

Michael Cox
Chief of Police, City of Ann Arbor
301 E Huron St.
Ann Arbor, MI 48104

February 26, 2020

Ann Arbor City Council
300 E Huron St.
Ann Arbor, MI 48104

RE: Police Department Investigation

Dear Council Members:

Allow me to thank you for the opportunity to discuss the recent allegations that led to my administrative leave. I have studied the thoughtful report of Miller Canfield. I appreciate the investigator's involvement in this matter. Her review of my staff, and the observations recorded, has been illuminating. I would like to offer a response for your consideration.

First, I was gratified that the investigator recognized what I have consistently maintained:

- (1) that I did not intend to interfere with the internal investigations regarding the parking situation;
- (2) that I allowed both investigations to go forward;
- (3) that I had the inherent right under city policy to "direct and control the complaint process;" and
- (4) that I took no retaliatory actions against the employee.

I also would like to assure the citizens of Ann Arbor that I take seriously the Police Department's duty to investigate all allegations of misconduct by both civilian and sworn personnel. The allegation that I tried to influence a police investigation is so fundamentally inconsistent with my morality, my intentions, and my long experience in policing, that even the contention was devastating. Please allow me to reflect, therefore, in this letter as I did in person, that I never intended to influence any investigation, but only to participate in it. I sincerely apologize to the City Administrator, the Mayor, City Council, and those members of my department who took my comments as an intention to influence the outcome of the investigation.

Accordingly, I must painfully acknowledge that my words and actions during the parking investigations were not clearly communicated, that my subordinate was affected, and that the concerns were brought to Human Resources. As Chief, I take complete ownership of how my words and actions are interpreted by those who work for me. I never want any employee to come away from an interaction with negative impressions.

In particular, I apologize to the complainant for the misunderstanding I unintentionally inspired. I have the utmost respect for people such as the complainant who have the courage and personal rectitude to call out injustices wherever and whenever they occur. To the extent I ever gave this person or any other person in my department concerns about retaliation, please rest assured that this was and is the furthest thing from my mind, and not part of my makeup. As many know, I have personally lived through injustice, and I will not tolerate, condone, or ever knowingly perpetuate this on anyone. I insist on candor and will do everything within my power to protect those with the moral tenacity to rise to that challenge. It was never my intention to telegraph anything other than this.

Leaving aside my sworn obligation to discharge the laws of Michigan and the United States (which I consider sacrosanct), I certainly had no investment in the outcome of the investigation whatsoever. As Miller Canfield observed, I would have been well within my rights to reject the recommendations. I would not and did not, but this fact should certainly suggest that I had nothing to gain personally, politically, or professionally by influencing the investigation.

As you know, I'm new to the job and was candidly unaware that my management style was perceived negatively by some employees. Some of this discontent obviously goes with the job; but this observation goes only so far. I commit to becoming more sensitive to the concerns of my subordinates, and not only encourage but also insist that members of the Ann Arbor Police Department feel free, safe, and inspired to state their concerns about me and the department so that they may be addressed productively and openly. I completely understand and respect the fact that I simply cannot transpose my Boston experience perfectly into the important work you have entrusted to me, and will work to create a new path in Ann Arbor.

This is a difficult job, as I'm sure you all appreciate. There are important and intransigent issues that the department is endeavoring to tackle, and the most productive way to do that going forward is as a team. That is both my goal and commitment.

Teamwork requires leadership, and as you know from the process that resulted in my engagement I have long and commendable experience in that regard. Leadership also requires trust, with strong understanding of procedural justice. Respectfully, suspending the Chief of Police over these allegations, before I had a chance to respond, undermines that trust and unfairly calls into question my leadership. I must now work harder to earn trust. The kind of feedback provided by Miller Canfield confirms that forcefully and articulately.

That said, for the Ann Arbor Police Department to run efficiently and strive to maintain the excellence that this department has achieved for years, thoughtful leadership is mandatory. I have done that and will continue to do so, with the help and assistance of the excellent department you've placed under my leadership.

As for the claim of insubordination, I sincerely apologize. Candidly, I did not read the letter placing me on administrative leave until after I had already violated its conditions. Certainly, I was willing to obey that directive, but I suffered a lapse in judgment facilitated by my profound confusion and disappointment over the City Administrator's decision. Miller Canfield's observation that "the chief admits he got the directive but does not believe the City Administrator had the authority to tell him what to do, and in fact ordered the City Administrator not to interfere with them," misses the mark somewhat, as I have explained above.

The issue does raise, however, an existential point that requires some consideration. Some concern was raised that I did not fully appreciate the role of the Independent Community Police Oversight Committee (ICPOC). Be assured that I truly understand the power and importance of ICPOC created by City Ordinance. I have been on record since before my arrival, to have acknowledged ICPOC's importance and critical role in providing independent oversight of the Ann Arbor Police Department and will continue to do so going forward.

I'll close by again taking ownership of my need to better communicate. I sincerely regret any action on my part that offended anyone. As a leader I strive to learn every day. I will do better with my communications and follow recommendations from Council offered to assure my success. If given the opportunity, I look forward to years of service, and am confident that I will be an instrument of improvement during what I hope will be a long tenure.

Sincerely,



Michael Cox
Chief of Police
Ann Arbor Police Department