



City of Ann Arbor 2023

**ANNUAL REPORT OF THE
ANN ARBOR INDEPENDENT
COMMUNITY POLICE
OVERSIGHT COMMISSION**



INTRODUCTION

A 2004 report funded and authorized by the U.S. Department of Justice asserted: “Public trust in the police is a central element of democratic policing. Law enforcement agencies across the country must recognize that police integrity and accountability – two interrelated terms that are often used without much regard for their meaning – hinge on public perceptions of the police. Police integrity is a product of both actual police behavior and public perception of that behavior, and police accountability depends on whether public perceptions of police behavior are officially recognized and acted upon.”

ICPOC works to assure that the Ann Arbor Community perceives that both integrity and accountable are valued and implemented within its Police department.

ICPOC’S BACKGROUND

In 2018, at the request of community members and in response to the police killing of Ann Arbor resident Aura Rosser, Ann Arbor City Council established a Task Force for the purpose of developing an Ordinance to be used as the guide for the yet-to-be-formed Independent Community Police Oversight Commission (ICPOC). The Task Force consisted of nine community members, including a youth member and two representatives from City Council.

Over a period of five months, Task Force members convened 13 public meetings that attracted significant community participation. At least 30 and as many as 80 residents attended each of these meetings. The Task Force also created four community listening sessions and attended numerous AAPD informational sessions and other meetings with City Administration. Two of the community listening sessions – those held at Arrowwood Hills Cooperative and at Peace Neighborhood Center – provided the opportunity for Task Force members to listen and learn from community members about their experiences with the Ann Arbor police, their thoughts and concerns on policing in Ann Arbor, and to hear what they would like the future Commission to help with in improving the relationship between the police and the community. Hearing the community’s voices was important in the development of the Ordinance.

The Task Force presented its proposed ordinance to City Council in September, 2018. Revisions were made by the Mayor, City Council, and City Administration, and the final Ordinance was passed in October, 2018.

ICPOC exists to foster a transparent and mutually beneficial relationship between the Ann Arbor Police Department and the community.

ICPOC’S VISION AND MISSION

The Vision and Mission for ICPOC are set out in our organizing Ordinance [Click Here](#) and our By-laws [Click Here](#).

ICPOC’s Vision: “To foster a transparent and mutually beneficial relationship between the Ann Arbor Police Department and the Community at large.”

ICPOC’s Mission: “To encourage the AAPD’s respectful treatment of all community members, to enhance communication and sharing of information between the AAPD and community, to promote

positive interactions between the police department and members of vulnerable, at-risk, and marginalized groups within the community, and to build mutual trust between the community and law enforcement.”

2023 REPORT

Coming out of the pandemic, ICPOC resumed its in-person Commission meetings in Council Chambers in January of 2022. In 2023, much of the Commission’s time and effort concerned recruiting and interviewing Commission candidates, and by late 2023 ICPOC added four additional commissioners. ICPOC currently is comprised of 10 Commissioners, one short of its maximum membership of 11.

In keeping with ICPOC’s bylaw provisions giving the community a voice in influencing the selection of leadership for the Ann Arbor Police Department, a panel of ICPOC Commissioners interviewed new police chief candidates and ICPOC now looks forward to establishing a positive relationship with the new Chief.

ICPOC also was invited to present at a few public meetings, and Commissioners are always available to present and discuss ICPOC’s work with any and all community groups who are interested.

ICPOC hosted a well-attended community Public Forum on September 27th to unveil the findings of a recent Traffic Stop Disparity Report and to introduce the City Council’s recently enacted Driving Equality Ordinance. More than 30 community members joined ICPOC members, law enforcement leadership, and interim police chief Aimee Metzger for this informative session.

The Traffic Disparity Report was the result of a study launched in 2021. The study, by EMU’s Southeast Michigan Criminal Justice Policy Research Project, with support from ICPOC, analyzed data from more than 34,600 traffic stops in Ann Arbor conducted between 2017 and 2019. Dr. Kevin Karpiak, of Eastern Michigan University, presented the key findings of the study which revealed racial disparities in that people of color in Ann Arbor are disproportionately impacted by traffic stops, with Black drivers being stopped at nearly 2.5 times the rate of white drivers. The full text of the study is available. [Click Here](#).

