



## **ANN ARBOR POLICE DEPARTMENT**

### **Independent Analysis of Community Engagement Practices**

November 3, 2017

**HILLARD**  **HEINTZE®**



November 3, 2017

Mr. Howard Lazarus  
City Administrator  
301 E. Huron Street, 3rd Floor  
Ann Arbor, Michigan 48107

Dear Mr. Lazarus:

Hillard Heintze has completed its assessment of the Ann Arbor Police Department (AAPD) and our analysis of the department's community engagement. While we have affirmed that the AAPD is a professional organization staffed with committed officers, we also find that the department could improve its performance with respect to community policing and engagement.

This is not an insurmountable task. Regarding civilian review, Ann Arbor is well-positioned to embrace an approach predicated on shared police community responsibility for establishing policing priorities, a practice we identify as **co-produced policing**. We believe that establishing a Co-Produced Policing Board will build and strengthen the police community relationships, and establish the AAPD's policing strategy as a model for community engagement. We are confident in our view that the transparency created by such an approach will clearly establish Ann Arbor as a welcoming and inclusive city for all.

This report has been prepared for use by the City Administrator and the City of Ann Arbor to help direct its future public safety services. We place enormous value on the trust that you have extended to us in this matter.

Sincerely,  
HILLARD HEINTZE LLC

A handwritten signature in black ink that reads "Arnette Heintze". The signature is written in a cursive, flowing style.

Arnette F. Heintze  
Chief Executive Officer



## Table of Contents

<b>EXECUTIVE SUMMARY .....</b>	<b>7</b>
<b>Strategic Context: A Challenging Environment .....</b>	<b>7</b>
<b>Opportunity: A Journey Shared by the Police and the Community.....</b>	<b>8</b>
<b>Authorization: Tapping an Objective, Independent Perspective.....</b>	<b>8</b>
<b>Methodology and Approach: A Highly Integrated Process .....</b>	<b>9</b>
<b>Interviews: Soliciting Multiple Viewpoints .....</b>	<b>9</b>
<b>Anonymity: An Important Principle Supporting the Interview Process.....</b>	<b>9</b>
<b>Assessment Team: About Hillard Heintze.....</b>	<b>10</b>
<b>KEY RECOMMENDATIONS.....</b>	<b>12</b>
<b>OVERVIEW OF ANN ARBOR AND THE ANN ARBOR POLICE DEPARTMENT .....</b>	<b>15</b>
<b>The City of Ann Arbor .....</b>	<b>15</b>
<b>The Ann Arbor Police Department .....</b>	<b>17</b>
<b>The Human Rights Commission.....</b>	<b>18</b>
<b>01 CIVILIAN REVIEW – CO-PRODUCED POLICING COMMITTEE.....</b>	<b>20</b>
<b>Background.....</b>	<b>20</b>
<b>Scope of Review .....</b>	<b>22</b>
<b>Legal Framework for the Role and Authority of Civilian Oversight.....</b>	<b>23</b>
The Ann Arbor Charter .....	23
Michigan Law .....	23
Analysis within the Context of Ann Arbor.....	23
Analysis of Civilian Advisory Bodies in Other Jurisdictions .....	24
Successful Civilian Review Models .....	25
<b>What Co-Produced Policing Means.....</b>	<b>26</b>
<b>Structure, Protocols and Policies for the Co-Produced Policing Committee .....</b>	<b>28</b>
A New Model for Empowering the Community .....	28
Transparency and Engagement.....	28
Community Perspective.....	29



<b>The Core Elements of Implementation .....</b>	<b>30</b>
Eight Components of the Plan .....	31
Structure and Key Roles .....	31
Duties and Responsibilities .....	33
Appointment Process .....	33
Requirements for Candidates.....	34
Conclusion.....	34
<b>02 COMMUNITY ENGAGEMENT .....</b>	<b>36</b>
<b>Scope of Review .....</b>	<b>36</b>
<b>Community Engagement and Perspective .....</b>	<b>36</b>
Community Perspective.....	37
Department Perspective.....	39
<b>Promising Practices in Community Policing and Co-Produced Public Safety .....</b>	<b>40</b>
<b>Partners in Pursuing Transparency in Policing.....</b>	<b>41</b>
<b>Police Community Engagement in Ann Arbor.....</b>	<b>42</b>
Staffing Cutbacks and Impacts on the Department .....	42
Current AAPD Community Policing Practices.....	43
Working with Diverse Populations .....	45
Youth Engagement.....	45
<b>Community Policing Programs.....</b>	<b>46</b>
Community Involvement in Violence and Crime Reduction .....	46
Unique Community Factors .....	47
Measurement Tools .....	47
<b>03 CITIZEN COMPLAINTS AND DISCIPLINE .....</b>	<b>51</b>
<b>Scope of Review .....</b>	<b>51</b>
<b>Complaint and Disciplinary Process.....</b>	<b>51</b>
Intake, Investigation and Disposition of Complaints.....	51
Timeliness and Transparency .....	52
Complaint Dispositions .....	54
Grievance Process.....	54



<b>Engagement of Complainants</b> .....	<b>54</b>
Accessibility and Timeliness.....	54
Community Focus .....	55
<b>Analysis of Policies and Procedures</b> .....	<b>55</b>
Fairness and Impartiality Regarding Discipline Issues .....	55
Role of Supervisors .....	56
<b>Internal Reviews of Discipline and Community Complaint Processes</b> .....	<b>56</b>
<b>Early Intervention System and Other Tools</b> .....	<b>56</b>
<b>Internal Perspectives on Internal Affairs</b> .....	<b>58</b>
Supervisory Viewpoints .....	58
Procedural Justice .....	58
<b>04 CALEA IMPLEMENTATION AND POLICY REVIEW</b> .....	<b>62</b>
Scope of Review .....	62
Analysis of CALEA Plan and Progress to Date .....	62
Organizational Understanding and Approach .....	64
Organizational Support for CALEA Accreditation.....	65
Community Engagement .....	65
<b>05 PERSONNEL MANAGEMENT PRACTICES</b> .....	<b>67</b>
Background.....	67
Scope of Review .....	67
Diversity Across Units and Ranks .....	67
Ann Arbor Police Staffing and Diversity across Units and Ranks .....	68
Recruiting Process.....	70
Hiring Standards, Practices, Procedures and Protocols .....	71
Promotional Policies, Procedures and Practices .....	72
Mentoring and Promotional Assistance .....	73
Internal Perspective Regarding Hiring, Mentoring and Promotions.....	74
Survey of Ann Arbor Officers.....	74
Community Perspective .....	75
Benchmarking .....	76



Succession Planning and Resource Forecasting.....	76
Adherence to Best Practices.....	76
<b>06 TRAINING .....</b>	<b>80</b>
<b>Scope of Review .....</b>	<b>80</b>
<b>Training to Ensure Professional Policing .....</b>	<b>80</b>
Training on Implicit Bias and Cultural Diversity .....	81
Conflict Resolution and De-Escalation Training.....	82
<b>Supervisor and Command Officer Training.....</b>	<b>83</b>
<b>Documentation of Training.....</b>	<b>83</b>
<b>Review of Training Curricula .....</b>	<b>83</b>
Methodology to Measure Quality and Effectiveness of Training .....	83
Training as a Driver of Procedural Justice and Officer Performance.....	84
<b>Community Perspective .....</b>	<b>84</b>
<b>APPENDICES.....</b>	<b>86</b>
<b>Appendix A: Abbreviations and Acronyms .....</b>	<b>86</b>
<b>Appendix B: Community Voices .....</b>	<b>87</b>
<b>Appendix C: Recommendations.....</b>	<b>95</b>
<b>Appendix D: Summary of Prioritized Recommendations .....</b>	<b>105</b>



## Executive Summary

### STRATEGIC CONTEXT: A CHALLENGING ENVIRONMENT

The City of Ann Arbor takes pride in its civic-minded community and in its delivery of services across the public works sector. Its police department is professional, well-trained and educated. The department has also earned the respect of its criminal justice partners. Ann Arbor is a safe community, and most in the community are supportive of the Ann Arbor Police Department (AAPD).

Recent years, however, have been challenging for law enforcement across the country, as a number of officer-involved shooting incidents, captured on video and involving persons of color, have become a source of national public concern. The AAPD has had a limited number of significant use of force incidents. Unfortunately, in November 2014, the City of Ann Arbor was faced with its first officer-involved shooting incident in over 30 years when officers responded to a disturbance call at a residence, where the victim stated he had been attacked by Ms. Aura Rosser.

#### Incident

Responding officers engaged with Ms. Rosser, who was armed with a knife, which resulted in one of the responding officers discharging his firearm and killing Ms. Rosser. In February 2015, after an independent investigation and review by the Michigan State Police and by the Washtenaw Prosecutor, the actions of the officers were found to have been legal and justified under the circumstances. In an unprecedented act, the Prosecutor's Office made the documents contributing to the review and determination available on its website.<sup>1</sup> However, some members of the community continued to advocate for police oversight, arguing justice had not been served. Ongoing dialogue within the community generated a variety of actions. The Human Rights Commission (HRC) published its call for police oversight in its detailed report, *Civilian Police Review: Recommendations for Strengthening Police Community Relations in Ann Arbor*.<sup>2</sup>

#### Community Sentiments

As a result of community engagement during the assessment, the Hillard Heintze team came to learn that the majority of Ann Arbor residents respected the police and the performance of their duties, and most felt the police were the primary reason that Ann Arbor was a safe community. The range of community comments – captured during interviews, meetings, contacts and listening sessions – is referenced in **Appendix B**. Many community members used the qualifier 'but' when speaking about the police. Those community members that felt disenfranchised from the police often linked their comments regarding the police to their understanding of past incidents involving the AAPD. Comments from these community members about trust or current practices, even where neutral, identified a 'but' to their perception of the police and whether the department harbors bias against communities of color based upon their understanding of incidents involving others.

<sup>1</sup> eWashtenaw. Prosecutor's Office. "Prosecutor Information Regarding Ann Arbor Shooting." Retrieved from: [http://www.ewashtenaw.org/government/prosecuting\\_attorney/ann-arbor-shooting](http://www.ewashtenaw.org/government/prosecuting_attorney/ann-arbor-shooting)

<sup>2</sup> Ann Arbor Human Rights Commission. Retrieved from: [https://www.a2gov.org/departments/city-clerk/Documents/Police\\_Review\\_Report\\_11-4-15.pdf](https://www.a2gov.org/departments/city-clerk/Documents/Police_Review_Report_11-4-15.pdf)



Other communities that were generally supportive of the police also framed their issues regarding the AAPD with a “but” statement. They felt the police did a good job and responded when called, **but** a lack of ongoing engagement leaves gaps in their understanding of police action and contributes to their perception that the police are not available as partners in maintaining community standards.

The AAPD’s police officers also used “but” statements. They consistently stated their commitment to the community, and identified key actions and the existence of the Community Engagement Unit, which is tasked with police-community engagement. The officers stated that they used to engage in community policing more actively, **but** had to contend with more recent staffing reductions and budgetary constraints.

### **OPPORTUNITY: A JOURNEY SHARED BY THE POLICE AND THE COMMUNITY**

Ann Arbor is a broadly safe and well-policed community. The crime rate is low, complaints against the police are not numerous and there is a general sense of satisfaction in police services. As identified by the HRC, even in restating its call for civilian oversight, the AAPD serves its community well.<sup>3</sup> Despite underlying community support and the department’s high level of overall professionalism, a weak relationship between some of the communities of Ann Arbor and the AAPD has the potential to cause challenges to effective policing in all of the City’s communities.

Therefore, it is time to bring the police and community together to work toward ensuring public safety in Ann Arbor through a shared vision and mutual accountability. This report is the start of that journey. Hard work lies ahead – involving the structure and authority of the Co-Produced Policing Committee (CPPC), the engagement with the communities and trust building, and the reengineering of the community policing approach within the department. In the end, the outcome and success rests with each member of the Ann Arbor community and its police department. If these stakeholders come together and dedicate themselves to this process, we believe Ann Arbor could become a national model for police-community engagement.

### **AUTHORIZATION: TAPPING AN OBJECTIVE, INDEPENDENT PERSPECTIVE**

Heeding the community voice for an independent review of the operations of the AAPD, the Ann Arbor City Council commissioned Hillard Heintze to assess the AAPD’s: (1) community engagement and civilian oversight; (2) citizen complaints and discipline; (3) Commission on Accreditation for Law Enforcement Agencies (CALEA) readiness; (4) personnel management practices; and (5) training. While many in the community have focused on the issue of civilian oversight, the assessment covered the range of topics commissioned. This report summarizes the results of the assessment.

---

<sup>3</sup> City of Ann Arbor Human Rights Commission. HRC Statement on Responses to its Civilian Review Report and Recommendations. Retrieved from: <http://a2gov.legistar.com/LegislationDetail.aspx?ID=2988787&GUID=CBC79A38-3A2B-40CD-B32D-C6A109F5EAC3&Options=ID%7cText%7c&Search=human+rights+commission+repor>



## **METHODOLOGY AND APPROACH: A HIGHLY INTEGRATED PROCESS**

### **Six Key Principles**

Emerging from our experiences as leaders in a variety of law enforcement-related fields, the Hillard Heintze methodology is based on the following six strategic principles:

- 1 Independent and objective analysis
- 2 Solicitation of multiple perspectives and viewpoints
- 3 An acute focus on collaboration and partnership
- 4 An information-driven, decision-making mindset
- 5 A structured and highly disciplined engagement approach
- 6 Clear and open lines of communication

### **An Intensive Approach**

Over the course of this engagement, the Hillard Heintze assessment team:

- Conducted a kick-off meeting with key City and community stakeholders
- Participated in four site visits and hosted two community listening sessions
- Engaged in numerous interviews and engagements with police officers, members of City government, community members and community stakeholders
- Solicited community input through emails, surveys and community-hosted meetings
- Reviewed numerous policies, protocols, documents and reports involving Ann Arbor, its communities and the AAPD

## **INTERVIEWS: SOLICITING MULTIPLE VIEWPOINTS**

Our team's interviews included City of Ann Arbor leadership and municipal agencies that engage with the AAPD or public safety, AAPD command staff, and other members at all ranks and status from throughout the department. The team also met with the members of the Council, HRC, judiciary, surrounding law enforcement agencies and other institutional partners. Many community members were engaged in the process, either in person or by representation. The assessment team members attended two HRC meetings, observed one Council meeting and attended several community-hosted meetings, as well as two community listening sessions.

## **ANONYMITY: AN IMPORTANT PRINCIPLE SUPPORTING THE INTERVIEW PROCESS**

The City of Ann Arbor expresses significant concern over maintaining anonymity, and it was the principle driving our engagement. All participants in our interviews were granted non-disclosure, and the records for the assessment supported that approach.



### **ASSESSMENT TEAM: ABOUT HILLARD HEINTZE**

Hillard Heintze is one of this nation's foremost privately held strategic advisory firms specializing in independent ethics, integrity and oversight services – with a special focus on federal, state and local law enforcement agencies, including police departments, sheriff's departments and internal affairs bureaus. We provide strategic thought leadership, trusted counsel and implementation services that help leading organizations target and achieve strategic and transformational levels of excellence in law enforcement, security and investigations. We supported the AAPD through the Hillard Heintze Law Enforcement Consulting Practice. Individually, our staff members have been responsible for leading the significant transformation of many major city police departments and law enforcement agencies.

#### **Kenneth A. Bouche, Chief Operating Officer, Co-Project Manager**



Ken Bouche has established a career as an executive leader and senior advisor at the forefront of applying best practices to the highly specialized needs of the law enforcement, homeland security and justice communities. Bouche dedicated 23 years to the Illinois State Police (ISP) where, he rose through the ranks in Operations. As Colonel and CIO, he was responsible for modernizing the agency's technology functions. He recently served as Interim Chief of Police in Schaumburg, Illinois for one year following Hillard Heintze's assessment of the Village's police department, which he led. He has conducted workforce assessments for the ISP, Schaumburg Police Department, Denver Sheriff Department and Metra Police Department, among others.

#### **Debra Kirby, Esq., Senior Vice President, Law Enforcement Consulting, Co-Project Manager**



Debra Kirby has been a lifelong champion for change and improved policing practices in the U.S. and in Ireland. She served as Deputy Chief Inspector of Garda Siochana Inspectorate, an agency tasked with making policy and practice recommendations for An Garda Siochana, the national police force of Ireland. She retired as the highest-ranking woman in a major city police department, having developed expertise in labor management; officer-involved shooting investigations and policies; criminal investigations; large-scale demonstrations and emergency preparedness; and, internal affairs and accountability. Kirby was a change agent in critical organizational change programs including district reduction, independent civilian police review for officer use of force, and protocols and policies around issues such as prisoner treatment, stop and frisk and officer-involved shootings. She currently serves as the Project Director for Hillard Heintze's collaborative reform efforts in addition to leading other law enforcement consulting engagements. Kirby holds a master's degree in homeland security from the Naval Postgraduate School and a J.D. from the John Marshall Law School.

#### **Rick C. Tanksley, Vice President, Law Enforcement Consulting, Subject Matter Expert**



Rick Tanksley began his career with the Oak Park Police Department in 1984 and was appointed Chief of Police in June 2001. Before joining the Hillard Heintze Law Enforcement Consulting Practice, he served as the Director of Emergency Preparedness for the Oak Park Police Department. Tanksley has extensive knowledge and expertise in organizational change and behavior management, requiring collaborative subordinate involvement at all levels. As Chief of Police, he changed the department culture to one that is transparent, professional, courteous and respectful toward the diverse community it serves.



**Shirley R. Colvin, Senior Investigator, Law Enforcement Consulting, Subject Matter Expert**



Shirley Colvin is a highly experienced investigator who retired from the Chicago Police Department (CPD) in April 2015 with an exemplary record of service, commitment and achievement within the law enforcement community. As evidenced in her 25-year career with the Department, her mission – both personal and professional – has been improving and bridging the gaps in relationships between law enforcement agencies and the communities they serve. Colvin was co-creator, instructor and mentor of the Chicago Police Department's S.T.A.R.S., (Students Taking Authority & Reaching Success) mentoring program. The program, developed in 2008, was borne out of the need to provide attention, guidance and support to Chicago Public School girls at risk. In 2015, Colvin was selected by the National Center for Victims of Crime and conducted a workshop focusing on bridging the gap with survivors of violent crime, during the National Conference held in Anaheim, California

**James Hickey, Subject Matter Expert**



James K. Hickey is a subject matter expert in law enforcement policy and procedures. He has extensive experience giving depositions and testifying in both federal and state courts. Hickey has been a senior lecturer at Loyola University of Chicago's Department of Criminal Justice for 26 years. As a liaison between the Chicago Police Department (CPD) and criminal justice agencies, he established formalized electronic sharing information programs by personally conducted site visitations to 450 police and criminal justice agencies. Hickey was a sworn member of the CPD from 1971 to 1999 and a civilian manager in the CPD from 1999 to 2016.

**Marie Phillips-Alexander, Subject Matter Expert**



Marie Phillips-Alexander is a seasoned marketing and public relations professional with a diverse background in communications and accreditation for law enforcement. Currently serving as the Accreditation Manager for the Village of Mundelein, Illinois, she is an auditor and has extensive knowledge of police accreditation through the CALEA, including complete set up through PowerDMS for policies, training, and assessments.

**Carla Kupe-Arion, Esq., Subject Matter Expert**



Carla Kupe-Arion, Esq. is a strategic consultant and attorney with significant experience in analyzing and assessing law enforcement policies and procedures. She has particular expertise in procedural justice, analyzing litigation risk exposure and rebuilding community relations by designing innovative training, providing better practice recommendations grounded in ethics and law, as well as formulating and directing community rebuilding efforts. Currently, she serves as the Director of Community Relations for the National Organization of Black Law Enforcement Executives.



## Key Recommendations

### **Key Recommendation #1**

**Have the department and community commit to a shared responsibility to develop policing strategies that serve the City of Ann Arbor. This will allow the AAPD to become a model for the future of community policing.**

Community policing needs to be operationalized within the AAPD to identify it as an agency priority. Members of both the community and the AAPD referred to a time when they engaged to problem-solve and knew one another. This original engagement and partnership can be rejuvenated by establishing an organizational approach to community policing. Establishing community policing as a priority for the agency as a whole, rather than just a unit, is key to building bridges with the communities of Ann Arbor. Ideally, a staffing study will accompany any decision to redirect resources, but in the interim, the commitment to community policing by AAPD leaders, as an institutional response rather than that of a single unit, will help embed key principles and policies across the organization.

### **Key Recommendation #2**

**Establish a Co-Produced Policing Committee (CPPC), empowered to help collaborate and form a community policing plan with mutually agreed-upon goals and strategies. The committee will hold the community and the AAPD accountable for improving police community relationships.**

The CPPC will drive community engagement and community policing strategies that support community goals to improve public safety and police community relationships. The CPPC provides a far more comprehensive voice and role than that of a traditional civilian review board. Civilian review often focuses on a single issue – discipline for past actions and whether the investigation and discipline were sufficient. The CPPC affords the community the opportunity to have a more equal, meaningful and constructive voice in some aspects of the way their neighborhoods are policed and to equally share responsibility for defining public safety strategy in their community. Given the civic commitment of its residents, the City of Ann Arbor is well-positioned to champion and adopt this innovative community policing approach and present a national model for other cities

### **Key Recommendation #3**

**Operationalize a community policing strategy to ensure all AAPD members have a role and recognize the value of developing a strong relationship between the communities of Ann Arbor and the AAPD.**

The AAPD has prioritized 911 response over ongoing engagement with the community. In part, this resulted from a significant staffing reduction that triggered reductions in community-oriented policing practices. The AAPD should seek to develop an operational policing plan that not only prioritizes community policing, but also makes it a specific role and responsibility for each unit and member of the department.



#### **Key Recommendation #4**

**Integrate CALEA goals related to professionalism and adherence to standards into the department's daily operations.**

While the AAPD's goal of achieving CALEA accreditation is progressing, the process is not fully engaged with the department's operating environment. Capitalizing on the strength and benefit of CALEA accreditation requires integrating the standards with the vision, goals and practices of the organization as a whole.

CALEA accreditation is a means by which an agency can demonstrate its commitment to adhering to national law enforcement standards, a way to ensure integrity and professionalism in policing. While initial accreditation focuses on first achieving standards, the true benefit of accreditation is incorporating the goals of accreditation into the daily operations of a law enforcement organization. Later this year, the AAPD should embrace the goals of CALEA as more than an exercise in accreditation and integrate them with its operational goals.

#### **Key Recommendation #5**

**Pursue innovative practices, such as expansion of the cadet program or sponsorship of candidates through academy training, to improve AAPD diversity recruitment.**

The department has engaged in a proactive outreach program for recruitment, but faces strong competition in recruiting for diversity. The AAPD faced years of attrition, and a robust recruitment process is being developed by the new recruitment team that draws from both the AAPD and the City's Human Resources Department. The recruitment team is open to innovation, but is challenged by a focus on the police academies and a process heavily weighted toward technical knowledge. These result in a hiring process that does not generate significant diversity in racial and ethnic demographics and in education and approach. The AAPD's leaders should engage with the recruiting process and provide leadership and direction to ensure that as an organization, the AAPD is able to continue to innovate and provide law enforcement leadership within the area.

#### **Key Recommendation #6**

**Expand the use of technology to drive operational and community policing. This will help the AAPD better understand its current operations and needs, as well as support future planning.**

Technology would enable the department to develop better management information for resourcing, community engagement and other operational decisions. The department does not have a strong approach to data-led initiatives, from community policing through crime data. Identification of the key factors for analysis is the first step. The next is ensuring that the data are appropriately collected. These actions will improve data analysis and management decision-making, particularly with respect to community policing strategies, as well as identifying the resources necessary to support these goals.



### **Key Recommendation #7**

**Expand the AAPD's training to focus on "soft" skills that will better support officers in the field.**

The AAPD in-service training is a robust training program that routinely meets the Michigan Commission on Law Enforcement Standards (MCOLES) requirements and provides additional training opportunities to its members. The department's training is heavily focused on firearms and tactical training with limited training on cultural awareness, interpersonal skills or de-escalation. A strategic organizational approach to training, one that aligns its developmental and succession needs with the skills officers use on a daily basis, would benefit the ongoing professional development of the officers and address the department's needs.

### **Key Recommendation #8**

**Improve transparency regarding strategies, practices and accomplishments. Strategic use of communication tools and commitment will enhance information sharing through the CPPC.**

The AAPD has the opportunity to improve how it communicates its achievements, its successes and the practices and policies that guide how it performs as an agency. While the department currently uses social media as a format for communication, it now has the opportunity to expand these tools to foster a more interactive engagement of diverse communities on a wide range of topics. From developing virtual community meetings to ensuring that the successes of the day-to-day responses of officers are communicated, an engaged communications strategy will allow the AAPD to share its message across communities in a strategic and engaging manner.



## Overview of Ann Arbor and the Ann Arbor Police Department

### THE CITY OF ANN ARBOR

#### Snapshot of the City

The City of Ann Arbor has a residential population of over 117,000.<sup>4</sup> It is also home to the University of Michigan, a significant partner in advancing public safety and a member of the Ann Arbor community that employs over 46,000 people.<sup>5</sup> Ann Arbor faces an influx of over 90,000 daily commuters into the City. The university student population numbers over 42,000 students, many of whom live in the City. The Ann Arbor community is well-educated; over 96% have at least a high school diploma. It is also a relatively wealthy municipality; more than 76 percent of the population lives above the poverty level, and the median income is \$96,157.<sup>6</sup>

One of the measures of how the City of Ann Arbor addresses diversity is its recent passage of the Immigration Ordinance.<sup>7</sup> However, the majority of the residential population in Ann Arbor population is Caucasian (Figure 0.1). Almost 18 percent of the total residential population is foreign-born. Diversity within Ann Arbor is conflated by the university student population, which includes students from more than 100 countries. As indicated in Figure 0.1, the three major race and ethnic populations are White, Asian and Black at 70.4, 14.4 and 7.7 percent, respectively.<sup>8</sup>

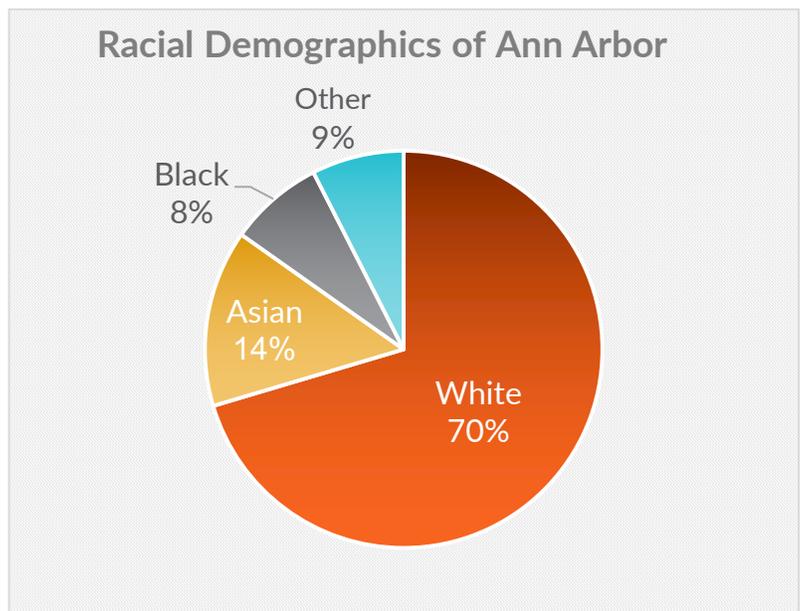


Figure 0.1 Racial Demographics for Ann Arbor (Source: 2010 Census Data.)<sup>9</sup>

<sup>4</sup> United States Census Bureau. Retrieved from: <https://www.census.gov/quickfacts/table/PST045215/2603000/accessible>

<sup>5</sup> City of Ann Arbor, Michigan. "Comprehensive Annual Financial Report. Year Ended June 30, 2016." Retrieved from: [https://www.a2gov.org/departments/finance-admin-services/accounting/Documents/City%20of%20Ann%20Arbor%20-%20CAFR%206-30-16%20\(Final\).pdf](https://www.a2gov.org/departments/finance-admin-services/accounting/Documents/City%20of%20Ann%20Arbor%20-%20CAFR%206-30-16%20(Final).pdf)

<sup>6</sup> CityTownInfo.com. Retrieved from: <http://www.citytowninfo.com/places/michigan/ann-arbor>

<sup>7</sup> Ann Arbor City Approval Notice. Retrieved from: <https://www.a2gov.org/departments/city-clerk/Documents/17-02%20Solicitation%20of%20Immigrant%20Status%20Ordinance%20Approval%20Notice.pdf>

<sup>8</sup> United States Census Bureau. Retrieved from: <https://www.census.gov/quickfacts/table/PST045215/2603000/accessible>

<sup>9</sup> United States Census Bureau. Retrieved from: <https://www.census.gov/quickfacts/table/PST045215/2603000/accessible>



### City Government

Ann Arbor is served by an elected Mayor and Council, who are supported by a City Administrator. In addition, over 77 Commissions are active in Ann Arbor on a diverse range of topics and responsibilities. The Mayor is elected on a partisan ballot every even-numbered year. As the presiding officer of the City Council, he appoints all Council committee members and members of boards and commissions, with the approval of City Council. The City Council consists of the Mayor and 10 Council members, two from each of Ann Arbor's five wards, identified in Figure 0.2.

