



Approved

**CITY OF YPSILANTI  
HUMAN RELATIONS COMMISSION MINUTES  
REGULAR MEETING  
MONDAY, June 27, 2016  
7:00 P.M.  
CITY COUNCIL CHAMBERS**

**I. CALL TO ORDER**

The meeting was called to order at 7:05 p.m.

**II. ROLL CALL**

Krista Nordberg	Present
Jennifer Symanns	Absent
Theresa Saunders	Present
John Shuler	Present
Tanasia Morton	Present
Sammy Jones-Darling	Absent

**II. AGENDA APPROVAL**

**Commissioner Saunders moved, seconded by Commissioner Nordberg, to approve the agenda.**

On a voice vote, the motion carried, and the agenda was approved as submitted.

**IV. APPROVAL OF MINUTES**

– April 25, 2016

**Commissioner Nordberg moved, seconded by Commissioner Morton, to approve the minutes.**

On a voice vote the motion carried, and the minutes were approved as submitted.

**V. AUDIENCE PARTICIPATION/COMMISSION RESPONSE**

None

**VI. DISCUSSION ITEMS**

— Revised Police Complaint Form Approval.

Commissioner Saunders asked if the report can be turned in anonymously.

Commissioner Shuler responded in the affirmative.

Commissioner Saunders asked if the process would protect anonymity more if there were two forms available, one for anonymous and a non-anonymous.

Commissioner Shuler responded he does not feel it would require another form instead the form could be two pages, one with identifying information and one with the information regarding the incident.

Commissioner Morton stated under Permissions it states a copy of your complaint for is a bullet point and she is not certain it should be.

Commissioner Shuler said it is written that way in case a person did not have the means to print a copy of the complaint for themselves one could be sent to them.

Commissioner Nordberg agreed with Commissioner Morton and suggested that sentence be amended.

Commissioner Shuler asked if the form sounds like the complainant will be sent a copy of the complaint automatically.

Commissioner Saunders suggested the form state "a copy of the complaint can be requested..."

Commissioner Nordberg suggested removing that sentence from the form.

Commissioner Nordberg responded in the affirmative.

Commissioner Saunders stated it is impossible to stay anonymous and request a copy of the complaint.

Commissioner Shuler agreed, and said if a person prefers to stay anonymous they will not be contacted for further information or sent a copy of the complaint.

Commissioner Saunders responded that is in contradiction to what the form states.

Commissioner Shuler asked if there is an agreement to just strike that sentence.

Commissioner Nordberg asked if the complaint form will be in-line with Policy 16.

Commissioner Shuler responded Policy 16 references the Citizen Complaint form and governs how the Police department will investigate complaints.

Commissioner Nordberg asked if there was anything in the policy that contradicts what is included in the form.

Commissioner Saunders added once these items are approved by the HRC they can be reviewed by the City Attorney's Office.

Commissioner Shuler responded he is not certain it would need to be reviewed by the Attorney's Office. Mr. Shuler added once the HRC recommends this to City Council for approval part of that recommendation would be to have the Police Department review the documents.

Commissioner Nordberg asked if the Commission would be examining Policy 16.

Commissioner Shuler responded he has not made any changes since the last meeting but it is on the agenda for approval. Mr. Shuler said if the identifying information is moved to a separate page on the complaint form it would still be able to be redacted by simply separating that page from the rest of the document.

Commissioner Saunders said redaction exposes a person's identity to the person redacting so it is not completely anonymous.

Commissioner Shuler said the person separating the page from the form would have the ability to see the information.

Commissioner Saunders said the person should not complete the page with identifying information if they wanted to stay anonymous.

Commissioner Morton asked can an ID number be given to the complaint so it can be linked to the identifying information on a separate page.

Commissioner Saunders said if a person enters their identifying they are saying they do not wish to stay anonymous.

Commissioner Shuler agreed, and said a complainant could put their information on the form in order for the City Manager to contact them for further information and still check the complainant does not want their identity shared with the Police Department.

Commissioner Saunders asked why a person would give their contact information if they did not want to be contacted.

Commissioner Shuler clarified if a person wanted to be contacted by the City Manager or the City Attorney and not the Police Department they could make that request.

Commissioner Saunders responded based on the first page of the form they do not have that option, and said it will go to the City Manager, Police Chief, City Attorney, and the City Clerk.

Commissioner Shuler said the form might require another line stating the form can be submitted to any of these individuals.

Commissioner Saunders said if that is a possibility then Policy 16 should state the City Manager has the authority to redact a person's information before submitting it to the Police Department.

Commissioner Shuler responded he does believe that is necessary.

Commissioner Saunders replied if a person makes that request and finds that information was shared with the Police and it is not in the Policy there would be an issue.

Commissioner Shuler responded the person would have the ability to file a lawsuit.

Commissioner Saunders replied correct, and said without a policy how you can hold a person accountable.

Commissioner Shuler said you could hold a person accountable by filing a lawsuit or complaining to City Council.