The Driving Equality Ordinance was also discussed at the Public Forum. Aiming for fairness, Council Member Cynthia Harrison, ICPOC Council Liaison, championed the ordinance after reviewing local and national traffic stop data. This new ordinance prohibits Ann Arbor police from stopping drivers for minor infractions such as cracked windshields, tinted windows, or certain registration violations. The Driving Equality Ordinance can be found online. [Click Here](#).

The Forum concluded with a Q&A session, fostering constructive dialogue AMONG community members, law enforcement officials, and ICPOC representatives. It is hoped that traffic data will continue to be collected and that future studies will demonstrate positive change, improving community relations and marking a significant step towards promoting fairness and positive change in Ann Arbor’s traffic enforcement practices.

“Police Integrity and Accountability in Philadelphia: Predicting and Assessing Police Misconduct”
Author(s): Jack R. Greene, Ph.D., Alex R. Piquero, Ph.D., Matthew J. Hickman, Brian A. Lawton
Document No.: 207823
Date Received: December 2004



WORK OF THE COMMITTEES

Consistent with Article 9 of Commission Bylaws, the following Committees were created and/or enhanced in 2023:

The Policy Committee is tasked with reviewing current policies of the AAPD, both as they may be involved in a particular incident and as to whether suggestions for changes in current policies are in the best interest of the community –while not sacrificing protection of the community.

the Outreach Committee works to create “an environment which allows for better communication, understanding, and relations between the Ann Arbor Police Department and the community.” The Outreach Committee works on developing our Public Forums and other community events throughout the year.

The Training Committee is tasked with reviewing the training that our officers receive, both during their initial training as well as ongoing training. We are also committed to receiving the training that ICPOC Commissioners receive in areas of police oversight, and national trends in this area.

INFORMATION MANAGERS

Pursuant to the Ordinance, up to five of the Commissioners can be deemed Information Managers who have access to review complaints that come from the public. The Ordinance states that, “The Commission's review and examination shall not precede or be concurrent with Department actions but shall occur after the Department and city have completed all proceedings related to the incident or action under review, including investigative, criminal, disciplinary, complaint, and other proceedings.” The Information Managers then have access to the reports and investigations relative to complaints that have been filed by citizens.

ICPOC COMMISSIONER TRAINING

A portion of the training that ICPOC Commissioners receive comes through the National Association for Civilian Oversight of Law Enforcement (NACOLE). Established in 1995, NACOLE is a non-profit organization that works to create a community of support for independent, civilian oversight entities that seek to make their local law enforcement agencies, jails, and prisons more transparent, accountable, and responsive to the communities they serve. NACOLE provides training through an annual conference as well as Webinars throughout the year. The annual conference provides for an opportunity for oversight practitioners to meet and exchange information and ideas about issues facing civilian oversight and law enforcement. The 29th annual NACOLE Conference was held in Chicago, IL, on November 12-16, 2023. There were 25 sessions over four days covering four tracks of interest: Community Oversight, Building Better Oversight, Innovation and Collaboration, and Jail and Prison Oversight.

The goal of the annual conference is to work with local oversight entities to “assess oversight systems, implement effective practices, and build better oversight.” Sessions in 2023 were varied and included professionals, community volunteers, and elected officials from all over the United States. Several sessions focused on families of victims of police violence who recounted not just their tragic stories but also the events that led to changes in police policies and, in some cases, improved community safety procedures. Sessions also included law enforcement officials with elected leaders of communities, development of complaint manuals, and using public pressure to change

policies through negotiations and training programs for police in interacting with underrepresented minorities.

The conference offered many opportunities to learn from others to bring back ideas to ICPOC and, in turn, to the Ann Arbor Police Department and local elected officials in such areas as oversight in general, training, complaint systems, and working collaboratively toward a more robust and safe community. Four Ann Arbor Commissioners attended the 2023 Conference.