As of November 2017, the Council will begin staggered four-year terms, with election occurring in even-numbered years. The November 2017 election will be the last odd-numbered year election and elected Council members will fulfill a three-year term to allow for the transition.

The City Administrator is responsible for executive management of the operations of the City. The Administrator supports the Council in its work on behalf of the residents of Ann Arbor and has the duty to "direct, supervise, and coordinate the work of the Police Department."<sup>10</sup>

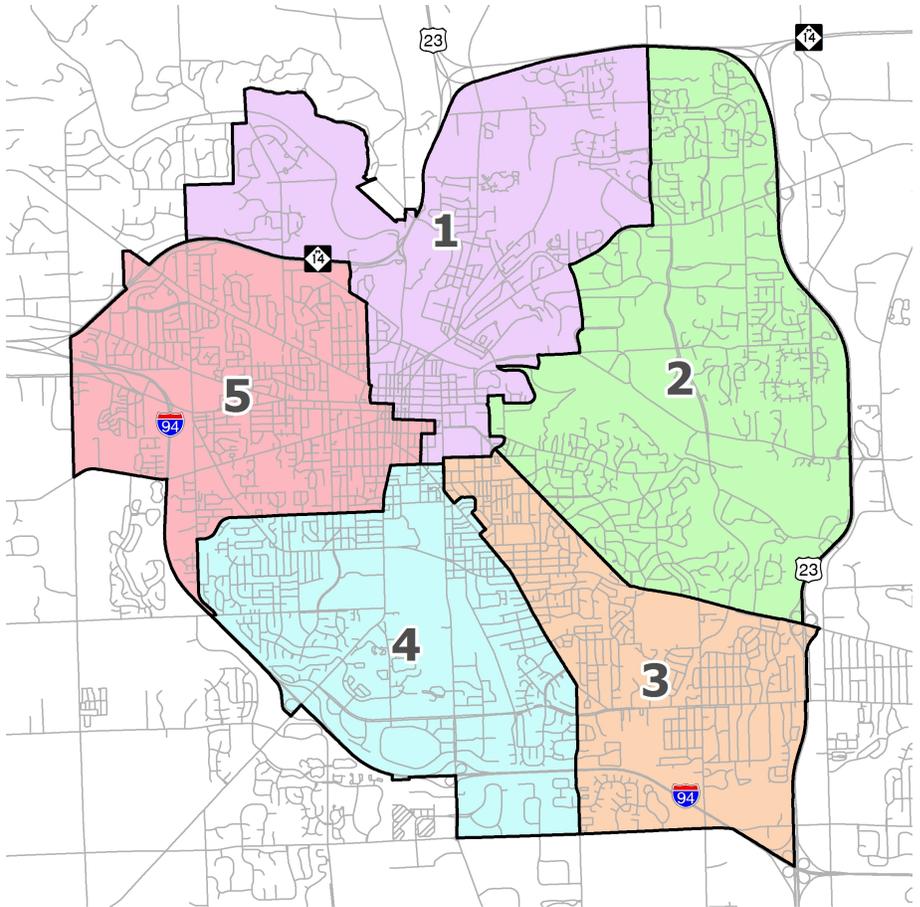


Figure 0.2 – Map of Ann Arbor's Wards<sup>11</sup>

<sup>10</sup> City of Ann Arbor. City Clerk. Retrieved from: <https://www.a2gov.org/departments/city-clerk/Documents/City%20Charter.pdf>

<sup>11</sup> City of Ann Arbor, City Clerk. Ward Boundaries Map. Retrieved from: <https://www.a2gov.org/departments/city-clerk/Elections/Pages/WardBoundariesMap.aspx>



## THE ANN ARBOR POLICE DEPARTMENT

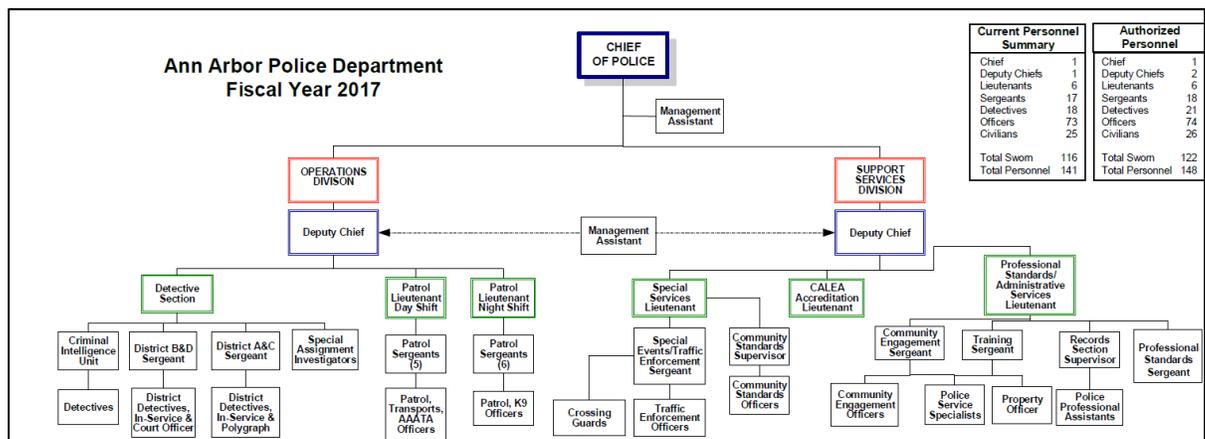
The department is led by Chief James Baird. The AAPD adheres to following tenets:

- **Mission Statement:** To provide protection and service to all.
- **Vision Statement:** All Ann Arbor police personnel are partners with the public and city administration to help the community successfully fulfill its desired destiny.

The AAPD is a full-service police department, conducting all patrol response functions, criminal investigations and crime-scene processing. Dispatch services are shared with other agencies through the Washtenaw County dispatch services.

For fiscal year 2017, the AAPD had 122 authorized sworn positions. Command staff consists of two Deputy Chiefs and six lieutenants assigned to different command responsibilities, as identified in Figure 0.3<sup>12</sup>. The organization is divided between the Operations Division and the Support Services Division, both headed by a deputy chief.<sup>13</sup> The Operations Division has command over the Detective Section and Patrol. The Support Services Division has command over Special Services, which covers traffic and special events; CALEA Accreditation; and Professional Standards/Administrative Services, which covers the Community Engagement Unit, Training, Records and Professional Standards. In the last two years, the AAPD has experienced ongoing changes in the roles and responsibilities of the command staff, with only the day shift lieutenant remaining in the same position for more than two years. As of fiscal year 2017, the AAPD was staffed with 17 sergeants, 18 detectives, 73 officers and 25 civilian personnel. The staffing is less than the authorized strength of 21 detectives, 75 officers and 26 civilians, or a shortage of five officers and one civilian staff member.

Figure 0.3 Ann Arbor Police Department Organizational Chart



<sup>12</sup> AAPD 2017

<sup>13</sup> At the time of this assessment, the Deputy Chief's position over Support Services was vacant and had been for over a year.



Consistent with the community it serves, the AAPD is not overly diverse. Officers of a different racial or ethnic background account for 21 sworn officer positions, and female officers staff 28 sworn officer positions within the AAPD, accounting for 22.5 percent of the department.

There is a significant years-of-service gap within the AAPD, with 76 officers having more than 15 years of service and 41 officers having less than 6 years of service as of the end of 2016. This creates a significant challenge for succession planning, as 48 officers, or 39 percent of the total sworn staffing, have more than 20 years on the job, making them eligible for retirement.

### THE HUMAN RIGHTS COMMISSION

The HRC is composed of nine members appointed to three-year terms by the Mayor and the City Council. In 2016, the HRC addressed six formal complaints pursuant to its authority.<sup>14</sup> The Commission has authority under ordinance to:

- (a) Receive and review complaints from individuals alleging violations of Ann Arbor's human rights ordinance, [Chapter 112](#) Non-Discrimination, and take appropriate action, including but not limited to referral of complaints to appropriate agencies or to the City Attorney, mediation of complaints, or dismissal of complaints;
- (b) Report annually to the City Council regarding complaints received and actions taken;
- (c) With city staff, develop procedures to (1) enforce and (2) provide notice of non-compliance with nondiscrimination provisions of [Chapter 112](#) Non-Discrimination applicable to city contractors;
- (d) With city staff, provide an annual report to the City Council regarding compliance of city contractors with nondiscrimination provisions of [Chapter 112](#) Non-Discrimination;
- (e) Investigate, study, hold hearings and make recommendations to the City Council regarding complaints from any class or group protected under the human rights ordinance;
- (f) Make periodic public reports and recommendations to the City Council and City Administrator on ways to improve city government programs and ordinances designed to eliminate discrimination or to remove the effects of past discrimination;
- (g) Communicate with federal and state agencies regarding human rights and affirmative action programs for the purpose of making recommendations to the City Council; and,
- (h) Provide education and programs about the human rights ordinance, other commission initiatives, and/or to discourage and eliminate racial tensions, prejudice, and/or discrimination.

<sup>14</sup> Ann Arbor Human Rights Commission. HRC Annual Report Complaint Spreadsheet. Retrieved from: <http://a2gov.legistar.com/LegislationDetail.aspx?ID=3029483&GUID=8EBD575D-47B3-496D-9962-3B417C4338E7&Options=ID%7cText%7c&Search=Human+Rights+Commission+Annual+Report>



In addition, the City Council may “delegate to the Human Rights Commission other powers and functions permitted by law concerning the protection of human rights.”<sup>15</sup>

In November 2015, the HRC published a study of Civilian Police Review, which precipitated this assessment.<sup>16</sup> The assessment generated much public debate and a formal response from the AAPD.<sup>17</sup> The HRC identified community beliefs that the AAPD was not transparent. Specifically, it identified that:

... while Ann Arbor has many reasons to be proud of its police department, there is and will always be concern that vital rights be protected in pursuit of effective law enforcement tactics and strategies. Civilian review of the AAPD could help provide assurance to the community that those rights are being protected. This assurance would, in turn, serve to strengthen relations between the community and the police.<sup>18</sup>

---

<sup>15</sup> Human Rights Commission. Retrieved from: <http://www.a2gov.org/departments/city-clerk/Pages/HumanRightsCommission.aspx>

<sup>16</sup> Ann Arbor Human Rights Commission. “Civilian Police Review: Recommendations for Strengthening Police Community Relations in Ann Arbor.” (November 4, 2015) Retrieved from: [http://www.a2gov.org/departments/city-clerk/Documents/Police\\_Review\\_Report\\_11-4-15.pdf](http://www.a2gov.org/departments/city-clerk/Documents/Police_Review_Report_11-4-15.pdf)

<sup>17</sup> Ann Arbor Police Department. “Police Chief Response to the Human Rights Commission Report on Civilian Review.” (June 6, 2016) Retrieved from: <http://www.a2gov.org/departments/police/Documents/Police%20Response%20to%20HRC%20memo.pdf>

<sup>18</sup> Ann Arbor Human Rights Commission. “Civilian Police Review: Recommendations for Strengthening Police Community Relations in Ann Arbor.” (November 4, 2015) Retrieved from: [http://www.a2gov.org/departments/city-clerk/Documents/Police\\_Review\\_Report\\_11-4-15.pdf](http://www.a2gov.org/departments/city-clerk/Documents/Police_Review_Report_11-4-15.pdf)



## 01 Civilian Review – Co-Produced Policing Committee

### BACKGROUND

This assessment began with direction to identify a structure that facilitated transparency, engagement and adherence to national practice on police community engagement while reflecting the Ann Arbor community’s vision and stakeholder goals. The AAPD has no external body specifically tasked to review its practices, policies or procedures. While various components of government have a role and responsibility for some level of oversight, none are focused directly on transparency and accountability to the community. As the AAPD Chief of Police has noted:

“Trust is foundational to an effective police department. It is absolutely necessary because the police have so much authority and are routinely inserted into the private lives of the community members they serve. They have to be trusted to be honest and fair. The Ann Arbor Police Department has routinely demonstrated that they have earned that trust.”<sup>19</sup>

### KEY INSIGHT

“Building trust and nurturing legitimacy on both sides of the police/citizen divide is the foundational principle underlying the nature of relations between law enforcement agencies and the communities they serve.”

*The President’s Task Force on  
21<sup>st</sup> Century Policing*

No single issue resonates more strongly in communities than transparency and accountability within our police departments. As demonstrated across the United States in the last few years, a single video can bring local policing into the national forefront. Transparency in policing acts provides the public with insight on the effectiveness of its law enforcement agency, as it shines light on practices in a way that allows the public to track how the department addressed its objectives, responded to challenges and advanced the public’s interests.

The AAPD is a professional department that conducts its work with commitment to the public. Because different constituencies have distinct priorities, the department must work to balance conflicting and sometimes irreconcilable demands.<sup>20</sup> While the majority of the community is supportive of the AAPD, the department’s members engage only minimally with each community. This affects the public’s understanding of police actions and, for some, their overall trust of the police.

<sup>19</sup> Ann Arbor Police Department. “Police Chief Response to the Human Rights Commission Report on Civilian Review.” (June 6, 2016) Retrieved from: <http://www.a2gov.org/departments/police/Documents/Police%20Response%20to%20HRC%20memo.pdf>

<sup>20</sup> Sparrow, Malcom K. Measuring Performance in a Modern Police Organization. National Institute of Justice. Retrieved from: <https://www.ncjrs.gov/pdffiles1/nij/248476.pdf>



Our engagement identified that:

- Many Ann Arbor residents want more engagement from the police.
- Many also seek to have a stronger understanding of police practices, internal investigations and their outcomes. Some community members and their representatives said the lack of transparency and responsiveness to their issues generates concern over whether the police are accountable to the public and, in turn, how that affects police behavior.
- There are few serious complaints regarding misconduct by the AAPD and significant conflict between the AAPD and community are rare. One incident dated back to the 1990s in which the police sought the DNA samples from multiple African-American men based on a general offender description, in an effort to find a serial rapist.<sup>21</sup> However, past events spur the desire to drive substantial improvements in accountability and transparency, in part to help the community better understand the decisions police make and their origin.
- There is vocal, public demand for thorough and unbiased investigations of police use of force, especially situations involving death or serious injury, such as the Aura Rosser shooting.
- Some community members identify incidents they have encountered individually with AAPD, or more frequently, incidents they have heard about happening to others, as evidence that they lack true voice in the community and cannot rely upon the police. For some, this belief remains, even with protocols that require a full investigation by an outside law enforcement agency and review of the actions of the police officers by the prosecutor, regarding officer-involved shooting incidents.

Our work in Ann Arbor supports the belief that the community and its police department are well positioned to capitalize on a positive, new type of police-community engagement known as “co-produced” policing. As an overall concept, co-produced policing gives the community a real voice in working with the police department on issues and concerns that directly affect the people. It provides the community with a legitimate and recognized means of reviewing and influencing policing strategy, policies, practices and procedures. It also introduces transparency and voice into the conduct of officers.

This is true prescriptively, through input and development of key policies and procedures, as well as reactively, after reviewing goal outcomes and strategic plan performance. Overall, co-produced policing offers a far more comprehensive approach to improving police community relations than does a reliance on the limited effectiveness of discipline review.

Accountability and transparency are naturally intertwined with the community’s role and voice in policing decisions and overall police-community engagement. Co-produced policing can help ensure greater transparency and support in developing shared responsibilities between the police and the community, driven by a mutual goal and vision of policing in Ann Arbor. The recommendations in this chapter and the call for co-produced policing are revisited throughout the report. There is a direct connection between the vision of police-community engagement presented in this report and the role

---

<sup>21</sup> Ann Arbor Police Department. “Online History Exhibit.” Retrieved from: <http://aapd.aadl.org/aapd/truecrimes/10>



of civilian engagement with the AAPD. In the end, the public process that augments the report will identify the specific structure and components of community engagement and co-produced public safety in Ann Arbor.

The assessment team believes that the AAPD vision statement, “All Ann Arbor police personnel are partners with the public and city administration to help the community successfully fulfill its desired destiny,” serves as a worthy and appropriate aspiration that the department can, if it fully invests itself, fully achieve in the future.

### SCOPE OF REVIEW

Hillard Heintze focused on soliciting multiple viewpoints from the City, the AAPD, stakeholders and its communities. Within Ann Arbor, we conducted two open community listening sessions, established electronic communication via email and survey, and engaged in personal interviews and observations with people in their official capacity and in community roles. We spoke with community members and advocates representing key component populations, including homeless individuals, students, and racial and ethnic populations. We also conducted external outreach with parties active in civilian review systems to receive their perspectives. Throughout the assessment, the focus was community and stakeholder engagement about expectations of the AAPD and what was needed in the communities of Ann Arbor to better support trust and transparency in the department.

The assessment team was tasked with a wide range of review beyond civilian oversight of the police. Additional assessment responsibilities, included reviewing the AAPD’s approach to community engagement, process for law enforcement accreditation through the CALEA, internal affairs processes, training and personnel issues. The scope of review required observations, data identification and review, meetings and discussions with AAPD personnel at all ranks across the organization, meetings with City departments and criminal justice stakeholders, and benchmarking against accepted good practices for each area.

We would be remiss in not identifying the prior work of the HRC regarding civilian review and the recommendations for strengthening police-community relations and ongoing engagement during our assessment as helping to contribute to our review.<sup>22</sup> Our review compared current practices within Ann Arbor to those of similarly situated cities and practices that reflect modern community engagement, one predicated upon shared responsibilities, transparency and accountability. We also examined the legal environment within Ann Arbor that would support or limit the role, scope and authority of civilian review and engagement. Finally, we recommend structure, roles and responsibilities for recruiting the appropriate candidates for what we identify as the CPPC.

---

<sup>22</sup> Ann Arbor Human Rights Commission. “Civilian Police Review: Recommendations for Strengthening Police-Community Relations in Ann Arbor.” Retrieved from: [http://www.a2gov.org/departments/city-clerk/Documents/Police\\_Review\\_Report\\_11-4-15.pdf](http://www.a2gov.org/departments/city-clerk/Documents/Police_Review_Report_11-4-15.pdf)



## LEGAL FRAMEWORK FOR THE ROLE AND AUTHORITY OF CIVILIAN OVERSIGHT

### The Ann Arbor Charter

Pursuant to the Ann Arbor Charter, and as identified earlier, the police department is under the authority of the Chief of Police, and the City Administrator has the duty to “...direct, supervise, and coordinate the work of the Police Department.”<sup>23</sup> Pursuant to Section 5.17, “[t]he Council may create citizen boards for each of the following departments: Police Department ... Each board shall serve as an advisory body to give counsel and advice to the head of the department and to the City Administrator in respect to all such matters coming within the authority of its department as the Council prescribes and shall have authority to make recommendations respecting such matters to the department head, the City Administrator, and the Council...The creation and operation of any such board shall not serve to impair the authority and responsibility of the department head, the City Administrator, and the Council as otherwise provided in this charter.”<sup>24</sup>

### Michigan Law

The University of Michigan Police Department (UMPD) also operates within the borders of Ann Arbor, and is specifically required under state law to have a public safety oversight committee.<sup>25</sup> This provision is unique to the University of Michigan and does not apply to any other public safety entity. The jurisdiction of the UMPD is limited to the campus buildings and facilities.

### Analysis within the Context of Ann Arbor

The law in Ann Arbor and Michigan significantly constrains the authority of civilian review to directly impact discipline decisions. Should it be determined that the community’s voice in discipline decisions is necessary, two statutory options exist: amending the City Charter or modifying state law. A third option would be to renegotiate the collective bargaining agreement. None of these options is ideal, as each requires a significant time investment and has limited likelihood of success because of the political process.

The best response to the community’s desire to better engage with the AAPD – given the review of the existing statutes and ordinances, in addition to the legal effect of the collective bargaining agreement – is to establish a CPPC. A structure that allows for transparency and voice in AAPD policies, practices and analytical trends can establish a greater foundation than simply reviewing the discipline of a single officer. The authority to establish such a committee currently exists, does not require any modification of existing law and is supported by the City Charter. Developing a process and structure for greater police accountability and transparency, and ensuring the community’s voice is reflected, where appropriate, in policing decisions and practices through co-produced policing is achievable under current law. If warranted, subsequent action could follow, as appropriate and necessary, if the CPPC is not properly supported by the AAPD.

<sup>23</sup> City of Ann Arbor. City Clerk. Retrieved from: <https://www.a2gov.org/departments/city-clerk/Documents/Charter.pdf>.

<sup>24</sup> Ann Arbor City Charter, Section 5.17(a)

<sup>25</sup> Michigan Public Officers Safety Act 120 of 1990 Section 390.1511 Section 1(3)



### Analysis of Civilian Advisory Bodies in Other Jurisdictions

The assessment team conducted a review of national practices as they relate to police oversight and review. This report does not seek to duplicate the prior work of the HRC, and does not recommend traditional civilian review. We noted that civilian review is often limited in its scope and approach. Civilian advisory bodies tend to lose momentum, as they are often developed in response to single issues.

Should the City of Ann Arbor decide civilian review is a preferred option, this report seeks to assess the value of various models of civilian review.<sup>26</sup> The depth of the review, when the review occurs, the specific authority and role, and the influence over the investigation and discipline all vary significantly across jurisdictions. Common goals of civilian review focus on ensuring an accessible complaint process; thorough, fair internal investigations; increasing transparency over complaints; and deterring police misconduct.<sup>27</sup> While civilian review focuses on discipline of individual officers, co-produced policing centers on shared input on policy and practice improvements, with improved police practices and response overall.

#### Types of Oversight

Civilian oversight models generally adopt an investigation, advisory, audit or combination approach. The final decision on discipline of a police officer normally rests with the chief of police. In some jurisdictions, this decision is subject to review by another body, such as a commission or other entity seen as informed and neutral.

---

#### Investigation-Focused

- Usually conducts independent investigations of complaints against officers
- May replace or duplicate the police internal affairs process
- May help to reduce bias in investigations, civilian investigators might have specialized training, independent investigations may increase community trust

---

#### Review-Focused

- Generally reviews completed police Internal Affairs (IA) investigations
- Can recommend that further investigation take place
- May hold public meetings to facilitate police-community relations

---

<sup>26</sup> See, generally, Ann Arbor Human Rights Commission. "Civilian Police Review: Recommendations for Strengthening Police-Community Relations in Ann Arbor." Retrieved from: [http://www.a2gov.org/departments/city-clerk/Documents/Police\\_Review\\_Report\\_11-4-15.pdf](http://www.a2gov.org/departments/city-clerk/Documents/Police_Review_Report_11-4-15.pdf)

<sup>27</sup> Joseph DeAngelis; Brian Buchner, Richard Rosenthal. "Civilian Oversight of Law Enforcement. A review of the strengths and weaknesses of various models." Retrieved from: [https://d3n8a8pro7vhm.cloudfront.net/nacole/pages/161/attachments/original/1481727977/NACOLE\\_short\\_doc\\_FINAL.pdf?1481727977](https://d3n8a8pro7vhm.cloudfront.net/nacole/pages/161/attachments/original/1481727977/NACOLE_short_doc_FINAL.pdf?1481727977)



---

### Auditor- or Monitor-Focused

- Focuses on examining broad patterns in complaint investigation
- May open and conduct investigations
- Systematic reviews of police policies
- Usually has public reporting practices<sup>28</sup>

Most civilian review processes combine various types of review and are based on the requirements of the jurisdiction. The different rules governing the discipline process often drive the type of civilian review and limit the scope and authority of civilian review. The staffing for civilian overview also varies. Some rely on paid civilian staff and others on volunteers. Some use police liaisons while others are completely autonomous. In some communities, civilian review is established as a response to a specific problem. The more effective civilian review seeks to assure professionalism within the department, and, therefore has broader powers. When planning and executing civilian review, the best solution is one that matches the challenges in terms of issues, expectations, outcomes and investment.

### Successful Civilian Review Models

The assessment team believes that civilian review is not a one-size-fits-all solution and has identified the benefits of the CPPC over civilian review. If Ann Arbor chooses to pursue civilian oversight, the Oak Park Illinois' Citizen Police Oversight Committee (CPOC) and San Jose California's Independent Auditor provide two strong models for civilian review. Financial and legal implications arise out of establishing either model. Implementation of either model, or a hybrid, would require discussions with the AAPD, the Police Officer's Association, the Command Officer's Association and the City of Ann Arbor to determine the best path forward.

#### Oak Park, Illinois' Citizen Police Oversight Committee (CPOC)

The Oak Park Illinois' CPOC is codified in ordinance.<sup>29</sup> The Oak Park CPOC serves as an advisor to the City government, and its duties include:

- Receiving and referring complaints
- Monitoring and evaluating the processing and intake
- Monitoring diversity efforts of the police department
- Providing written findings and reports

Specific to complaints, the CPOC is tasked with:

- Establishing a variety of citizen access points for filing complaints
- Ensuring sufficient reporting by the police regarding complaints and other data to the CPOC on

---

<sup>28</sup> Ibid.

<sup>29</sup> Oak Park City Ordinance. "City Ordinance 16-073." Retrieved from: [http://www.sterlingcodifiers.com/codebook/index.php?book\\_id=459&keywords=16-073](http://www.sterlingcodifiers.com/codebook/index.php?book_id=459&keywords=16-073)



a semi-annual basis

- Ensuring the department has a specific time frame and procedures for the completion of investigations of complaints
- Using a process for the CPOC's receipt and review of any citizen's expressed dissatisfaction with the department's processing of the citizen's complaint
- Ensuring standards surround disclosure of complaint activity, including officer anonymity, as appropriate
- Evaluating complaints about police misconduct and interpersonal/community relations
- Facilitating police-community relations regarding cultural and racial issues

The CPOC consists of seven citizen appointees at the direction of the village president, with one designated as a chairperson. They serve a three-year term, and diversity is a consideration in their appointment.

#### **San Jose, California – Independent Auditor**

San Jose's Independent Auditor is empowered under City Charter, Section 809 and is authorized with the following powers and duties:

- Reviewing department investigations of complaints against police officers to determine if they are complete, thorough and fair
- Making recommendations regarding department policies and procedures arising out of the auditor's review of the investigations of complaints against police officers
- Conducting public outreach on the auditor role, and facilitating community knowledge of the process and procedures for the investigation of complaints against police officers

The auditor has no authority to recommend or appeal discipline authorized by the Chief. The auditor reports annually to the Council on investigations reviewed, investigations sustained and discipline issued, use of force investigations reviewed and policy recommendations made in the last year.

Both models are predicated upon raising awareness of policies and procedures. Both have limitations on disclosure but have access to understand police practices. Both focus on receipt and review of complaints and have options for recommending policy and procedure changes. Given the voluntary citizen role and the expanded community representation, the Oak Park model is more inclusive and collaborative – an approach that seems best suited to the Ann Arbor community issues and goals heard throughout the assessment.

#### **WHAT CO-PRODUCED POLICING MEANS**

Agencies have learned that many community segments do not trust that their police officers act in their best interests, an issue raised by some in Ann Arbor. Partnership with the community is essential to promoting trust and legitimacy and to achieving meaningful improvements to public safety and neighborhood well-being. Police departments around the country have increasingly made community



engagement around policing practices and policies a part of their reform and critical response process. This assessment team advocates shared accountability and responsibility for policing practices that reflect community standards with an emphasis on transparency and accountability. Building trust requires giving communities the opportunity to have a more equal, meaningful and constructive voice in the strategy on the way their neighborhoods are policed, and to assume co-responsibility for public safety in their community, consistent with legal and fiscal requirements.

