

# MEMORANDUM

CITY OF GRAND RAPIDS

**DATE:** July 6, 2020  
**TO:** Mayor and Commissioners  
**FROM:** Mark Washington *MW*  
City Manager  
**SUBJECT: Update on Police Reform**

I recognize the unique state of our country, state and city given the numerous demonstrations, communications and voices insisting on improved policing experiences in all law enforcement agencies across the country based on the murder of George Floyd, Breonna Taylor and others who have unjustifiably been murdered. Locally, I have tried to make sure the City of Grand Rapids is responsive to the City Commission and public as part of our efforts we try to improve policing. The ideas, proposals and practices from elected officials, community members and law enforcement agencies are constantly evolving and frequently change on how best to accomplish this outcome.

We have heard suggestions from members of the public with varying opinions to include: reducing the funding in the Police Department and reallocating the budget, abolishing the Police Department or reforming the Police Department without budget reductions. What is clear, regardless of the suggestion, most people want to see meaningful change and ensure there are no disproportionate outcomes or use of force in policing communities of color.

The previous reports provided to City Commission on June 10 and June 16, 2020, took into consideration the various feedback we received from the City Commission, public, staff and practices around the country. As a result, significant policy changes are being implemented in the Grand Rapids Police Department along with other actions from our Office of Oversight and Public Accountability and Equity Office. Originally, 23 initiatives were included with 19 being recommended and four needing further consideration. Since then, four new initiatives have been added.

This memo will summarize the status of each of those recommendations. While the schedule shows rapid adoption, with most policy changes initiated in the months of July and August, the work of improving the police department will be ongoing throughout the year.

I have proposed additional changes to the Police Department's budget that will result in reducing the Police Department budget by \$396,012 and reallocating that amount to oversight, improved communications and engagement furthering the recommendations of the deployment study with more civilian resources.

As you are aware, we adopted an overall City budget on May 21, 2020, that was \$22 million lower than the previous fiscal year's budget and for the first time in 7 years, the City Commission reduced the Police Department's budget by \$1.1M. The previous reduction of \$1.1M along with the proposed \$400k reduction is a combined total of \$1.5M and equates to 63% of the overtime budget in the department or roughly 15 Police Officers. This adjustment along with the fact the current 327 staff members in the Police Department is lower than our millennium high of 369 staff members is an indication of staffing divestment in a growing City. Given the historical trend of reductions in sworn personnel, the recent \$1.1M reduction in the FY21 budget and the proposed \$400k reduction, I do not recommend making further fiscal changes at this time beyond my proposed reductions. More time is needed to carefully weigh the effects of further changes on operations and the budget. I will also evaluate the use of more trained non-sworn mental health professionals to assist officers in responding to certain calls for service.

I have also attached a memo from Police Chief Payne detailing his accountability of past studies, operational impact of budget reductions along with comparative data. Highlights from these communications will be summarized in the PowerPoint presentation at the Committee of the Whole on July 7, 2020.

### **Policy Framework**

The Policy Changes represent a significant shift to the policy framework under which the Police Department operates. These same changes amplify the work already underway as the result of previous community engagement.

It is critical that the City Commission and members of our community understand our commitment to these changes, know the timeline, can track progress and can hold us accountable. Here is a summary of the recommendations, a status report and the proposed completion date for each:

