

Call to Order/Roll Call

A joint special meeting of the Kalamazoo City Commission and Citizens Public Safety Review and Appeal Board was held on Tuesday, August 10, 2021 at 6:00 p.m. This meeting was held as an electronic meeting under the authority of the Michigan Open Meetings Act (PA 267 of 1976) as amended by PA 254 of 2020.

The meeting of the City Commission was called to order by Mayor David Anderson.

COMMISSIONERS PRESENT:

Mayor David Anderson
Vice Mayor Patrese Griffin
Eric Cunningham
Jeanne Hess
Erin Knott
Chris Praedel
Jack Urban

COMMISSIONERS ABSENT:

None

All members present indicated they were physically located in the City of Kalamazoo.

Also present were City Manager Jim Ritsema, Deputy City Manager Jeff Chamberlain, City Attorney Clyde Robinson, and City Clerk Scott Borling.

CPSRAB Call to Order

The meeting of the Citizens Public Safety Review and Appeal Board (CPSRAB) was called to order by Chairperson Vernon Payne.

Public Comments

Next, when an opportunity was given for general public comments, the following people addressed the City Commission and CPSRAB:

Shardae Chambers, City resident, expressed disappointment with the OIR Group report and stated the consultant did not push hard enough or include enough details in the report.

TC Custard, City resident, expressed disappointment with the OIR Group report and questioned why the officers' cameras were not recording and why the Kalamazoo Department of Public Safety denied requests for documents.

Zachary Lassiter, City resident, expressed disappointment with the OIR Group report. Mr. Lassiter called for more accountability and stated CPSRAB needed to be a City Commission-appointed board with the Office of Professional Standards under it.

Jacob Johnson, City resident, questioned what accountability for racial injustice looked like. Mr. Johnson stated the events of 2020 were racial terrorism, and the City owed compensation to residents who had endured racial harm and violence.

Will Baker, City resident, expressed disappointment with the OIR Group report and observed the results were similar to the results of the City's internal investigation in 2020.

City Manager Ritsema provided introductory remarks on the independent review of the Kalamazoo Department of Public Safety's (KDPS's) response to incidents in 2020.

Chairman Payne described the process used to select the OIR Group as the consultant to perform the independent review. Chairman Payne introduced Michael Gennaco and other members of the OIR Group. Chairman Payne highlighted the importance of reviewing the entire report in order to fully understand the nuances of the analysis and recommendations.

Mr. Gennaco, Stephen Connolly, Julie Ruhlin, Jody Stiger, and Teresa Magula delivered a presentation entitled, *Independent Review of Kalamazoo Department of Public Safety in Two 2020 Critical Incidents: Comparison, Analysis, and Recommendations*. A copy of the slides from this presentation were filed with the paper for this meeting.

Mayor Anderson thanked the OIR Group for their presentation and urged people to read the full report. Mayor Anderson thanked Diversity, Equity, and Inclusion (DEI) Director Dorla Bonner for her work on the report.

When an opportunity was given for comments and questions from members of CPSRAB, Chairperson Payne acknowledged the frustrations of citizens and recognized that the outcomes citizens experienced with regard to the Proud Boys rally differed from the City's philosophical position.

CPSRAB member Larry Tolbert stated the report was not one-sided, in favor of either KDPS or the community, and he noted the pastor was vindicated as not being the leader of the counter-protestors. Mr. Tolbert stated he still needed to digest the full report, but it seems like a fair report. Mr. Tolbert observed that KDPS had a new Chief, and many recommendations in the report were already being put in place.

Chairperson Payne noted the 2013 Traffic Stop Study said KDPS needed to address its culture, and he commented on the impact of culture on policy and process. Chairperson Payne stated there had been very few changes since 2013, and he questioned whether there would be changes because of this report.

Mr. Tolbert asked why KDPS and the City Administration withheld information from the OIR Group.

Chairperson Payne added that CPSRAB had requested data on traffic stops and information on all complaints filed with KDPS.

CPSRAB member Jacquis Robertson questioned the current evaluation process for KDPS policies, procedures, and practices.

In response to Mr. Tolbert, City Manager Ritsema stated the City Administration was not prepared to respond to whether information was withheld from the OIR Group. City Manager Ritsema stated the questions raised during this meeting would be compiled, and the City would respond.

In response to a request for clarification from Public Safety Chief Vernon Coakley, Ms. Robertson asked if there was an annual review of policies and procedures and an audit to ensure practices were compliant with policies and procedures.

