

2021-2022 ANNUAL REPORT

THE UNIVERSITY OF MICHIGAN POLICE DEPARTMENT OVERSIGHT COMMITTEE



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I: Overview

Police Department Oversight Committee

The [University of Michigan Police Department Oversight Committee](#) (PDOC) is an oversight committee for the [University of Michigan Police Department](#) created under the authority of [Act 120 of the Public Acts of 1990 of the State of Michigan](#).

The function of the Committee is to comply with Act 120 and consider grievances by persons against police officers or the Police Department. The Committee may prepare and make recommendations concerning such grievances to the Executive Director, Division of Public Safety and Security, including recommendations for disciplinary measures against a police officer who was found responsible for misconduct in office. The six-member committee is comprised of two student members, two faculty members (one Senate faculty and one non-Senate faculty), and two staff members (one union and one non-union), who are nominated and elected by their peers for one (student) and two-year terms.

PDOC Membership June 2020-July 1 (*current member)

- Jayapalli Rajiv Bapuraj, MBBS* (Michigan Medicine - Radiology)
- Howard Bromberg, JD (Law School - Legal Practice Program)
- Rachel Dawson, JD* (Michigan Medicine - Precision Health)
- Sarah DeFlon, MS RN*(Michigan Medicine - Cardiology)
- Mahnoor Imran (student - LSA)
- Nora Krinitsky (LSA - Residential College)
- Alexis Lige (student - LSA)
- Eli Merren* (student - LSA)
- Sarah Peitzmeier, PhD* (School of Nursing - Health Behavior and Biological Sciences)
- Brian Roby, PhD (LSA - Judaic Studies)
- Dominick Sokotoff (student - LSA)
- Reginald Stewart* (student - Law School)

For more information about the University of Michigan Police Department Oversight Committee:

- [Website](http://hr.umich.edu/pdoc): hr.umich.edu/pdoc
- Telephone: (734) 647-7292
- Email: pdoversight@umich.edu
- [Complaint/Grievance form](#)

II: Letter from Chair



Police Department Oversight Committee
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3003 S. State Street
Ann Arbor, MI 48109-1281
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July 1, 2022

Letter from the Chair

I was elected to the Committee in June 2020. The pandemic – and the murders of George Floyd, Ahmaud Arbery, and many others – rocked the world and impressed upon the committee that we could not “return to normal” but instead needed to do more and better when it came to improving policing and public safety. I write to you in the thirtieth year of police oversight on campus, when it seems right to reflect on what has been accomplished and what remains to be done.

The creation of the UMPD from 1990-1992 was contentious. In part to assuage some of the concerns of the last generation of abolitionists, by state law, the University may not have a police force unless it has an oversight committee made up of faculty, staff, and students. It has been the focus of my tenure to ensure that we have consistent, sustainable, meaningful oversight of all complaints and grievances against UMPD police officers. Last year, historians at UM’s Bentley Library, documented that in the first half of the Oversight Committee’s existence, it faced numerous issues such as a 9-year lapse in election of faculty members, sporadic meetings, student seats on the committee going empty for months, and several years in which the Committee received no grievances to review. The situation began to substantially improve in 2009 after a Michigan Daily investigation brought attention to many of these issues and both DPSS’ and the Oversight Committee’s procedures around police oversight were strengthened.

While there have been advances, there have also been some continued areas of challenge and inconsistency. Rachel Dawson, Bryan Roby, and I of the Oversight Committee served on the Provost’s Advancing Public Safety (APS) taskforce in 2021. We reviewed data from DPSS and the University and discovered that several key challenges with ensuring comprehensive, substantive police oversight of all grievances remained. As an appendix to this report, I enclose our findings from that Taskforce that detail the many issues in training and onboarding members, being hampered by lack of sufficient administrative support and record keeping, and the inability to make binding recommendations to put some “teeth” into oversight. We also learned that it had been practice for the Oversight Committee and DPSS to distinguish between “grievances” (made by an individual about an officer directly to the Oversight Committee) and “complaints” (made by an individual about an officer to DPSS first before DPSS shares it with the

Committee). While DPSS provided a written report of its investigation of *grievances* to the Committee immediately upon completion, *complaints* were handled by verbally informing the Committee twice per year in a meeting of all complaints that had been received and investigated in the last six months. This means that grievances were receiving more timely and in-depth review by the Oversight Committee, while review of complaints were only occurring twice a year and often without investigation of written findings. Because many community members are unaware of the existence of the Oversight Committee, the majority (e.g. in recent years, an estimated 85%) of complaints/grievances are made to DPSS and thus had been reviewed only semiannually and typically without review of written findings.