Policies, practices and lack of supervision can significantly contribute to improper officer actions. Because civilian review addresses cases of misconduct months and often years after an incident, these outcomes can have little effect on public trust and transparency. Oversight of individual officer conduct alone does not ensure that police will act in accordance with the expectations of the community.<sup>30</sup> Additionally, civilian review rarely examines the systemic issues of supervision, accountability and policy failures that allow misconduct to occur. Lastly, civilian review rarely improves relationships between the police and the community and, more often than not, perpetuates the divide between the public seeking change and the police.

We recommend an approach to community accountability in which police leadership works hand-in-hand with a balanced board of community representatives who share the authority to develop policing strategies and policies that drive police practices in their community and are consistent with community expectations. Such a board would oversee mutually developed police strategies in a transparent manner and in accordance with a measurable, strategic plan that defines shared roles and responsibilities for both police and the community.

To help the AAPD and its communities engage in true collaboration rooted in co-produced policing, we propose developing a CPPC in Ann Arbor. With that, the City would be an innovator in establishing such a policing approach. An emerging practice identifies the importance of including the community in developing crime strategies. Crime solving needs to include the community and requires a focus on not only crime locations and trends, but also community perceptions, levels of trust and relationships with the police.<sup>31</sup> The CPPC would address community members' concerns that the police do not act in community members' interests and would solicit more broad-based community input on policing strategy, policy, practices and priorities. Compared with a traditional Community Advisory Board or Citizen Oversight Board, the CPPC focuses more on strategy related to community expectations of police performance. Through co-produced policing, the community is informed and responsible for working hand-in-hand with the AAPD to develop policing policies and practices that provide for constitutional policing consistent with community expectations.

In essence, the CPPC can help communities actually define – within the parameters of the law – how they will be policed and provides a forum for community members to bring their concerns about policing practices and crime to the AAPD's attention. For example, AAPD's Community Policing

---

<sup>30</sup> National Institute of Justice. "Citizen Review of Police Approaches and Implementation." (March 2001) Retrieved from: <https://www.ncjrs.gov/pdffiles1/nij/184430.pdf>

<sup>31</sup> Marron Institute of Urban Management. "Police & Communities of Trust. An Interview with Robert Wasserman." (October 2014) Retrieved from: <http://marroninstitute.nyu.edu/content/blog/interview-with-robert-wasserman-on-police-community-relationships-of-trust>



Committee members would come from local neighborhoods, social justice advocacy groups, education, healthcare and the business community. Each member would be responsible for soliciting input on policing strategies from their constituents in the community. Having aggregated those community sentiments, the CPPC would then work with the AAPD to create a formal, written community policing strategic plan that drives a truly collaborative set of policies or practices with mutual goals and responsibilities. Finally, the CPPC would work with the department to monitor progress consistent with that joint agreement. Such an approach provides for a more systemic response to policing in the community than civilian review.

The community can use the CPPC to engage directly in developing and maintaining policing reforms. In turn, the CPPC will ensure transparent and accountable community engagement through the development of a collaborative, community-based authority. It will help develop truly collaborative policing by putting Ann Arbor's community and the AAPD on equal footing in a dialogue over broad policies and procedures appropriate for their specific, localized community. Annual evaluation can help determine how well the police department, the CPPC and the other community stakeholders identified as participants in the Strategic Plan met its goals and objectives. This evaluation should be available to the public as part of the CPPC's report to Council. Lessons learned from the annual evaluation will guide improvements to the Strategic Plan for the City's ongoing community policing efforts.

## **STRUCTURE, PROTOCOLS AND POLICIES FOR THE CO-PRODUCED POLICING COMMITTEE**

### **A New Model for Empowering the Community**

Some participants in the listening sessions and interviews lacked knowledge about and felt powerless to shape policing decisions that affect their community. The concept proposed, co-produced policing, and establishing the CPPC would help the department solicit more broad-based community input on policing policies, practices and priorities as its community policing strategic plan is developed. The CPPC would also provide a forum for community members not only to become informed, but also to be responsible for helping to shape and "own" the solution. The CPPC is not a short-term solution for an immediate or specific deficiency, but rather a long-term strategy that identifies issues and offers recommendations for how to resolve those issues and enhance the relationship between police and their community.

Given the diverse – and sometimes competing – demands of different communities and social and economic groups related to policing issues such as crime deterrence, response and investigation, and budgetary limitations, there is no single "best" practice. As a result, modern law enforcement agencies recognize that community engagement needs to be part of a larger structure of police strategy, goals and outcomes that drive both performance and police accountability.

### **Transparency and Engagement**

Ann Arbor is a small community and its population is civic-minded. When significant policing incidents occur, from the Aura Rosser shooting to officer-involved vehicle accidents, they become discussion points in the overall community dialogue. However, the AAPD's voice – regarding facts, action and outcomes – is often absent from such discussion, because the department does not routinely engage in community meetings or other forums regarding policing actions. Most community members



identified that they do not interact with the AAPD and rarely see officers in their neighborhoods. During the assessment, issues were raised about how the AAPD conducts its internal reviews of officer misconduct and whether any policy improvements have occurred within the organization around risk issues. As communities and police seek to define what information is needed to help support policing activities and keep communities informed, balancing official and protected information with information in the public domain is a constant communications struggle. Better community engagement will support the AAPD and the community in making informed decisions.

The primary communication vehicle, other than direct contact with officers and the department, is the AAPD website. The AAPD uses social media for basic information sharing, but it does not currently have an existing process to routinely inform the community on its key policing initiatives or assure them that the department is adhering to professional policing practices. The public information usually focuses on events, with minimal communication regarding policies, practices, training, hiring or complaints against officers. While these electronic communications are similar to many of the other law enforcement agencies in Michigan, the AAPD website is not intuitive, nor is it very informative about the department's initiatives.

Many community members believe the AAPD is a professional police department and can be relied upon to assist them. What is missing is a formal structure and mechanism for identifying and reporting on the actions of the AAPD, both in giving visibility to the positive actions by the AAPD in achieving its policing goals and missions, and in its response to challenges. Establishing ways to better engage with and communicate police practices to the communities of Ann Arbor would further transparency around police actions, as there are no other easily accessible resources with information regarding the AAPD and its practices. The Chief is receptive to greater transparency with the community and has an internal review under way to explore options to improve police community communications.

### **Community Perspective**

In 2014, the AAPD was involved in a shooting incident that resulted in the death of Ms. Aura Rosser, an African-American woman. This incident during a period when other national incidents and protests regarding officer-involved shooting incidents occurred, many of which involved persons of color. On February 3, 2015, the Washtenaw County prosecutor's investigation into the shooting of Ms. Aura Rosser determined that the involved officers acted within the law.<sup>32</sup>

Some in the Ann Arbor community remain unpersuaded by the independent investigation into the shooting and the prosecutor's decision, and continue to call for justice. This constituency has contributed to the call for civilian review in Ann Arbor. Various community members voiced their pain and perspective on inconsistent treatment by the police, which they felt demonstrated racial, socio-economic or mental health status inequity. Some community members identified frustration and an inability to drive improvements in what they found to be a very closed police department with little openness with the community. While not all Ann Arbor community members believed that civilian oversight was necessary, most wanted to better understand their police department and its policies

---

<sup>32</sup> eWashtenaw. "Prosecutor Information Regarding Ann Arbor Police Shooting - 2014." (February 3, 2015) Retrieved from: [http://www.ewashtenaw.org/government/prosecuting\\_attorney/ann-arbor-shooting](http://www.ewashtenaw.org/government/prosecuting_attorney/ann-arbor-shooting)



and practices. Issues regarding the quality of staffing, the ability of civilians to direct police actions, whether review was necessary, the potential for politicization of review boards and the need for structure and roles were common issues voiced when expressing concern over community review. Others noted that while they would not be comfortable telling the police what to do, they would like more information about police practices and outcomes.

Greater collaboration and transparency fosters a joint understanding of police practices, their consequences and the framework that officers follow when making decisions. Ann Arbor shares few of the issues driving calls for police reform nationally. The City experiences low crime, its community is active in civic affairs, and the police department rarely engages in use of force incidents and receives few community complaints. There is limited transparency and community engagement by the department, which is seen as contributing to poor police community relations at the national level. In Ann Arbor, those communities that feel distrust for the police and those that support the police were both clear in their need: the AAPD needs to deliver more transparency and visibility.

#### KEY INSIGHT

“Community policing emphasizes working with neighborhood residents to co-produce public safety. Law enforcement agencies should work with community residents to identify problems and collaborate on implementing solutions that produce meaningful results for the community.”

*The President's Task Force on  
21<sup>st</sup> Century Policing*

### THE CORE ELEMENTS OF IMPLEMENTATION

Civilian review structures predicated upon either partnership, such as the CPPC, or those focused on oversight, generate cost; the more engaged and formal the structure, the greater the cost, based upon the need for staff and salaries, communication and tracking systems and processes. Even the volunteer approach generates soft costs in terms of process and administrative support. For example, the HRC has support costs that led to its request for an administrative budget to support its work.<sup>33</sup> As part of the decision process, identifying the costs associated with the civilian structure is important to the success of the structure and its ability to function as envisioned. Robust police community engagement may provide insurance against other costs, such as civil liability, through improved police-community relations, practices and understanding. Regardless, for the CPPC to be successful, and for the department to meet its goals for improved community engagement, planning the appropriate structure, roles and processes is critical.

<sup>33</sup> City of Ann Arbor. “Human Rights Commission Annual Report 2015” Retrieved from: <http://www.a2gov.org/departments/city-clerk/Documents/HRC%20Annual%20Report%202015.pdf>



## Eight Components of the Plan

Implementation of any successful police civilian structure requires a strategic plan. This plan should address several key components including:

- **Vision, Mission and Goals:** Establishing the core vision, mission and goals for the first three years of operations should be shared as part of the implementation process.
- **Structure:** Determining what the model will look like, how it will work and who will serve and under what autonomy or authority regarding the actions to be undertaken outline the key factors for successful operation.
- **Implementation Process:** Documenting the process, issue identification and resolution will not only record the process as it evolves, but will also help develop transparency practices that will inform the public, departmental officers and the media about the program.
- **Staffing:** Identifying the need for personnel and support resources, including IT and administrative, is essential, as is determining the projected time and level of effort required of staff, volunteer and support staff.
- **Project Support:** Ensuring the proposed structure is properly supported enables timely review and other assigned duties through staffing, resourcing and funding.
- **Communication:** Developing a communication and engagement strategy to support every stage of the civilian review process to ensure consistent, community-wide messaging to market the goals and mission, and facilitate recruitment and engagement with all communities. This will support the goal of civilian review and strengthen police-community engagement.
- **Ownership:** Developing a shared responsibility between the AAPD and CPPC is a marker for the success of civilian review, as is assigning defined roles and responsibilities for not only advancing the process, but supporting the structure and rules of engagement.
- **Data Analytics:** Measuring outcomes, including citizen satisfaction, helps to validate whether the goals of civilian review have been met. Metrics on police complaints provide for important trend identification and data to assess overall police performance. An annual reporting requirement should be part of the responsibilities assigned to the board.<sup>34</sup>

## Structure and Key Roles

The City of Ann Arbor has several committed public partners, all of whom have supported this assessment. The first requirement for success of co-produced policing in Ann Arbor is to appoint a champion as the chair for the CPPC. Just as important is tapping into key community members who are committed to ensuring policing accountability and effective partnerships. In line with the model recommended in this report, Ann Arbor would be best suited by a composition of 15 representatives, a large number.

---

<sup>34</sup> IACP. "Police Accountability and Civilian Review." (November 2000) Retrieved from: [https://d3n8a8pro7vnm.cloudfront.net/nacole/pages/161/attachments/original/1481727977/NACOLE\\_short\\_doc\\_FINAL.pdf?1481727977](https://d3n8a8pro7vnm.cloudfront.net/nacole/pages/161/attachments/original/1481727977/NACOLE_short_doc_FINAL.pdf?1481727977)



The goal is achieving diversity in thought and background, and therefore the membership should consist of the following:

- One resident from each ward (5)
- One student representative (1)
- One youth representative (1)
- Two business representatives (2)
- One clergy representatives (1)
- Two citywide representatives (2)
- One Council representative (1)
- One HRC representative (1)
- Chair (1)

The position of Chair should consist of a three-year term, with the other representatives assigned to staggered two-year terms. To maintain community accountability yet allow sufficient time achieve long-term strategies and goals, the position of Chair would be renewable once, with the other members allowed re-appointment twice. The student position should come from the campus community, given its footprint and impact on AAPD resources throughout the year. The youth position should be a full-time resident of Ann Arbor, in secondary school, and representative of the youth police issues in Ann Arbor. The student and youth positions should be limited to one-year terms, given the transitory nature of the student population. The two citywide representatives allow for community expertise regarding critical issues, such as the community call for improved mental health response by the police and health services. As identified previously, the CPPC members would facilitate and be responsible for engaging with the whole of the community to develop input and guidance for the AAPD.

Consideration should be given to allowing subcommittees, as agreed upon between the CPPC and the AAPD, to address recurring, chronic or long-term police community needs. For example, a youth committee may be established with the focus of developing shared strategies for improving police relationships. These subcommittees would work under the direction of the CPPC with shared input and responsibility by the AAPD.

### **CPPC Support Structure**

The City Administrator, given the role and responsibilities assigned to that position for the department and other City business, should also facilitate and coordinate the exchange of information between the CPPC and the AAPD, as well as provide consultation and advice concerning disputes or issues, as depicted in Figure 1.1. The City Administrator should provide staff support and act as the point of contact for all CPPC business, and act as facilitator between the CPPC and the Council.

The CPPC would be responsible for an annual report presented to the Council, as consistent with other Boards and Commissions pursuant to Chapter 5 of the City Charter. The Chair would report to the City Administrator, given his role in managing the AAPD and ability to support any need to access



department personnel and data under Chapter 5.8 of the City Charter. Such a structure also provides the necessary support for CPPC and allows for ongoing communication between the CPPC and Council, as well as between the CPPC and the AAPD through the support of the City Administrator.

### Duties and Responsibilities

The responsibilities of the CPPC will vary based upon community goals and policing priorities. A good initial outline for the responsibilities of the CPPC, some of which are drawn from the assessment, would include developing the shared strategy and planning on community policing and improving transparency and access to the citizen complaint investigation process. The CPPC should work with the AAPD and other identified stakeholders to provide recommendations in these areas for consideration by the AAPD, the City Administrator and Council. Through this process, the CPPC should work with AAPD to inform annual policing strategies and provide a report on the success of the AAPD and the community in achieving those strategies.



Figure 1.1 Governing Structure for Co-Produced Policing Committee

These will be the key areas for the CPPC to begin to establish its role and authority. In turn, the CPPC should operate as a community liaison between the police and the community to allow for a shared understanding of goals, policies, practices and legal authority, and provide input from the community regarding its issues and goals. The CPPC and AAPD should be jointly tasked with developing performance goals for the policing strategies for the agency, including the Chief, and the CPPC, linked to defined, measurable outcomes. Strategies and their progress and outcome should be routinely evaluated at the CPPC meetings and reported to the Council on an annual basis.

### Appointment Process

Initially, the process should start with an appointed Chair who can help recruit and drive membership with key leaders throughout the City. A public process for appointments should be followed, as the goal is to generate interest and grow community engagement with the police. A public application process should ensue with requirements established, including a commitment to public service and other appropriate factors, based upon the final goal and structure of the CPPC. Nominations from the Council Member representing the ward should also be part of the nomination process. The City Manager, City HR, the Chief of Police and the CPPC chair should review applications. Recommendations for appointment to the CPPC would then be made to the Mayor and the Council for final approval.



### Requirements for Candidates

A positive start to the CPPC is critical to its long-term success. The goal is to identify and appoint CPPC members who are capable of collaboration and working toward a common goal. Factors to be considered in selection include:

- Residency in Ann Arbor, part-time for the student member
- Diversity in demographics, thought and experience
- Commitment to improving overall police-community relationships
- Drive for change and the ability to advocate for policing policies and practices that support constitutional policing consistent with community expectations
- Ability to represent and advocate for multiple viewpoints
- Demonstrated ability to address conflict and maintain standards of accountability
- Strong communication skills, including the ability to engage with persons from a variety of backgrounds

### Conclusion

Civilian review structures should improve trust between law enforcement agencies and the communities they serve. By holding both the police department and the community accountable for public safety, our proposed model for co-produced policing in Ann Arbor will increase trust, legitimacy and transparency in policing. The Ann Arbor communities must be afforded the opportunity to have an equal, meaningful and constructive voice in how their neighborhoods are policed and to assume co-responsibility for public safety in their community.

### Recommendations

1.1	The City of Ann Arbor can directly engage its community by establishing a Co-Produced Policing Committee (CPPC). The CPPC would be comprised of select community representatives, as detailed in the report and authorized to work with the AAPD to establish policing priorities and to provide an annual report to the Council on the progress toward achieving those strategies, along with an overall rating of the department and the Chief in meeting the goals and strategies.
1.2	The Ann Arbor Deputy Chief, Support Services is best suited to be the lead in establishing and driving the new form of co-produced public safety.
1.3	Pursuant to the authority granted under the City Charter, the City Administrator would be the most effective acting as the operational point of contact for the CPPC and the AAPD as they develop protocols, strategies and governance for the shared responsibilities under co-produced policing.
1.4	The recommendation for a chair of the CPPC is stronger when made with the input of the community and police through the City Administrator as approved by the Council.



	This position should rely upon the City Administrator for daily operational support and resourcing needs and report to the Council annually.
1.5	The AAPD and the Chair of the CPPC needs to conduct a series of engagements with the community to understand the specific needs of the communities at the neighborhood level and to develop the interest in applying for positions on the CPPC. After these sessions, the full powers of the CPPC should be established, approved and published.
1.6	An empowered CPPC can develop working committees on standing community issues, as identified through its role of liaison with the communities of Ann Arbor, and as specific issues arise. <ul style="list-style-type: none"><li>• One recommended standing committee is a Youth Engagement Committee to provide input and ideas for the AAPD to be better able to engage with youth.</li><li>• Committees should be developed, as needed, based upon community issues and interests. The CPPC then would be tasked as the liaison between the committees and the AAPD in developing strategies to address the issues, concerns and solutions raised by the committees.</li></ul>
1.7	The CPPC should be tasked with providing an annual report to the Council that outlines the strategies and evaluates its efforts and that of the police in achieving the strategies and goals.



## 02 Community Engagement

“Community policing is a philosophy that promotes organizational strategies that support the systematic use of partnerships and problem-solving techniques to proactively address the immediate conditions that give rise to public safety issues such as crime, social disorder, and fear of crime.”<sup>35</sup>

The modern approach to community policing strives for a partnership that tasks law enforcement agencies with working with their communities to “co-produce public safety” by involving residents in setting policies and priorities for policing. Community policing in Ann Arbor is linked to the concepts of co-produced policing and the CPPC discussed in Chapter 1. A strong partnership between the police and community is essential to promoting trust and legitimacy, as well as achieving meaningful improvements to public safety and neighborhood well-being. Agencies that have the respect and cooperation of the communities they serve are those that (1) have been successful in sustaining collaborative partnerships with individuals and organizations over time, and (2) recognize that policing initiatives must evolve to meet the current needs of their communities.

### SCOPE OF REVIEW

To evaluate the AAPD’s community policing practices and learn how community policing is practiced in Ann Arbor, the assessment team:

- Conducted numerous interviews with department personnel of all ranks and various assignments, including the Chief of Police and his command staff.
- Participated in ride-alongs.
- Engaged in personal observations.
- Held discussions with community stakeholders, elected officials, community advocates and criminal justice partners.
- Reviewed the AAPD’s policies, practices, procedures and training related to community policing.

### COMMUNITY ENGAGEMENT AND PERSPECTIVE

The assessment team reached out to hundreds of people in the community. The team conducted interviews with individuals, representatives from diverse communities, advocates representing a range of issues from domestic violence to homelessness, City officials and other key stakeholders. Other engagement and outreach efforts included a survey, discussion opportunities via email and observations of meetings.

Although many people were eager to discuss issues and experiences with the AAPD, fully engaging with diverse or disenfranchised communities was a challenge. Ann Arbor’s homogeneous population

---

<sup>35</sup> Office of Community Oriented Policing Services. “Community Policing Defined.” (Revised 2014) Retrieved from: <https://ric-zai-inc.com/Publications/cops-p157-pub.pdf>



contributed to this, as did the cultural makeup of some of the communities. The assessment team encountered some barriers in seeking access to groups already distrustful of the police. Engaging advocates and examining themes expressed by the community supported our work, as did the team's experience and knowledge of working with diverse communities. Overall, the assessment team was able to gain insights from a range and depth of community members to inform the assessment.

### **Community Perspective**

The assessment team hosted two community listening sessions. While many of the same community members attended both sessions, the range of issues identified by the Ann Arbor community was broad – some were local to Ann Arbor and others reflected the national perspective on police community trust. Some community members voiced support for the AAPD, while others expressed dissatisfaction with police engagement and practices. Relatively minor issues, such as police enforcement of speeding, were discussed, as were topics such as serious use of force outcomes.<sup>36</sup> Importantly, even those community members who had an issue with the police wanted to have a good relationship with the officers of the AAPD.

### **Need for Transparency and Engagement**

The lack of knowledge about the AAPD and its officers was one key theme that emerged from many community members who spoke about the AAPD or were interviewed. The most common issue raised was that the police are not known to, nor do they interact with, the public. Many community members knew the former sergeant in charge of the Community Engagement Unit (CEU), but they had never met other supervisors or command officers from the AAPD.

Consistently, the team heard that officers, specifically road officers, rarely initiate informal contact with citizens. Community members said officers only interact with the community on calls for service. One resident complained, "They ride around with the windows up and don't even look in your direction." AAPD officers are not required to live in Ann Arbor<sup>37</sup>, and one community member cited this as a basis for lack of trust, saying officers had no contacts with the community through work or their personal lives.

Many community members believed the AAPD to be a good police department, citing the low crime rate and the timely response to calls for service. Many at the listening sessions in particular felt that the overall level of community service and engagement by the AAPD needed improvement.

One community member recounted an incident that involved a youth recklessly riding his dirt bike through the neighborhood. Each time the AAPD was called, a different officer responded and nothing happened. Later, the same youth crashed the dirt bike into a City vehicle. It was felt that a community policing approach, where the same officer responded, might have resulted in a different outcome. Another community member spoke about a similar issue involving a homeless person acting erratically in the business district. People called several times over a period of days regarding the individual and each response brought a different officer with an inconsistent approach. Eventually, the man

---

<sup>36</sup> Appendix B: Community Voices further explains the range of issues raised by the community.

<sup>37</sup> Under Michigan law, the City cannot legally require officers to live in Ann Arbor.



overdosed, requiring an emergency medical response. The community member felt that a community policing approach would have generated a problem-solving response that would have gotten assistance for the man before he harmed himself.

These types of issues and the resulting impressions of the community translate to greater challenges for the AAPD in working with the community. Without formal structures that support operational problem-solving, community concerns are not addressed in partnership with the police, but rather through calls for service and varying response by the police to problems that might better be resolved through problem-solving by the police and the community.

Issues about access to the department were identified by some in the community. The department is located in a building that does not identify it as a police department, nor is it welcoming to the public. To enter, one must pass through a metal detector and individuals are not allowed to bring in their cell phones. The police department is located on the second floor with the officers behind glass. During off-hours, the building appears to be closed to the public. While the location of the building and its security is not under the full control of the AAPD, it is their relationship with the community that is affected.

#### COMMUNITY VOICES

“...Justice Center itself tells the story of the Ann Arbor police – the police live behind glass – there is no person-to-person interaction with them...”

*Comment from a Survey Respondent*

#### Community Concerns over Racial Inequity

Issues regarding racial inequities were another common theme arising from the team’s community engagement. Some issues were more broadly reflective of Washtenaw County and its environs, but examples of experiences specific to Ann Arbor were provided. Some community members felt that the AAPD treated people fairly. However, many people of color spoke about bias, as did many White people, if only through their observations.

One community member spoke about being followed home by the AAPD, not as a matter of protection, but in a manner that the speaker felt suggested racial profiling. Another stated that for people of color, arrest and use of force were a concern any time they engaged with the police. These perceptions persisted within some community members, despite low complaints regarding police use of force in Ann Arbor. Many community members spoke of actions that had occurred in the past and contributed to current perceptions of racial inequities in policing decisions.

Multiple members of the community told the team about a fight following a high school football game that occurred years earlier. The team was told that the only youth detained by the police were African-American, a decision seen as arbitrary and race based, and one with lasting negative impact. Some spoke about their observations of people being stopped by the police in Ann Arbor and their perception that any time they saw the police engaged in a stop, the parties were all minorities. One community member spoke about the pain and frustration of being isolated from an injured child as the police interrogated him as a suspect, and his belief that the police acted as they did due to his race. Most community members identified these types of issues as contributing to the department’s challenge in engaging in good relationships with communities of color. Perceptions of inequity are



rooted in their experiences, and some of these beliefs reflect the national dialogue on police and community engagement if not their actual experience within Ann Arbor. These perceptions remain unabated in the absence of active and engaged formal partnerships between the community and AAPD.

### **Community Concerns over Use of Force and Persons with Mental Health Issues**

The AAPD's use of force practices and engagement with individuals with mental health issues were prominent in the minds of the community, particularly in light of the Aura Rosser shooting incident. Numerous issues were raised about how the police officers are trained and how they interact with the mentally ill.

There is a lot of misinformation in the community regarding the role of and response protocols for the AAPD regarding individuals with mental health challenges. As a result, the community had expectations regarding police response that did not align with police response protocols. For example, some thought partnerships existed with the AAPD wherein mental health service providers responded with the police to calls involving individuals in mental health crisis, which is inaccurate. Some spoke about their concerns when calling for police assistance and wondering whether an individual suffering from mental illness will come to harm as a result. Additionally, community members were not clear about use of force and response protocols, including when and how the police were allowed to use force. This lack of knowledge contributed to wrong information and perception regarding the AAPD's use of force protocols and practices.

### **Department Perspective**

As a whole, the AAPD strives to deliver effective service to the community. The AAPD prioritizes timely response to calls for service and investigations of crime, providing an excellent service in this regard. Officers were conversant and knowledgeable about the importance of community engagement, displaying an awareness of the key issues and themes that are of concern in the communities of Ann Arbor. However, the focus on dispatch driven response, answering calls for service, drives an ingrained organizational belief that there is not available time or staffing to support community engagement.

Most officers feel that they provide a good service to the community, and those officers who met with the team discussed situations in which they took the extra step to assist community members with their problems. Many officers spoke of a time when they conducted proactive policing and community engagement, with most noting that current staffing levels did not allow for this. This belief derives from the staffing reduction experienced by the AAPD in the last decade and both officers and supervisors identified that they did not have the resources to engage in community policing.

How community policing is integrated within the department's overall strategy remains undefined for most officers. Officers are tasked through calls for service, and generally are not assigned to a specific community or geographic patrol area, which limits the ability of road officer to engage with the community. Officers frequently voiced during our interviews that community policing was the responsibility of members of the CEU. If faced with a community issue, most officers stated that it would be passed to the CEU, pursuant to protocol, and they themselves would not address it. Most officers identified that the department as a whole does not engage in proactive community



engagement, but recognized the importance of a community-focused approach. To better support community policing, the AAPD expanded staffing in CEU to support community engagement.

Effective policing strategies require identification of priorities and resources. Establishing priorities, whether a timely response to calls for service or ongoing community engagement, is a matter of leadership and should be data-driven. Informed decisions, supported by data and analysis to understand demand, how officers fill their time when working and the resourcing options, will help fulfill priorities and match resources to those goals.

The decrease in staffing at the AAPD has resulted in some tough decisions. Development of a data-led approach to staffing decisions, including identification baseline staffing requirements, allows for a discussion with the communities of Ann Arbor about how these decisions are made and why. The decrease in community engagement was made without community input and understanding. The decreased focus on community engagement by the AAPD contributes to the lack of visibility and engagement across the communities of Ann Arbor. An organizational perspective that police service cannot focus on both operational response and community policing will further create and exacerbate unintentional barriers to engagement with the community. Additionally, the distinction in roles between the road units and the CEU regarding who has responsibility for community policing, sends an organizational message that not all officers are responsible to the community.