2021-00

Presentation of the OIR Group Report re: the Response of KDPS to Protests in 2020

2021-00

Presentation of the OIR
Group Report re: the
Response of KDPS to
Protests in 2020 (cont'd)

In response to Ms. Robertson, Chief Coakley stated KDPS monitored its practices on a daily basis, and the department was always looking at its policies relative to best practices.

CPSRAB member Curtis Gardner stated the OIR Group did a great job, he agreed with their recommendations; and he saw changes happening already.

Next, City Commissioners were given an opportunity for questions and comments.

Commissioner Urban called-out the phrase “refused to provide documents” in the report, and he questioned whether that meant the documents did not exist or that they existed but KDPS refused to provide them. Commissioner Urban asked about the absence of after-action reports.

Mr. Gennaco stated the OIR Group was challenged in communicating with KDPS because of COVID-19. Mr. Gennaco stated it took a while to get to a final answer on information requests in some cases, and he described the KDPS response as “halting efforts,” but not refusal. For example, Mr. Gennaco said, there might have been multiple requests for information, only to find out the information did not exist. Mr. Gennaco stated he did not believe there were any hidden documents and remarked that KDPS might not be accustomed to providing information. Mr. Gennaco confirmed after-action reports either did not exist, were prepared late, or were too vague to be of any use. Mr. Gennaco stated a key recommendation was that incident planning should include a consideration of how to document the use of force in a mass crowd control situation. Mr. Gennaco indicated body cameras would have helped, but they were not used.

In response to a question from Commissioner Hess, City Manager Ritsema indicated staff would compile a list of the questions from this meeting and the answers to those questions by the end of the week, at which time an action report with deadlines and milestones would also be released. City Manager Ritsema stated staff were still digesting and understanding the report. City Manager Ritsema remarked the City would need to decide how to move forward, which would require the involvement of the community. City Manager Ritsema stated he wanted to develop a chart showing the report recommendations, the City’s responses, and the deadlines for those actions.

Commissioner Hess suggested another joint meeting with CPSRAB to review the City’s responses to the report recommendations.

In response to a question from Commissioner Praedel, Mr. Gennaco stated it would have been helpful for the OIR Group to have been in Kalamazoo in person, especially to meet with City leadership and walk the various venues where events took place. Mr. Gennaco noted that some members of the public did better with virtual listening sessions.

Ms. Magula stated there was a lot of email correspondence from the community, and this mode of communication probably resulted in the OIR Group getting more feedback than normal.

Commissioner Praedel stated feedback on performance should be timely, and he asked whether the City should have been timelier in having the independent review performed, with the resulting feedback.

In response to Commissioner Praedel, Mr. Gennaco stated Kalamazoo was average in terms of the timeliness of an independent review. Mr. Gennaco remarked that it was important the City took action while waiting for the results of the independent review.

In response to a question from Commissioner Praedel, Mr. Gennaco stated the big timely information versus accurate information was the big question – the balance between “getting it out and getting it right?” Mr. Gennaco acknowledged social media was making this difficult, and there needed to be more of a focus on communication strategies, like hiring a Public Information Officer. Mr. Gennaco remarked on the potential for inaccurate information to create a whole added level of distrust, and he stated he would sacrifice timing for accuracy.

Commissioner Praedel commented that the City needed to initiate an independent review as part of the healing process, even if the report did not contain any new information. Commissioner Praedel stated the process had been good for the City Manager, Chief Coakley, and the City Commission.

Mr. Gennaco stated there was new information in the report, and he noted it was important to put all the information in context and evaluate it. Mr. Gennaco stated an internal evaluation would not have the same credibility.

Commissioner Praedel remarked on the following elements that had been put in place and/or were being monitored: the recommendations of the First Amendment Assembly Sub-Committee; the City Manager’s work plan; the hiring of a DEI coordinator and assistant; the DEI audit; a new Public Safety Chief; a new KDPS hiring process; a new Public Information Officer; and an Assistant Public Safety Chief who worked directly with the DEI coordinator. Commissioner Praedel expressed hope that the OIR Group’s 40 recommendations would push the City beyond its current position. Commissioner Praedel stated the City could not dwell on this issue forever, but City leaders needed to recognize the trauma people experienced and the challenges KDPS faced with the events of 2020.