CITIZEN COMPLAINTS

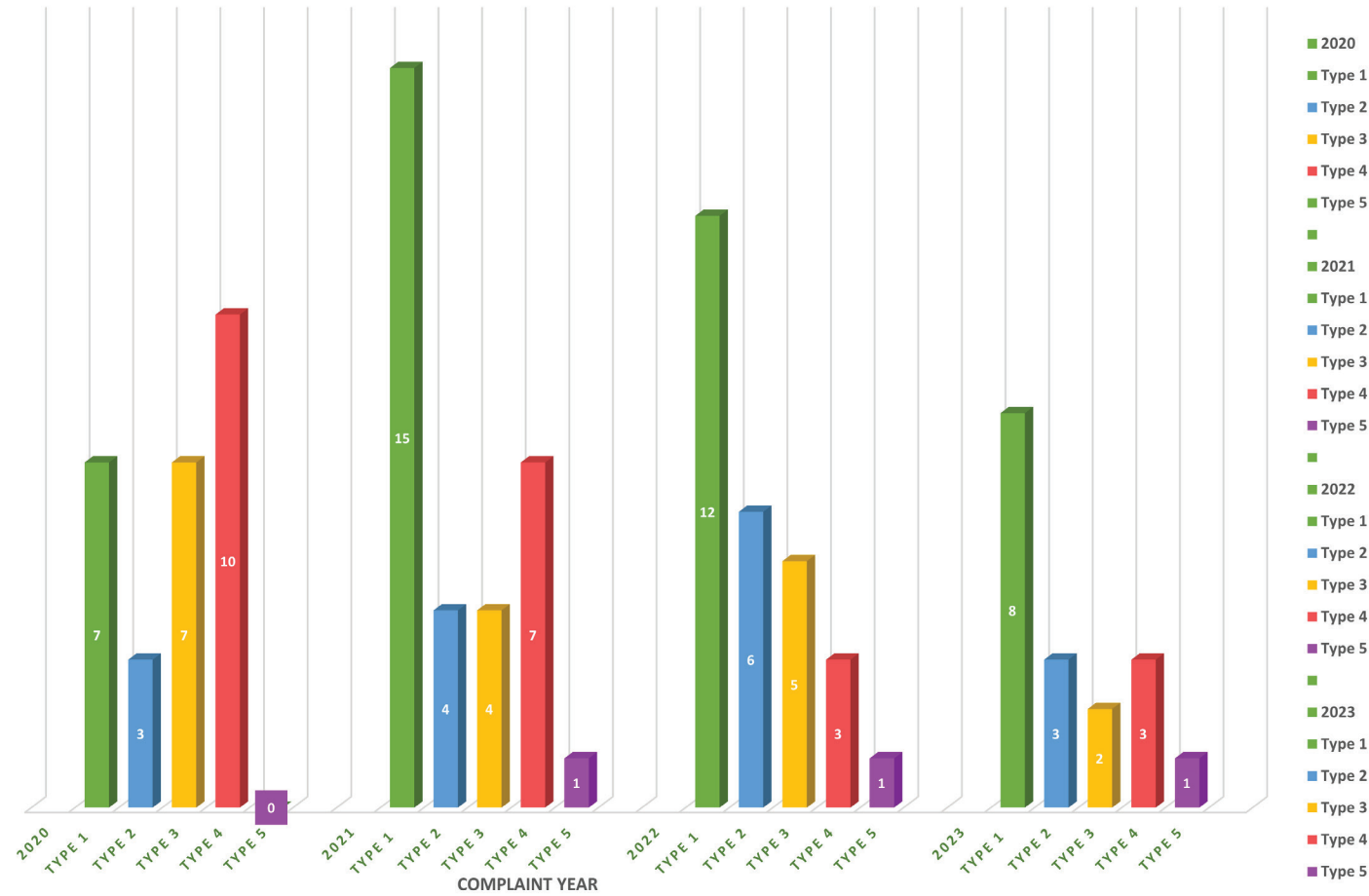
The Ordinance that created ICPOC provides that the Commission shall have the authority to review and examine the actions of the Department with respect to individual incidents after the Department has acted. This review extends to both the conduct of the police officers involved in the incident and to those police officers who examine the incident for disciplinary or other purposes.