In the last two years, we have secured many advances to continue strengthening oversight:

- Through a request for and review of information from the UMPD, we identified the differential handling of grievances and complaints handled above. Via direct discussions with UMPD, we now have a mutual agreement that **all complaints, not just those grievances submitted initially to the PDOC, will be reviewed in writing by the Oversight Committee as they are received and investigated.** This standardizes the process across complaints and grievances so that no matter where someone makes a complaint, they can expect the same standard of timely and in-depth review. The Committee is notified of all complaints submitted to DPSS within 5 business days, in line with the bylaws. Since this discussion last year, we have seen a dramatic increase in the number of grievances/complaints we were asked to review in writing, indicating UMPD's full embrace of and cooperation with the new protocol.
- We advocated for, drafted, and secured the first **expansion of Committee powers** since the committee was founded in 1992. After 9 months of negotiations, we now have explicitly protected powers to 1) make public reports, which I use to write to you now, and 2) to proactively review UMPD policies, data, and procedures, not just retroactively review complaints. These changes were formally incorporated into the bylaws by the University President in July 2021. This means the public can now be notified if the Committee disagrees with the UMPD in how a complaint was handled.
- Three Committee members served on the Provost's task force and shaped the **task force recommendations**, which include at least 12 action items directly related to strengthening police oversight.
- We held what, to our knowledge, was perhaps the first formal **listening session** with community members by the Oversight Committee on March 10, 2022. We hope it will mark a moment of greater engagement with the community such that oversight will be more responsive to those who elected us to this committee, and so that the entire campus community knows that they have a right to submit complaints and have those complaints subjected to meaningful oversight.
- We have set the foundation for more **robust review of evidence** moving forward. Previously, the Committee reviewed UMPD's investigation disposition, asked questions to the UMPD Chief for clarification, and moved forward with making any recommendations. There was a growing concern that the Committee should do their own primary review of the evidence that the UMPD considered when writing their disposition, rather than relying only on the summary contained in the disposition. We now have a process by which UMPD automatically shares all of their primary data collection that is in written format, and are in the process of finalizing a protocol by which we can review body worn camera footage as part of routine review upon request.
- We are in the process of finalizing an agreement with UMPD that they will **share complainant (with consent) and officer information with the committee**, rather than redacting this information. This will help us understand potential patterns of complaints against particular officers. It will also enable us to directly let complainants know the results of our findings during the oversight process, rather than funneling these communications through the UMPD.

- We have developed a **strong working dynamic** with the UMPD whereby we are able to productively work toward shared goals of police transparency and community trust, while retaining our independence and being frank in our areas of disagreement.

In addition to these advances, we continue to have numerous challenges:

- When the Committee was only receiving 1-2 written reports of grievances per year, there was no need for a formal organizational system to keep track of cases and where they were in the pipeline of receipt, review, and response. When that number suddenly increased to a dozen with the review of complaints, the influx overwhelmed our ability to keep track of them all. Prior to 2020, the Committee had often met once a semester; now, even our monthly meeting schedule was not sufficient to thoroughly discuss all the cases. Further, it became clear that no one had formal written procedures for how complainants were notified of the outcome of the investigation. This led to significant delays in finalizing reviews and responding to complainants.
- We continue to operate without any kind of budget and perform service entirely uncompensated by credit hours, protected time, salary, or honorarium. During exam times, our student members are often unable to be meaningfully involved in oversight. As the number of written reports of grievances we are reviewing has skyrocketed, this problem with limited capacity has been exacerbated. We await word on whether the recommendations the Taskforce made to the Provost last year, including tangible University support for police oversight by providing protected time for faculty and staff and credit hours or salary for student members, will be enacted.
- Medical leave, maternity leave, major deaths in the family, and resignation of a member all further reduced the capacity of the six-person committee at various points over the last two years. As the pandemic continues to place strain on all of us, the need for protected time and tangible support, as well as likely the need to expand the number of people who serve on the committee, are even more urgent.
- 21st Century Policing Solutions (21CP) is an organization that was hired by the university many months ago to draft recommendations to improve community engagement, hiring and retention, and data collection. At the time of this writing, the PDOC as a group has yet to have a substantive meeting with 21CP or DPSS to discuss the implementation of its recommendations, despite my efforts to reach out to 21CP and invite such a meeting with the full PDOC. A sustained, substantive, and continued engagement of police oversight is necessary for a meaningful review and improvement of public safety on campus. I hope that the university will solicit input from the PDOC and take the PDOC's input on 21CP's recommendations seriously, and that DPSS will begin working meaningfully and regularly with the PDOC to implement the 13 action items recommended by the APS task force pertaining to police oversight at UM.