Police Reform Initiatives			
Initiative	Category	Action	July 7, 2020 Status
Ban chokeholds	Policy	Revise Use of Force Policy	To be presented on August 11
De-escalation			
Verbal warnings before deadly force			
Reasonable alternatives (non-force; less-lethal force)			
Duty to intervene			
Ban shooting at moving vehicles			
Ban no knock warrants			
Structural changes to Police Dept.	Budget Considerations	Create civilian Police Chief of Staff and Public Information Officer positions	Commission request made July 7
Identify funding to expand OPA		Create an additional OPA staff position	Commission request made July 7
Redirect funding from Police	Recruitment and Staffing	Charter requires Police receive 32% of GOF; budget and staffing review	Presentation on July 7
Increase efforts to recruit more diverse police candidates		Lt. O'Brien assigned to lead this work and create a plan	To be presented on August 11
Enhance relocation incentives for Police personnel to live in GR		HR will recommend enhancements	To be presented on August 11
Establish Community Police Advisory Council for Chief	Community Engagement	6 initial members announced	Announced July 7
Create a safety and accountability ambassador program		Launch the program	To be presented on August 11
Create pathways for community input into Police plan and tactics		OPA's Strategic Plan will address this topic	To be presented on August 11
Review the committees and boards that oversee public safety		Review and report on committees and boards	To be presented on August 11
Names on all police uniforms	Transparency	Identification for all police fatigues	Completed
OPA report on all priority community police relations reports		Police recently compiled data and shared with OPA	To be presented on August 11
Police Department and Crime data transparency	Planning	Initial crime stats shared on July 7; Police Reform Dashboard	To be launched on August 11
Completion of OPA's Strategic Plan		OPA will launch a digital engagement platform by July 21	To be presented on August 11
OPA and OEE event on processing and healing from trauma	Equity Based Training	Therapists and counselors have been identified	To be presented on July 21
OEE and OPA to increase and enhance equity, justice, implicit bias training		RFP to be released July 10; staff trainings started June 19	Update presented on July 7
Information, awareness and resources to be an ally to address racism		OEE and OPA working to identify community group to design and implement	To be presented on August 11
Work with business community to increase summer opportunities for youth	Youth Empowerment	City launched Grow1000 Youth employment program	Employment begins July 13
Open public meetings for collective bargaining for police	Legal Research and Negotiations	City will discuss with labor groups; contracts in place until June 30, 2022	To be discussed prior to next round of negotiations
Subpoena power for Civilian Appeals Board		Attorney's Office will provide legal opinion in closed session to Commission	To be presented on July 21
MI Dept. of Civil Rights proposal		Attorney's Office will provide legal opinion in closed session to Commission	To be presented on July 21
19 original recommended initiatives			
4 original initiatives requiring further consideration			
4 new initiatives			

Most initiatives will be implemented directly by the Police Department. Some will require my action, some will require input from the City Attorney's Office and some will require action of the City Commission.

In addition to the preparation and ongoing updating of the above chart tracking the status of all Police Reform Initiatives, a Police Reform Dashboard is being developed and will go live on August 11, 2020. The Dashboard will be updated and added to. It will display neighborhood level policing and crime activity as well as disaggregation by demographics where available when it is fully implemented later this year. We will start with metrics from the Strategic Plan and continue by building metrics that are responsive to the 27 initiatives.

### Investing for Safe Community Outcomes

A national discussion has begun about how best to invest to achieve Public Safety outcomes. That discussion includes policy changes referenced earlier and potential changes in how public safety outcomes are delivered. We have been progressing through a similar discussion about police governance over the last several years. The new national and local discussions are occurring while in the midst of a recession, coping with an international pandemic and responding to unprecedented national and local public demonstration. That expression is real and meaningful and we have intentionally sought to capture it.

During our listening sessions, and in other forums, we have heard our regional community voice their interests. Understanding those interests, many of which sometimes conflict, and translating them into public policy that produces critical safety outcomes requires discernment first and then strategic investment.

We are well-equipped for this effort but require time and space to undertake the effort in a deliberate way that ensures that we can produce sustainable safety outcomes for all of our community.

Our Strategic Plan refers to these investments as Safe Community and states our desired outcome is “All people feel safe and are safe at all times throughout our community.” This priority is shaped by our Equity statement which states that, “The City of Grand Rapids is dedicated to advancing equitable outcomes and opportunities by leading with racial equity to address the root causes of disparities,” and concludes by stating that, “We are fully aware of the challenges and opportunities before us as we lead with equity. We also know that as a municipality, we are uniquely positioned to reduce disparities through policy, intentional practices, transparency and accountability. The City, in partnership with allies and community, can help make Grand Rapids truly the ‘Best Place to Live in the U.S.’ for everyone.”

At the end of 2019, we conducted the National Research Center survey of Grand Rapids residents. The community ranked safety as one of the top three most important key focus areas as well as the economy and education/enrichment. While 90% of respondents feel very or somewhat safe in their neighborhood and 85% feel very or somewhat safe in the downtown area, 63% of respondents reported their overall feeling of safety was excellent or good.

