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Address to Ann Arbor City Council June 15, 2020 7 pm

It's a shame that it took George Floyd to mobilize this level of social interest in police reform. Not just because it took us watching for eight minutes and forty-six seconds as he was slowly killed by a Minneapolis police officer, but also because that means that it wasn't enough that on November 10th, 2014, Aura Rosser was killed by an Ann Arbor police officer. This has been a moment in which we've seen white people mobilize from coast to coast – and there have been moments before this one. For black people though, the deaths of George Floyd, and Breonna Taylor, and Ahmaud Arbery and Tamir Rice and Sandra Bland and Phlando Castile and Eric Garner and Botham Jean and Dominique Fells and Freddie Gray and Yvette Smith and Alton Sterling and Rayshard Brook and LaQuan McDonald and Trayvon Martin, and Michael Brown have encapsulated **one** excruciatingly long moment. I sound like I'm having a hard time breathing after saying all of those names, but really, Black people feel like we've been trying to catch our breath for our whole *lives*.

For those of you who don't know me, my name is Lisa Jackson and I'm the chair of the Independent Community Police Oversight Commission here in Ann Arbor. It's our job to tackle many of the issues with which this country, our community included, are currently grappling.

Speaking truth to power requires saying some uncomfortable things. Effective truth telling means that we must look back before this moment and really understand the history of how we got here. Back before Michael Brown, and Rodney King, and Emmett Till, and even before Elbert Williams, America created its first system to control black people who allegedly acted against the law: fugitive slave catchers. But when slavery ended, the slave patrols continued during Reconstruction, with local sheriffs becoming the de facto enforcers of segregation and black disenfranchisement. It should not surprise us, then, that those same sheriffs would go on to produce a lineage of police officers that would oversee – and quite literally overlook – subsequent generations of lynchings of allegedly guilty black men.

What I am getting at here is **not** some notion that the police are racist or that we can't allow police to exist, but instead that we have to acknowledge the reality that black people can't help but see each and every additional black death at the hands of police as yet more bloodshed in streets that were literally built at the cost of our ancestors' lives. We are all here today because we want to create a better future for everyone in our community. But it is also my responsibility to remind you that the past is something we **all** carry with us as we move into the future. And that the burden is heavier for some than others. And, sometimes, that weight is deadly.

We still have a long way to go in Ann Arbor. The progress we have made, and my ability to speak to you today, was paid for by Aura Rosser's death. The forming of ICPOC, then, was not a **victory** in the fight for fair and equitable policing, but rather just a **first step** towards ensuring that all members of our community are truly heard when it comes to discussions about policing. Unfortunately, I can't say I'm too optimistic about things

as they are. I have heard local politicians denigrate citizens who yelled at meetings without examining why those people feel voiceless, almost as if to say that volume control is more important than their pain and frustration. I have been publicly chastised for errors in parliamentary procedure, suggesting to me that it's commonly held among city council that Robert's Rules are more important than the substance of our discussions. This notion that ideas presented in a format other than one devised in 1876 are somehow less valid, less worthwhile, bleeds into other areas, as well. I hear talk all the time about inclusion, but when was the last time that you heard from community activists who don't have your same reverence for decorum? Or undocumented people? The homeless? Their voices need to be sought out and heard.

I understand very well that some politicians think that they only have a duty to **listen** to the public. But I feel that they, that you here today, have a responsibility to not only listen, but also to truly **hear** what the people have to say. To do any less, to proffer only to those who look or speak or act the way you do, is a form of practiced exclusion that has led us to this point. It is not only your loss if you don't include diverse perspectives, contributions, and ideas to which you're never exposed. We all lose. And you have a responsibility to do better.

I'd like to focus on three specific areas today:

On Tuesday, ICPOC will vote on a resolution to formally request a permanent, monthly presentation at the beginning of city council's first meeting of the month. The resolution will be presented to council at the July 6th meeting by our liaisons, council members Lumm and Ramlawi. It is my hope that this will save city administrators the trouble of calling me to try to elicit and evaluate our talking points before deciding whether to give us permission to be on the agenda. It is a disappointing state of affairs that, even when policing is the most important topic in the nation right now, we have to beg to get an audience with this council.

Second, we want the CBA amended to allow ICPOC to see the names of officers against whom complaints are made. To suggest that we can do any kind of oversight without knowing whether and which officers have repeated complaints is farcical. We take an oath of office and we should have access to that information. Being able to track which officers are associated with which complaints would certainly increase transparency and accountability, as it would allow us to better evaluate whether or not existing AAPD disciplinary measures are sufficient. Further, there already exist public, online databases at both the local and national level with tens of thousands of names of disciplined police officers. A lawmaker right here in Michigan also wants to create a police discipline database. This ask is hardly unreasonable and it is challenging to function effectively as an oversight commission without it.

