

Annual Report

2016 & 2017

Grand Rapids Civilian Appeal Board

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“Each Ward of the City of Grand Rapids is represented on the board which brings different viewpoints and vibrant discussions behind each case that is presented for appeal.”

Letter from the Chairperson

Grand Rapids residents and community stakeholders,

Greetings from the Grand Rapids Civilian Appeal Board (CAB). From a chairperson's perspective 2017 was an eye-opening year full of growth and introspection for the nine-member CAB. We were tasked with coming up with creative ways on how to better educate the public on how to access the CAB. We feel that the board is severely underutilized and if nurtured properly has the potential to bring significant closure to questionable incidents involving our citizens and the Grand Rapids Police Department (GRPD). This board was formed to serve as an additional layer so that residents could effectively appeal decisions, that they deemed questionable or unfair, made in a professional setting. The beauty being that each Ward of the City of Grand Rapids is represented on the board which brings different viewpoints and vibrant discussions behind each case that is presented for appeal.

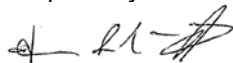
In efforts to connect with community and become more aware of citizen issues board members gave freely of their time by attending the four community based listening tours sponsored by the City of Grand Rapids, the traffic study presentation held at LINC, as well as GR City Commission meetings. A few members were also appointed to serve on the 12 month Police Policy and Procedure Review Task Force (PP&PR).

The CAB was scheduled to meet 12 times in 2017. Due to a lack of appeals the CAB only convened for six sessions, one without quorum. It should be noted that after hearing four appeals in the calendar year of 2016, no appeals were presented for 2017. Meeting dates held with working agendas were February 15, March 15, April 19, June 21, August 16 and December 20.

During the early part of 2017 the CAB discussed and amended its bylaws, frank discussion was held regarding the pros and cons of allowing appellate discussion and the addition of a second Vice-Chairperson. Counsel to the CAB, Assistant City Attorney Kristen Rewa, effectively aided members by bringing in representatives of various levels of management from the City of Grand Rapids as well as GRPD officers with the intent to educate CAB members on various activities, statistics, and policies. Presentations included, but were not limited to, The City's 12-Point Plan to Strengthen Community and Police Relations (specifically point 12 which referenced the CAB), trainings on the Open Meetings Act, Freedom of Information Act, 4th Amendment Laws on Stops, GRPD Internal Affairs Complaints and Dispositions for 2016, GRPD Use of Force Statistics for 2016, the GRPD Internal Affairs Complaint Process, and lastly the City's Diversity and Inclusion efforts.

In conclusion, information on how a resident may effectively access the CAB and the Internal Affairs Unit of the GRPD has been placed in a pamphlet titled "Citizen Complaint Procedure." These pamphlets are available on the City of Grand Rapids website and have been distributed at grocery stores, businesses, community gathering locations, to include barber and beauty salons. The membership of the CAB recognize that more work needs to be done in community/police relations. It is our hope and mission that when the need arises residents will see the CAB as an effective tool where their concerns may be heard by their peers. As we work towards a more educated and inclusive city it is our mission to represent the residents of this great city with open minds and hearts that cry for justice for all.

Respectfully Submitted,



Huemartin Robinson II
Chairperson, Grand Rapids Civilian Appeals Board

To afford the community a sense of confidence that community is involved in reviewing the activities of its police officers.

The City Commission established the Grand Rapids Civilian Appeal Board:

- To encourage compliance with rules and regulations concerning the conduct of police officers during interactions with citizens;
- To encourage individuals who believe they have been mistreated by police officers to use the internal complaint process of the Grand Rapids Police Department to have that officer's conduct reviewed;
- To create a process that fairly and evenhandedly evaluates and judges the conduct of everyone involved to determine whether or not a breach of departmental rules and regulations has occurred; and
- To afford the community a sense of confidence that the community itself is involved as necessary in reviewing the activities of its police officers.

Civilian Appeal Board members are nominated by the Mayor and City Commission to encourage a diverse representation of the community at large.

Civilian Appeal Board

Member Details

- 9 members
- The Mayor appoints 3 members
- The City Commission appoints 6 members
- Members are city residents

The Civilian Appeal Board has authority to hear appeals filed by individuals that wish the board to review the findings of the Internal Affairs Unit on complaints of:

- Use of excessive force;
- Falsification/lying;
- Civil rights violations; or
- Complaints of hostility, discourtesy, or other conduct unbecoming an office when such conduct is committed in a context of animosity or prejudice directed at an individual based upon that person's race, color, religion, gender, sexual orientation, or national origin.