A large part of ICPOC’s mission involves reviewing Complaints from citizens. ICPOC has developed five types of complaints based on the information from the complaints received. Those types are:

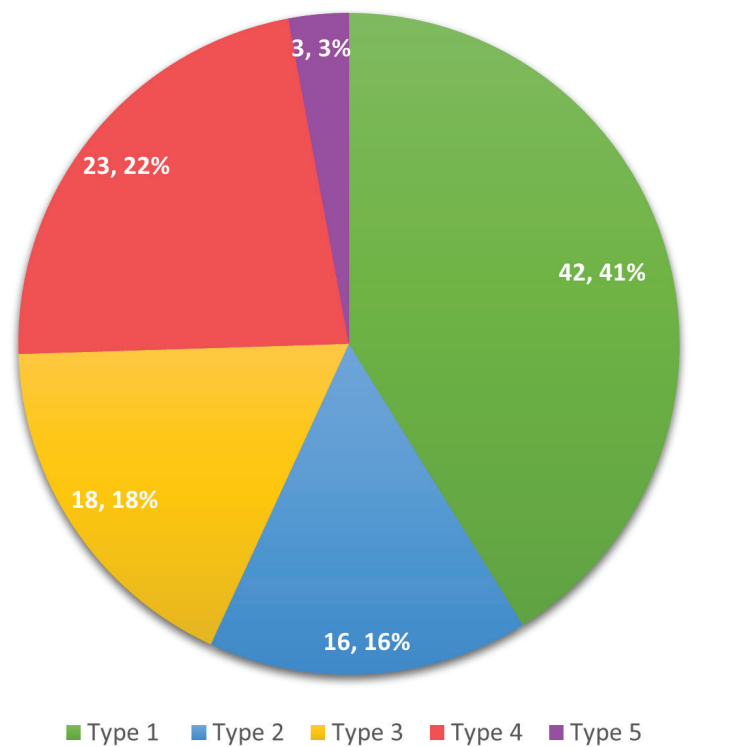
CITIZEN COMPLAINTS

- 1 COMPLAINT TYPE 1:**
Allegations that inappropriate language or actions were used by the officer such as: rude, unprofessional, aggressive, berating, profane, inappropriate, untruthful behavior
- 2 COMPLAINT TYPE 2:**
Allegations involving an arrest, including: handcuffs too tight, illegal arrest, excessive force, and harassment
- 3 COMPLAINT TYPE 3:**
Allegations regarding specific profiling, discrimination, racial, and targeting issues
- 4 COMPLAINT TYPE 4:**
Allegations concerning reporting issues, such as: failure to report, incomplete reporting, incomplete inventory, and failure to follow-up, notify or update
- 5 COMPLAINT TYPE 5:**
Allegations involving police calls for issuance of a Trespass notice.

GRAND COMPLAINT TOTAL



COMPLAINT TYPE TOTAL



The chart above shows the number of complaints that ICPOC has received since 2020. The numbers have remained relatively consistent.

The chart on the left demonstrates the percentages of complaints falling into each type.

RECOMMENDATIONS

As provided in its Bylaws, part of the purpose of ICPOC is *“To provide the community with a role in recommending policies and practices that ensure a high quality of police services....”*

The following are recommendations based on complaints from the community following interactions with the Ann Arbor Police department. ICPOC is committed to providing whatever assistance it can to implement these recommendations:

1. IT IS RECOMMENDED:

That Police Department policies be amended to mandate that in traffic stops, the Officer, having approached a driver, first identify himself/herself and inform the driver of the reason for the stop before requesting license and registration. **Rationale:** Complaints have been received regarding officers approaching a driver after traffic stops and immediately demanding “license and registration,” while the driver simply asks for the reason for the stop. It is believed that this initial encounter with the officer should be non-threatening. Even though the officer does not intend to be threatening, the perception from the citizen’s point of view can be that the encounter—which is already tense for the driver—is in fact uncomfortable to the point of feeling threatening. An immediate introduction and explanation can de-escalate any potential tension.

