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Movement Toward Citizen Review Board for ELPD and ELFD, as Area Grapples with Confrontation Fallout ^[1]

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By:

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As the area grapples with the fallout from Lansing Police Officer Lindsey Howley repeatedly striking ^[2] a Black 16-year-old girl during an arrest, East Lansing's Human Relations Commission is continuing its work aimed at creation of a citizen review board to look into citizen complaints made against East Lansing police and paramedic/fire officers.

The Human Relations Commission ^[3] (HRC) is charged with protecting and promoting human dignity and respect for the rights of all individuals and groups and with investigating and mediating complaints made under East Lansing's civil rights ordinance. That commission recently has called for more transparency and accountability in local policing, particularly with

regard to complaints brought by citizens.

At its meeting last week, the group voted to create a subcommittee to look into how the HRC can advise City Council about creation of a review board. In terms of specific process, the plan is for the three-member subcommittee to bring ideas to HRC in September about the creation of an ad hoc committee which would then deliberate over how to create the review board.

It is anticipated that East Lansing residents will have an opportunity to apply to serve on both the ad hoc committee and the review board. HRC members indicated they plan to reach out broadly and actively to encourage people to apply when those times come.

The special subcommittee created last Tuesday includes Carla McWherter, Talyce Murray, and D.J. (Sean) Perry.

Below: Talyce Murray



The plan is for the subcommittee to contact people in other cities ? including Ann Arbor and Boulder, Colo. ? to get advice and ideas about how best to create and support a citizen review panel. Both these cities have had a committee that includes representatives of the public design a new oversight body.

The HRC subcommittee also will review written documents on the subject of review boards.

ELi reported last month [4] that the HRC has moved to slow down formation of an oversight board after a draft ordinance on the matter was brought forward without much input from the public [5]. The HRC's discussion last week made clear its goal is to do this well rather than quickly.

The group is particularly concerned about having adequate representation and input in the process from members of the Black community. There is also strong interest in having active participation from members of ASMSU, Michigan State University's undergraduate government, and/or East Lansing's University Student Commission [6].

Council member Aaron Stephens, who is Council's liaison to the HRC, said he supports due care in the process but wants to make sure there remains "a marching order" on it, so that it does not stall.

Below: Outgoing HRC Chair Daniel Baum and Council member Aaron Stephens.



Mayor Mark Meadows, who typically does not attend HRC meetings, showed up at this one to tell the HRC that the Council will support its decisions.

Several citizens attended last week's meeting to urge the HRC to keep pushing forward on this matter.

Nell Kuhnmuensch, former President of the ELPS Board of Education, said she wanted to see the group pursue "justice and transparency."

Ralph Monsma, former City Council member, told the HRC that he had attended a recent meeting of the City of Lansing's Board of Police Commissioners at which 25 people made public comments about Officer Howley's actions, and that he was impressed with how Lansing Police Chief Mike Yankowski has been listening to and taking criticism.

East Lansing Director of Human Resources Shelli Neumann, who is staff liaison to the HRC, said at Tuesday's meeting that the City is making progress in contract negotiations with the police and fire unions. Those contracts expired at the end of last month. Such contracts could limit what the City can do in terms of record-sharing and disciplinary procedures.

Human Relations Commission Vice Chair Carla McWherter said she was hoping HRC could see what is in those contracts before they are ratified, "but I guess the answer is no."

On Wednesday, the City Pulse reported ^[7] that the Lansing City Attorney's office has issued a blanket denial of Freedom of Information Act (FOIA) requests for "records detailing complaints filed against officers at the Lansing Police Department" dating back to 2016.

Lansing Mayor Andy Schor supported his City Attorney's decision to refuse to release such documents under FOIA.

But FOIA advocate and attorney Mark Grebner tells ELi that a just-released Michigan Court of Appeals decision ^[8] says a blanket denial cannot be made of all citizen-initiated complaints that are requested under FOIA. Grebner says the decision indicates that complaint-related records cannot be automatically shielded from public disclosure, although there may be individual reasons for not disclosing in specific situations.

In making its decision, the Court of Appeals reiterated that the public's interest in governmental accountability must be weighted heavily when considering the release of sensitive documents. The Court also determined that placing external complaints in personnel files of officers is not sufficient to shield those records from public scrutiny.

The City of East Lansing has been legally compelled to release more than the City of Lansing because of a lawsuit brought against East Lansing and settled in 2016. Working on behalf of the plaintiff, the American Civil Liberties Union (ACLU) obtained a settlement ^[9] that requires the City of East Lansing to release records of complaints made against police officers when a FOIA request for these records comes in.

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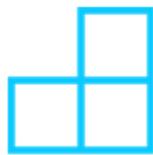
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