We all know that, more than anyone else, police officers know who the problem police officers are. Police chiefs know who they are. And yet, police chiefs around the country, even those who want to improve the profession of policing, are unable to fire officers because union arbitrators get them their jobs back. Police departments are then stuck with officers who feel emboldened to continue their problematic behavior. In Ann Arbor,

we have a unique situation in that Chief Michael Cox has himself survived an extraordinary instance of police brutality. Not many people in this country have the commitment, experience and policing experience to be able to instill a culture of functional policing. We should not disable his ability to do so here.

Thus, we want to remove the arbitration clause from the CBA such that if Chief Cox fires an officer, they stay fired. We expect the city to say it is too expensive to rid us of arbitration. However, civilian lawsuits against the city are also expensive. You should understand that the family of Aura Rosser did not decline to sue the city because they felt the city was right, they did not sue because they were devastated and because being litigious is just **one** response to grief. Do you really want to hope or bank on the fact that, should this happen again, a family or victim would not sue? If I were killed or injured by a police officer, my therapist father would try to heal our family but my mother and every other lawyer in my family would certainly sue this city. Do you want to gamble on which kind of family is impacted next?

But most importantly, our lives are too valuable. This is a matter of **public safety**. No amount of money can bring back these victims back. We simply can't afford to allow a culture to exist in which any cops have the berth to act badly because they know they're hard to fire. It's important to note that officers would still be able to try their case against the city, but the situation, as it currently stands, is not one in which any of us feel that bad officers can be held accountable.

Finally, we need to address the resolution on the agenda today.

Our commissioners were not privy to this resolution before it was published on the city's website on Friday. It would thus be unfortunate if it were to be passed today before the commission can discuss it. We will do so tomorrow at 6 pm at the Ann Arbor Farmers Market. We welcome you and the public to bring a chair, wear a mask, and participate in our process.

Mr. Mayor, although you suggested on Facebook yesterday that our having a public forum instead of the traditional council format of public comments would somehow diminish our capacity to provide a "coherent analysis", we will persevere in holding our public forums. Our goal is to be inclusive, not just of different identities, but also different points of view. Public forums allow for more dialogue and may be more accessible for people. We value that. You raised another point about whether we could be "efficient", but **speed** is not the metric we're using to measure success. At our commission meetings each month, our highest priority is hearing from our constituents, and that, Mr. Mayor, we will do quite efficiently by making sure that what they say to us is **truly** heard.

When reviewing this resolution, it is particularly concerning that it lacks specific, measurable outcomes. Without these, there is no way to pursue reforms that leave any kind of lasting, positive change. However, **it also doesn't seem to include much that we don't already do** and had Council members Lumm and Ramlawi been included in its drafting, they could have pointed this out.

For example, ICPOC already reviews current AAPD policies and practices, including the use of force. We review AAPD recruitment and hiring processes. We already solicit the input of many stakeholders in the community from educators to law enforcement, local and federal judges and attorneys, those in housing, as well as many mental health professionals. However, we also solicit input from groups **not** mentioned in the resolution such as faith communities, agencies that work to reduce homelessness, youth and family services organizations, substance abuse professionals, students and public health experts. **We** solicit input from other groups and individuals who are typically excluded. And we take into consideration the unique public safety needs of those who live and work in Ann Arbor, while attending to national best practices.

The only area that is outside the scope of what we already do is the evaluation of alternatives to sworn police. And if you really want to put your money where your resolution is, we're happy to independently look at forward-thinking ideas. Off the top of my head, reinvesting in the community mental health services that have been gutted over the last 10 years would be a logical place to start.

We understand that working on police reform is only the tip of the iceberg. Accessible housing, health care, equitable education, sufficient mental health services are all necessary components. We need to imagine public safety much more holistically, including by examining policies that set up communities of color and poor people to have disproportionately more frequent and adversarial interactions with police.

This resolution reminds many of us of the HRC creating the police oversight task force, and a long, protracted process where their recommendations were summarily discarded and the ordinance that created our commission was just a skeleton of what that task force created. We do not want to delay conversations about the real issues around policing for another 18 months. This issue demands real action now.

Several of you have attended our meetings, sought us out and had conversations with us about oversight. However, this resolution seems to reflect that perhaps others of you need to learn what we do and why we're here today. Until you understand the pain of our ancestors, our grandparents, our parents, why my heart sinks a little every time my son walks out the door, you will **never** be able to appreciate the importance of this cause. To live in this country as a person of color is to exist in a constant state of anxiety because for me, and for everyone who looks like me, there has never been a guarantee that harm is not hiding right around the corner, whether it is cloaked in flashing lights or burning crosses.

We are all here today because we want to create a better future for everyone in our community. But it is also my responsibility, both as the chair of this committee and as a black woman who has seen what this country can do to people who look like me, to remind you that we all carry the past with us, and that the weight of what has happened requires that you now share in that painful, painful burden if you want to move forward.

Council, Mayor Taylor, you have been elected. You are the local leaders. ICPOC and the entire community of those who live and work in Ann Arbor are interested in what you have to say.

What is your position on these issues?