The survey found differences by race and ethnicity that are important to note. Black or African Americans and Latinx respondents reported feeling less safe in their neighborhood (84% and 81%) and in downtown (76% and 67%) versus white respondents (94% and 88% respectively). Black or African American respondents reported their overall feeling of safety as excellent or good only 46% and Latinx respondents reported 49% whereas white respondents reported 69%. In addition, respondents rated police services as 63% excellent or good and crime prevention as 48% excellent or good, both of which were lower than national benchmarks. The disaggregation of responses for police services was white (71%), Black or African American (34%) and Latinx (66%) and for crime prevention was white (54%, Black or African American 28% and Latinx 46%).

Overall, ninety-six percent of the National Research Center survey respondents indicated that our Safe Community priority was essential or very important, the highest ranked strategic plan area. We know that this data does not reflect sentiments based on the recent events and we will replicate this survey in the future (fall) but did not believe it was appropriate to do so now.

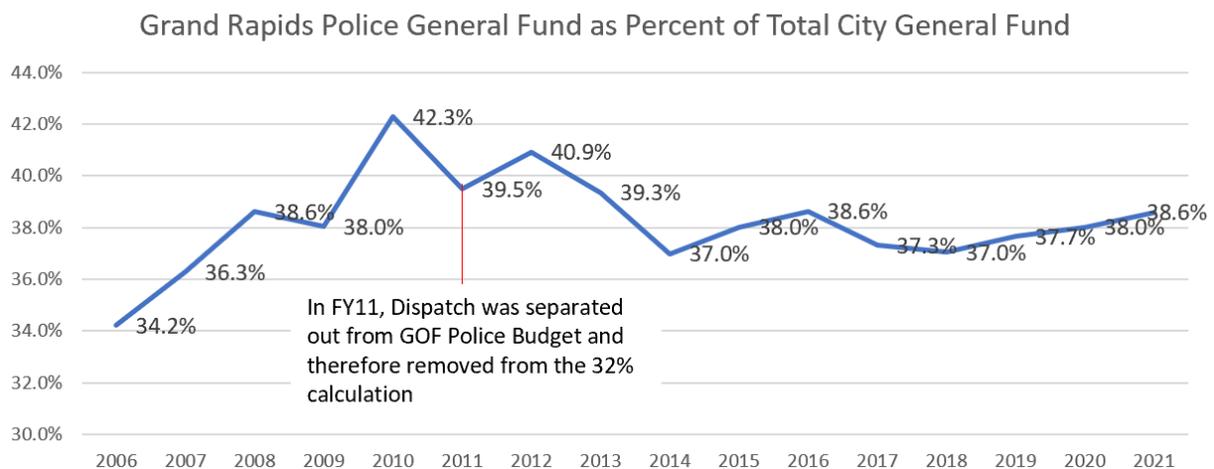
The Police Department has undergone significant scrutiny by the City Commission, City administration and community over the last several years. In response, the Police Department has made changes in policy and operations and the most significant of those were highlighted in my June 10, 2020 report to you on Operational Changes.

Additional work is both required and underway. The Policy Framework reviewed in this memo outlines additional changes that will be made in the short term. While change may take more time than some wish, significant changes have been accomplished and the table is set for continued evolution in our investments in outcomes that create a safe community.

### The Charter

The City Charter states, “Not less than 32% of the General Operating Fund shall be appropriated for police services while both a City Income Tax of 1.3% or more is in effect for corporations and resident individuals and a City Income Tax of .65% or more is in effect for non-resident individuals.”

This charter provision established a floor, not a ceiling on expenditures and leaves room for discretion above that amount.