Civilian Appeal Board Members undergo training on police policy procedure and the legal rules surrounding police-citizen interactions.

2016 and 2017 Highlights

Training Completed

Board Orientation Training

4th Amendment Training

GRPD Use of Force Training

Open Meetings Act Training

Diversity & Inclusion and Racial Equity Here Training

Internal Affairs Processes

Other Notables

- Adopted bylaws.
- Discussed strategies to increase community awareness of Board as stated in the City's 12-Point Plan to Strengthen Community & Police Relations and the Police Policy Procedure Review Task Force Update.
- Increased access to board work by making agenda and minutes available on the City's website through MinuteTraq platform.
- Established a greater presence for the Civilian Appeal Board on the City's website and Facebook page.

The Civilian Appeal Board can hear appeals of IA investigations on claims of:

-excessive force

-falsification or lying

-civil rights violations

-prejudicial or discriminatory conduct based on race, gender, sexual orientation, or national origin.

Types of findings of the Internal Affairs Unit investigations:

- **Unfounded** – The investigation conclusively proved that the act or acts complained of did not occur. This finding also applies when the act(s) may have occurred, however, the named employee(s) were not involved.
- **Exonerated** – The act, which provided the basis for the complaint or allegation, occurred; however, the investigation revealed that it was justified, lawful and proper.
- **Not Sustained** – The investigation failed to disclose sufficient evidence to clearly prove the allegation made in the complaint or to conclusively disprove such allegation.
- **Sustained** – The investigation disclosed sufficient evidence to clearly prove the allegation made in the complaint. Violation of policy and/or procedure did occur and appropriate administrative action will be taken.

The Civilian Appeal Board can affirm, reverse, or modify the findings to the GRPD Internal Affairs Unit.

The Board can remand a case to the Labor Relations Department to conduct supplementary interviews or gather more information if the Board determines the record is inadequate to complete its review.

The Board cannot impose discipline or recommend potential disciplinary action on a sustained complaint.

The Civilian Appeal Board can affirm, reverse, or modify the findings of the GRPD Internal Affairs Unit.

2016 Appeals

There were 19 Internal Affairs investigations eligible to be appealed to and reviewed by the Civilian Appeal Board. The Board received and heard four appeals.

Hearing Date	Nature of Complaint	IAU Disposition	CAB Decision
8/17/2016	(a) Improper traffic stop; (b) falsification/lying	(a) Unfounded (b) Unfounded	Affirmed
10/19/2016	(a) Racial profiling (b) Racial profiling / civil rights violation (improper stop)	(a) Unfounded (b) Unfounded	Affirmed
10/19/2016	Racial profiling	Unfounded	Affirmed
11/16/2016	(a) Racial profiling (b) Improper search	(a) Not sustained (b) Exonerated	Affirmed

2017 Appeals

There were 16 Internal Affairs investigations eligible to be appealed to and reviewed by the Board. No appeals were filed or heard in 2017.

MEET THE BOARD

Huemartin Robinson, Chair

Mayoral Appointment
Term ends 5/7/2018

Maria Moreno

Commissioner O'Connor Appointment
Term ends 5/7/2018

Donna Chivis

Commissioner Lenear Appointment
Term ends 5/7/2018

Curtis Orsinger

Commissioner Shaffer Appointment
Term ends 5/7/2018

John Rothwell

Commissioner Kelly Appointment
Term ends 5/7/2018

Debora Vazquez

Mayoral Appointment
Term ends 5/7/2018

John Van Tholen

Mayoral Appointment
Term ends 5/7/2018

George Storms

Commissioner Allen Appointment
Term ends 5/7/2018

Bryan Blakely

Commissioner Jones Appointment
Term ends 1/7/2019

Contact the Board

Civilian Appeal Board

Grand Rapids City Attorney's Office

300 Monroe Ave NW

Grand Rapids, MI 49503

Tel (616) 456-3181

Fax (616) 456-4569

Website

<https://www.grandrapidsmi.gov/Government/Boards-and-Commissions/Grand-Rapids-Police-Civilian-Appeal-Board>

Non-Members/Support Staff

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Legal Secretary II – City Attorney's Office
Grand Rapids City Attorney's Office
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CAPT. GEOFFREY COLLARD
LT. JON BYLSMA
GRPD Training Unit

LT. MARK OSTAPOWICZ
SGT. RON VEENSTRA
GRPD Internal Affairs Unit

Desiree Foster
Labor Relations Department