### PROMISING PRACTICES IN COMMUNITY POLICING AND CO-PRODUCED PUBLIC SAFETY

Departments that have adopted community policing as an organization-wide value and have an established vision and measurable strategy have significantly stronger ties with their communities. Even agencies that suffered from poor community relations have seen measurable improvement in the police-community relationship following making a commitment to the strategic implementation of community policing. Such improvements are expected given the interconnectivity between organizational transformation, problem-solving and community partnerships, as depicted in Figure 2.1.<sup>38 39</sup>



Figure 2.1 Community Policing in Practice

Innovative community policing strategies focus problem-solving efforts on the key issues facing the community. Most importantly, these strategies provide a voice to community members and allow them to help prioritize and advance policing

<sup>38</sup> Office of Community Oriented Policing Services. "Community Policing Defined." (Revised 2014) Retrieved from: <https://ric-zai-inc.com/Publications/cops-p157-pub.pdf>

<sup>39</sup> Ibid.



strategies, thereby complementing a co-produced policing approach. These practices do not occur in a vacuum – they require leadership and vision on behalf of the leaders within an organization to ensure resourcing and accountability in achieving the community policing vision.

The Seattle Police Department (SPD) has begun a long-term focus on community policing, predicated upon transparency, data analytics and ongoing community engagement – at the lowest possible level. The micro-community policing plans are an innovative approach to addressing problem-solving resources at the specific community level. Data analytics and review helps accomplish the established goals. The overall process is transparent and informed by and with the community.<sup>40</sup> The publication of the plans and their measurement ensures ongoing accountability and focus on the community policing strategies.

Trust-building activities, such as non-enforcement engagement through sports, reading groups or other engagement, particularly with youth, bring significant return to police-community relationships. Programs that provide consistent police representation in schools, even if not a full-time school resource officer, allow for interaction between officers, students and their parents under positive circumstances. Support and encouragement from command staff and supervision for officers to engage in community practices and demonstrate leaders directly inspire in an individual officer's ability and willingness to be community police officers.<sup>41</sup>

### **PARTNERS IN PURSUING TRANSPARENCY IN POLICING**

Because the community is a key partner in creating public safety, communities and police need mechanisms to engage with each other in meaningful ways.<sup>42</sup> In Ann Arbor, there is no existing mechanism to allow for ongoing, constructive problem-solving on key policing strategies, issues and community concerns. Absent a community policing strategy that advocates for such engagement, it will not occur.

Key community partners AAPD can engage include representatives from demographic communities, businesses, schools, youth, service providers, advocacy groups and other community stakeholders. A promising practice is the use of a community structure to develop broad-based community input and support. This aids in the development, assessment and review of policing policies, practices and

#### **KEY INSIGHT**

“The vision of policing in the 21<sup>st</sup> century should be that of officers as guardians of human and constitutional rights.”

*Final Report of the  
President's Task Force on  
21<sup>st</sup> Century Policing.*

<sup>40</sup> Seattle Police Department. Retrieved from: <http://www.seattle.gov/police/community-policing>

<sup>41</sup> Office of Community Oriented Policing Services. “Community Policing Dispatch.” (June 2015) Retrieved from: <https://cops.usdoj.gov/html/dispatch/06-2015/index.asp>

<sup>42</sup> Office of Community Oriented Policing Services. “Final Report of the President's Task Force on 21<sup>st</sup> Century Policing.” Retrieved from: [https://cops.usdoj.gov/pdf/taskforce/taskforce\\_finalreport.pdf](https://cops.usdoj.gov/pdf/taskforce/taskforce_finalreport.pdf)



priorities to assist the department. The proposed CPPC would be a partner in developing the AAPD's community policing strategic plan, in accordance with the recommendations and input of the communities of Ann Arbor.

The proposed CPPC would provide a forum for community members to bring their concerns to the department's attention, and share responsibility in fostering solutions. Community representatives could be tasked to work on specific issues related to crime prevention, constitutional policing and problem-solving on community-level issues. The CPPC structure should provide the support and outreach necessary to help drive community support and engagement on these community-policing practices. The primary responsibility of the CPPC would be to represent the community's voice in developing, measuring, monitoring and evaluating an annual and multi-year strategy that directs the activities of the police in a manner consistent with community expectations. Ongoing partnership surrounding community problem-solving, issue prioritization and policing strategies will develop a better understanding and awareness of the police and their interaction within the community.

### **POLICE COMMUNITY ENGAGEMENT IN ANN ARBOR**

"There was a time not too long ago" was a phrase used by many of those we interviewed within the department in reference to the AAPD's community policing initiative. These words were echoed by Chief Baird in his July 6, 2016 memo to Mayor Taylor and City Council members in response to the HRC Report on Police Civilian Review. In his memo, the Chief stated, "By way of example, there was a time not long ago when we staffed officers dedicated to interacting with the community's youth in a non-enforcement capacity." Most of the operational police-community engagement resources responsible for building community relationships, such as the foot patrols in the downtown area, have been redirected to road patrol, which is responsible for responding to calls for service. The community policing practices are now the responsibility of one unit in the AAPD – the CEU.

### **Staffing Cutbacks and Impacts on the Department**

The Chief's 2016 statement referenced staffing reductions within the AAPD and their impact on police-community engagement. At one time, the AAPD had a robust community-policing program with at least 23 police personnel assigned to the Community Policing Unit: a lieutenant, a sergeant, 14 officers, six walking beats and Community Service Assistants. During that time, the department also staffed a Housing Unit whose primary responsibility was to build relationships with individuals residing in low-income housing complexes. At the time of the staffing cutbacks, community policing was not operationalized within the AAPD, meaning it was not seen as a responsibility of every member of the AAPD.

In 2001, the AAPD had 244 members. At the end of 2016, total staffing was 151 members – a loss of more than a third of overall staffing. As with many other law enforcement agencies, the AAPD examined its delivery of services, and directed resources to essential services, such as crime investigation and responding to calls for service. This led to a decrease in community policing, including proactive community-focused programs.



The deployment decisions made because of the decrease in staffing for the AAPD arising out of the early 2000s continue to drive a focus that prioritizes operational policing over community engagement. Good policing practices are founded in community engagement, which supports good police community relationships. For example, the Housing Unit was disbanded in 2008, but some officers who used to work in the Housing Unit still receive calls from residents with whom they had established a connection. They want and need that connection with officers. One officer stated, “Getting rid of the Housing Unit was a bad decision – the connections we made with people were huge.”

Members of the business community echoed similar sentiments, identifying that they had no access to the AAPD through which to generate problem-solving responses, but rather had to rely on calls to 911 for issues that were chronic in nature and not necessarily resolved by a 911 response. The assessment team heard this sentiment in its engagement with community members, as many felt they had no connection to officers patrolling their neighborhoods. Several referenced the housing and foot patrol officers who used to work in the City as being good at addressing community issues.

#### COMMUNITY VOICES

“...I participated in the Academy in the year 2015. I learned so much about what our safety professionals do, why they do what they do, and how we citizens can help make our city safer for all...”

*Comment from a Survey*

#### Current AAPD Community Policing Practices

The CEU was created in an effort to improve police and community relations.<sup>43</sup> Through this program, the AAPD offers a range of services and activities to help inform and educate citizens about community policing, crime prevention and outreach programs. The Chief advocated for increasing the CEU staff, and it is now staffed with a sergeant and two officers who are assigned to the unit on a three-year tenure through a bid process. Pursuant to AAPD policy, the CEU sergeant coordinates the department’s efforts in the development of programs to promote effective community relations.<sup>44</sup> CEU officers worked on a variety of community issues and engagement and were very knowledgeable about key community leaders and challenges. The assessment team was impressed with the efforts and commitment of the CEU’s staff.

#### Community Policing Beyond CEU

A philosophical commitment to community policing exists within the AAPD, which as a whole embraces a community ethos. Members of the AAPD frequently spoke of their focus on ensuring good service for the citizens they serve. A strategy focused on community policing and engagement across the organization, rather than just within CEU, would help the AAPD develop stronger community

<sup>43</sup> Ann Arbor Police Department. Retrieved from: <http://www.a2gov.org/departments/police/community-engagement/Pages/default.aspx>

<sup>44</sup> Ann Arbor Police Department. “Policy and Procedural Order 054-002, Community Relations/Crime Prevention.”



relationships. There is an annual police-community meeting at the patrol district level that occurs throughout each of the districts in the City, in addition to other community outreach as managed by the CEU. Specific assignments to address chronic community issues remain primarily within the CEU and are not the responsibility of patrol response officers.

### Geographic Integrity

Good community policing practice often relies on long-term assignment of officers to specific neighborhoods or areas. Geographic deployment plans can help enhance customer service, facilitate more frequent contact between police and citizens, and establish a strong relationship and mutual accountability. Many municipalities now strive to match beat boundaries to neighborhood boundaries to help further cohesion and partnerships. The AAPD does not assign officers on a long-term basis to specific neighborhoods, which limits the opportunity to develop knowledge and understanding between officers and residents and to build positive, trusting relationships.

### Time to Engage with the Community

Most of the AAPD members interviewed pointed out that one of the reasons the road officers are too busy to engage in building meaningful community relationships, is that they often are assigned back-to-back calls for service. Officers spoke of the loss of community engagement with the department when the 'beat' (foot) patrol and bike patrols were eliminated over the past years.

Although this assessment did not include a staffing analysis, a review of service demands and staffing decisions is a good practice when agencies face reduction in staffing, as it allows an informed review of how to best meet that demand with constrained resources. The dispatch data reviewed by the team indicates there is unallocated time in the road officer's shift that may be available to support more community engagement. How this time is utilized by officers is not always identified, nor is it routinely directed by supervisors in the AAPD.

Support resources and their contribution to addressing community policing is not fully measured by the AAPD. Support units, such as traffic units and the detective section, merit ongoing review for appropriate staffing and their support of organizational goals. Aligning resources to priorities and goals allows the AAPD to ensure maximum resource utilization, particularly given the reductions in staffing over the years.

Exploration of the role of the Community Standards Officers (CSO) would help advance community policing in Ann Arbor. CSOs are AAPD members and primarily address community nuisance issues, such as unattended yards or debris. These members are dispatched to the communities in Ann Arbor

#### KEY INSIGHT

A philosophy of true police-community engagement is more than counting community engagement time in minutes and hours.

It is about results and outcomes that improve overall safety through partnership.



on a daily basis and maintain records of their activity, but are not linked to larger problem-solving strategies. Incorporating them into direct community contact roles for long-term engagement is a way to allow these members to contribute to improved quality of life and provide for community-based problem-solving.

### Working with Diverse Populations

The AAPD enjoys community support, and the AAPD's officers display a sense of community awareness and the concerns of the communities within Ann Arbor. The assessment team met with a variety of stakeholders who were representative of the range of diversity within Ann Arbor. Most were complimentary to the AAPD, but all expressed the desire to have more constructive problem-solving and ongoing contact with the police. Many of these organizations did not have a clear understanding of the policies that affect their constituent groups, and many have never met with an AAPD supervisor, other than the sergeant from the CEU.

Although the assessment team observed strong commitment within the CEU, engagement with community-based advocacy groups would improve through a strategic approach, supported by defined goals focused on helping responding officers to better engage with these populations. When asked what they would like to see come from this assessment, most of those interviewed stated they wanted an opportunity for constructive engagement with the department. Additionally, most wanted to have the ability to share their knowledge through training with the police officers who engage with their constituent populations.

### Youth Engagement

A voice typically absent from any discussion on community policing is that of the youth. Like most law enforcement organizations, the AAPD is challenged with effectively engaging with youth. The assessment team conducted a focus group composed of a diverse group of teenagers and found, unsurprisingly, that they felt the attitude and engagement with the police officers in Ann Arbor was insufficient, and most of the youth felt this issue was the same across all of Washtenaw County.

Some of the youth discussed their positive interactions with the police, but most felt they had no means or ability to communicate with the police. Many expressed distrust of the police. The assessment team visited a local teen center and was informed that the police rarely stopped by or engaged in activities at the center. Other youth advocates noted that the programs and engagement

#### KEY INSIGHT

##### *"Community Policing Can Mean Dialog Instead of Rioting"*

"Community policing suggests the best way to cool down a hot neighborhood is by building lines of communication between citizens and cops. Get cops out of their cars. Invite community input. Build trust so that citizens and police feel like they are on the same team."

*Emergency Management Magazine  
May 4, 2017*



for youth in Ann Arbor were limited. They did not know of any visible police leadership on promoting positive youth interaction.

AAPD-sponsored programs that engage youth to work with the police on a routine, structured basis, do not exist. The CEU conducts outreach to youth through various summer programs and a school reading program, but these types of engagements are limited, given the size and staffing of the unit. The CEU was also engaged in youth community service arising out of juvenile court determinations. However, these engagements resulted in mixed reviews. The AAPD felt this was a very productive and engaged program with beneficial outcomes, however, some of the youth going through the program found it to be a different type of experience. Some felt they were treated differently due to their race and national origin compared to others in the program. The CEU remains committed to youth programs, such as Safety Town, with the focus program-based rather than strategic.

### **COMMUNITY POLICING PROGRAMS**

The CEU is the owner of the community policing programs for the Ann Arbor community. The CEU is engaged in an impressive number of crime prevention and community outreach programs including:

- A2 Shield, a series of short video segments providing public safety information
- Safety Town, a child safety awareness program conducted through summer camps
- Attendance at community meetings
- Citizen's Police Fire Academy
- Coffee with a Cop program, where community members meet with officers on an informal basis

The CEU engages with institutional community partners including retail establishments, homeless shelters and the Veterans Administration Hospital. These programs are one method of engaging with various members of the community. Developing long-term strategies that build upon such activities is important. For example, the ability to engage more people in the Citizen's Police Fire Academy is an opportunity to create informed ambassadors in all communities. These graduates would be able to inform and participate with the proposed CPPC, providing access to neighborhood-level information.

### **Community Involvement in Violence and Crime Reduction**

During the assessment team's engagement with the community, rarely was there any discussion regarding crime. Ann Arbor is a relatively safe city, with 4,447 Part A offenses reported in 2016. Most of these were property-related, with larceny and property damage accounting for the highest percentage of crime. Given the low level of crime, crime is not a driver for community engagement with the police and there is minimal formal problem-solving between the AAPD and the community. On an individual issue basis, the AAPD has been responsive to community requests for certain crime issues. For example, the AAPD staffs a dedicated domestic violence detective to ensure consistency in the approach to domestic violence investigations. This commitment is well received by the domestic violence advocacy community, and is the outcome of ongoing problem-solving around how to improve the overall police response on this issue.



### Unique Community Factors

Ann Arbor is home to the University of Michigan, a Big Ten college campus that is also the largest employer in Washtenaw County. Large-scale events are routine, and the AAPD does an excellent job in moving large crowds through the City, particularly on game weekends. The transient population – both in students and visitors seeking to partake in the offerings of Ann Arbor – bring unique policing issues. Volume, diversity, perspective and perception all vary significantly among the populations that attend the various events serviced by the AAPD. While the University of Michigan Police Department has primary responsibility for campus buildings and locations, the AAPD covers the whole of Ann Arbor and is responsible for all crime in its jurisdiction.

The AAPD received high praise for a professional and appropriate level of engagement across multiple communities for large-scale events, including community festivals and events. The level of engagement before and during these events was cited as a positive reflection of the training and community ethos of the department. Part of the AAPD's success during these events is its focus on non-enforcement engagement with the community. The police officers are present and visible during these events in a positive manner, not as enforcement but as partners in support of a larger plan predicated upon maintaining community standards and safety.

### Measurement Tools

Community policing results in measurable improvement for police-community relationships if tied to data.<sup>45</sup> Tangible goals, supported by specific measurable tasks, are key to integrating community policing into an operational policing environment such as that at the AAPD. The AAPD does not fully use data in its policing strategies – and community policing is no different. Ann Arbor relies on discrete event data to measure community policing activity. For example, in 2016, officers assigned to patrol operations attended 154 community events or meetings. The CEU, in addition to other activities, attended 110 community meetings and made 104 safety presentations. While the number of community events attended is impressive, the strategic purpose, goal and outcome of these engagements is not recorded in a way that allows analysis for effectiveness and support of AAPD's policing goals. The measurement of attendance does not reveal what community issues were addressed, if data was reviewed to determine whether a problem was resolved, or if input was sought from the community regarding these issues.

Developing a community policing strategic plan would allow the AAPD to measure the success of the efforts directed at community engagement and problem-solving. It would also ensure that scarce resources are being used effectively and efficiently in support of the department's goals. The recommended role for the CPPC in developing shared community policing strategies and reporting the AAPD's and community's progress in advancing these strategies would help to provide transparency on community policing practices.

---

<sup>45</sup> Stone, Adam. "Emergency Management Magazine. Community Policing Can Mean Dialog Instead of Rioting." (May 4, 2017) Retrieved from: <http://www.govtech.com/em/safety/Community-policing-can-mean-dialog-instead-of-rioting.html>



## Recommendations

- 2.1 An AAPD adoption of an organizational approach to community policing will develop strategies and roles for community engagement and problem-solving at every level and unit of the organization.
- The Deputy Chief, Support Services should be tasked with implementing and advancing the community policing strategy.
  - Organizational goals developed at the leadership level should be communicated throughout the organization.
  - Ongoing review and measurement of goals should be conducted on a quarterly basis.
  - Performance measurements should include community policing strategies and outcomes.
- 2.2 Developing an organizational level community policing strategy will help align unit and officer level activity with the department's community policing goals and vision.
- The CPPC can participate in community policing strategy development and help develop defined roles and responsibilities for the community in partnership with the AAPD.
  - Clearly defined community policing goals for all AAPD units and personnel should be developed using the SMART approach (Specific, Measurable, Assignable, Realistic, Timely).
- 2.3 Given the varied needs within the communities of Ann Arbor, the AAPD will benefit from incorporating the principles of the ongoing "micro community policing plans" program currently underway in Seattle as a means to reflect the specific needs of all communities within Ann Arbor.<sup>46</sup>
- 2.4 Training supports development of a culture attuned to community policing. To accomplish this, the AAPD providing ongoing community policing training to all department members as an ongoing part of the annual refresher training (ART) and through roll-call training on specific community-related topics as they develop.
- This training should provide initial baseline training to reacquaint members with the fundamentals of community policing, community-police relations, cultural competencies and engagement activities within the scope of the AAPD community policing strategy.
  - The AAPD training unit should take ownership for developing structured roll-call training with community-based advocacy groups to support good police-community relationships.

<sup>46</sup> Seattle Police Department. Micro Community Policing Plans. Retrieved from: (<http://www.seattle.gov/police/community-policing/mcpp>)



	<ul style="list-style-type: none"><li>• An annual training needs analysis for community policing should be conducted to identify key community issues, cultural diversity and problem-solving.</li></ul>
2.5	<p>The use of social media and marketing of community programs by the AAPD is one way to increase transparency with the community.</p> <ul style="list-style-type: none"><li>• The use of social media platforms to engage the community and provide forums for conversation about specific community topics or for virtual community meetings should be expanded.</li><li>• The AAPD website is limited in its community outreach and should provide more community-based information and links.</li><li>• Online community meetings should be considered as a means to expand engagement with the community for problem-solving.</li></ul>
2.6	<p>More positive engagement programs with the youth in Ann Arbor should be established to facilitate strong relationships with the AAPD officers and community youth.</p> <ul style="list-style-type: none"><li>• The AAPD should consider establishing an Explorers program and connect it with the AAPD recruitment team to foster interest in a career in policing.</li><li>• The AAPD should continue to support its summer camp program and other youth outreach efforts of the CEU.</li><li>• Consideration should be given to developing a Police Athletic League to establish various athletic programs involving the police and youth. Where appropriate, community sponsorship should be pursued to support such programs.</li><li>• The AAPD should consider expanding youth programs focused on reading in the schools to include libraries and mentoring with local community groups to develop relationships – even if only for an hour. The connectivity is important for the community.</li><li>• Annual Youth Town Hall sessions, facilitated by the Youth and Student CPPC members, should be included as part of the strategic community policing plan to foster understanding and communication between the youth and police in Ann Arbor.</li></ul>
2.7	<p>Strategies to engage officers with the community at interpersonal levels should be explored for feasibility. Expanding the scope of existing community engagement programs could support stronger police-community relationships.</p> <ul style="list-style-type: none"><li>• Promoting homeownership in Ann Arbor is an option to consider, as most AAPD officers do not live in Ann Arbor. The District of Columbia is seeking to offer such a program. The City of Chattanooga, Tennessee does this through the Chattanooga Police and Fire Fund for Homeownership.<sup>47</sup></li><li>• Using mediation and reduction in suspension time in exchange for participation in</li></ul>

<sup>47</sup> Montinar, G. The GW Hatchett Retrieved from : <https://www.gwhatchet.com/2017/04/12/d-c-officials-aim-to-give-local-police-officers-housing-grants/>; and PD&R Edge. In Practice. Retrieved from: [https://www.huduser.gov/portal/pdredge/pdr\\_edge\\_inpractice\\_020813.html](https://www.huduser.gov/portal/pdredge/pdr_edge_inpractice_020813.html).



community-based projects, such as community clean-up and community center staffing, is another option that benefits both the police and the community. (Grote, Richard C. Discipline Without Punishment. 2006. AMACOM).

**2.8** Staff utilization and response prioritization should be evaluated within the lens of police-community engagement. The AAPD's focus on response to dispatch comes at the expense of police-community engagement. A review of the resource commitments is necessary to maximize utilization of existing resources. This review should also be used to determine whether staffing levels are appropriate for the demand for police services and the expectations for service delivery in Ann Arbor. Particular focus should be directed at unallocated policing time and how to best link that with the community policing strategy and role for the officers.

In the interim, consideration should be given to the following options for increasing police time for engagement with the community.

- Daily problem-solving-directed activity should be assigned to officers, along with requirements of documenting actions and outcomes at resolving specific problems.
- Utilization of the CSOs as part of the AAPD community policing strategy would allow for their input and strategies on abating neighborhood nuisances, as well as engaging in community education about recurring problems.
- Assignments with significant downtime should be reviewed for assignment to foot and bike patrol duties.
- Ambassadors beyond the CEU should be identified to work with special interest communities, ideally engaging those officers that share the same diverse cultural, ethnic, racial or language as the identified community.
- The feasibility of geographic assignment and responsibility should be reviewed to better support community-policing principles.
- A review of staffing for non-emergency and non-critical positions should be conducted to determine availability for community policing engagement. For example, officers who staff the desk at the department, particularly after-hours when access is limited, may be replaced with civilian staff or be re-assigned to directed problem-solving activity in the downtown area for all or part of their shift.

**2.9** The AAPD leadership and the CPPC should work together to seek innovation in police response to free up resources based upon community support and agreement. One example is creating an alternate dispatch and reporting protocol for non-emergency reports, such as stolen property, rather than requiring an officer to be dispatched to the location to take a report. Including these "agreements" in the CPPC's annual report is a way to measure their effectiveness and the police-community adherence to the protocol.



## 03 Citizen Complaints and Discipline

### SCOPE OF REVIEW

The assessment team conducted interviews at every level of the AAPD and within the community, including complainants and stakeholders. The team reviewed actual investigative files for the last three years, in addition to reviewing the basic reporting on complaint data. The evaluation of policies and procedures was a critical part of the overall assessment.

### COMPLAINT AND DISCIPLINARY PROCESS

“The concept of legitimacy is integral to successful police community relations, for when the police have legitimacy they enjoy the understanding, trust and support of the people they serve.”<sup>48</sup> True accountability in policing requires law enforcement agencies to ensure their officers act with integrity and deliver on the department’s vision and goals. In Ann Arbor, the complaint and disciplinary process is primarily the purview of the police department, with certain exceptions. Most police agencies deliver accountability to the community through the complaint and disciplinary process. In the AAPD, this process is the responsibility of the Professional Standards Section (PSS), which also includes training and community engagement. As a result, the AAPD is able to leverage the ability to identify issues through complaints, and resolve them through training and community engagement under the authority of one command.

### Intake, Investigation and Disposition of Complaints

The PSS is responsible for the complaint process, which includes complaint intake, investigation and record retention. The lieutenant in charge of the PSS investigates most complaints but has occasionally delegated responsibility for investigations into lower-level complaints to the PSS sergeant or field supervisors.

The AAPD has an open complaint intake, meaning it will accept complaints in many formats. The public is encouraged to file a complaint in person at the police station. However, the AAPD notes that it accepts online complaints via the AAPD website,<sup>49</sup> as shown in Figure 3.1. The AAPD will also take complaints against police officers in a variety of other formats, from anonymous individuals to those acting as representatives, in person, by phone or by mail. The Chief notes that he has initiated public complaints without a complainant based on information received through the community or media.

<sup>48</sup> Walker, Samuel, and Carol Archbold. (2014) *The New World of Police Accountability*. Los Angeles, California: SAGE.

<sup>49</sup> Ann Arbor Police Department. Retrieved from: <https://www.a2gov.org/departments/police/about/admin-services/Pages/Professional-Standards.aspx>



Complaint totals include both internal complaints — generally arising from performance and initiated by a supervisor — and external complaints made by the public. The majority of the internally generated complaints resulted from traffic crashes involving on-duty officers. External complaints made up slightly less than half of all complaints, as depicted in Figure 3.2<sup>50</sup> on the next page. Of the 63 complaints received by the department in 2015, 30 were citizen complaints<sup>51</sup> against police officers, and of the 51 complaints in 2016, 24 were citizen complaints against police officers.

The majority of the citizen complaints for 2015 and 2016 arose from officers' response to calls for service or traffic stops. Most of these complaints involved allegations of unprofessional behavior, with a few alleging racial bias. Internal complaints covered a range of behaviors, from alleged insubordination to intoxication while working. As depicted in Figure 3.2, of the 2015 complaints, 28 were sustained and 10 resulted in written warning, 16 resulted in verbal counseling and two resulted in temporary suspension. Of the 2016 complaints, 29 were sustained and six resulted in written warning, 15 resulted in verbal counseling, and six resulted in suspension time. While there are no national comparison data given the variance in how agencies receive and investigate complaints, complaints against AAPD officers are low, particularly those made by members of the public.

### Timeliness and Transparency

Complaints against police officers are investigated in accordance with the law, policy and guidelines established by the collective bargaining agreement between the department and the officer's bargaining agent. The majority of complaints originate at the police officer rank; therefore, the agreement with the Ann Arbor Police Officers Association drives most of the internal investigation practices. The application of discipline follows legal standards established by the collective bargaining agreement and federal, state and local law.

**Ann Arbor Police Department**  
[Home](#) » [Departments](#) » [Police Department](#)

**Mission Statement:** To provide protection and service to all.

**Vision Statement:** All Ann Arbor police personnel are partners with the public and city administration to help the community successfully fulfill its desired destiny.

**Quick Links**

- [Human Rights Commission Report on Police Civilian Review](#)
- [Police Chief Response to Human Rights Commission Report on Police Civilian Review](#)
- [Complete the traffic complaint questionnaire](#)
- [File a police report](#)
- [Request a police report](#)
- [Employment opportunities](#)
- [Professional Standards \(Compliments & Complaints\)](#)
- [Truck route map](#)
- [AAPD Service Satisfaction Survey](#)
- [Perception of Community Safety Survey](#)

Figure 3.1 Ann Arbor Website Notice for Police Complaint Intake

<sup>50</sup> AAPD 2017

<sup>51</sup> It is worth noting that reference to “citizen complaints” equates to public complaints, and the AAPD does not require citizenship to file a complaint.



The department has 14 days to notify an officer it has received a complaint against him or her. This requirement may be delayed based upon the nature and type of the investigation. Once the officer is notified, the department has 14 days to complete the investigation. Once the investigation is complete, the investigating supervisor makes a recommendation to the division commander. If the division commander supports sustaining the complaint, he or she then recommends the type of discipline. Findings and recommended discipline are subject to internal review and final decision by the Chief.

The possible forms of discipline include written warning; reassignment, which includes changes in days off, working hours and types of assignment; demotion; suspension; and dismissal. Investigations for 2015 and 2016 were timely and generally closed within 30 days – as required under policy – with few exceptions. 2017 investigations maintained this consistent investigative time to closure, although several were under investigation at the time of review. This is a very good time-to-completion.

