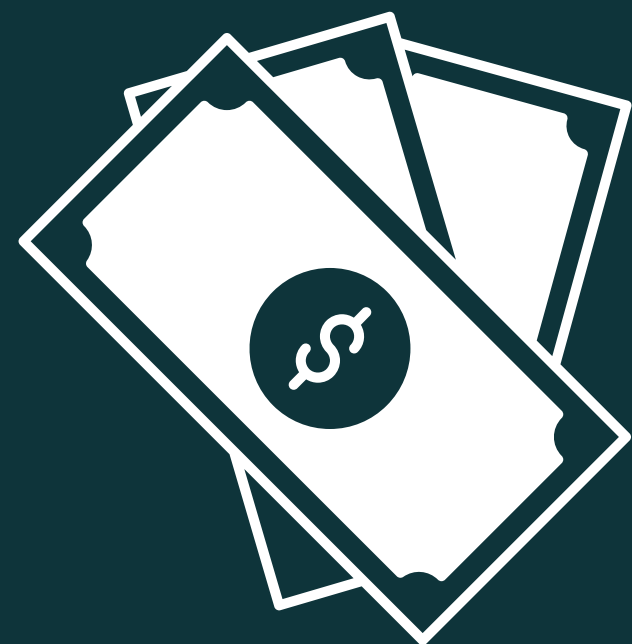
**27% OF FEC
CLIENTS ARE
HOUSING
UNSTABLE**

LANSING SAVE



- Universal Children Savings Account (CSA) opened at kindergarten enrollment for all students in the Lansing School District.
- Research from Professor Willie Elliot (UM)
 - An LMI child with school savings of \$1 to \$499 before college age is more than 3X more likely to enroll in college than an LMI child with no savings account and more than 4.5X more likely to graduate.
 - In addition, an LMI child with school savings of \$500 or more is about 5X more likely to graduate from college than a child with no savings account.
- Supplemental financial education provided in schools.
- Community Fundraising through Community Champions and Kroger Rewards.

IMPACT & OUTCOMES



\$14.17
AVERAGE
ACCOUNT
BALANCE



6,209
ACCOUNTS OPENED



22%
PARTICIPATION
RATE



\$6,600+
COMMUNITY
FUNDRAISING

OFFENDER SUCCESS

- Contract with the State of Michigan Department of Corrections
- Wrap-around reentry services
 - Job training
 - Workforce development
 - Mental and behavioral health counseling
 - Social supports (vital document restoration, transportation, etc.)
 - Reentry housing

65 JOB PLACEMENTS

52% JOB PLACEMENT RATE

6,369 BED DAYS UTILIZED

FINANCIAL EMPOWERMENT POLICY PROPOSALS

FINE & FEE REFORM - OVERVIEW

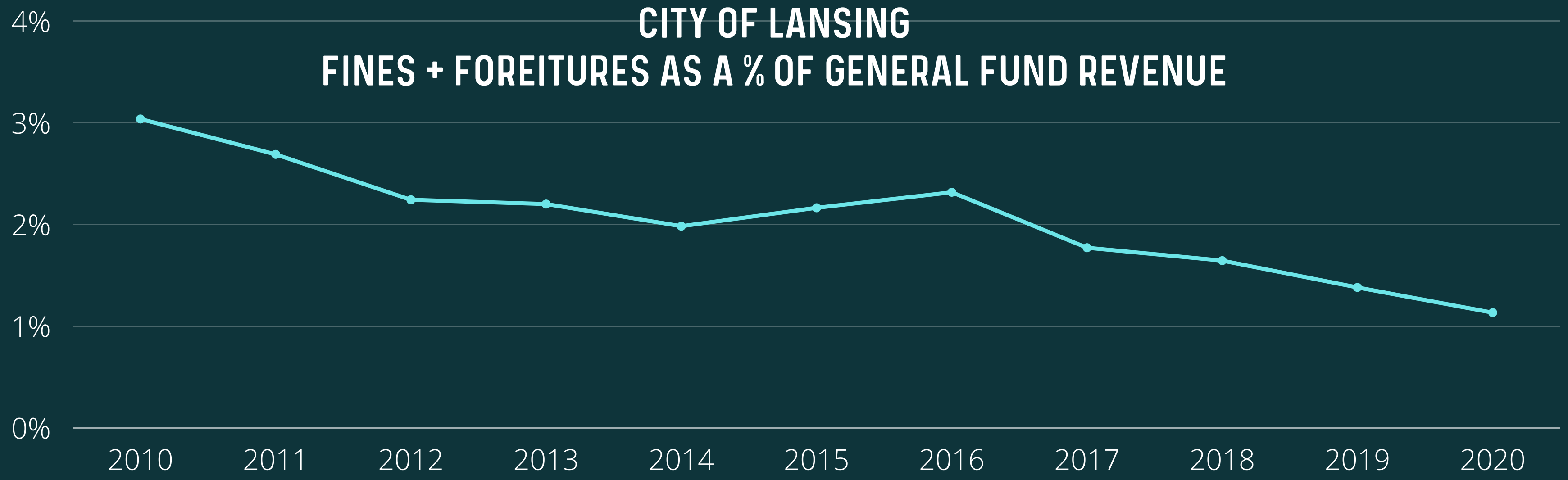
1. Eliminate fines and fees
2. Adopt an ability to pay scale
3. Offer community service as an alternative to paying fines (no less than \$15 per hour)

