



Legislation Text

File #: 20-0851, **Version:** 1

Resolution in Support of More Substantive Civilian Review of Policing Practices and Incidents
Reviewed by: Arianne Slay, Senior Assistant City Attorney

Whereas, Communities across this country are increasingly concerned about transparency and accountability when law enforcement agencies make use of force;

Whereas, Ann Arbor publicly supports the need for transparency and accountability through an Independent Community Police Oversight Commission (ICPOC), established by ordinance on October 18, 2018;

Whereas, A purpose of Ann Arbor's ICPOC is to "provide the community with a role in recommending policies and procedures that ensure a high quality of police services";

Whereas, A purpose of Ann Arbor's ICPOC is to "provide a process for outside review of particular incidents to evaluate the police response in the incident as well as the sufficiency of any police investigation related to the incident and to recommend any changes in police policies or practices";

Whereas, In order to meet the purposes stated in our ordinance, ICPOC must have direct and independent access to information related to specific incidents of policing;

Whereas, Under current state policies, access to Law Enforcement Information Network (LEIN) is restricted to "law enforcement agencies";

Whereas, State policies already provide for special definitions of "law enforcement agencies" for the purpose of permitting access to LEIN;

Whereas, The Department of Human Services- Office of the Inspector General is considered a law enforcement agency, eligible for full access to LEIN for the purpose of enforcing child protection and adult protection laws;

Whereas, The Michigan Department of Natural Resources - Law Enforcement Division is considered a law enforcement agency and eligible for full access to LEIN for the enforcement of rules, orders, and laws;

Whereas, Private security police with the powers of arrest are eligible for access to the LEIN system;

Whereas, City and township attorneys may have access to LEIN for purposes of criminal prosecution;

Whereas, Civilian police oversight commissions established by local ordinance should be considered a "law enforcement agency" as they are designed to provide substantive and procedural checks and balances on adherence to state law and local policy to protect communities from an abuse of power.

The unencumbered review of their reporting documents is essential for the efficacy of this needed review; and

Whereas, The Ann Arbor City Council acknowledges that to permit LEIN access for civilian police oversight commissions there will need to be coordinated efforts and agreements between local, state and federal agencies that support and provide information into the LEIN system;

RESOLVED, That Ann Arbor City Council asks the Governor to include civilian police oversight commissions as designated "law enforcement agencies" for the purpose of allowing direct access to LEIN under the same policies and procedures prescribed for other law enforcement agencies; and

RESOLVED, That the City Administrator will communicate this resolution to our local representatives in the state legislature and state senate and other entities representing our interests in Lansing.

Sponsored by: Mayor Taylor and Councilmembers Nelson, Lumm, Ramlawi, Hayner, Bannister, Grand, and Ackerman