Data and analysis of police officer complaints is limited. Internal analysis of complaints is focused on how the complaint was generated, time to completion and complaint findings. There is little public reporting on complaints against police officers, and no public data are available regarding the nature of complaints, their location or their outcome. The data fields available to the PSS include the complaint number, date received, whether it is internal or external, the complainant, the accused officer, a narrative field for the nature of the complaint, the outcome, and, if there was discipline, the type and the closing date. This data is kept on a spread sheet populated within the PSS. The existing data and investigation records were well maintained, and the investigative files were accessible and orderly.

The AAPD does not conduct routine analysis of complaint data for trends or other issues. Developing detailed classification of complaints, including type or specific factors (e.g., verbal abuse, traffic stop, racially motivated) allows for rigorous analysis of the types of behaviors, locations and other factors that result in complaints against police. Using this detail analysis, the AAPD could develop strategies to

**Figure 3.2 AAPD Complaints 2015 – 2016**

	2015	2016
<b>Total Complaints</b>	63	51
<b>Source</b>		
Internal	33	27
External	30	24
<b>Allegation</b>		
Conduct	46	33
Crash	17	16
Other	0	2
<b>Findings</b>		
Sustained	28	29
Inconclusive	1	1
Not Sustained	24	12
Unfounded	9	6
Administrative Closure	1	0
<b>Disposition</b>		
Verbal Counseling	16	15
Written Warning	10	6
Suspension	2	6
Termination / Resignation	0	0
Closed	1	0
Open	0	3



address issues identified including training, public outreach and education, improved supervision and improvement plans.

### **Complaint Dispositions**

Pursuant to existing policy, complaint dispositions are reported as exonerated, not sustained, policy failure, sustained or unfounded. The majority of complaints were not serious in nature, and the AAPD demonstrated a relatively high sustained rate for complaints, which reflects favorably upon the accountability systems within the AAPD. In 2015, 44 percent of the complaints were sustained, and 41 percent were sustained in 2016, with three complaints remaining open as of the time the assessment team received the data. The majority of sustained complaints arose from internal complaints, not surprisingly, given the nature of the internal complaints. The discipline arising out of the sustained complaints was not significant; almost 93 percent of the discipline was verbal counseling or written warning, as depicted in Figure 3.2.

### **Grievance Process**

If an officer does not agree with the discipline determination, then he or she may engage in a series of options to grieve the discipline internally up the chain of command. If a grievance cannot be resolved internally through the Chief, an officer may file a grievance with the City of Ann Arbor's Director of Human Resources. The Chief has no role in this final determination whether an officer receives discipline or what type of discipline. If the grievance cannot be resolved with the Director of Human Resources, then formal binding arbitration is the final stage of determining appropriate discipline. The City Attorney's Office supports the process around this stage of grievance, along with the City's Human Resources department.

## **ENGAGEMENT OF COMPLAINANTS**

### **Accessibility and Timeliness**

Trust begins when members of the community believe the police hear, understand and will address their issues regarding police service. Notwithstanding the open access to filing complaints against AAPD officers, the team heard that many in the community remained uninformed about how to file a complaint with the police. Some individuals stated complaining about the police to the police discouraged some members of disenfranchised communities from coming forward.

The AAPD ensures it contacts complainants in a timely manner, usually within 48 hours of the complaint's filing. A review of the investigation files confirmed that the department sent a letter to all known complainants following the initial complaint. The AAPD waits for further contact from the complainant in order to begin the investigation. If the complainant does not respond, and the information initially provided is insufficient to investigate, the investigation is closed. The team noted examples of solid efforts to make contact with a complainant, as evidenced by the repeated outreach to engage a homeless person who had filed a complaint. The department interviews complainants and apprises them of the investigation at the end, although not of the specific discipline.



## Community Focus

Many in the community that the team spoke with identified that the complaint process, including complaint filing, resolution, outcome reporting and outreach to the public regarding the results of complaints against officers needs improvement. Individuals in the community spoke about not knowing what happened as the result of well-known police actions, including some that were years old. While police officers have rights of privacy, the AAPD, as with many other agencies, struggles to balance an officer's collective bargaining rights and legal protections against public knowledge of conduct as a result of video and social media postings. Sometimes, there is no right of public reporting about outcome, but many in the community believe that the department fails to act or discipline an officer from public complaints. The AAPD data, however, suggest the AAPD does approach complaints seriously and investigates those brought to its attention.

## Knowledge and Ability to Facilitate Intake and Processing of Complaints

Complaints received and investigated by the AAPD are rarely publicly shared. Aggregate reporting of complaint data is a growing transparency practice in many police departments. Such information provides assurance to the community regarding the extent of the complaints against officers and the fact that agencies do take action to address such complaints. While still early in the process, law enforcement agencies are also making raw complaint data available for public analysis and review. In Philadelphia, for example, the department is posting monthly the location, complaint classification, and a brief narrative of the event, the investigation and its findings.<sup>52</sup> This type of data allows for a more robust analysis of the basis and trends in complaints against police officers.

A key role for the proposed CPPC would be to facilitate the identification, training and education of community representatives to accept complaints and provide a liaison role for the community regarding the progress and status of the public complaints received by the AAPD.

## ANALYSIS OF POLICIES AND PROCEDURES

### Fairness and Impartiality Regarding Discipline Issues

The AAPD imbues fairness in its complaint investigation policy for citizens, "... to provide citizens with a fair and effective method for redress of their legitimate complaints about employee conduct..." while "expecting the highest degree of integrity" from AAPD members. The AAPD discipline policy follows standard practices. It addresses the responsibilities, timing of actions and requirements of supervisors, employees and accused officers during the complaint initiation and subsequent investigation. The AAPD's goal in assigning discipline is to improve employee performance. The policy requires analysis of influencing factors when considering a discipline penalty, including the past service record; whether discipline would help improve performance; whether there is an effect, including deterrence, on other employees; whether the punishment is consistent with past practice; and, the effect of precedent in the future. Training is always an option when an officer faces discipline.

---

<sup>52</sup> City of Philadelphia. "Processing of Civilian Complaints Alleging Police Misconduct. Executive Order No. 5-17." (August 2017) Retrieved from: [http://www.phila.gov/ExecutiveOrders/Executive%20Orders/eo6517.pdf?utm\\_source=Philly+Press+List&utm\\_campaign=39e48e44c2-EMAIL\\_CAMPAIGN\\_2017\\_08\\_02&utm\\_medium=email&utm\\_term=0\\_9f6a91fe50-39e48e44c2-85851709](http://www.phila.gov/ExecutiveOrders/Executive%20Orders/eo6517.pdf?utm_source=Philly+Press+List&utm_campaign=39e48e44c2-EMAIL_CAMPAIGN_2017_08_02&utm_medium=email&utm_term=0_9f6a91fe50-39e48e44c2-85851709)



### **Role of Supervisors**

Supervisors have a role in initiating the complaints against officers, which is a critical opportunity in the police-community relationship. Treating a complainant with respect and informing an officer of the complaint in a professional manner provides an opportunity to create a fair and impartial outcome and affect procedural justice. For the most part, supervisors intake or initiate complaints against officers. Command supervision conducts reviews of investigations. However, since complaints are a reflection of performance, supervisors have a role in monitoring and ensuring the professional support of officers. Most supervisors recognized their mentoring and leadership role. Supervisors noted they help direct officers and ensure they provide effective service. Some addressed the issue of negativity towards law enforcement as portrayed in the media and stated that it is affecting morale. These supervisors indicated they communicate to officers that negative media coverage is not a reflection of the officer's work nor the community the department serves.

### **INTERNAL REVIEWS OF DISCIPLINE AND COMMUNITY COMPLAINT PROCESSES**

The PSS unit maintains the records of complaints against officers. The records were orderly and complete, with all documentation available. Investigations appear to be impartial and in accordance with proper investigative standards, with those beginning in 2016 having strong documentation and robust review regarding officers' actions. Department members with more than one complaint in the time frame reviewed were rare; however, the AAPD uses progressive discipline on a limited basis, which results in enhanced penalty for officers who have engaged in prior misconduct. This may be limited by the contractual provision for officers that places constraints on how past discipline can be used in determining current penalties.<sup>53</sup> A small number of internally-generated complaints reflect conflict among some supervisors, which is fairly common in law enforcement organizations. The internal investigations do not reflect whether these issues are addressed beyond the individual conduct through team-building or other such activities, for example, to build cohesive leadership.

The AAPD sustains a high number of cases and limits the use of suspension discipline to engage in other corrective action. This approach appears to be successful given the low number of complaints. Internal review and analysis of complaints is limited, which reflects the relatively low use of data by the AAPD, in general. Basic analysis of whom a complaint involved, when it occurred, the alleged conduct, the outcome and the discipline generated is available via information maintained by the PSS. The team noted that the command staff did not routinely review this information, but it was available as needed. While the community raised issues regarding racial inequity and bias at the community listening sessions and in survey comments, the data indicate that very few complaints from 2015 and 2016 alleged racial bias or profiling.

### **EARLY INTERVENTION SYSTEM AND OTHER TOOLS**

At the time of the assessment, supervisors and officers stated there was no employee within the organization who was in an early intervention program. The practices regarding problem employees were inconsistent. On August 8, 2017, the AAPD enacted a new policy called "Early Warning System,"

---

<sup>53</sup> Agreement Between the City of Ann Arbor and AAPOA. January 1, 2015 – December 31, 2015. Article 6, Section 3.



which requires two annual reviews of data. One is for response to resistance reports to determine whether any officer has a higher reporting rate than warranted. The second review is for personnel complaints to determine whether there is a higher-than-average rate of reporting for an officer and whether a pattern is indicated as a result. The goal of both reviews is to redirect behaviors through identification, supervision and, if necessary, training.

Other than this specific direction for data review, frontline supervisors are responsible for addressing unacceptable behavior that comes to their attention. They are to document actions and responses on the employee's evaluation worksheet. In that this order is new, the assessment team cannot attest whether it is sufficient to redirect officer behavior before it becomes problematic.

The strength of an early intervention system rests with the organizational commitment to hold officers to professional standards and to redirect harmful behaviors when they do not meet those standards. Drafting the order is the first step. An effective early intervention system is not freestanding – and while it can operate as an overall risk management system – it requires proper data collection, analysis and review.<sup>54</sup> What data are collected and how they will be used requires consideration of the organizational goals in implementing an early intervention system. Just as importantly, effective early intervention requires viable options for training, intrusive supervision and performance plans that are measurable and that hold officers accountable.

When reviewing the sample of complaint files, the team identified a few department members who had multiple complaints of misconduct, internally and externally. Because there was no indication of management steps for intervention, the department should consider how it redirects problematic behaviors and helps the involved officers address their behavior and improve their actions. The AAPD policy does not address the process and progress expected within improvement plans; both the department and the community would benefit from an ongoing review of complaints focused on intervention to correct behaviors early on.

The AAPD has a policy that requires officer performance evaluations three times per year for officers assigned to the road patrol and annually for others. A recent change in how supervisors are staffed has supported stronger performance evaluations, but there is room for improvement according to some officers and supervisors. Officers who spoke with the team felt that the evaluations were a “check the box” exercise and did not reflect true performance. Supervisors were conscientious regarding the evaluations, but felt that sufficient time to complete them was not always available. The department uses an evaluation worksheet to document the ongoing interactions and performance issues, good and bad, between formal evaluations. Given that this is the record for establishing whether and when intervention practices are applied, a robust process for ensuring ongoing performance evaluations for all employees is critical. The performance metrics for patrol officers include:

- Professional Image
- Decision-making
- Use of Force
- Report Writing

---

<sup>54</sup> Walker, Samuel, and Carol Archbold. (2014) “The New World of Police Accountability.” Los Angeles, California: SAGE.



- Officer Safety Practices/Use of Safety Equipment
- Preliminary Investigations
- Customer Service
- Interpersonal Behavior
- Self-Initiated Field Activity
- Operation of Department Vehicles

The AAPD is progressive in that its use of force performance evaluation analyzes whether the officer has the ability to effectively de-escalate situations, which contributes to the determination of an exceptional performance rating. The department does not evaluate officers on community engagement, problem-solving or other community event activity.

## **INTERNAL PERSPECTIVES ON INTERNAL AFFAIRS**

### **Supervisory Viewpoints**

Internal investigations are mostly conducted by the PSS, given the relatively low number of complaints. As a result, field supervisors have a minimal role and visibility regarding internal investigations. The use of PSS provides consistency in complaint investigations and standards, but it does not foster supervisory support or responsibility for both accountability and internal investigation practices.

### **Procedural Justice**

Most AAPD officers believe they exhibit effective standards of performance. Officers identified they are held to account for appropriate treatment of civilians, and that they would be disciplined if they mistreated a member of the public. As a result, they feel the discipline system makes the AAPD more accountable to the public. Most officers who responded to the survey felt that many complaints against officers were frivolous. Interviews with officers echoed the belief that some complaints were made when the officers did nothing wrong. Officers felt these types of complaints tarnished their performance – even if the alleged misconduct was unfounded. Most officers supported informing complainants of the outcomes of their complaints, recognizing the value in providing outcome information to those affected.

Officers raised issues regarding supervisor consistency and communication. Many found internal communication to be poor, as they felt they had little understanding of what was occurring in the organization, and they did not receive updates on key issues in the organization or community. However, they felt equipped and informed regarding the job they were expected to perform. Many expressed a desire to engage more frequently with the command staff and identified that supervisory support was helpful, even during routine work.

Because the AAPD is a relatively small organization, the officers designated as union officials work the shifts with officers. In meeting with the union representatives for the officers, the team found them to be thoughtful and willing to engage with the communities in Ann Arbor. They felt that the processes for holding officers to account were robust and that the system was generally fair and operated to the standard established.



## Recommendations

3.1	<p>The AAPD might consider reviewing what aggregate complaint and disciplinary data it can share legally with the community to build community trust.</p> <ul style="list-style-type: none"><li>• Following the practice of other law enforcement agencies, the department could provide aggregate data and information regarding complaints including date, nature of the complaint and the investigative outcome, without identifying either the complainant or the officer.</li><li>• The department should consider annual statistical reporting on the number of complaints, their type and outcome – including discipline – to assure the community of the integrity practices of the agency.</li><li>• The AAPD and the CPPC could develop an annual reporting mechanism for the aggregate data as part of the AAPD’s transparency efforts with the community.</li></ul>
3.2	<p>Supervisors need to rotate, quarterly or bi-annually, as the “field supervisor” for complaint investigations for low-level complaints. This develops an understanding and awareness of complaints from the organizational perspective, provides leadership development and allows for shared resource utilization.</p> <ul style="list-style-type: none"><li>• Training for complaint investigations should include the use of independent factors to determine the truth and validity of statements by both the public and officers.</li></ul>
3.3	<p>The department needs to inform the CPPC of the intake, progress, completion and outcome of complaints on a quarterly basis, including the nature of the complaints received, any trends identified and the training and management actions in response.</p> <ul style="list-style-type: none"><li>• It is important to maintain legal protections on privacy while providing all information legally possible.</li><li>• It is also key to incorporate the review of the outcomes in civilian complaints as part of the ongoing review and analysis of the AAPD process’ professionalism.</li></ul>
3.4	<p>The AAPD should consider including appropriate training and supervisory guidance for the early intervention system. The policy implemented in August 2017 provides the foundation for training and guidance that will support identification of necessary data, structured interventions to improve behaviors. The training should be ongoing and focus on improving the coaching and mentoring skills.</p>
3.5	<p>As part of the annual training needs analysis, the AAPD needs to examine those topics that create challenges for police community relationships and reflect performance issues, as identified through annual reviews of complaint data. These training needs should be addressed through ART and roll call training, and the effect on future complaints measured and evaluated.</p> <ul style="list-style-type: none"><li>• This includes continuing ART to address the high-risk areas for police response, such as working with persons with mental health issues.</li></ul>



3.6

The AAPD would do well to review its data needs and identify better mechanisms for capturing data related to response and complaints that will inform management review and decision regarding officer performance and citizen complaints.

- The data points should support critical analysis, such as classification of complaints with subcategories regarding specific factors – as occurs with crime analysis - with the input of the City of Ann Arbor IT Department.
- Also important is analysis of the complaint data in a manner that helps to identify trends and issues and result in training and supervisory strategies to reduce complaints.
- The department also needs to track the type of complaints and the resulting findings, discipline recommended and discipline imposed to improve understanding and consistency in the application of discipline.

3.7

The AAPD, as part of a joint labor and City review, could consider alternative discipline options that may serve to further build police community.

- The City and the partners to the collective bargaining agreements that govern all discipline recommendations within this report and those that may develop in the future need to establish parameters for review and outcome goals.
- Mediation is a helpful option to traditional discipline, particularly when dealing with community-based complaints on courtesy. Mediation allows for a shared discussion and resolution of the complaint in way that serves to explain and inform. Many communities have supported mediation with their police officers. (See *Mediating Citizen Complaints Against Police Officers*.<sup>55</sup>)
- The AAPD could also explore opportunities to develop an approach to discipline that provides positive outcomes, such as meaningful community interaction in lieu of formal discipline and suspension that is appropriate given the manner and type of misconduct. For example, participation in library, after-school programs or community events can serve as a positive outcome rather than suspension time. Abeyance and mitigation of formal discipline findings and records are also measures that can develop a program directed on encouraging positive behaviors in police officers.

<sup>55</sup> Office of Community Oriented Policing Services. A Guide for Police and Community Leaders. Retrieved from: [http://www.theiacp.org/LinkClick.aspx?fileticket=CkR\\_h4O5qqU%3D&portalid=0](http://www.theiacp.org/LinkClick.aspx?fileticket=CkR_h4O5qqU%3D&portalid=0).



3.8

The AAPD could consider establishing processes and training to ensure that the internal discipline process comports with the standards and requirements for successful outcomes in the event of a grievance or other legal process.

- This means partnering with the City's HR department to develop training for all AAPD supervisors for internal investigations and discipline, as well as the specific "lessons learned" arising from past cases heard by HR or brought to arbitration.
- It also means having the APPD and HR department explore protocols for the role of the City's HR department in advising on internal investigations and discipline to facilitate better understanding and connectivity with City and legal standards regarding employment actions.

3.9

The City could also explore whether the Charter authority of the City Administrator to resolve conflicts of authority between administrative units should be applied to the grievance process. The Chief of Police is tasked with responsibility for the department, including discipline. Pursuant to the collective bargaining agreement, when a grievance over internal discipline cannot be resolved, the Director of HR has final decision. Both the Director of HR and the Chief of Police are administrative units under the authority of the City Manager. The authority and harmony of administrative units, the efficient direction of the AAPD officers and the fairness of the discipline process should be important considerations in this recommended review.



## 04 CALEA Implementation and Policy Review

Accreditation, a management strategy focused on improving police operations through the standardization of policies and practices, continues to be a growing trend in law enforcement.<sup>56</sup> It is seen as a way in which agencies can be held to a standard of performance that is both measurable and transparent. The AAPD is currently engaged in a law enforcement accreditation program with the Commission on Accreditation for Law Enforcement Agencies (CALEA). This is a completely voluntary undertaking with the goal of achieving accreditation by the end of 2017. A range of professional law enforcement associations support accreditation – specifically CALEA – and accreditation is often viewed as a means to improve overall management, reduce risk and provide evidence of an agency's commitment to building community trust.<sup>57</sup> CALEA identifies its role as helping to enhance the professionalism of law enforcement agencies.

### SCOPE OF REVIEW

Our assessment team engaged in a multi-pronged review of the AAPD's progress on the CALEA accreditation. The team conducted a technical analysis of the overall CALEA status, interviewed command and rank-and-file officers regarding the role of CALEA and its impact on the AAPD, and observed and reviewed processes attached to CALEA standards and certification.

The primary scope of review was to determine whether the department's progress was sufficient to achieve the scheduled certification goal. However, more importantly, the assessment team also evaluated the institutional support and integration of the CALEA goals of enhancing professionalism within law enforcement. This process included interviews, observations and a review of activity directed towards the specific CALEA process, as well as CALEA's larger goal of improved police professionalism.

### ANALYSIS OF CALEA PLAN AND PROGRESS TO DATE

CALEA offers two types of accreditation: CALEA Law Enforcement Accreditation and CALEA Advanced Law Enforcement Accreditation.<sup>58</sup> The AAPD is seeking the first level. Following the on-site assessment, the Commission will decide whether to grant accreditation to the AAPD. There is no set timeline for the decision. Based on the standards for this first CALEA review, the AAPD's progress appears to be sufficient.

#### CALEA On-Site Review

A team of CALEA-trained assessors will conduct the CALEA on-site review of agency operations

---

<sup>56</sup> Gingerich, Terry E. and Russell, Gregory D. "Accreditation and Community Policing: Are the Neutral, Hostile, or Synergistic? An Empirical Test among Street Cops and Management Cops." *Justice Policy Journal*. Volume 3 No.2 Fall 2006. Retrieved from: [http://www.cjcr.org/uploads/cjcr/documents/accreditation\\_and.pdf](http://www.cjcr.org/uploads/cjcr/documents/accreditation_and.pdf)

<sup>57</sup> CALEA. Retrieved from: <http://www.calea.org/content/law-enforcement-accreditation-program>

<sup>58</sup> *Ibid.*



and report its findings to the Commission for final determination of accreditation status. A range of standards, totaling 484, are measured and vary based on organizational size and specific law enforcement function. Successful completion of a CALEA standard requires (1) a policy that complies with the standards and (2) proof the policy is implemented and operational. The AAPD has developed many of the policies that meet specific CALEA standards.

The AAPD has implemented a staffing plan to demonstrate they are ready for CALEA certification. The Chief established a leadership position within the CALEA Unit, assigning a lieutenant as the Accreditation Manager, to provide a command focus on achieving CALEA certification. This is an important first step in developing an organizational approach to CALEA. Once certification is achieved, the accreditation manager position, sworn or civilian, should remain as consistent as possible to bring continuity and further knowledge to the entire process. Although some succession is normal, this is not a position that can be easily transferred from one person to another. The most successful CALEA agencies have accreditation managers with years of experience, enabling them to fully understand the intricacies of CALEA and accreditation.

The Accreditation Manager uses a color barcode report to track the AAPD's accreditation progress, as shown on the following page in Figure 4.1.<sup>59</sup> The purple indicates those orders in progress for review, and updated in order to comply with CALEA requirements. Although this gives a quick snapshot of status, it does not provide significant detail or the actual tasks required to achieve a completed file ready for accreditation review.

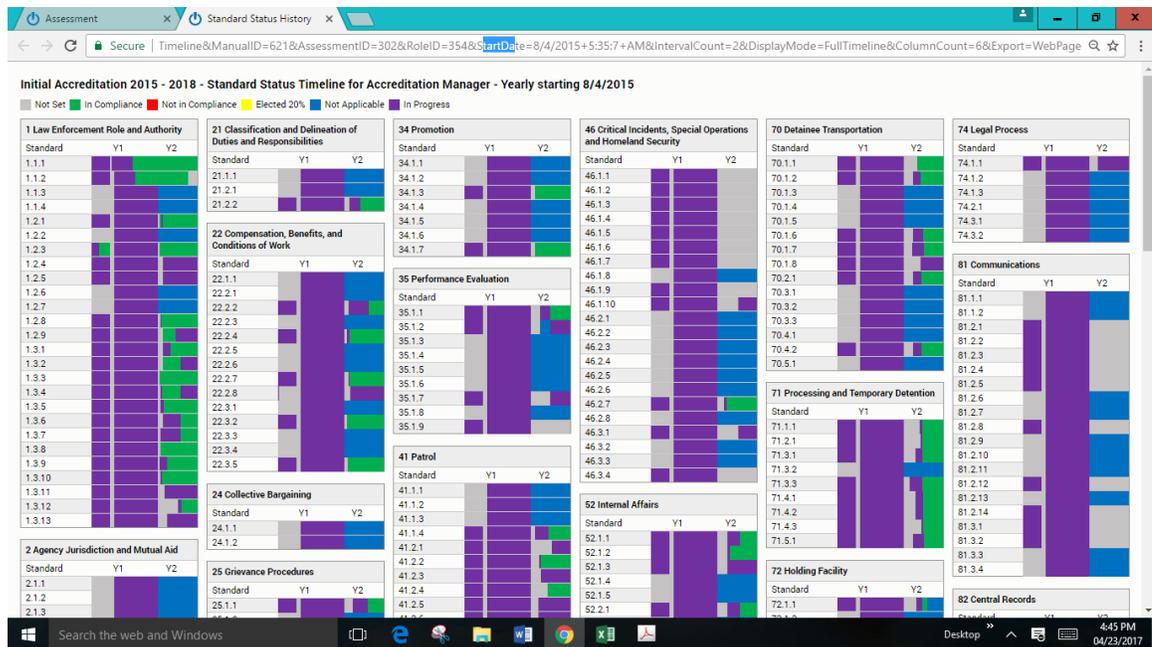


Figure 4.1 CALEA Accreditation Status April 2017

<sup>59</sup> AAPD 2017



The department has completed a number of the policies necessary for accreditation, including those revised to meet specific CALEA standards. As of April 2017, approximately 40 to 65 policies were in the approval process, some of which are required, high-liability policies critical to CALEA compliance. These policies needed to be finalized as soon as possible for inclusion in the assessment files. Based upon the progress to date, the AAPD should be able to meet the first level of accreditation.

CALEA establishes standards across the organization. The completion of high-liability policies in accordance with CALEA standards is critical to achieving accreditation. The AAPD continues to work on these policies ahead of the on-site review. Some aspects of the policies require refinement and review including those involving use of force, pursuits, handling people in need of mental health treatment and bias in policing. Some of the policies had not been updated for years, and others do not reflect current practices.

### **ORGANIZATIONAL UNDERSTANDING AND APPROACH**

CALEA is an internal facing process that has direct effects on police and community relationships given the policy standards that drive police performance. CALEA standards help to strengthen key areas, including:

- Establishing fair and nondiscriminatory personnel practices
- Improving the delivery of service
- Solidifying interagency cooperation and coordination
- Strengthening citizen and staff confidence in the agency<sup>60</sup>

The AAPD process for CALEA accreditation is under the control of the Accreditation Manager, a lieutenant, which provides a high level of command for the process. The policies requiring updates for successful accreditation are sent to staff, beginning with sergeants and moving through the chain of command. The process is managed and tracked via software.

When this assessment began, the lieutenant was new to the position based upon recent internal reorganization within the AAPD. What this meant was an inexperienced project lead was placed in the position within very close proximity to the on-site review by the CALEA accreditation team. The lieutenant had minimal administrative support to support the work necessary to ensure that the policies were ready, in part due to staffing reductions based upon an unexpected leave. Leadership was not heavily engaged in the review process. Some of the policies and documents had been under review for over a year at the time of the initial site visit. While the organization committed to placing a command member as the Accreditation Manager, a good start to identifying the importance of achieve accreditation, the integration of CALEA principles with operations and committed leadership remain under development.

---

<sup>60</sup> CALEA. Retrieved from: <http://www.calea.org/content/law-enforcement-accreditation-program>



## ORGANIZATIONAL SUPPORT FOR CALEA ACCREDITATION

The organizational approach to CALEA raises concerns regarding whether the leadership support reflects an organizational commitment to ensuring readiness and maintaining the goals of professional accreditation. During interviews, the team observed that the AAPD as a whole does not see significant value arising from CALEA accreditation. Most officers, including supervisors, identify that they already adhere to CALEA standards, and as a result do not see significant benefit deriving from accreditation. Some command members indicated that there is value to accreditation from a public-facing perspective but also emphasized that they operate to CALEA standards without the accreditation.

When questioned, officers could not identify how they would ensure ongoing compliance with the policies or standards established by CALEA. Many referred to the reputation of the agency and their pride in their commitment to policing in Ann Arbor as proof of the adherence to standards. The commitment to CALEA has value only if it is integrated into the operational philosophy of the organization. At this time, the AAPD has not proven this commitment, as it appears to approach CALEA as an exercise rather than an overall philosophy. Some of the policies currently under revision had not been updated in several years, so initially the benefit of CALEA will be felt through improved policies. Given the investment required for CALEA accreditation, the AAPD would benefit most by integrating the concepts and standards of CALEA as part of its overall operational approach to policing and serving the community with integrity.