Our goals for the next term include:

- Continue professionalizing the Committee by providing training and certification in how to conduct robust oversight, including how to interpret body worn camera footage and what questions to ask when conducting a review.
- Continue to formalize many of our procedures, which are currently an agreement among ourselves or with UMPD, by incorporating them into the bylaws, or at least as a formal written protocol. These protocols should be shared publicly.
- Expanding membership on the committee in order to deal with increased workload and vision
- Budget and protected administrative support for the committee
- More frequent meeting schedule to handle increased workload

Police oversight meant something very specific and circumscribed in 1990 when the Public Act 120 was written, codifying that the UMPD may not exist unless the PDOC exists. At that time, having any kind of even nonbinding police oversight was visionary. In 2022, my opinion is that we should continue to strive to be “leaders and best” in scoping our vision and practice for what meaningful, consistent, and comprehensive police oversight looks like to where police oversight is evolving today. We have made several steps toward strengthening oversight these past two years.

When I ran for this position in June 2020, I was elected from a strong pool of many nominees who were all anxious to do *something* in the wake of George Floyd. Sadly, I write to you today a month after I was supposed to rotate off the committee, because no one ran to take my seat and another election is needed. Police oversight is a community responsibility. I urge all of us not to lose sight of the importance of this work, regardless of what news cycle we may be in. As they say, this is a marathon, not a sprint – and as a community, this is a relay race. During the time I have had the honor of serving on the committee, I have done my best to point out frankly where we saw UMPD could improve, as well as where our Oversight Committee can do better, and I think we have made important progress toward that finish line. I look forward to passing the baton and watching this important work continue to advance.

In service,

A handwritten signature in black ink, appearing to be 'SP', with a long horizontal flourish extending to the right.

Sarah Peitzmeier
On behalf of the PDOC

III: Summary of Activities

PDOC Summary of Activities - January 2021- June 2022

- 2021 Meetings/Events - 19 total:
 - 11 monthly committee meetings
 - 8 policy meetings

- 2021 Complaints - 8 total:
 - 7 reported to DPSS
 - 1 reported to PDOC
 - PDOC complaint dispositions:
 - 5 exonerated by DPSS
 - 2 Complaints sustained with corrective action taken by DPSS
 - 1 not sustained, but improvements were implemented
 - PDOC complaint dispositions:
 - 8 in progress

- 2022 Meetings/Events - 7 meetings (as of 06/30/2022)
 - 6 committee meetings
 - Community Engagement event 03/10/2022

- 2022 Complaints (as of June 30, 2022) - 11 total:
 - 10 reported to DPSS
 - 1 reported to PDOC
 - PDOC complaint dispositions:
 - 7 exonerated by DPSS
 - 4 in progress
 - PDOC complaint dispositions:
 - 11 in progress

IV: Appendix C from the *Report from the Advancing Public Safety at the University of Michigan Task Force*

APPENDIX C: CONTEXTUAL BACKGROUND ON THE POLICE DEPARTMENT OVERSIGHT COMMITTEE

In the fall of 2020, a proposal was made to university leadership to expand the responsibilities of the Police Department Oversight Committee (PDOC), as the formation of this task force was coming together. University leadership asked that the proposal be considered within the scope of the task force recommendations. There was near unanimous support for expanding the responsibilities and support for the PDOC by the task force. Additional detail is provided in this appendix to provide context for the recommendations which have been made.