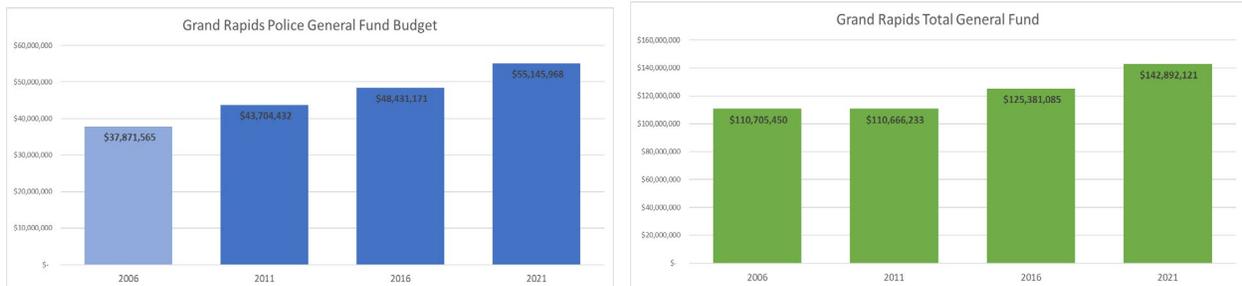


The percentage has varied over the last 15 fiscal years, reaching a high in FY2010 after reaching the lowest point during this time period in FY2006. The current percentage is 38.6% in FY2021. This reflects the level of investment relative to the overall General Operating Fund, but in and of itself does not speak to outcomes.

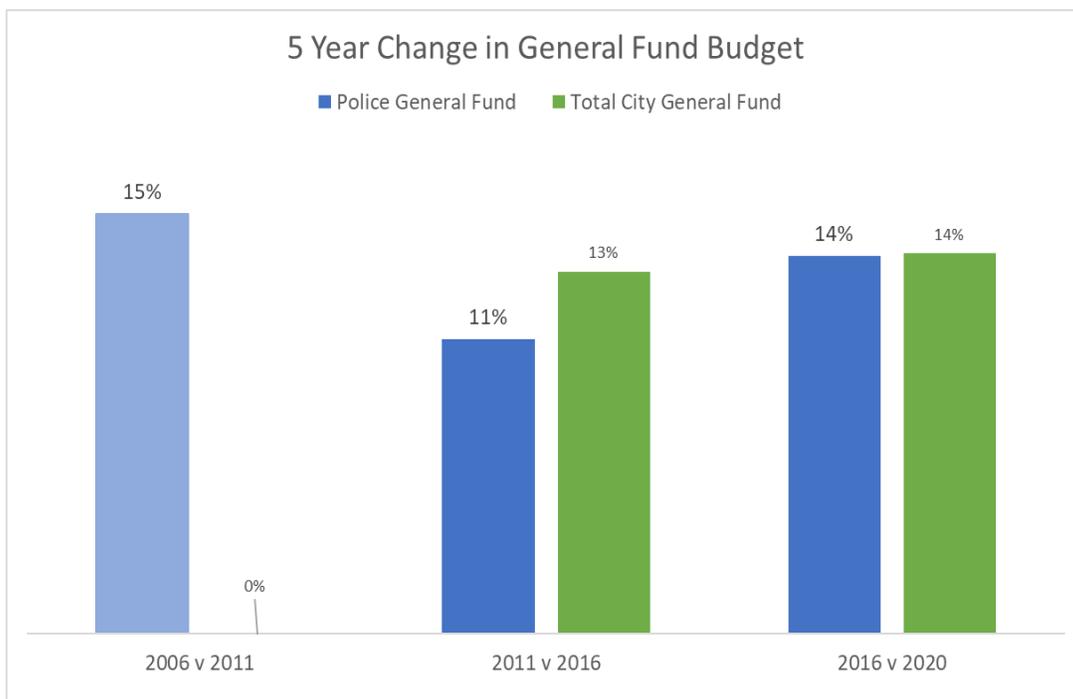
### Police Department and the General Fund Budget

The FY2021 Police Department Budget is \$55,145,968 for General Operating Fund police services.

The Police Department budget has increased along with the total General Fund budget since FY2006. The charts below provide some markers that show that growth.