FINE & FEE REFORM - CONTEXT

- Fines: Monetary sanctions imposed at conviction, meant to be punitive and to deter subsequent unlawful behavior.
- Fees: Raise money for the government.
- DOJ's 2015 Report on the Ferguson Police Department found that “Ferguson has allowed its focus on revenue generation to fundamentally compromise the role of Ferguson’s municipal court.”
- As a percentage, fines and fees represented 12.5% of Ferguson’s general fund revenue for FY 2010.

ELIMINATING FINES

- The City of Lansing is less reliant on fines than Ferguson.
- Since 2010, revenue from fines and forfeitures have been trending downwards, except for slight upticks in 2015 and 2016.



ELIMINATING FINES - PRECEDENT

- San Francisco eliminated all county-imposed criminal justice fees in 2018, resulting in the waiving of \$33 million in criminal justice debt owed by more than 21,000 people.
 - And implemented an ability to pay scale and made jail phone calls fee
- Durham, NC restored 35,000 drivers licenses that had been suspended for nonpayment.
- Chicago implemented more accessible payment plans and stopped the practice of writing up city sticker violators twice in one day
- The City should reexamine all fines and fees, including, but not limited to:
 - Criminal justice administrative fees;
 - All juvenile justice fines and fees;
 - Parking, traffic, and towing fines and fees;
 - Trash fees

ABILITY TO PAY SCALE

- Capability of a person to pay court-ordered fines, fees, or any other monetary sanction owed, without economic hardship.
- There are circumstances in which it should be presumed that a person is unable to pay.

FY 2020 Income Limit Area	Median Family Income	FY 2020 Income Limit Category	Persons in Family	Defendant's Household Income	FFJC Recommended Payment
Lansing + East Lansing	\$80,700	Very Low (50%)	1	\$28,100	25%
			2	\$32,100	
			3	\$36,100	
			4	\$40,100	
			5	\$43,350	
			6	\$46,550	
			7	\$49,750	
			8	\$52,950	
			1	\$56,200	50%
			2	\$64,200	
			3	\$72,200	
			4	\$80,200	
			5	\$86,700	
			6	\$93,100	
			7	\$99,500	
			8	\$105,900	
			1	\$84,300	75%
			2	\$96,300	
			3	\$108,300	
			4	\$120,300	
			5	\$130,050	
			6	\$139,650	
			7	\$149,250	
			8	\$158,850	
			1	\$112,400	100%
			2	\$128,400	
			3	\$144,400	
			4	\$160,400	
			5	\$173,400	
			6	\$186,200	
			7	\$199,000	
			8	\$211,800	

COMMUNITY SERVICE

- After an individuals' ability to pay has been considered, and applicable fines and fees have been waived or reduced, the City of Lansing should offer community service as an alternative to payment.
- Currently, if the City offers community service as an alternative to payment, it is not made readily available to the public with no mention of it on the City's website.
- The choice of whether to pay money or perform community service must always be the defendant's.
- The City should offer service options that contribute to the development of the community and individual, rather than punitive low-impact tasks.
 - Job skills training
 - GED courses
 - Mental health and substance abuse resources

QUESTIONS?

Zach Etzin-Gagner

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