



Minutes
Committee on Equity, Diversity & Inclusion
Wednesday, July 27, 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- unexcused
Council Member Hussain, Member

OTHERS PRESENT

Sherrie Boak, Council Staff
Lisa Hagen, OCA
Zach Etzin, Neighborhoods, Arts and Citizen Engagement
Irene Cahill, Forestry
Michael Lynn
Jim Smiertka, OCA- stepped away from the meeting 4:46 p.m. back to the meeting at 4:51 p.m.
Dusty Horwitt
Kentrell Lane
Tyrone Hooper

MINUTES

MOTION BY COUNCIL MEMBER HUSSAIN TO APPROVE THE MINUTES FROM MAY 25, 2022 AS PRESENTED. MOTION CARRIED 2-0.

PUBLIC COMMENT

Mr. Lynn spoke on the traffic stop policy listed on the agenda and informed the Committee he invited someone to speak to what is happening on the streets. He also voiced a concern that complaint investigators are not getting back to the citizens, and in his opinion believed the process is not good.

DISCUSSION

City Tree Canopy Review

Council Member Jackson explained that he had invited Ms. Cahill because he heard Mr. Kaschinske state "what is happening to our trees is horrendous", and recently at the westside meeting Ms. Cahill stated to the public that there was a large amount of tree removal, he asked Ms. Cahill to speak to what diseases are common with the trees, lastly asked about what Ms. Cahill's replanting process was.

Ms. Cahill first asked Council Member Jackson to provide her with what Mr. Kaschinske meant by "horrendous", and explained that Forestry was removed in 2010 from the Parks and Recreation Department and moved to Operations/Maintenance. At that time they also started

plowing snow and told to stop removing stumps. Ms. Cahill then outlined the process her department does including the assessment and determination of removals, but in 2008 there were ash trees which increased the number of removals. There over 50,000 trees in the streets, and over 100,000 in the parks, and 10 staff positions in the department, but she would prefer 16. Council Member Jackson asked about a disease going around, and Ms. Cahill stated there are none. Ms. Cahill asked for Council to provide more funds for her budget.

Council Member Hussain was looking for a discussion on Equity Diversity and Inclusion and asked if there are less trimming and replacement of trees in certain neighborhoods. Ms. Cahill stated the Landbank was given permission to plant trees instead of coming to her, and those were only planted in the Eastside. Council Member Hussain asked if in neighborhoods with more rentals, would they get the same number of complaints, and asked if so are those areas not being tended to. Ms. Cahill stated she never treats renters different then homeowners.

Council Member Jackson asked Ms. Cahill for the top three things she needs. Ms. Cahill asked for 6 more staff, ARPA funds and other funding sources and to sustain the funds to maintain trees yearly. Council Member Jackson stated he would attempt to include funding for this in the upcoming Budget Priorities. Lastly, Ms. Cahill asked for an ordinance on replacing trees based on size which she has seen in other communities ordinances and Council Member Jackson asked for her to send an ordinance example.

Office of Financial Empowerment Programs/Proposed Economic Justice Policies

Mr. Etzin distributed a presentation on the OFE Programs and Policy Proposals asset building policies they are exploring for economic mobility. He began by outlining what the Financial Empowerment Office does which started in 2013 and Lansing Save in 2015, then in 2017 awarded contract with Michigan Department of Corrections. The presentation outlined the 65 job placements, 52% job placement rate and 6,369 bed days utilized. Mr. Etzin then moved on to their goals with household finances and improving credit scores. They work with FDC on credit reports and delinquent accounts if there are issues to help reduce credit debt in long run. Of the clients 50% are renters, 76% make less than \$125,000 and the medium household income is \$41,000. Mr. Etzin then approached the Committee with a proposal for a Fine and Fee Reform to eliminate fines and fees, adopt an ability to pay scale and offer community service as an alternative to paying fines at no less than \$15 an hour. The presentation outlined their context of this reform. Council Member Jackson asked for an example of other communities that are doing community service in lieu of fines.

Mr. Smiertka stated judges used to send convictions to Cristo Rey for community service, so this is nothing new for the City. Ms. Hagen stated there might be community service with probation, and the OCA has diversion options and that does include community service.

PRESENTATION

Update on Traffic Stop Policy

Council Member Jackson stated that Chief Sosebee was not able to attend this meeting but did provide a memo. The Committee reviewed the memo presented to them. Ms. Boak read the email from the Chief:

“Please find the latest version of the traffic stop memorandum. As a reminder, this document will remain in memorandum status until more data can be drilled on to validate or invalidate concerns. We will assess in 2023 to see if anything has changed due to this memo.”

Council Member Jackson read the list of “Primary and/or Public Safety Related Traffic Violation” from the memo. “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 plat
- 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, primary violation is based on the presence of a danger or dangerous actions occurring.”

Council Member Hussain stated they have also incorporated Ingham County Prosecutor’s Office (ICPO) policy, noting items in the memo were traffic stops that were safety related.

Council Member Jackson read the “Secondary Equipment and/or Regulatory Traffic Violation” list in the memo. “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

Council Member Jackson then asked OCA if for reasonable suspicion the officer have to state and record it. Mr. Smiertka asked Ms. Hagen if OCA saw this memo and responded to the Chief with comments, and Ms. Hagen stated it would be accompanied in a police report. Mr. Smiertka stated OCA would look at this memo in their staff on July 29th, and inform the Chief they were doing so.

Council Member Jackson asked where the line is to determine the suspicion. A policy will not get challenged in court because you cannot something more restrictive then the law.

Mr. Lynn stated this policy was put in place to be equitable, but after hearing the statements he believed the policy was put in place against that.

An anonymous attendee provided examples on stops he had experienced, which included window tint and no insurance. He stated his frustration that he feels he cannot go outside without the police approaching him, in addition he has had phones and guns removed from him and never gotten them back in addition to never receiving any paperwork on the possession of them being taken. Council Member Jackson asked if he had filed complaints and he stated he had and not heard back.

An anonymous attendee provided examples of being pulled over a year and a half ago for what he believed was no reason when he was the front seat passenger where the driver had only a permit, and being told it was for no seat belt and lack of insurance.

Mr. Lynn then explained that both of these anonymous attendees were charged, and then the charges were dropped. He stated his frustration because this policy was to be about diversity equity and inclusion.

Council Member Jackson stated City Council themselves cannot change a policy, but they can look at cases from this point since this policy has gone out. They can look at the cases where people are pulled over for secondary offenses and the reason was questionable.

The Committee asked that the OCA and Chief come back at a future Committee meeting to speak on this, after they have had a chance to review it in OCA and speak to the Chief.

Council Member Jackson closed with reading the last page of the memo where it stated "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 in this Order are applicable to LPD Procedure #100.03(Rules of Conduct)."

Mr. Lynn stated to the Committee that because this policy appeared to him to be open for 4th Amendment, he was asking the City to shore up the violation. He then provided examples on obtaining items that were taken from people, such as firearms and the frustration of not getting the items back that legally belong to the residents.

OTHER

No other topics of discussion.

Adjourn

Adjourned at 5:40 p.m.

Submitted, Sherrie Boak

Recording Secretary, Lansing City Council

Approved by the Committee on September 14, 2022