In response to a question from Vice Mayor Griffin, Mr. Gennaco stated the report was not available in other languages.

Vice Mayor Griffin stated the report needed to be translated into Spanish and then a host of other languages as soon as possible. Vice Mayor Griffin asked for clarity on the information that was requested by the OIR Group but not received.

Mr. Gennaco indicated he did not believe any documents were withheld, and the language in the report was really describing the intricacies of getting information.

Vice Mayor Griffin questioned what the City was going to do to listen to the community moving forward. Vice Mayor Griffin spoke about the need for accountability and noted it was the City Manager and City Commission who were accountable for what happened in 2020. Vice Mayor Griffin remarked that the City never revisited the 2013 traffic stop study and stated she did not want that happening in this case. Vice Mayor Griffin stated City leadership should have been thinking about goals and objectives prior to this moment.

Commissioner Cunningham spoke about the line of responsibility and accountability between citizens, the City Commission, and City Administration. Commissioner Cunningham pointed to the 2013 traffic stop report as a key

2021-00

Presentation of the OIR Group Report re: the Response of KDPS to Protests in 2020 (cont’d)

2021-00

Presentation of the OIR
Group Report re: the
Response of KDPS to
Protests in 2020 (cont'd)

example of a report with no follow-up. Commissioner Cunningham stated he was experiencing tension with understanding what was being done to change KDPS. Commissioner Cunningham urged the community to read the OIR Group report and ask questions. Commissioner Cunningham encouraged the staff at KDPS that the department and City leaders would move forward as a team. Commissioner Cunningham commended the OIR Group for doing a pretty good job but stated he was looking for a more impactful report with facts and opinion. On page 21, did that statement/sentiment come from someone in the community or the City Administration.

In response to questions from Commissioner Cunningham, Mr. Connolly indicated the statement on the bottom of page 21 of the report was based on feedback the OIR Group received both from people who were out on the street and from KDPS. Mr. Connolly stated the crowd was very upset at seeing a black man getting arrested. Regarding the episode at Bronson Park described on page 31, the situation was unclear due to the lack of body camera footage.

Commissioner Cunningham asked that this information be added to the report. Commissioner Cunningham spoke about the strong decision-making of KDPS as a strength but identified examples of poor communication on the day of the curfew. Commissioner Cunningham stated the curfew should have been a cautionary measure, not a mandate. Commissioner Cunningham stated KDPS showed bias during the Proud Boys rally, and he noted there were no benchmarks for the City Commission and City Administration in the area of equity. Commissioner Cunningham stated KDPS needed to do a better job being consistent in their enforcement and communicating accurately before, during, and after events. Commissioner Cunningham expressed appreciation for the communication efforts of Chief Coakley. Commissioner Cunningham stated CPSRAB was important and should be an integral part of reviewing policies and procedures. Commissioner Cunningham noted the KDPS union contracts would be expiring soon.

In response to a question from Commissioner Urban, Mr. Gennaco stated there was a section and recommendation in the report about the National Guard. Mr. Gennaco stated there was some credence to calling in the Guard, as KDPS was facing resource issues and needed support. Mr. Gennaco noted, however, that in this type of situation more consideration should be given to the competing considerations of addressing resource issues versus the potential for crowd agitation.

In response to a question from Commissioner Cunningham, Ms. Magula made reference to the report and stated Chief Thomas called in the National Guard.

CPSRAB Member
Comments

Next, an opportunity was given for miscellaneous comments from CPSRAB members.

Commissioner
Comments

Chairperson Payne thanked the OIR Group for their presentation and asked that they include CPSRAB in any future communication to the City.

Finally, an opportunity was given for miscellaneous comments from City Commissioners.

Mayor Anderson thanked Chairperson Payne for helping lead the meeting, and he thanked City staff for being present. Mayor Anderson offered a quote from former City Commissioner Matt Milcarek and spoke about the need for humility in order

to make things better. Mayor Anderson remarked that school would be starting soon, and the issue of gun violence would be moving into the schools. Mayor Anderson spoke about the importance of talking publicly with Kalamazoo County, Kalamazoo Township, and school districts about gun violence.

The meeting adjourned at 9:00 p.m.

Respectfully submitted,

Scott A. Borling
City Clerk

For City Commission approval on November 8, 2021

Approved by: _____

David F. Anderson, Mayor

Dated: November 8, 2021

Commissioner
Comments (cont'd)

Adjournment