*Note: Dispatch was included in the Police's General Fund budget in 2006 but was removed in 2011.*



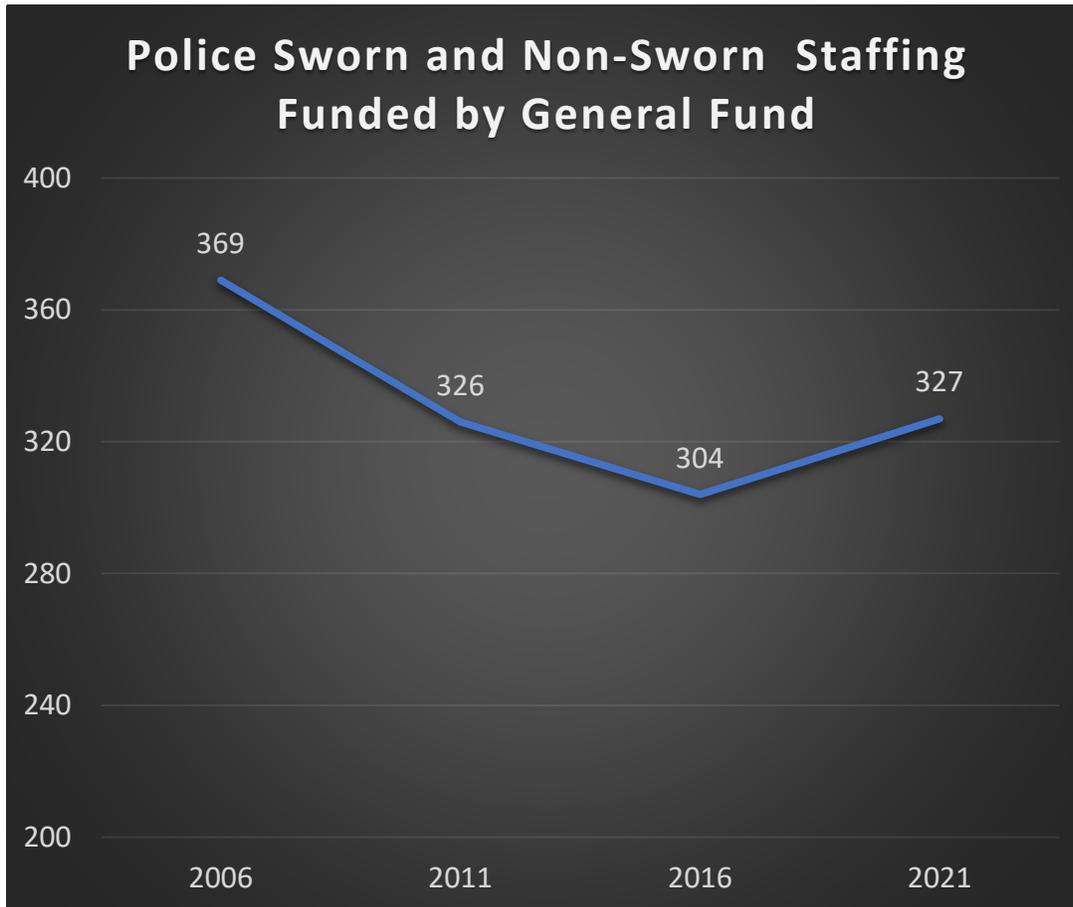
*Note: Dispatch was included in the Police's General Fund budget in 2006 but was removed in 2011*

Since FY2011, the General Operating Fund budget increased 29%. During that same 10-year period, the Police Department's general fund budget increased by 26%, less than the rate of growth of the General Operating Fund.

This strategic and controlled growth of the Police Department Budget over the last decade was an intentional strategy of innovation to preserve General Operating Fund capacity for other investments. And, this controlled growth has been accomplished during a time when we were making significant investments in new technology like body cameras and the research and study efforts necessary to improve safe community outcomes.