2. IT IS RECOMMENDED:

That Police Department policies be amended to ensure that "hate groups" such as Neo-Nazis and anti-government extremists are not part of the AAPD and are not involved in spreading hate-speech through social media and otherwise. **Rationale:** Citizens of the City of Ann Arbor must be assured that the officers who patrol their streets are not involved with membership in groups spreading propaganda and are not in fact themselves spreading propaganda along with groups that have taken an oath to overthrow the government of the City or of the State or of the United States. ICPOC believes that this goal can be accomplished without offense to the First Amendment rights of those who wish to work for the City of Ann Arbor.

3. IT IS RECOMMENDED:

That police officers carry Body-worn Cameras (BWC) any time they are on assignment or out in public and all BWC video be preserved until after ICPOC review is completed. **Rationale:** In at least one situation, an encounter between a citizen and an Officer resulted in a written complaint to ICPOC. However, the Officer was out in the community without a BWC. In another incident, the video was erased before it could be reviewed by ICPOC. Therefore, it was impossible for the ICPOC Information Manager who was reviewing the Complaints in these cases to determine whether the complaints were valid.

4. IT IS RECOMMENDED:

That police officers have access to phones that can record their conversations with the public. At the very least the phones at the police station should have recording capabilities. **Rationale:** In at least one instance, a complaint was lodged about the manner in which an officer spoke with the citizen on the phone. However, there was no way to determine what was said because there was no recording of the conversation.

5. IT IS RECOMMENDED:

That extreme care be taken to ensure that all correct information is transmitted to officers, particularly with regard to the address of incidents and calls for help. **Rationale:** There was one occasion where the incorrect address was transmitted to officers who went to the wrong house and injury resulted.



6. IT IS RECOMMENDED:

That all of the findings and recommendations of an AAPD investigation, including any disciplinary action taken by the Department, should be completely available to ICPOC Information Managers without redaction, unless such redaction is mandated by existing law. However, the identity of minors should be blurred from BWC videos. **Rationale:** It is not possible for ICPOC Information Managers to make an informed evaluation of Citizen Complaints and the department's response to those complaints if they are not fully informed of all details.

Chapter 8, Title 1, of the Ann Arbor City Code, Section 1:215 (9)(c) provides, "Confidential information. The Commission shall take care not to disclose confidential information (including, where applicable, the name of the complainant) in a report. The Commission's reports shall ordinarily avoid identifying police officers by name." This section pre-supposes that ICPOC has full access to "confidential" information.

7. IT IS RECOMMENDED:

That the AAPD attempt to re-build a relationship with the Ann Arbor Public Schools, perhaps with the re-establishment of the Explorer program, in an attempt to encourage Ann Arbor youth to pursue careers in the Department. **Rationale:** ICPOC is informed that recruiting efforts have not produced sufficient numbers of recruits to bring the number of officers up to a point where true community policing can be established. One of the reasons given is a lack of affordable housing in the City of Ann Arbor. Establishing a program within the Ann Arbor Public Schools, on the other hand, would be more likely to reach individuals who already have an established presence in the City.

8. IT IS RECOMMENDED:

That all Officers undergo on-going, documented training in the areas of: de-escalation, dealing with persons with disabilities, communication with the public, and cultural sensitivity to relate to our diverse population. **Rationale:** ICPOC has received a large percentage of complaints about the manner in which citizens perceive that the language used by an officer was offensive. The majority of the complaints have dealt with the impressions of the interaction between the complainants and the officers. Officers must be always aware of the manner in which they are relating to all segments of the community, and that their actions and words can affect each encounter.

CONCLUSION

The Ann Arbor Independent Community Police Oversight Commission thanks the City Mayor, City Administrator, City Council, and the Ann Arbor Police Department for their cooperation in 2023. We look forward to an even better working relationship in 2024 and beyond as we strive, building on the work of our previous Commissioners, to reach the goal of ensuring the equitable, community-oriented policing that all of those who live and work in the City of Ann Arbor deserve.

We continue to encourage reporting of complaints as well as compliments with regard to interactions with our Police Department. Forms to communicate with ICPOC can be found on the web or by email to icpoc@a2gov.org or by phone at 734.794.6291 Ext. 42901 or mail to the staff liaison to the Commission. We are also always looking for individuals interested in serving as Commissioners to help with this important work.