## COMMUNITY ENGAGEMENT

Policies guide the actions of police officers and, therefore, have direct impact upon the communities. Not all policies are as important to the community, but those that have direct impact, including use of force, response to persons with mental health issues and policies for engaging with LGBTQ, are of concern in many in Ann Arbor's communities. Arising out of the CALEA process, AAPD needs to work with the recommended CPPC on maintaining transparency regarding the annual internal review and update of key policies in accordance with CALEA standards. The CPPC share with the AAPD the potential impact to the community regarding proposed policy changes. As part of its annual report, the CPPC should identify the AAPD's annual updates to key policies, including use of force, citizen stops and pursuits.

### Recommendations

#### 4.1

The CALEA concepts of adherence to standards, integrity and continuous review need to be institutionalized within the AAPD as part of the organizational vision and approach to the CALEA adoption and review process.

- It is important to ensure that accreditation managers are fully trained and empowered to achieve the outcome goals. Options include a civilian placement and whether such a position requires full-time effort once accreditation is awarded.
- Institutionalization of key concepts of integrity and professionalism would increase understanding through visible leadership and ongoing dialogue regarding the value of CALEA accreditation and its place within the organizational vision.



4.2

The AAPD would do well to adopt transparent, visible internal processes for updating and reviewing policies in support of CALEA standards.

- To minimize the number of files and the complexity of reporting, the department could consider using CALEA's Appendix G for all standards with three or more measurements.
- This should include developing a shared, accessible tracking system for all key internal stakeholders to provide a clear picture of the compliance tasks for every step of the process.
- It also needs to include (1) reviewing complaint outcomes identified as policy failures with a focus on improving policies and educating officers on the policies and (2) sharing the policies of the AAPD with the public, as these are the standards of officer performance (See Michigan State Police website.<sup>61</sup>

4.3

The AAPD needs to review high-risk policies and those that resonate with the community annually. These policies generally include use of force; handling persons in need of mental health support; pursuits; and, other issues as identified by the department and its communities. This would help to ensure good police protocols and standards, identify training needs, minimize risk issues and deliver transparency around key policies that impact the communities of Ann Arbor.

- One key tactic would be using the annual review and reporting of all use of force and pursuit reports to determine adherence to reporting standards and whether training considerations are evident.
- Another would be conducting an annual review of policies to guide best practices. For example, the definition of bias policy should include ethnic background, gender, sexual orientation, religion, economic status, age, cultural group or any other identifiable groups, or a determination is needed on whether the department should integrate all use of force policies and standards into one document.

<sup>61</sup> Michigan State Police. See, generally: [http://www.michigan.gov/msp/..](http://www.michigan.gov/msp/)



## 05 Personnel Management Practices

### BACKGROUND

The foundation of policing excellence begins with recruiting and hiring the right people to fulfill the mission, goals and values of the law enforcement organization, and the AAPD is well respected by its peers. The assessment team learned that the criminal justice stakeholders who worked with the AAPD found the department to perform to a professional standard. The core function of a law enforcement agency is service, and service begins and ends with the officers who respond to, investigate and address crime and disorder within the community. After recruiting and hiring officers, training, retention and accountability build upon that foundation, ensuring the development of a quality police service, capable of responding effectively, efficiently and professionally.

### SCOPE OF REVIEW

The scope of review involved examining AAPD practices and engaging with stakeholders, community members and AAPD members to identify patterns and issues. The purpose of this is to compile flexible and innovative recommendations that reflect the needs and interests of all stakeholders. The assessors relied upon four modes of inquiry: (1) document review; (2) interviews, meetings and group sessions with AAPD personnel and community stakeholders; (3) direct observation, including ride-alongs with patrol personnel; and (4) data analysis.

### DIVERSITY ACROSS UNITS AND RANKS

The symbolic power of police presence in a community underscores the importance of diversity. When members of the public believe their law enforcement organizations represent, understand and respond to them, and when communities perceive authorities as fair, legitimate and accountable, these beliefs enhance trust in law enforcement, instill public confidence in government, and support the integrity of democracy.<sup>62</sup> For the many community members who do not interact with the police, their perception can be driven by cultural perspectives or the perspectives of people they know.

### KEY INSIGHT

“Law enforcement agencies fulfill a fundamental role in our society, and in many communities, individual police officers are often the public face of local government. It therefore is critical that our nation’s law enforcement agencies broadly reflect the diversity of the communities they serve.”

*The U.S. Department of Justice - Equal Employment Opportunity Commission Report, October 2016*

<sup>62</sup> U.S. Department of Justice Equal Employment Opportunity Commission. (October 2016) Retrieved from: <https://www.eeoc.gov/eeoc/interagency/upload/police-diversity.pdf>



Nationally, the issue of race in the context of the criminal justice system drives major political and social justice discussions. Understandably, these conversations directly affect local police-community engagement. The ability to interact with officers – often the first point of government contact for an individual – who have a shared culture, language or empathetic understanding of a community, can enhance police-community relationships. The more engaged a police department is with its local communities, the stronger the relationship and understanding of police practices, policies and protocols.

Effective community policing requires responsiveness to the entire population of the City of Ann Arbor – those who live, work or play within the confines of its borders. Although the residential population of Ann Arbor is not significantly diverse, its diversity expands when including the “footfall” community within Ann Arbor: the 43,000 students of the University of Michigan as well as those who commute daily into the City for work. Additionally, hundreds of thousands of visitors visit the City annually for athletic events, business or entertainment. Collectively, they comprise Ann Arbor’s “service population.” The interactions that the service population have with the AAPD contribute to the broad public perception of the AAPD across the region and within the City.

#### **Ann Arbor Police Staffing and Diversity across Units and Ranks**

Consistent with the residential population of Ann Arbor, the AAPD is not very diverse. The department employed 122 officers as of December 31, 2016, as depicted in Figure 5.1. Of the 122 officers, only 21 (17.2 percent) claimed an ethnic or racial category other than White. Of these 21 officers, two are sergeants and two are detectives. There are 28 (22.9 percent) female officers, with one female officer claiming an ethnicity other than White. Women are better represented in the supervisory ranks than racial and ethnic minorities, with five female sergeants and two female lieutenants. Five women are detectives.

Due to Ann Arbor’s budgetary constraints, AAPD hiring was significantly slowed for a number of years, and attrition decreases overall numbers. As a result, 41 officers (33.6 percent) have fewer than six years of seniority with the AAPD, while 83 officers (68 percent) have more than 15 years with AAPD. Notably, more diversity occurs among the senior ranks of the AAPD than among the new hires within the last six years. As of December 31, 2016, five officers with seniority of 15 years or less were identified as belonging to a diverse racial or ethnic background. Six female officers have seniority of 15 years or less. This compares to 14 officers identified as having diverse racial or ethnic backgrounds and 24 female officers who have more than 15 years with the AAPD.



Figure 5.1 Diversity by Race and Gender in the AAPD 2016<sup>63</sup>

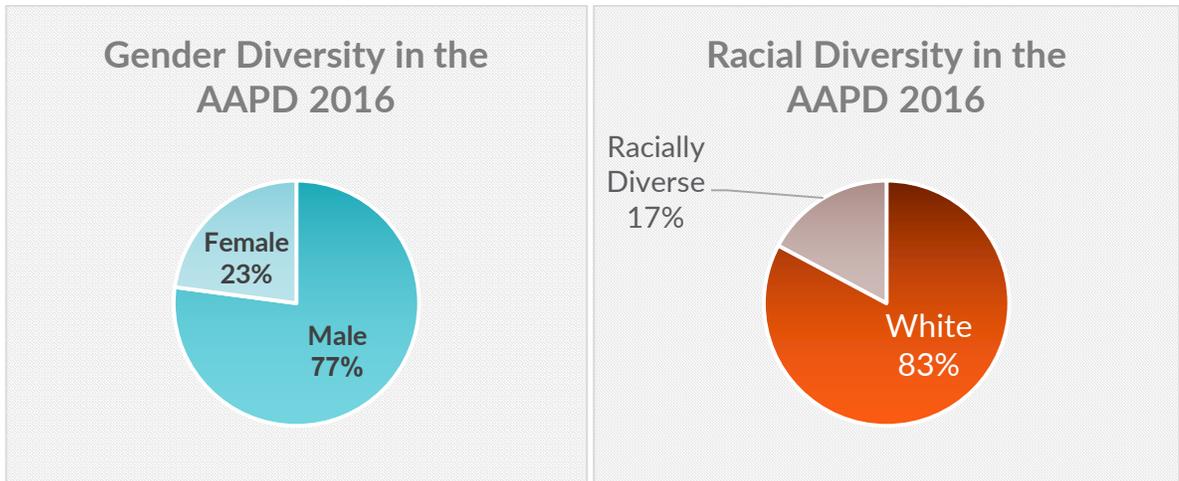


Figure 5.2 Race and Gender Comparisons Based Upon Years of Service



To put this into perspective, as noted above in Figure 5.2, of the 48 officers hired and retained within the last 15 years, five (10 percent) claim a diverse racial or ethnic background and six (12.5 percent) are female. However, for those having more than 15 years of seniority (76 officers), 14 (18.4 percent) claim a diverse racial or ethnic background and 22 (28.9 percent) are female. The new hires have less diversity as compared to the existing senior officers.

Reduced hiring between 2003 and 2011 resulted in minimal resource expenditure on recruiting applicants. During the 2014 to 2016 period, the AAPD hired 25 officers. None were African-American

<sup>63</sup> AAPD 2017



and four were female. The recent past is not encouraging from a diversity perspective. There are reasons for the department's challenge regarding diversity, including the fact that the recruiting pool at the academies was 97 percent White males. Some community members and officers expressed their belief that the AAPD is not committed to diversity. Recruiting efforts are focused on engaging more diverse candidates, but these efforts are recent and have yet to gain traction. For example, during the assessment, AAPD was reviewing the value of providing sponsorship to candidates to attend the police academy in order to expand the qualified applicant pool. Funding and scope were issues under review to best support of a robust program for sponsorship of recruits by the AAPD. As this report is being published, the AAPD has made its first offer of sponsorship to attend the police training academy to candidates.

### **Recruiting Process**

The AAPD and City's HR department work jointly on recruitment and hiring, serving as a shining example of intra-departmental cooperation. Internally, the HR recruiting supervisor and the AAPD training supervisor drive the department's recruiting practices.

The Recruiting Team has self-assessed its recruitment practices and found some areas in need of improvement. As a result, the AAPD has developed a more engaged recruiting approach in recent years. Ahead of, and often during, open position applications, the Recruiting Team works with local colleges to identify other potential resources.

The most recent recruitment efforts included substantial outreach efforts as well as physical visits to law enforcement academies and four criminal justice department's career fairs. Additionally, the Recruiting Team visited four career fairs at three universities and one community college. The recruitment practices are focused on the academies and the team generally engages with the programs once the hiring process begins.

One challenge facing the AAPD in expanding diversity is the State of Michigan's licensing requirements for police officers. Successful completion of the Michigan Commissions On Law Enforcement Standards (MCOLES) mandatory basic training curriculum is a requirement. This involves completing an approved college pre-service program or a basic training academy.<sup>64</sup> The AAPD, like many Michigan law enforcement departments, requires this certification prior to hiring, rather than paying for the training after hiring. The Recruitment Team has found that many agencies sponsor academy attendees from diverse racial and ethnic backgrounds, allowing them to develop a diversity track for qualified candidates. As a result, focusing recruitment efforts on the police academies and schools does not help expand diversity within the AAPD.

The department has a webpage that features basic police information. However, the AAPD does not engage in active recruitment on social media or on its webpage. For example, no information is posted regarding open applications for positions or anticipated recruitment activities. The department also does not engage with prior applicants who were not selected, in part, because it has been the

---

<sup>64</sup> Michigan Commission on Law Enforcement Standards. Retrieved from: <http://www.michigan.gov/mcoles/0,4607,7-229-41624-150169--,00.html>



Recruitment Team's experience that these candidates find jobs before the next round, or did not meet the AAPD's hiring standards.

### Lateral Entry

Lateral entry occurs when a qualified police officer enters into a department as already trained and experienced in police services. From a timing and economic perspective, this is perhaps the fastest track available to hiring police candidates, as there is no need to await a full range of initial testing. Additionally, the experience of police officers already working and licensed is not easy to develop in new officers.

The AAPD allows lateral entry into the department, but it does not specifically market the practice. The Recruitment Team identified that the AAPD is a "destination job" and that officers from other agencies willingly leave their departments for the opportunity to join the AAPD. In the employee survey, 66 responding officers confirmed they had worked with another agency before working for AAPD.<sup>65</sup> The job postings and hiring process do not specifically identify any distinctions for lateral officers. Although not established in hiring rules, two years of active duty is the minimum amount of experience required for the lateral entry candidate. Active recruitment for lateral entry officers is not as established as that for new officers.

### Hiring Standards, Practices, Procedures and Protocols

The AAPD hires in batches, which is an efficient use of recruiting and hiring resources. The hiring process for is fairly linear:

- 1 Opening for positions is approved, budgeted and announced.

Position openings are posted on the Ann Arbor website for 30 days.

Position applications close and the internal review starts.

Once a position opens up, it is posted on the Ann Arbor website and on relevant internet employment boards. As this report is being drafted, there is a police officer employment application, which opened on July 18, 2017 and closes August 16, 2017.<sup>66</sup> The timing for position applications often aligns with the academy training periods.

### Hiring Standards

Each agency can set its own hiring standards, as long as it includes the baseline state requirements. The AAPD hiring standards include both state and local requirements. The state requirements are the minimum, with each agency able to add the specific requirement of their agency.

### Process

The City's selection process for hiring entry-level police officers takes approximately six months. The technical steps are as follows:

---

<sup>65</sup> Survey of Ann Arbor Police Department. August 2017.

<sup>66</sup> City of Ann Arbor. Police Officer (Entry Level). Retrieved from: <https://a2gov.applicantpro.com/jobs/607962-72084.html>



- Post and conduct outreach to local law enforcement academies.
- Review applications to determine who is not minimally qualified.
- Invite remaining applicants for personal assessment testing (ErgoMetrics).
- Identify best-scoring candidates for a telephone interview conducted by conference call with a team of HR staff and AAPD personnel. Candidates complete a police officer interview form ahead of this interview.
- Communicate with those who are not invited onto the next step and inviting those who are successful to the oral panel interview.
- Conduct oral panel interviews and identify candidates who will be offered employment.
- Conduct pre-employment background investigations, psychological evaluations, drug testing and physical, and notify successful candidates of employment start date.

The Recruitment Team believes this process allows it to select the best candidates. Before the telephone interview, the candidate completes a police officer Interview form, which informs the telephone interview. The telephone interview replicates many of the aspects of the police officer interview form. The Oral Board, which occurs after a candidate successfully pass the telephone interview, assesses education and experience, criminal law knowledge, community involvement and awareness, integrity and ethics, candidate background, agency commitment, and overall presentation.

Defining what makes the "best" candidate is the first step in recruiting for an agency. The culture of the organization, and therefore the type of officers hired, are initially defined through the recruiting process. The AAPD hiring process is heavily weighted in favor of the technical aspect of policing. Recruitment occurs at academies, and test and interview questions focus on how candidates would investigate and report a specific type of crime or how they would react to and report an act of officer misconduct they witnessed. For example, one of the Oral Board questions ask what a candidate would do if he or she observed an officer engaged in misconduct or the appropriate steps in responding to an active shooting scenario. While these types of questions and approach may be effective at identifying candidates with technical proficiency, the process may not attract the best candidates.

The AAPD has already determined that recruiting to the academies does not bring in diverse candidates. The team observed and heard that the priority is not diversity, but filling the vacancy. Therefore, recruiting to 10 academies, while impressive, means that recruitment activities are directed towards White males. The Recruiting Team has discussed the value of sponsorship for candidates, meaning the department would hire and pay for people to go through the academy. However, this has not gained traction. Such a program would allow the AAPD to expand its recruitment focus beyond the academies, with the goal of attracting well rounded, diverse candidates. A strategic approach to such a program is required, as the determination of where and how candidates would be identified, as well as how to best ensure the likelihood of success, is critical to developing a diverse workforce.

### **Promotional Policies, Procedures and Practices**

The AAPD follows a traditional promotion process. The Chief establishes when there will be a posting for a new promotional process. Positions covered by this process range from police officer to sergeant



and sergeant to lieutenant. By collective bargaining agreement, after the testing process is completed and the results are “posted,” the eligibility list remains valid for one year.

The promotional testing process is owned internally by the AAPD, meaning there is a minimal role for City’s HR department. The AAPD, in conjunction with its testing vendor, determines the specifics of the promotional process, including establishing the type of testing and its weighted value (for example, written, oral, or assessment based). Internal experts – generally a team of AAPD lieutenants – help develop the content for the exam and the vendor finalizes the questions and testing procedures. Community representatives are not engaged in the promotion testing or decision process.

The eligibility for promotion is in rank order based upon scores obtained on the test. The Chief of Police has the discretion to pick any of the top three ranked candidates for promotion. This process allows the Chief the ability to select the candidate who is the best fit for the organization and City’s needs.

### **Mentoring and Promotional Assistance**

The AAPD provides officer opportunities for engagement and advancement. Assignments to positions viewed as specialized are offered to develop talent and increase job satisfaction. Job assignment rotations, such as one-year details to the Detective Bureau and three-year details to the Traffic Enforcement, are meant to expand the skill level and experience of officers. On a practical level, it assists the units with their workload and provides the selected officer with a meaningful experience. This enhances the officer’s knowledge when he or she returns to patrol duty.

A strategic vision for job assignment rotations does not exist at the department. Rather, officers are able to self-select based upon their own interests. Rotations are not required for promotion.

### **Need for Succession Planning**

The AAPD has experienced significant budgetary constraints in the past that continue to affect staffing and hiring. This impact on the department is reflected by the fact that over two-thirds of the department (almost 67 percent) has more than 15 years on the job, with 47 percent of the department currently eligible for near-term retirement. Fifty-four officers (44 percent) will have been 20 years with the department by the end of 2017. Of the remaining officers, 41 (33 percent) have six years or fewer with the AAPD. This means that, over the next five years, the department faces challenges in management, succession planning and staff development.

Members of the AAPD view the department as learning-focused. Other than attending leadership training, there is little focus internally on individual and organizational development for command and

#### **KEY INSIGHT**

“Simply hiring people who look and act differently isn’t enough...(t)he organization has to make them feel welcome, comfortable and valued so they stay.”

*Robert Lavigna,  
Institute for Public Sector  
Employee Engagement*



leadership. The current banding of AAPD staff regarding seniority highlights the need for succession planning to help prepare the department for the high attrition anticipated, given seniority levels. As the AAPD continues to expand its hiring of personnel, it must prioritize planning on sustaining and acquiring members with the skills and qualifications most critical to the AAPD's mission. Providing a learning foundation for existing staff to become future leaders will support the department in achieving success.

#### Internal Perspective Regarding Hiring, Mentoring and Promotions

Most officers would be willing to recommend the AAPD to others seeking employment and demonstrated pride in their organization and in the quality of their peers. Hiring has been essentially the same process for all of the AAPD officers, and many support the process under which they were hired. Recently, changes to the field training process allowed for an extension of training time rather than termination, if needed. Some department members do not support this change, while others believe it will help attractive candidates who need additional support succeed. The Chief's goal is to ensure that recruit training is focused on helping recruits succeed.

Formal mentoring programs do not exist within the AAPD. Officers said they were able to move to other assignments within the department in support of their career goals. There is no specific strategy regarding which experience and positions support advancement in the organization. Like most law enforcement agencies, the AAPD includes members concerned about favoritism with respect to promotions and transfers within the organization. Ranking the applicant's standing for promotions creates transparency on promotions, but the AAPD is relatively small, and the existence of peer groups within the department lends itself to perceptions of favoritism. Most officers found that the department was effective in training that helped them meet their job requirements.

#### Survey of Ann Arbor Officers

In addition to interviews, observations and ride-alongs, 67 AAPD sworn members (58 percent of the sworn staff) participated in a survey. While the survey was not designed to result in statistically valid results, it has proven useful as an effective of engaging officers. Most respondents have over 17 years of service and work in patrol. Most have worked for another law enforcement agency before joining the AAPD. The majority of officers remain committed to working with the department and find it to

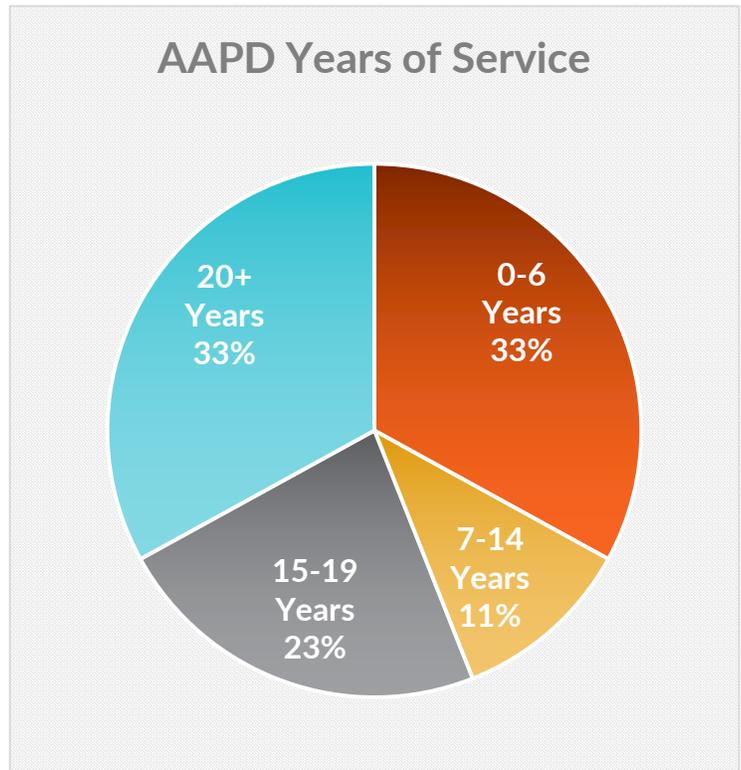


Figure 5.3 Ann Arbor Police Department by Years of Service



be an outstanding work environment. Officers feel that the department could be more proactive in preventing crime. They view community relations as generally good and believe that the AAPD provided quality service to the community. The ability to help the community is one of the top three reasons AAPD officers listed regarding why they work in Ann Arbor.

At the same time, most responding officers see room for improvement in the AAPD's ability to work with the community to reduce crime and feel that relationships with the community have not improved in recent years. Officers rate the level of community engagement low, particularly as it relates to ongoing communication with the community. However, officers feel that the department is very open to community input and problem-solving. Officers participating in the survey believe they had the trust and support of the community. The majority indicate that their supervisors monitor their community engagement and contacts but feel that such activity does not count when it comes to performance evaluations or promotional decisions.

Survey results indicate that officers consider the AAPD's expectations of their performance to be clear and that if their conduct is inappropriate towards the community, discipline will be the likely outcome. Most indicate that they treat members of racial and ethnic groups fairly either always or most of the time. Officers credit the department with properly preparing them to de-escalate and work through appropriate use of force decisions. Notably, approximately one-third of the officers are hesitant to use physical force due to the possible impact on their career. However, most only feel somewhat prepared to meet community expectations regarding police service. While most view the diversity of the department as acceptable, one stated that it is at an all-time low, indicating a lack of priority. As it relates to citizen complaints, most feel it is the responsibility of the department to investigate complaints and that they are investigated fairly and professionally. The majority of officers support reporting complaint outcomes to complainants.

Leadership and supervision within the organization is an area of concern for officer respondents. This is not surprising given the turnover in command and the vacancy in the Deputy Chief position. Some officers believe there are different performance standards for line officers and supervisors that affect overall organizational performance. Some believe they need stronger advocacy internally with command, and externally with the Council and with the community in managing expectations.

### **COMMUNITY PERSPECTIVE**

The community of Ann Arbor is not actively engaged with the AAPD in police officer recruiting. Recruiting occurs primarily at the training academies, which are not located in Ann Arbor. Most AAPD officers do not live in Ann Arbor, mostly due to the cost of living in Ann Arbor, and the fact that officers cannot be legally required to reside in the City.

Further, the assessment team was repeatedly told that law enforcement careers are not seen as attractive within many communities in Ann Arbor, with reasons ranging from cultural perceptions to distrust of law enforcement. The lack of visibility of law enforcement officers in the community, coupled with the fact that Ann Arbor is one of the wealthiest and most educated communities in the area, further reduces the focus on engaging the community in recruiting police officers to the department.



Notwithstanding the overall economic prosperity of the residents of Ann Arbor, the service population for the AAPD does not have significant diversity, both in race and culture and in economic status. When members of the public believe their law enforcement organizations represent them, understand them and respond to them, communities are more likely to perceive law enforcement as fair, legitimate and accountable. This focus on diversity enhances trust in law enforcement, instills public confidence in government and supports the integrity of democracy.<sup>67</sup> This trust is essential to defusing tension, solving crimes and creating a system in which residents view law enforcement as fair and just.

## **BENCHMARKING**

Like many other law enforcement organizations, the AAPD undertakes little analysis regarding the strategic development of personnel. Hiring has identified goals, such as the focus on diversity. However, once on the department, personnel are moved into positions sometimes with little focus on organizational goals and needs, including succession planning. For example, the command staff is relatively new as a whole, with many appointed to their rank within the year of the beginning of the assessment. A review of their prior assignments indicated that as these officers came through the ranks and that there has been little focus on ensuring they developed a diverse range of skills, including the leadership, administrative and operational knowledge, needed to run a multi-million-dollar agency as part of their occupational development.

### **Succession Planning and Resource Forecasting**

These two priorities become particularly important given the seniority levels of the AAPD. Data that support this analysis are limited and not relied upon by the department. Little strategic planning occurs with respect to AAPD personnel and the skillsets needed to ensure successful accomplishment of the department's goals. Instead, the staffing approach is position-driven, based upon budget determinations of openings for hiring, placement and promotion. The AAPD's approach to personnel management and human resource practices would improve through a strategic, data-driven management approach. Better use and development of staff requires reliable data quality and analysis for administrative and human resource practices. Focusing on personnel before, during and after each phase of their respective careers will help create a strong, diversified workforce capable of meeting strategic and succession needs.

### **Adherence to Best Practices**

Many law enforcement agencies now focus recruiting efforts on candidates who have strong interpersonal skills. Empathy, communication and deductive reasoning, are the most desired traits in successful candidates, rather than technical skills that can be developed through training.<sup>68</sup> The AAPD's recruiting focuses on technical and legal skills, such as report writing or issue identification. This approach may eliminate candidates with a more well-rounded skill set that is advantageous to engaging with the community and day-to-day policing needs.

---

<sup>67</sup> US Department of Justice, Equal Employment Opportunity Commission. "Advancing Diversity in Law Enforcement." (October 2016) Retrieved from: <https://www.justice.gov/crt/case-document/file/900761/download>

<sup>68</sup> Beck, Megahn. "Barriers Removed to Training." mLive. (March 21, 2017) Retrieved from: [http://www.mlive.com/news/grand-rapids/index.ssf/2017/03/grpd\\_removes\\_barriers\\_to\\_allow.html](http://www.mlive.com/news/grand-rapids/index.ssf/2017/03/grpd_removes_barriers_to_allow.html)



The ability to identify the distinction between base skills and technical skills and how to use testing to identify candidates who will be excellent police officers are important issues in policing nationally. Many agencies have reviewed their testing processes, particularly where challenges exist for certain categories of candidates. The AAPD eliminates a significant number of candidates through the ErgoMetrics testing process. Whether this test is representative of the skills required to be successful as a police officer is not clear to the team, but given the impact of the test, further analysis should be conducted as to whether it identifies the necessary skills for a police officer in Ann Arbor. For example, one major city police department had a requirement for hand strength based upon pulling the trigger of a gun repeatedly. Many candidates, mostly women, failed this test. This test did not reflect the requirements of the position – as the weapon used by the department does not have a trigger and the ability to shoot repeatedly was not a required base skill.