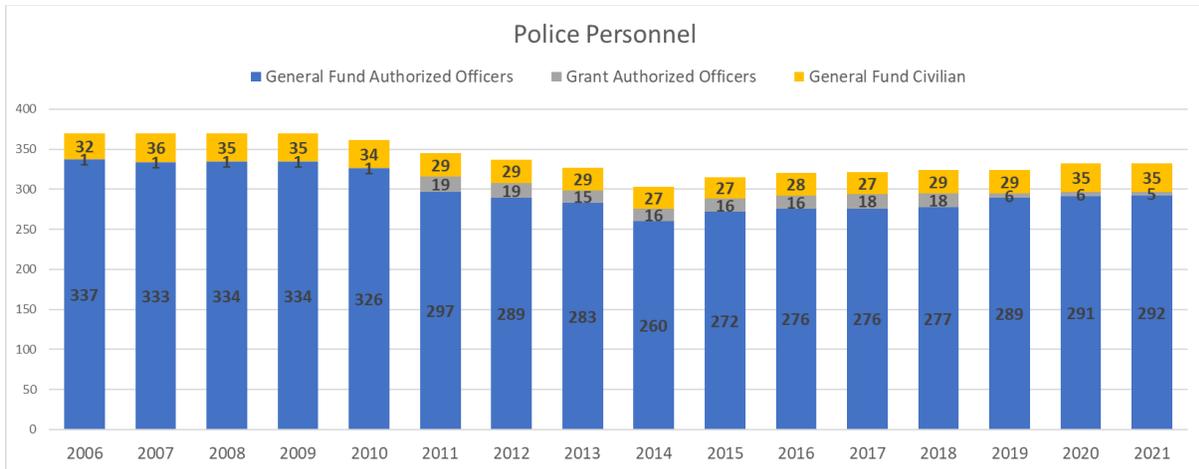
## Staffing History

One of the most significant drivers of cost is staffing. Eighty percent of the Police's general fund budget is for staffing. In 2006, total sworn and civilian staffing in the Police Department totaled 369 FTE. In FY2021 it totals 327, a reduction of 11%.



If the FY2021 staffing level equaled the FY2006 staffing level of 369 sworn and civilian FTE (42 total personnel including a mix of civilian, officers and senior officers), the Police Department budget would total an estimated \$59,394,818, not \$55,145,968, a difference of \$4,248,850.

The breakdown between authorized officers and civilian staff, not including dispatch, is shown below:



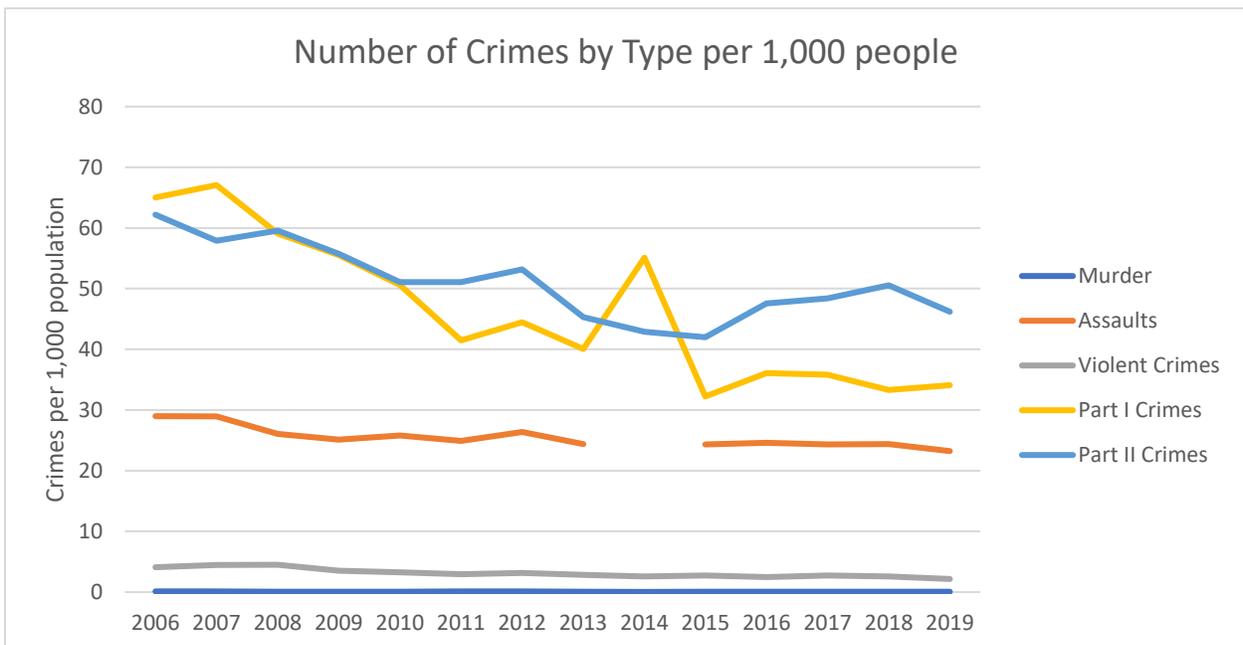
*Note: there was one additional grant funded civilian position every year except 2020 and 2021 where there were 2.*

Staffing has been reduced by 42 FTE since FY2006, a reduction in total staffing of 11%.