Commissioner Saunders said complainants either need to decide they are going to give identifying information or they are not, and understand it will go to the listed parties.

Commissioner Shuler responded that would preclude a person's ability to give the complaint to the City Manager and if he has any questions to call the complainant without giving the Police Department the information.

Commissioner Saunders said she does not believe they should be given that option and said if they chose to remain anonymous they should stay completely anonymous.

Commissioner Nordberg agreed with Commissioner Saunders and said it might make sense to have two distinct forms one for anonymous and the other for non-anonymous.

Commissioner Shuler said if a person wants to remain anonymous they should not fill in the identifying information.

Commissioner Nordberg responded a regular citizen filling out the form can become confusing and might not realize they will not be anonymous.

Commissioner Saunders stated all parties involved in the complaint need to be clear what is expected. Ms. Saunders asked who investigates a citizen complaint and who holds the investigator accountable. Ms. Saunders said someone needs to ask the Police Department how many anonymous complaints were received how many non-anonymous and the resolution of each complaint.

Commissioner Shuler said that is the purpose of this form and is unsure how having two forms would provide greater accountability.

Commissioner Saunders said two forms would not be required it is just a good idea so the complainant is clear of what can be expected.

Commissioner Nordberg said there are citizens protesting the Police Department so clearly there is a feeling there is an accountability problem, and creating a clear avenue to filing a complaint is important.

Commissioner Shuler agreed the form could be made clearer but he is not sure having a second form would make it clearer. Mr. Shuler said perhaps in bold it should say this can be filled out anonymously and if so do not fill in the identifying information.

Commissioner Saunders asked if there is a policy in place that requires any other person to receive the complaint other than the City Attorney, of the City Manager. Ms. Saunders said her issue is if it is sent to the Police Department the complaint is going to the very institution a person is complaining.

Commissioner Shuler responded the person would not be complaining about the Police Department the complaint would be against a Police Officer.

Commissioner Saunders replied one thing being examined recently is bench warrants and that complaint is not against people it is against processes.

Commissioner Shuler asked if Commissioner Saunders would not want the Police Department to examine their process.

Commissioner Saunders responded she would, but most citizens would ask how the Police Department can fairly investigate themselves.

Commissioner Nordberg responded that is why it is paramount a citizen's review board be formed.

Commissioner Shuler responded that is being discussed by the joint Task Force but in the meantime there still needs to be a means to complain.

Commissioner Nordberg said there is a process in place.

Commissioner Shuler asked if the City should continue to use the old form.

Commissioner Nordberg responded no and said they are currently unused.

Commissioner Shuler stated it was the hope of the Task Force to make the complaint form simpler.

Commissioner Saunders responded the form is simpler.

Commissioner Nordberg stated in order to protect anonymity it could say after the statement of events section "stop here if you wish to stay anonymous".

Commissioner Saunders agreed and said the Permissions Section could follow that statement. Ms. Saunders said the section regarding a complainant requesting a mediator could follow the permissions section. Ms. Saunders added she would like to know what the process is for selecting a mediator.

Commissioner Nordberg said if a person is filing a complaint they should be made aware of how this complaint would be handled, which should be included in the form.

Commissioner Shuler stated he is not certain the mediator is included in Policy 16.

Commissioner Morton responded it is not.

Commissioner Shuler stated he is not certain the mediation section is supposed to be included in the form and said it is not included in the Policy. Mr. Shuler said he is also not sure that mediation is necessary if an investigation is completed.

Commissioner Morton stated there is not a section in the Policy that dictates how an anonymous complaint should be processed.

Commissioner Shuler responded if Section D of the Policy included by person it should satisfy that requirement.

**Commissioner Nordberg moved, seconded by Commissioner Morton to table this item.**

On a voice vote, the motion carried, and the item was tabled.

— Revised Ypsilanti Police Department Policy 16 Approval.

Commissioner Nordberg stated the policy is secondary to the form and if it is assumed people will be filing this anonymously it should be included in the document.

Commissioner Morton stated the policy explains what will happen if it is submitted to the Police Department.

Commissioner Saunders suggested that the policy be reviewed and changed to fit the form.

Commissioner Shuler stated he will take away the complaint form and Policy to the next meeting in July.

**Commissioner Nordberg moved, seconded by Commissioner Morton to table this item.**

On a voice vote, the motion carried, and the item was tabled.

— Discrimination Clause.

**Commissioner Nordberg moved, seconded by Commissioner Morton to table this item.**

On a voice vote, the motion carried, and the item was tabled.

## **VII. AUDIENCE PARTICIPATION/COMMISSION RESPONSE**

None

**VIII. PROPOSED BUSINESS**

**VIV. NEXT MEETING DATE**

— July 25, 2016

**X. ADJOURNMENT**

**Commissioner Saunders moved, seconded by Commissioner Nordberg to adjourn the meeting.**

On a voice vote the motion carried and the meeting adjourned at 8:15 p.m.