Many agencies are becoming increasingly innovative in recruiting. The AAPD recruiting team said it was hard-pressed to recruit diverse candidates as a result of sponsorship by other agencies. For example, the Grand Rapids Police Department recently changed its hiring standards and eliminated the requirement that applicants must have achieved State of Michigan licensing and completed the police academy prior to hiring. It will now sponsor candidates through the academy. It also eliminated the college requirement and dropped the minimum age to 18 years to be able to identify candidates who had "heart" for the job.<sup>69</sup>

Early engagement with future candidates, through the cadet programs and other similar programs, creates a path into an agency. The AAPD recruiting team found little value in keeping candidates "warm." It recruits from the academies and, if the AAPD does not hire them, the candidates generally take positions with other law enforcement agencies. This outcome suggests that the AAPD might consider recruiting earlier, along the lines of the Grand Rapids Police Department's approach. Creating interest and energy in younger candidates is also beneficial to long-term candidate development. Focusing on diversity during recruiting is a growing best practice in law enforcement. Increasing trust, legitimacy and transparency should be factors in the decision to recruit and maintain a more diverse workforce.<sup>70</sup> Diversity is more than race and gender; it includes gender identity and sexual orientation, language, and life and cultural experiences.<sup>71</sup> As police agencies diversify, they are able to develop a better understanding of diverse communities, which helps their recruiting activities and enhances community perceptions, particularly in communities of color, of the ability of the police to act fairly and without bias.

Law enforcement agencies are becoming increasingly proactive in recruiting for the skills they value. In the future, the ability to innovate in recruiting, including refining the definition of an effective police officer, will require agencies to continually review their focus, expenditure of recruiting resources and integration of new hires into the culture of the organization.

---

<sup>69</sup> Ibid.

<sup>70</sup> International Association of Chiefs of Police and Office of Community Oriented Policing Services. (2003) "Mobilizing the Community for Minority Recruitment and Selection: A Strategy to Leverage Community Assets to Enhance Recruitment and Placement of Minorities." Washington, DC: Office of Community Oriented Policing Services. Retrieved from: <http://www.theiacp.org/Portals/0/pdfs/WhatsNew/FinalCLPReport.pdf>.

<sup>71</sup> Office of Community Oriented Policing Services. "Final Report of the President's Task Force on 21<sup>st</sup> Century Policing." Washington, DC. Retrieved from: [http://www.cops.usdoj.gov/pdf/taskforce/TaskForce\\_FinalReport.pdf](http://www.cops.usdoj.gov/pdf/taskforce/TaskForce_FinalReport.pdf).



Recommendations	
5.1	The AAPD needs to continue its focus on active recruiting practices but expand it beyond the academies. Innovation in this area at other Michigan law enforcement agencies should be reviewed for application to AAPD recruitment.
5.2	The department would do well to review its hiring standards to focus more on identifying key interpersonal skills such as verbal engagement and honesty, rather than technical compliance with law and reporting standards. The latter can be taught within the AAPD academy after hiring, but interpersonal skills are more challenging to develop. Diversity in education, perspective and experience should be valued to develop a more open police department.
5.3	Maintaining a year-round focus on selling the "brand" of AAPD would help generate interest and awareness for AAPD recruiting across a range of potential candidates. <ul style="list-style-type: none"><li>• An active recruitment page on the AAPD website would positively reflect the experiences of officers, candidates and community as to the value of working with the AAPD.</li><li>• Ambassadors within the department, beyond the recruiting sergeant, should be assigned to become mentors for persons who inquire about employment with the AAPD.</li></ul>
5.4	The APPD could ensure that promotion practices include community engagement and support of community policing as part of the evaluation for promotion.
5.5	Career paths and succession planning should be incorporated into existing human resource practices. Development of personnel need to focus not only on providing a range of experience and skills, but also on matching the development to the future needs of the department. <ul style="list-style-type: none"><li>• The recommended training needs analysis should be linked to this process and ensure that the types of training needed to develop officers for near and future organizational needs is available and encouraged.</li><li>• Rotation of assignments as part of an overall employee development plan could include standards established for successful achievement and the right to engage in other position rotations.</li></ul>
5.5	The AAPD could consider formalizing a sponsorship program to expand the qualified candidate pool to include diverse or otherwise-skilled candidates and encourage their application to employment by the AAPD. This would require fiscal support from the City, although other funding sources may be available, such as donations.



5.7

The CPPC needs to work with the AAPD to develop community-based sponsorship of Ann Arbor residents in becoming members of the AAPD.

- Consideration of establishing a cadet program should be part of this review. While there is a fiscal cost, using cadets will release officers for field duty while developing local youth for possible future employment with AAPD.



## 06 Training

### SCOPE OF REVIEW

The assessment team reviewed key curriculum for all forms of training within the AAPD, including recruit, in-service and annual refresher training (ART). The team interviewed officers and supervisors to gain their insight on training and whether it supported their educational and operational needs. The team also interviewed external stakeholders and governmental, community and criminal justice representatives to evaluate their viewpoints regarding the professionalism of the AAPD, which would indicate strong training. Finally, the assessment team reviewed the training provided by the AAPD with comparable law enforcement organizations to develop the training assessment in this chapter.

### TRAINING TO ENSURE PROFESSIONAL POLICING

The AAPD takes pride in the professional image of its department. Officers cite the reputation of the AAPD as one reason for their seeking employment with the department, and stated they continue to take pride in that image. Supporting the department's professionalism is a commitment to training that is reinforced throughout the year. Command officers have attended leadership courses and education to help ensure professional supervision, including at Eastern Michigan University's School of Staff and Command. Officers receive ART on a variety of topics, some mandated by the state of Michigan and others selected by the AAPD.

The AAPD allocates extensive resources annually to training. In 2016, training totaled 9,609 hours, or an average of 82 hours per sworn member. Of this, 4,563 hours were earned through internal training and 5,046 were conducted by external programs. Included in the training hours are those from the "In-house Academy," which consists of instruction and orientation to the AAPD policies and procedures provided to six recruits over four weeks.

Pursuant to State of Michigan requirements established by MCOLES, the AAPD must meet ART's training and re-certification mandates, which generally consist of technical police training. This includes cardio-pulmonary resuscitation (CPR) re-certification every two years, training on the state name check and warrant system every two years, breath test operators re-certification every two years and annual gas-mask fittings. AAPD members participated in 136 sessions of instruction and training programs in 2016. In discussion with the training sergeant, 115 of the 136 sessions were categorized as occupational or tactical.

Occupationally required training generally accounts for a lot of the training focus and resources in any police department. However, training to improve officers' performance in common police practices, including basic competencies that ease communication between the police and the public, is necessary to develop these critical skills.<sup>72</sup> Therefore, the challenge facing most law enforcement agencies, including the AAPD, is how to address prescribed occupational training while developing and

---

<sup>72</sup> Hulse, Diana and McDermott, Peter. "Interpersonal Skills in Police Academy Training Curriculum." FBI Bulletin. (February 2012). Retrieved from: <https://leb.fbi.gov/2012/february/focus-on-training-interpersonal-skills-in-police-academy-curriculum>



reinforcing those skills used in daily police encounters.

### Training on Implicit Bias and Cultural Diversity

The potential for racial bias in police officer decisions – and its impact on procedural justice – has long been an issue in policing.<sup>73</sup> The powers afforded police officers make it all the more important to ensure officers make decisions regarding use of force and arrest with impartiality and adherence to the law. Recent national events bring the issue of implicit and explicit bias to the minds of both the public and law enforcement executives. The AAPD committed to training all officers on implicit bias in 2017. This is an important first step in ensuring the organization focuses on the issue of bias and ensures it has no place in policing decisions.

The assessment team has concerns whether the commitment to training translates to the institutional culture of the AAPD. For example, certain supervisors were not required to attend the recent bias training because they already attended a similar training within 18 months of this training offering. Cultural awareness training should be recurring and ingrained as part of the ongoing development of all members. The AAPD has offered interactive training identified as soft skills – referencing training on autism, veterans' issues, crisis intervention and sexual orientation training – as proof of its support for training on specialty topics. While accurate, the department does not repeat this specialty training. For example, the AAPD offered diversity training on LGBTQ issues almost a decade ago, which was well received by department members, but no training on this topic has occurred since then.

The visibility of leadership and demonstration of a strong commitment to the principles of a bias-free approach to policing are critical to create organizational buy-in for diversity and tolerance. Training on these topics requires interactive sessions that are continual and recurring, as these are the issues facing officers on a near daily basis. Ensuring ongoing training and visibility on these issues is one way to build trust within all of the City's communities.

#### KEY INSIGHT

Democratic values reflect a respect for fundamental human rights and ensure fair and impartial treatment of all individuals, sensitivity to racial, ethnic, sexual, gender and religious factors, with an awareness of cultural diversity and discrimination.

*Organization for Security and Co-Operation in Europe (OSCE)*

<sup>73</sup> Fridell, Lorie A. 2008. "Racially Biased Policing: The Law Enforcement Response." In *Racial Divide: Racial and Ethnic Bias in the Criminal Justice System*, edited by Michael J. Lynch, E. Britt Patterson, and Kristina K. Childs. Monsey, NY: Criminal Justice Press. Retrieved from: <http://fairandimpartialpolicing.com/docs/rbp-the-law.pdf>.



### **Conflict Resolution and De-Escalation Training**

Increasingly there is a call for “soft skills” training for officers responding to calls that may require a use of force. Of the annual number of the police-involved deadly force incidents, almost 35 percent involve weapons other than firearms.<sup>74</sup> Increasingly, these encounters are captured on camera and subsequently shared within the public domain. This drives the discussion as to whether the police “needed” to use force – a different issue than the traditional focus on whether the police were legally allowed to use force. Seeking to take training to a level of complex decision-making, law enforcement leaders are looking to integrate overall skills relied upon in a use of force situation to include crisis recognition and response, communications and negotiations, and tactics, such as distance and verbal controls.<sup>75</sup> A review of the past training offered to AAPD members revealed a focus on firearm and other tactical type training.

### **Crisis Intervention Training and Daily Police Engagements**

The AAPD has begun to explore how to provide the necessary training on mental health awareness and response to officers. The Washtenaw County Sheriff opened up training to the AAPD, and the lieutenant and training sergeant attended to better understand how to incorporate mental health and crisis intervention training into the training rotation for AAPD officers. While still in the planning stages for 2018 and beyond, the goal is to have certified instructors within the AAPD who could provide ongoing, in-house training for the department and develop crisis intervention certification for officers of the AAPD.

Police encounter people experiencing mental health challenges and life crises, homelessness, alcoholism and substance abuse on a daily basis. These types of situations are complex and require the officers to have the skills of a first responder, a social worker and an all-around problem solver. Law enforcement policies and training are focused increasingly on situational awareness, use of verbal control and de-escalation techniques. The AAPD provides little training on these skills, but has identified such training as a potential future goal. The training assigned to AAPD members is heavily focused on firearms and tactical response. In a city such as Ann Arbor, officers more frequently respond to calls for service regarding community-based issues, rather than those involving armed violence requiring a highly armed law enforcement or SWAT response. Training needs to prepare officers for all situations they respond to, including those that require interpersonal skills.

Allowing for community input and review of any training on routine engagements, use of force, bias and traffic stops can help build trust and develop an understanding of the issues officers face when they respond to a situation that may call for a use of force. Equipping officers with better communications and engagement skills beyond those normally trained for use of force encounters helps to develop a more rounded skillset that will have every day applications and may prevent a fatal use of force.

---

<sup>74</sup> Police Executive Research Foundation. “A Training Guide for Defusing Critical Incidents. Module 1.” Retrieved from: <https://perf.memberclicks.net/icat>

<sup>75</sup> Ibid.



## **SUPERVISOR AND COMMAND OFFICER TRAINING**

Newly promoted supervisors and command officers are rotated through to training at the Command and Staff School in Lansing. This program is well respected, and all supervisors who had attended gave it high praise. As a matter of continual development, there are few ongoing courses available to supervisors to improve their management, mentoring and leadership skills. As with officers, a supervisor may complete a self-identified training program if there is funding and it is approved.

## **DOCUMENTATION OF TRAINING**

The AAPD training records are well maintained given the various locations and types of records stored. However, because the department stores records in multiple systems and some remain in paper form, they require ongoing management by the training sergeant. The various types of training records include the following:

- **Paper Records:** These are still used to record various trainings, mostly those from external programs. AAPD members attending these programs are responsible for submitting these certificates and documents to the training sergeant for the training record.
- **MCOLES Records:** Electronic and organized by members' individual names and unique MCOLES number, which is assigned to those who complete courses approved by MCOLES.
- **City Safety Skills:** This is an electronic instructional software package intended for use by all City of Ann Arbor employees on topics outside of law enforcement, such as mandatory training on how to process blood pathogens. These training records are kept electronically in a system separate from that used by the AAPD.
- **Aggregated Training Records:** The training sergeant maintains two separate Excel spreadsheets. One provides an executive review of the type of training, number of attendees and the total hours spent on specific training programs. The other tracks the expenditure of the annual training budget.
- **PowerDMS:** This is a software package the AAPD invested in to facilitate policy and internal communications. It maintains training records for firearms and rifle qualifications. It also tracks whether officers access and acknowledge review of policies.

## **REVIEW OF TRAINING CURRICULA**

In 2016, other than ART, those assigned to Special Weapons and Tactical (SWAT) duties consumed the vast majority of training hours, accounting for 1,072 hours of training. After ART and SWAT training, AAPD members received five other sessions internally. These were tactical training exercises, including rifle, Mobile Field Force, speed measurement and active shooter response.

## **Methodology to Measure Quality and Effectiveness of Training**

Training needs to mirror the operational and service delivery needs of a police department, as any measurement of training's effectiveness derives from the organizational goals. The AAPD is a successful police organization. However, as with many law enforcement agencies, it has areas that can always benefit from some aspect of performance improvement. The 2016 data regarding the types of



incidents to which AAPD road officers are dispatched suggests the training provided to officers does not fully address the skills needed. The most frequent calls for service are disturbances, alarms, suspicious persons, property damage and fraud. These suggest that the skills the AAPD needs most in its officers are conflict resolution and interpersonal skills. Training for police officers also requires tactical skills, and firearms proficiency is important to assure the safety of both the officer and the public. According to one local law enforcement leader in Michigan, training on firearms and tactical training should account for 55 to 60 percent of the training time, with the rest devoted to improving the soft skills of the officers. Such an approach helps avoid the perception of over-militarization of the police. If a department's training centers heavily on tactical response and use of firearms to the exclusion of skills needed to successfully resolve incidents, this emphasis can erode public trust and create challenges for police-community relationships. The AAPD should routinely evaluate the training it offers and how it supports the organization's goals.

The AAPD's recognition of the importance of well-rounded training is reflected in the 2017 training on implicit bias for the entire department as well as the focus on developing internal capacity to deliver crisis intervention training. While officers have a dangerous job and should be equipped with the skills to address the real threat of violence against them, officers also should be trained on how to be guardians of the community.

### **Training as a Driver of Procedural Justice and Officer Performance**

The ability to implement procedural justice, and the degree to which individuals who engage with a department believe that the police delivered the service required by the situation, depends on daily officer performance. Training provides the foundation for performance, but measurement of and accountability for performance help to institutionalize all skills necessary for a 21<sup>st</sup> century policing organization. Many performance metrics focus on enforcement activity counts – the numbers of arrests, tickets or calls for service dispatched. However, police departments have come to serve a much larger role in their communities, and increasingly serve as partners with other agencies in the broad responsibility of strengthening the quality of urban life.<sup>76</sup> A modern police department seeks to measure and reward effective conflict resolution, community engagement practices and community satisfaction, including the level of engagement between officers and community members.

### **COMMUNITY PERSPECTIVE**

The Ann Arbor community is not engaged with the training provided by the AAPD to its officers. Community members raised questions regarding how AAPD officers are trained, particularly with regard to use of force. As noted earlier in this report, some community members were concerned with the training and protocols for the AAPD when engaging with persons in need of mental health treatment. The assessment team noted there were inconsistencies in the community's understanding of what the police were expected to do when responding to a person in mental health crisis, and what the officers were trained to do in such situations. Questions about how and when officers would respond to school incidents was also an issue that generated confusion and concern among some

---

<sup>76</sup> Sparrow, Malcom K. Measuring Performance in a Modern Police Organization. National Institute of Justice. Retrieved from: <https://www.ncjrs.gov/pdffiles1/nij/248476.pdf>



members. An outreach program to educate the community about the AAPD's response protocols and responsibilities across a variety of possible encounters would help the community better understand what to expect when the police respond to a call for service. Additionally, it would help the AAPD understand community concerns when developing and delivering training to its officers.

Recommendations	
6.1	<p>The AAPD needs to continue its practice of ensuring a trained and professional department. In support of this, it should consider implementing a three-year training strategy, informed by an annual training needs analysis.</p> <ul style="list-style-type: none"><li>• This could include supporting the annual training requirements established by MCOLES with other requirements as identified in daily encounters with the Ann Arbor communities, including mental health response, de-escalation and interpersonal skills, and mentoring and coaching for supervisors.</li><li>• It could also include linking the training strategy with the succession plan for the department to ensure training provides the skills necessary for an effective succession.</li><li>• The AAPD also needs to expand training to further develop supervisory and leadership skills beyond the schools currently offered to allow for ongoing professional skills development within AAPD supervisors.</li></ul>
6.2	<p>Review of the AAPD's training priorities and approved curriculum would be most successful if it were driven by leadership and reflected the organization's goals. The department should further supplement officers' firearms and tactical training to provide officers with all of the skills necessary for successful policing in the community.</p>
6.3	<p>The CPPC needs to work with the AAPD to identify community priorities for police response to help link them, where feasible, to training – particularly roll call training.</p> <ul style="list-style-type: none"><li>• Issues related to proper cultural engagement, services offered by various community centers and advocacy groups, or education about the specific needs of certain populations are ideal for roll call training and allow for officers to hear firsthand about community programs and solutions.</li><li>• The training sergeant could work with community participants to ensure the training meets legal standards, upholds policies of the AAPD and is consistently delivered across all watches.</li><li>• The CPPC should also receive an annual report from the AAPD regarding the training initiatives to ensure they support the strategy goals for community engagement.</li></ul>
6.4	<p>Exploring the ability to further share training resources with its criminal justice partners would reduce costs and allow for more diversity in the training offered to its members.</p>
6.5	<p>The AAPD needs to store all training records within its automated records keeping system for ease of access, consistency and ease of update.</p>



## Appendices

### **APPENDIX A: ABBREVIATIONS AND ACRONYMS**

**ART:** Annual Refresher Training

**AAPD:** Ann Arbor Police Department

**HR:** City of Ann Arbor Human Resources

**CEU:** Community Engagement Unit

**CPPC:** Co-Produced Policing Committee

**HRC:** Human Rights Commission

**MCOLES:** Michigan Commissions On Law Enforcement Standards

**CPOC:** Oak Park Illinois' Citizen Police Oversight Committee

**CSO:** Community Standards Officer

**PSS:** Professional Standards Section

**SWAT:** Special Weapons and Tactics



## APPENDIX B: COMMUNITY VOICES

### Process for Engagement

There was significant outreach and contact with most of the Ann Arbor communities, which resulted in sufficient community input to provide a comprehensive assessment. The Hillard Heintze assessment team used an outreach process that has been tested in other cities. We began our approach with key constituent community groups, and used these parties as points of contact to help recruit additional community members. We repeatedly sought engagement with representatives of the City's diverse communities. This outreach occurred through email, in person meetings, a survey and the use of snowballing techniques – asking those we have engaged with to help facilitate contact with others. Within Ann Arbor, the engagement with certain ethnic and racial populations was less robust but the voice of all communities was represented in the assessment. Engagement by the team included:

- Members of the Housing Commission
- Members of the Human Rights Commission – as a whole and individually
- Institutional criminal justice partners – county, judicial, city and university
- Ride-alongs with the AAPD
- City Council meetings and members
- Two community listening sessions
- Religious representatives – Christian and Muslim, including those focused on anti-violence and police accountability
- Youth groups focused on diversity; after school and youth advocates
- Community meeting with the National Association for the Advancement of Colored People (NAACP)
- Mental health advocates
- Legal advocates and issue groups representing immigrants, racial/national origin constituencies and civil liberties
- Homeless advocates
- Domestic violence advocates
- LGBTQ advocates
- University of Michigan representatives – faculty members and students
- Governmental partners
- Individuals (including youth) speaking to mental health, health care, engagement, cultural, racial and national origin and their experiences with the police in general
- Individuals regarding various issues with the police through other communications

Many individuals and members of groups wore more than one community hat, and we interviewed them as such.



## Community Voices

The assessment team worked in Ann Arbor since late spring 2017. This appendix covers the community voices and perspectives gathered via interviews, the survey and the two community listening sessions held in April and June 2017. This summation of the community voices is intended to provide the community's perception of the issues and the engagement with the AAPD.

### Ann Arbor Community Impressions

The AAPD has a good reputation overall, and its officers provide professional services with low levels of formal complaints. Despite this, many who attended the community listening sessions came to air grievances with the department. There was a vocal contingent who felt the police were not “doing right by the community.” The main concerns expressed in these meetings were mental health de-escalation training, the need for civilian review, the impact of perceived and actual police bias and general perceptions of the police department. Apart from these topics, most participants and respondents manifested a desire for a more community-based police department that is engaged and in touch with the needs of the community.

---

### Mental Health

Many community members indicated that the police are often called to respond to incidents involving a mentally ill person, and felt uninformed regarding how the police respond to these calls. Concerns were repeated in several engagements about how the police handle issues involving a person suffering from mental health problems. Individuals spoke to their own experiences and engagement with the AAPD on this matter. Many spoke about the Aura Rosser shooting and their belief that Ms. Rosser's fatality could have been avoided had there been a protocol for dealing with individuals with mental health issues or a mental health professional present with the police on scene. Some individuals remained steadfast in their belief the police acted illegally and inappropriately, despite the findings of the independent review.

Many individuals expressed their desire to see crisis intervention training become mandatory for police officers and sought a greater emphasis on training for de-escalation techniques. One woman suggested adding social workers to the police force to aid with mentally ill individuals or those with addictions. Multiple individuals spoke to the potential benefits of a mental health crisis unit of professionals to ensure prisons are not over-populated with individuals with mental health issues who cannot receive proper treatment while incarcerated. While not necessarily an AAPD matter, the initial engagement with police was seen as the starting point in addressing this process.

One woman engaged stated she would like to see more de-escalation and diversion training for police because issues of mental health, homelessness, domestic issues and addiction require different responses than criminal conduct. She identified de-escalation begins with the attitude when approaching a crisis situation, but many police officers frame decisions around the use of force, with an officer using one level of force higher than the level of resistance offered by the subject. She pointed out that this leads to escalation, not de-escalation. One community member stated that the AAPD was not responsive to offers to help with or discuss mental health issues.



Community members shared their experiences regarding issues of mental health and police response. One woman shared a story about her son, who has serious mental health problems. The police had assisted in bringing the young man in to receive necessary treatment on six other occasions, but on one occasion, the police were called to respond to an incident in which her son was holding a knife. When they arrived, one officer drew his gun and the other his Taser, and both repeatedly yelled, “drop the knife.” After a tense moment, her son dropped the knife and the police were able to safely get him in an ambulance. Her son later said he looked into the officer’s eyes and saw the officer did not want to shoot him, but would if necessary. Her son said he did not want the officer to have to live with that, which prompted him to drop the knife.

The woman expressed gratitude on behalf of herself and her son for how the police have helped him get to safety when he was a danger to himself. However, she did express the sentiment that her son easily could have been the next Aura Rosser had circumstances been slightly different. An African-American man voiced concerns regarding how the police handle incidents involving mentally ill individuals because his son is autistic and is a large man of color. He expressed concern that, in a tense situation, the first reaction by responding officers would be force rather than de-escalation. His concern was centered on the racial disparity seen in police use of force nationally.

Many of the members of the community in attendance at the community listening sessions and some others that were interviewed believe that training received by AAPD on use of force and crisis intervention needs re-evaluation and more focus on intervention and de-escalation.

---

### **Oversight and Accountability**

The community members who met with the team frequently discussed the issue of oversight, accountability and civilian review. A vocal portion of the community indicated that any form of civilian review needs to have true authority over the police department. One individual expressed that “anything less than control of the police is worse than nothing.” This was the most extreme view expressed, and this desire for total control does not appear to be present throughout the entire community. Rather, the majority appeared to hold a more moderate view that police transparency is necessary. Many indicated they did not know what the police response strategies and protocols required of officers. Some also expressed that there must be some degree of real authority over police misconduct investigations. The issue raised most frequently when discussing police oversight was the need for transparency and real engagement by the police on issues of accountability.

---

### **Bias and Racial Inequity**

In Ann Arbor, many people from communities of color do not feel as though the police are part of their community. In the absence of dialogue, a perception of bias exists. One man stated he is not necessarily afraid of the police as an African American, but he has seen a change in the police, in that they are less likely to engage and appear to be afraid of men of color. Community members present at the community listening session were vocal about the need to remind the police they serve the community and not the other way around. The team heard concerns from parents who feared for their children when engaging with police. Other community members expressed the belief that when new police officers deal with African-American men and they are disrespected,



the officers make an arrest based upon the lack of respect. Perceptions that the police mistrust community members, specifically minorities, were prevalent. One woman said that a friend was ticketed and “harassed by police” when after she was stopped for a traffic issue, the first question asked by the police was “whose car is this?” The woman stated she interpreted this question as the police suggesting the car was too nice for the woman driving it to be the owner. The community members also raised socio-economic status, as one man stated the police protect the “owning” class, meaning he believes the police serve the wealthy and not the majority of the community.

Numerous community members raised past incidents and their continuing impact on police community relations. These included incidents in which youth of color were arrested after football games or at house parties – as opposed to White youth who were not; use of force against persons of color; and, the DNA testing of multiple African-American men in the 1990s without specific probable cause.

Members of the LGBTQ community expressed their concerns with receiving fair treatment by the police. Some identified experiences of being stopped by the police for no reason after exiting establishments that served the LGBTQ community. Others identified their fears of engaging with the police dating back years, in part due to older laws that criminalized homosexual activity.

A Muslim man expressed his belief that Ann Arbor has become a more toxic environment recently because of the distance between the police and the community at large, and that more community-oriented training was needed as a result. Another man expressed that the most important group of people – young Black men – were absent from meetings because they were afraid they would be persecuted if they voiced complaints about the AAPD in public. A woman of Asian descent expressed her opinion that the people, including the police, think Ann Arbor is an exceptional town that is not racist, while she personally believed this to be a false conviction. One person stated that because the police do not live in or engage with the community, they are seen as an occupying force rather than as part of the community.

#### COMMUNITY VOICES

“..the police need to be able to reach the heart of the community..”

*Comment from a Community Listening Session*

Various community members raised and discussed a 2013 incident in which an African-American professor was wrongly accused of child abuse. Some community members told the team that the detectives’ treatment was unprofessional, aggressive, threatening and racially-tinged. The professor’s wife stated that both of them were subject to interrogation with coercive techniques, and they were unable to attend to their child. She described a tense situation with aggressive tactics by the police, inappropriately shared medical information and illegal detention. The team was told that the police said to the man, “I know you’re guilty. I see it in your face. I see it in your eyes. I see it in your hair.” This was seen as bias because her husband is African-American and has curly hair. The woman believed the police exploited the situation by being in the hospital when the couple was not free to leave, and they capitalized upon parents experiencing fear and vulnerability. The woman expressed the belief that the AAPD treats people with contempt, and this behavior leads to excuses for unethical and illegal actions by the police.



Some spoke of their observations that as White people, they were not subject to treatment that occurred with people of color, as observed during traffic stops, read about in the paper or related by their friends. Some individuals started their statement by saying that they “trust the police *but...*” Absent direct engagement with police officers, many rely upon the engagement occurring with people they know or what they hear in the media and in the community.

---

### General Perceptions

Most people at the community listening sessions expressed their concerns that the police do not understand the needs of Ann Arbor because they do not interact with the people to discover these needs. Many community members spoke about feeling distant from the department, and this distance is creating unease. A number of people expressed their general fear of officers, even when direct contact had not occurred, and some based this fear upon stories of others.

Some believed the AAPD is not sufficiently engaged in enforcing traffic laws, and expressed that the roads are not safe. One woman told a story of how, after a driver drove through an intersection and killed a little girl, the community was told a crosswalk would be added but it never was. The woman felt there was no justice in this situation. Another community member stated there needed to be greater transparency regarding police response. If police are called to a neighborhood, the neighborhood should know generally what is happening, particularly if it is an issue that could impact the entire neighborhood, such as a rape. Someone commented that the police should inform the community what they need from community members to keep neighborhoods safe. This reflected a recurring theme that many in the community want to work more closely with the police to ensure they are successful in their jobs.