### Crime Data Outcomes

The Police Department has been strategically evolving in response to reduced staffing resources through innovations in technology, policy and practice. That evolution has been guided by the City Commission, City Manager, community and self-initiated change by the department.

Public safety outcomes can be measured in several ways. One way is to look at historical crime data.



*Note: There is a gap in 2014 assault data available*

Since 2006, crime in Grand Rapids has declined significantly. Overall, Part I crimes are down 45% and Part II crimes are down 23%. The Police Department has helped accomplish this outcome while evolving into a leaner, lower-staffed department. That evolution is expected to continue as the Hilliard-Heintze staffing study is implemented and additional focus is placed on civilianization of positions within the department.

The 15-year trend shows steady progress but tracking of recent results is worth noting. When comparing January through June crime statistics for this year versus last year, Part I crimes have increased by 9% and Part II crimes have decreased just over 7%. The most notable increases over this period are in Part I crimes of murder (85.7%), arson (52.2%), motor vehicle theft (35.3%) and negligent manslaughter (1 in 2020 versus 0 in 2019). While the majority of Part II crimes have decreased in 2020 versus 2019, increases occurred with sex offenses (18.4%), vandalism (16.2%), disorderly conduct (13.4%) and gambling (2 crimes in 2020 versus 0 in 2019).

### **Immediate Steps**

We are recommending taking additional steps regarding civilianization on July 7 with presentation of budget amendments to authorize the establishment of a civilian Chief of Staff position to assist the Police Chief in administration, strategic direction and innovation and the establishment of a civilian Public Information Officer in the Chief's office. I will take action to create a new position in the Office of Oversight and Public Accountability to bolster that operation through a position substitution of a civilian police department position for the position in the Office of Public Accountability. Two of these three positions will be funded from the current police department budget. The Public Information Officer position will be grant-funded initially. These actions and the required budget amendments will reduce the Police Department Budget by \$396,012 and will reinvest those dollars in community-based efforts.

The discussion of establishment of police oversight began when I joined the City in late 2018. In less than two-years, we have created and built an Office of Public Accountability. This work has included funding the initial interim effort, including an interim director, conducting a national recruitment for a permanent Director of the Office of Public Accountability in May of 2020 and framing the work of the office. The National Association for Civilian Oversight of Law Enforcement (NACOLE) suggests funding of civilian oversight offices of at least equal to 1.0% of Police Department budgeted salary. The recommended budget amendment would fund OPA at \$331,548, which is 1.3% of Police Department salaries. We now have a functioning Office of Public Accountability in time to help inform the important decisions that are ahead of us.

I will note that it is unusual for me to recommend budget amendments involving personnel so soon after the beginning of the fiscal year, especially in light of the existing uncertainties around economic performance. Our usual discipline is to wait until mid-year. Due to the urgent importance of this work, I have recommended budget amendments now to support these three additional staffing positions.

## **Potential Impact on Safe Community Outcomes**

We are fully engaged in the discussion about how best to invest to achieve Safe Community outcomes. That discussion involves both policy changes and potential changes in how safety outcomes are delivered. The Police Chief is fully engaged in this process and is one of the subject matter experts we will need to rely on as we move forward. The Director of the Office of Public Accountability is a similar subject matter expert and will fulfill an important transparency and accountability role. Police Chief Payne has provided background information that will serve our longer-term discussion. The Police Chief's memo is attached.

## **Conclusion**

I am committed to making strategic investments to produce safe community outcomes consistent with our City of Grand Rapids Strategic Plan. We have jump started this effort and will continue to create change so, "All people feel safe and are safe at all times throughout our community." Implementing the previously outlined initiatives along with reducing the Police Department's budget by \$396,012 and reallocating that amount to oversight, improved communications/engagement and creating a civilian Chief of Staff in Police Department furthers transparency, accountability and reform in a deliberate way that ensures that we can produce sustainable safety outcomes for all of our community. I will continue to evaluate the use of more trained non-sworn mental health professionals in responding to certain calls for service.