A number of people expressed satisfaction with the way the department has handled situations, such as a man who recalled when an officer stopped him for a traffic violation and did not issue a ticket, instead wishing him a happy birthday. Another woman expressed she has never had any negative interactions with the police. Many people provided support for the AAPD and the work they do, with most community members recognizing the officers have a tough job. Many community members who were supportive of the police also sought greater engagement with the police on a day-to-day level.

### Survey

To supplement the community listening sessions, the team conducted a survey open to all Ann Arbor stakeholders. It was not intended to be a statistically sound instrument, but rather another means of engagement for the communities of Ann Arbor.

The team received 770 responses for the survey, which, on average, took nine minutes to complete. Not all questions were required to be answered, and few of the respondents completed all the questions. Almost two-thirds of the respondents were satisfied or very satisfied with police services in their neighborhood and with the overall performance of the AAPD. Not unexpectedly, the majority of respondents felt safe from crime in their neighborhoods. Most respondents had never attended a police community meeting, and more than one-third of the respondents felt that it was not easy for community members to provide input to the AAPD. Many comments identified a lack of interaction



with the AAPD even if it was sought – for example, following a critical incident.

Consistent with the community members attending the community listening sessions, 80 percent of the respondents identified that they had not observed foot or bike patrols in their neighborhood in the last year. Most respondents were uncertain as to whether the AAPD engaged in racial profiling, with more than one-third stating they believed the AAPD did engage in racial profiling. This belief was consistent in responses about whether the police arrested and stopped persons of different races or ethnicities more frequently. One respondent stated that their children were multi-racial and the differential treatment received by them from the AAPD, and those of community members they know, still resonates negatively – even 20 years later.

#### COMMUNITY VOICES

“...Every interaction I've had with Ann Arbor Police has left me feeling respected and protected. I'm extremely grateful to them for their service to our community. I think the best thing the police can do is get out into the community and talk with people...”

When questioned about the top problems in their neighborhoods, survey respondents rated traffic, residential burglaries/thefts and auto burglaries/thefts the highest. Most respondents felt the AAPD was doing a good job responding to these issues. Most respondents were unaware of how to file a complaint against a police officer, and an overwhelming majority had never filed a response. Based upon the responses, most of the respondents were Ann Arbor residents for more than 10 years, with a very small percentage claiming part-time residency, e.g. students.

Comments provided with the surveys ran the gamut from praise for the AAPD's professionalism to concerns over the lack of visibility and enforcement in areas such as traffic. Traffic stops and poor encounters with police officers left lasting impressions, with one individual identifying that the lack of a basis to conduct a stop has left a negative impression with him, even years later. One individual indicated that events create traffic issues, and, rather than working with residents, the police treat them poorly and leave them with no recourse when all they want to do is return to their home. Some individuals discussed specific concerns that have not been resolved by the department. Many voiced they wanted to see more officers, with an underlying theme that they wanted more engagement. Some of the respondents commented in support of the Citizen's Academy and hoped that it would continue. Some respondents raised issues with the structure of the survey and whether feedback was being utilized from all communities in Ann Arbor. Some of the respondents included comments regarding their perceptions of issues of racial disparity. One individual stated he had been stopped frequently, but only when driving an old and rusted vehicle, leading him to believe there was bias against poor people. Some respondents raised issues regarding perceived gender bias and other disparities based upon socio-economic, racial or other status. One respondent felt the AAPD was slow to recognize the safety disparities for marginalized individuals, leading to less protection for this category of people. One self-identified teen advocate voiced the opinion that their interaction with police in Ann Arbor had been only negative.

#### COMMUNITY VOICES

“...I do not feel that the police department or the city have done enough to restore trust...”



### Other Community Voices

While many of the people who engaged at the community listening sessions had issues with the police, others spoke in favor of the police. Many echoed support for the police and felt they were doing a good job. Many advocacy groups did not bring forward specific complaints about the AAPD; rather, they voiced the goal to have more engagement with the police. Some wanted access to the police in a formal way to ensure that training is consistent with the needs of their constituency. Good ideas about engagement in a favorable manner were identified to the team; however, most of the advocacy groups felt they had no way to engage or request the police work with them on their issues. Groups that represented low-income housing or the homeless identified that the police were generally responsive but issues did occur between the police and the serviced populations. Some identified that the skills displayed by officers varied, and it appeared that some officers were better trained or more knowledgeable about these populations than others. Some of these interviewed parties stated they felt the officers were good at de-escalation and observed officers spending a considerable amount of time trying to de-escalate tense situations, and, in one case, worked hard to not resort to force with an individual.

#### COMMUNITY VOICES

“...The few experiences I've had with the police have been positive. My African-American friends have more concerns...”

A few individuals had specific complaints about the AAPD, with those discussed seemingly having little resolution to their cases. The ability to have a formal source for recourse was a consistent theme. One man spoke about his experience in ensuring his deceased mother's belongings and photographs were returned so he could be confident she was at peace. However, his ability to do so had been mired in a bureaucratic process that did not reflect the human need at issue. Another youth spoke of mistreatment at the hands of the police, but believed no one would bother to listen to him because of his age and because it was not deemed serious enough to be considered physical abuse. The consistent theme of these complaints was a lack of access, information and recourse. The lack of recourse and access can be challenging for community members who rely upon the police as their initial, and sometimes only, access point for government service.

Individuals interviewed raised a range of issues, from positive personal interactions with the police to negative interactions that left long-term impressions. Youth in Ann Arbor described a lack of engagement and a distrust of the police. They mostly identified that they were hassled for just being young, rather than any criminal action and that officers rarely took the time to get to know them.

### Key Takeaway

The key takeaway from the community engagement initiatives in Ann Arbor is that the community wants AAPD to be a visible, invested member of the community. The perception held by some community members that the police are biased or unfair has its origins in the lack of routine engagement between the AAPD and the communities it serves.

The community, for the most part, wants to work in concert with law enforcement but requires a strong foundation of trust. Some people were vocal in their criticism of police, and others were as steadfast in their support. However, engaging with all community members is the first step to building trust. Engagement responses varied with the type of engagement. The community listening sessions



provided value, but they tended to draw angry voices. The survey received a mixed response, as did the team's interviews with various community members and Ann Arbor stakeholders.

Ann Arbor is taking positive steps toward establishing community trust. The City and its police department have demonstrated a commitment to building bridges with the community. Listening to the concerns of the community and the issues faced by the police in addressing these concerns helps to develop mutual understanding – the first step in setting shared public safety goals. The communities of Ann Arbor are invested in their neighborhoods and in the police. They want mutual respect, and they want to engage with and have voice in the strategies and decisions that result in police action in their communities. Finally, they want transparency in the police department so they can better understand police practices and their impact on their neighborhoods.



## APPENDIX C: RECOMMENDATIONS

01 Civilian Review – Co-Produced Policing Committee	
1.1	The City of Ann Arbor would do well to consider establishing a Co-Produced Policing Committee. The Committee should comprise of select community representatives as detailed in the report and be authorized to work with the AAPD to establish policing priorities and to provide an annual report to Council on the progress to achieve those strategies and an overall rating of the department and the Chief in meeting the goals and strategies.
1.2	The Ann Arbor Deputy Chief, Support Services, could be the lead in establishing and driving the new form of co-produced public safety.
1.3	Pursuant to the authority granted under City Charter, the City Administrator needs to consider acting as the operational point of contact for the CPPC and the AAPD as they develop protocols, strategies and governance for the shared responsibilities under co-produced policing.
1.4	The recommendation for a chair of the CPPC should be made with the input of the community and police through the City Administrator as approved of Council. This position should rely upon the City Administrator for daily operational support and resourcing needs and report to Council annually.
1.5	The Ann Arbor Police Department and the chair of the CPPC could conduct a series of engagement with the community to understand the specific needs of the communities at the neighborhood level and to develop the interest in applying for positions on the CPPC. After these sessions, the full powers of the CPPC should be established, approved and published.
1.6	<p>The CPPC needs to be empowered to develop working committees on standing community issues as identified through its role of liaison with the communities of Ann Arbor and as specific issues arise.</p> <ul style="list-style-type: none"><li>• One recommended standing committee is a Youth Engagement Committee to provide input and ideas for the AAPD to be better able to engage with youth</li><li>• Committees should be developed, as needed, based upon community issues and interests. The CPPC then would be tasked as the liaison between the committees and the AAPD in developing strategies to address the issues, concerns and solutions raised by the committees.</li></ul>
1.7	The CPPC could be tasked with providing an annual report to Council that outlines the strategies, and evaluates their efforts and that of the police in achieving the strategy goals.



## 02 Community Engagement

2.1	<p>The AAPD might consider an organizational approach to community policing that develops strategies and roles for community engagement and problem-solving at every level and unit of the organization.</p> <ul style="list-style-type: none"><li>• The Deputy Chief, Support Services should be tasked with implementing and advancing the community policing strategy.</li><li>• Organizational goals developed at the leadership level could be communicated throughout the organization.</li><li>• Ongoing review and measurement of goals needs to be conducted at least on a quarterly basis.</li><li>• Performance measurements need to include community policing strategies and outcomes.</li></ul>
2.2	<p>Developing an organizational level community policing strategy will help align unit and officer level activity with the department's community policing goals and vision.</p> <ul style="list-style-type: none"><li>• The CPPC should be part of the community policing strategy development and help develop defined roles and responsibilities for the community in partnership with the AAPD.</li><li>• Clearly defined community policing goals for all AAPD units and personnel need to be developed using the SMART approach – Specific, Measurable, Assignable, Realistic, Time.</li></ul>
2.3	<p>Given the varied needs within the communities of Ann Arbor, the AAPD should consider incorporating the principles of the ongoing “micro community policing plans” program currently underway in Seattle as a means to reflect the specific needs of all communities within Ann Arbor.<sup>77</sup></p>
2.4	<p>Training supports development of a culture attuned to community policing, and the AAPD should consider providing ongoing community policing training to all department members as an ongoing part of the annual refresher training (ART) and through roll-call training on specific community-related topics as they develop. is training should provide initial baseline training to reacquaint members with the fundamentals of community policing, community-police relations, cultural competencies and engagement activities within the scope of the AAPD community policing strategy.</p> <ul style="list-style-type: none"><li>• The AAPD training unit needs to take ownership for developing structured roll-call training with community-based advocacy groups to support good police-community relationships.</li></ul>

<sup>77</sup> Seattle Police Department. Micro Community Policing Plans. Retrieved from: (<http://www.seattle.gov/police/community-policing/mcpp>)



	<ul style="list-style-type: none"><li>• An annual training needs analysis for community policing would help identify key community issues, cultural diversity and problem-solving.</li></ul>
2.5	<p>The use of social media and marketing of community programs by the AAPD is one way to increase transparency with the community.</p> <ul style="list-style-type: none"><li>• The use of social media platforms to engage the community and provide forums for conversation about specific community topics or for virtual community meetings should be expanded.</li><li>• The AAPD website is limited in its community outreach and could provide more community-based information and links.</li><li>• Online community meetings should be considered as a means to better engage with the community for problem-solving.</li></ul>
2.6	<p>Positive engagement programs with the youth in Ann Arbor needs to be established to facilitate strong relationships with the AAPD officers and community youth.</p> <ul style="list-style-type: none"><li>• Reinvigorating the APPD Explorers program and connecting it with the AAPD recruitment team would help foster interest in a policing career.</li><li>• The AAPD should continue to support its summer camp program and other youth outreach efforts of the CEU.</li><li>• Consideration could be given to developing a Police Athletic League, with sponsorship support from the community, that participates in various athletic programs involving the police and youth.</li><li>• The AAPD might explore programs focused on reading in the schools and libraries as well as mentoring with local community groups to develop relationships – even if only for an hour. The connectivity is important for the community.</li><li>• Including Annual Youth Town Hall sessions, facilitated by the Youth and Student CPPC members, as part of the strategic community policing plan would foster understanding and communication between the youth and police in Ann Arbor.</li></ul>
2.7	<p>Strategies to engage officers with the community at interpersonal levels need to be explored for feasibility. Expanding the scope of existing community engagement programs could support stronger police-community relationships.</p> <ul style="list-style-type: none"><li>• Promoting homeownership in Ann Arbor is an option to consider, as most AAPD officers do not live in Ann Arbor. The District of Columbia is seeking to offer such a program. The City of Chattanooga, Tennessee does this through the Chattanooga Police and Fire Fund for Homeownership.<sup>78</sup></li></ul>

<sup>78</sup> Montinar, G. The GW Hatchett Retrieved from : <https://www.gwhatchet.com/2017/04/12/d-c-officials-aim-to-give-local-police-officers-housing-grants/>; and PD&R Edge. In Practice. Retrieved from: [https://www.huduser.gov/portal/pdredge/pdr\\_edge\\_inpractice\\_020813.html](https://www.huduser.gov/portal/pdredge/pdr_edge_inpractice_020813.html)).



	<ul style="list-style-type: none"><li>• Using mediation and reduction in suspension time in exchange for participation in community-based projects, such as community clean-up and community center staffing, is another option that benefits both the police and the community (Grote, Richard C. Discipline Without Punishment. 2006. AMACOM).</li></ul>
2.8	<p>Staff utilization and response prioritization needs to be evaluated within the lens of police-community engagement. The AAPD's focus on response to dispatch comes at the expense of police-community engagement. A review of the resource commitments is necessary to maximize utilization of existing resources, and to determine whether staffing levels are appropriate. Particular focus should be directed at unallocated policing time and how to best link that with the community policing strategy and role for the officers.</p> <p>In the interim, consideration could be given to the following options for increasing police time for engagement with the community.</p> <ul style="list-style-type: none"><li>• Assignment of daily problem-solving-directed activity to officers, along with requirements of documenting actions and outcomes at resolving specific problems.</li><li>• Utilization of the CSOs as part of the AAPD community policing strategy, to allow for their input and strategies on abating neighborhood nuisances, as well as engaging in community education about recurring problems.</li><li>• Assignment of positions with significant downtime to foot and bike patrol duties.</li><li>• Identification of ambassadors beyond the CEU to work with special interest communities, ideally engaging those officers that share the same diverse cultural, ethnic, racial or language as the identified community.</li><li>• Review of the feasibility of geographic assignment and responsibility to better support community-policing principles.</li><li>• Conduct of a review of staffing for non-emergency and non-critical positions to determine availability for community policing engagement. For example, officers who staff the desk at the department, particularly after-hours when access is limited, may be replaced with civilian staff or be re-assigned to directed problem-solving activity in the downtown area for all or part of their shift.</li></ul>
2.9	<p>The AAPD leadership and the CPPC need to work together to seek innovation in police response to free up resources based upon community support and agreement. For example, creating an alternate dispatch and reporting protocol for non-emergency reports, such as stolen property, rather than requiring an officer to be dispatched to the location to take a report. Including these "agreements" in the CPPC's annual report is a way to measure their effectiveness and the police-community adherence to the protocol.</p>



### 03 Citizen Complaints and Discipline

3.1	<p>The AAPD could review the level of aggregate complaint and disciplinary data it can share legally with the community to build community trust.</p> <ul style="list-style-type: none"><li>• Many law enforcement agencies are now providing aggregate data regarding complaints, including date, nature of the complaint and the investigative outcome, without identifying either the complainant or the officer.</li><li>• Many law enforcement agencies are now provided statistics at the aggregate level regarding the intake, investigation and outcome – including discipline – to assure the community of the integrity practices of the agency.</li><li>• The AAPD and the CPPC should develop an annual reporting mechanism for the aggregate data as part of the CPPC’s report to Council and as part of the AAPD’s transparency efforts with the community.</li></ul>
3.2	<p>Rotating supervisors, quarterly or bi-annually, as the “field supervisor” for complaint investigations for low-level complaints would promote an understanding and awareness of complaints from the organizational perspective, provide leadership development and allow for shared resource utilization.</p> <ul style="list-style-type: none"><li>• This could involve training for complaint investigations, which includes the use of independent factors to determine the truth and validity of statements by both the public and officers.</li></ul>
3.3	<p>The department needs to inform the CPPC of the intake, progress, completion and outcome of complaints on a quarterly basis. This reporting should include the nature of the complaints received, any trends identified and the training and management actions in response.</p> <ul style="list-style-type: none"><li>• This should include maintaining legal protections on privacy while providing all information legally possible.</li><li>• It is also important to incorporate the review of the outcomes in civilian complaints as part of the ongoing review and analysis of the AAPD process’ professionalism.</li></ul>
3.4	<p>The AAPD needs to provide appropriate training and supervisory guidance for the early intervention system it seeks to establish. The policy implemented in August 2017 is a good start, but it needs to be supported by systems that allow for easy identification of data, structured interventions to improve behaviors; ongoing supervisory training, and development for coaching and mentoring.</p>
3.5	<p>As part of the annual training needs analysis, the AAPD could examine those topics that create challenges for police community relationships and technical response issues, as identified through bi-annual reviews of complaint data. These training needs should be addressed through ART and roll call training, and the subsequent effect measured and evaluated.</p> <ul style="list-style-type: none"><li>• The focus on ART to address the ongoing stress points in police response, such as working with persons with mental health issues should continue.</li></ul>



3.6	<p>Continuing to track complaint data while reviewing data needs and identifying better mechanisms for capturing data related to response and complaints will be key.</p> <ul style="list-style-type: none"><li>• This could involve developing data points that support critical analysis with the input of the City of Ann Arbor IT Department.</li><li>• It should also include reducing the categorization of intake to measurable data points, as occurs in crime reporting, to allow for effective analysis of trends and issues.</li><li>• Findings and discipline need to be separate data points to allow for better understanding and consistency in the application of discipline.</li></ul>
3.7	<p>The AAPD, as part of a joint labor and City review, might consider alternative discipline options that may serve to further build police community.</p> <ul style="list-style-type: none"><li>• The City and the partners to the collective bargaining agreements that govern all discipline recommendations within this report and those that may develop in the future might establish parameters for review and outcome goals.</li><li>• Mediation is a helpful option to traditional discipline, particularly when dealing with community-based complaints on courtesy. Mediation allows for a shared discussion and resolution of the complaint in way that serves to explain and inform. Many communities have supported mediation with their police officers. (See <i>Mediating Citizen Complaints Against Police Officers</i><sup>79</sup>).</li><li>• Explore opportunities to develop an approach to discipline that provides positive outcomes, such as meaningful community interaction in lieu of formal discipline and suspension, that is appropriate and addresses the manner and type of misconduct. For example, participation in library, after-school programs or community events can serve as a positive outcome rather than suspension time. Abeyance and mitigation of formal discipline findings and records are also measures that can be used to develop a program directed on encouraging positive behaviors in police officers.</li></ul>
3.8	<p>The AAPD should consider establishing processes and training to ensure that the internal discipline process comports with the standards and requirements for successful outcomes in the event of a grievance or other legal process.</p> <ul style="list-style-type: none"><li>• This would include partnering with Ann Arbor HR to develop training for all AAPD supervisors for internal investigations and discipline, as well as the specific “lessons learned” arising from past cases heard by HR or brought to arbitration.</li><li>• It is important to ensure protocols for the role of HR in advising on internal investigations and discipline are explored by both the APPD and HR to facilitate better understanding and connectivity with City and legal standards regarding employment actions.</li></ul>

<sup>79</sup> Office of Community Oriented Policing Services. *A Guide for Police and Community Leaders*. Retrieved from: [http://www.theiacp.org/LinkClick.aspx?fileticket=CkR\\_h4O5qqU%3D&portalid=0](http://www.theiacp.org/LinkClick.aspx?fileticket=CkR_h4O5qqU%3D&portalid=0).



3.9 The City Charter directs that in the case of a conflict of authority between administrative units, the City Manager is tasked with resolving the conflict. The department needs to explore more fully whether the authority of the City Administrator should be applied to the grievance process. Pursuant to the collective bargaining agreement, the Director of HR has the final decision on discipline for a grievance filed after the final decision by the Chief of Police, yet the Chief is tasked with responsibility for the department. Fairness in the discipline process is important; however, both the Director of HR and the Chief of Police are administrative units under the authority of the City Manager. The authority and harmony of administrative units and the efficient direction of the AAPD officers should be important considerations in this recommended review.

#### 04 CALEA Implementation and Policy Review

4.1 The CALEA concepts of adherence to standards, integrity and continuous review need to be institutionalized within the AAPD as part of the organizational vision and approach to the CALEA adoption and review process.

- This could involve fully training accreditation managers. The department could consider a civilian placement and whether such a position requires full-time effort once accreditation is awarded.
- It will also be important to institutionalize key concepts and increase understanding through visible leadership and ongoing dialogue regarding the value of CALEA accreditation and its place within the organizational vision.

4.2 The AAPD needs to adopt transparent, visible internal processes for updating and reviewing policies in support of CALEA standards.

- To minimize the number of files and the complexity of reporting, the AAPD could consider using CALEA's Appendix G for all standards with three or more measurements.
- It will be important to develop a shared, accessible tracking system for all key internal stakeholders to provide a clear picture of the compliance tasks for every step of the process.
- This effort could also include reviewing complaint outcomes identified as policy failures with a focus on improving policies and educating officers on the policies. The department could consider sharing the policies of the AAPD with the public, as these are the standards of officer performance.<sup>80</sup>

<sup>80</sup> See Michigan State Police website, [http://www.michigan.gov/msp/0,4643,7-123-1579\\_78902---,00.htm](http://www.michigan.gov/msp/0,4643,7-123-1579_78902---,00.htm)



4.3	<p>The AAPD needs to review high-risk policies and those that resonate with the community annually. These policies generally include use of force; handling persons in need of mental health support; pursuits; and, other issues as identified by the department and its communities. This would help to ensure good police protocols and standards, identify training needs, minimize risk issues and deliver transparency around key policies that impact the communities of Ann Arbor.</p> <ul style="list-style-type: none"><li>• This could involve the use of the annual review and reporting of all use of force and pursuit reports to determine adherence to reporting standards and whether training considerations are evident.</li><li>• It should also involve an annual review of policies to guide best practice. For example, the AAPD could determine whether the definition of bias policy should include ethnic background, gender, sexual orientation, religion, economic status, age, cultural group or any other identifiable groups, or whether the department should integrate all use of force policies and standards into one document.</li></ul>
<b>05 Personnel Management Practices</b>	
5.1	<p>The AAPD needs to continue its focus on active recruiting practices but expand its focus beyond the academies. Innovation within other Michigan law enforcement agencies should be reviewed for application to AAPD recruitment.</p>
5.2	<p>Hiring standards should be reviewed to focus more on identification of key interpersonal skills, such as verbal engagement and honesty, rather than technical compliance with law and reporting standards. The latter can be taught within the AAPD academy after hiring, but interpersonal skills are more challenging to develop. Diversity in education, perspective and experience should be valued to develop a more open police department.</p>
5.3	<p>Maintaining a year-round focus on “selling the brand” of AAPD would help to generate interest and awareness for AAPD recruiting across a range of potential candidates.</p> <ul style="list-style-type: none"><li>• Creating an active recruitment page on the AAPD website would help reflect the experiences of officers, candidates and community as to the value of working with the AAPD.</li><li>• Ambassadors within the department, beyond the recruiting sergeant, could be assigned to become mentors for persons who inquire about employment with the AAPD.</li></ul>
5.4	<p>Promotion practices could include community engagement and support of community policing as part of the evaluation for promotion.</p>



5.5	<p>Career paths and succession planning could be incorporated into existing human resource practices. Development of personnel should focus not only on providing a range of experience and skills, but matching the development to the future needs of the department.</p> <ul style="list-style-type: none"><li>• The recommended training needs analysis need to be linked to this process and ensure that the types of training needed to develop officers for near and future organizational needs is available and encouraged.</li><li>• Rotation of assignments needs to be part of an overall employee development plan with standards established for successful achievement and the right to engage in other position rotations.</li></ul>
5.6	<p>Consideration might be given to developing sponsorship of diverse or otherwise-skilled candidates to encourage their application to employment by the AAPD. This would require fiscal support from the Council, but scholarship or other donation opportunities may be available.</p>
5.7	<p>The CPPC needs to work with the AAPD to develop community-based sponsorship of Ann Arbor residents in becoming members of the AAPD.</p> <ul style="list-style-type: none"><li>• Consideration of establishing a cadet program should be part of this review. While there is a fiscal cost, using cadets will release officers for field duty while developing local youth for possible future employment with AAPD.</li></ul>

## 06 Training

6.1	<p>We encourage the AAPD to continue with its practice of ensuring a trained and professional department. In support of this, it could consider implementing a three-year training strategy, informed by an annual training needs analysis.</p> <ul style="list-style-type: none"><li>• This would support the annual training requirements established by MCOLES with other requirements as identified in daily encounters with the Ann Arbor communities, including mental health response, de-escalation and interpersonal skills, and mentoring and coaching for supervisors.</li><li>• This focus would also help link the training strategy with the succession plan for the department to ensure training provides the skills necessary for an effective succession.</li><li>• It will be important to expand training to further develop supervisory and leadership skills beyond the schools currently offered to allow for ongoing professional skills development within AAPD supervisors.</li></ul>
6.2	<p>Review of the AAPD's training priorities and approved curriculum needs to be driven by leadership and reflect the organization's goals. The department should further supplement officers' firearms and tactical training to provide officers with all of the skills necessary for successful policing in the Ann Arbor community.</p>



6.3	<p>The CPPC should work with the AAPD to identify community priorities for police response to help link them, where feasible, to training – particularly roll call training.</p> <ul style="list-style-type: none"><li>• Issues related to proper cultural engagement, services offered by various community centers and advocacy groups, or education about the specific needs of certain populations are ideal for roll call training and allow for officers to hear firsthand about community programs and solutions.</li><li>• The training sergeant could work with community participants to ensure the training meets legal standards, upholds policies of the AAPD and is consistently delivered across all watches.</li><li>• The CPPC could receive an annual report from the AAPD regarding the training initiatives to ensure they support the strategy goals for community engagement.</li></ul>
6.4	<p>The AAPD would do well to explore the ability to further share training resources with its criminal justice partners to cut costs and allow for more diversity in the training offered to its members.</p>
6.5	<p>The AAPD might consider storing all training records within its automated records keeping system for ease of access, consistency and ease of update.</p>



## APPENDIX D: SUMMARY OF PRIORITIZED RECOMMENDATIONS

We have prioritized the ranking of our recommendations to improve the police community relationships in Ann Arbor. While all of the recommendations have been provided with the goal of implementation, the assessment team recognizes that the resources, funding and other issues impact the ability to timely implement. We focused on three factors: (1) the importance of the recommendation in supporting the overarching goals of the assessment, (2) the ease of implementing the recommendation, and (3) the resource scope associated with implementing the recommendation.

### Prioritized Recommendations for the City of Ann Arbor

The City of Ann Arbor should consider establishing a Co-Produced Policing Committee (CPPC). The Committee should comprise of select community representatives as detailed in the report and be authorized to work with the AAPD to establish policing priorities and to provide an annual report to Council on the progress to achieve those strategies and an overall rating of the department and the Chief in meeting the goals and strategies. **All recommendations that support this recommendation share the priority for implementation.**

Our recommendations would be to:

- Share the report with key stakeholders
- Begin discussion of potential candidates for the CPPC chair
  - a. Identify the CPPC chair
- Develop communication strategy for the City, community and police on CPPC and its role goal and mission.
- Engage the process for starting up the CPPC
  - a. Utilize the eight factors identified in the report.
  - b. Establish the process and draft application documents.
  - c. Post the applications, ideally via the City website.
  - d. Identify and address key support needs, to include:
    - i. Training
    - ii. Vision, Mission and Goals development
    - iii. Administrative resources and support
- Engage in training and planning between the CPPC chair and AAPD key personnel
- Develop ART for AAPD officers to understand the CPPC role and support

Our second overarching recommendation is for the AAPD to consider an organizational approach to community policing that develops strategies and roles for community engagement and problem solving at every level and unit of the organization.

- The Deputy Chief, Support Services should be tasked with implementing and advancing the community policing strategy.
- Organizational goals developed at the leadership level should be communicated throughout the organization.
- Ongoing review and measurement of goals should be conducted, minimally, on a quarterly basis.
- Performance measurements should include community policing strategies and outcomes.