The University of Michigan Police Department Oversight Committee (PDOC) was established in 1992 by state law as a prerequisite for the University to establish a police force. As such, a functioning PDOC ensures the existence of the UMPD:

A. Background

Public Act 120 of 1990 Section 390.1511

“The governing board of control of an institution of higher education shall not grant the powers and authority described in subsection (1) to the public safety officers of the institution unless, before those powers and authority are granted, **the governing board provides for the establishment of a public safety department oversight committee** [emphasis added]. The committee shall be composed of individuals nominated and elected by the faculty, students, and staff of the institution. The committee shall include 2 students, 2 members of the faculty, and 2 members of the staff. The committee shall receive and address grievances by persons against the public safety officers or the public safety department of the institution. The committee may recommend to the institution that disciplinary measures be taken by the institution against a public safety officer who is found responsible for misconduct in office.”³

Given that the law mandates that the existence of a university public safety department is predicated upon the creation of an Oversight Committee, our initial focus was on the U-M PDOC. We began our charge by delving into some of the ambiguities of the Public Act 120 of 1990 such as: Which body nominates and elects student members?

- Do those students include graduate students?
- Are grievances directly received by the Oversight Committee as many interpretations of the law suggest?
- Would members of the public find it easily accessible to submit a grievance about a member of the public safety department?
- Does DPSS have a grievance procedure that is well integrated with the PDOC?

³ [https://www.legislature.mi.gov/\(S\(40rvy5dtg5sphf4ena0tgi5c\)\)/mileg.aspx?page=getObject&objectName=mcl-390-1511](https://www.legislature.mi.gov/(S(40rvy5dtg5sphf4ena0tgi5c))/mileg.aspx?page=getObject&objectName=mcl-390-1511)

Some of the ambiguities of the Public Act 120 have been addressed through the PDOC bylaws. In addition to Public Act 120 specifying certain characteristics of the PDOC (e.g. the makeup of its members and the power to review grievances and recommend disciplinary action), the University has created a bylaws document for the PDOC with additional detail about its scope and powers, which may go beyond the bare minimum requirements established by Public Act 120. Currently, the bylaws give additional explicit powers to the PDOC to hold hearings, though the request to hold a hearing may be denied by the director of DPSS, and that denial must be appealed to the UM President. The current bylaws are ambiguous as to whether the PDOC may issue public reports and whether it may proactively review UMPD policies and procedures, in addition to its legislatively mandated ability to retroactively review grievances. It explicitly states that the PDOC may only make nonbinding recommendations that DPSS may disregard. The bylaws specify that updates to the bylaws must be approved by DPSS; if DPSS denies a request to update the bylaws, this can be appealed to the University president.

The bylaws clarify that: “The function of the Committee is to comply with Act 120 and consider grievances by persons against sworn officers or the Police Department, as well as against officers employed by the University under Public Act 330 (1968) of the State of Michigan.” Public Act 330 officers include non-sworn security officers with arrest authority on the premises of their employer; they may or may not be armed. DPSS employees roughly 6 such officers.

There are a number of avenues by which individuals may submit a grievance. They can speak directly with the oversight committee by sending an email to the address posted on the public oversight committee website, or they can contact the UMPD via online form, mail, fax, phone, or in-person.

B. Issues Identified with Oversight Committee Structure and Grievance Procedures Onboarding

Onboarding. Numerous issues were identified with the training and onboarding process for new members. After members are elected, there is no standard process for letting members understand the scope of their powers and responsibilities, and no standard training in how to perform police oversight. One PDOC member stated that for the whole first year of her two-year tenure, no one explained to her what was expected of committee members and the committee members rarely even met, until a new chair joined the PDOC. Until that time, she was unclear as to the basic scope and function of the PDOC.

Training. There is no training offered to members of the PDOC. Training programs exist for certification of police oversight professionals, such as the National Association for Civilian Oversight of Law Enforcement (NACOLE) Certified Practitioner of Oversight (CPO) program (https://www.nacole.org/cpo_credential_program). This program is considered a gold standard, and local oversight committees such as the Ann Arbor Police Department supports the members of its oversight committee in attending this training. It involves 45 hours of training as well as additional readings and conference attendance, ensuring the individual is fluent in six core competency areas for oversight: Civilian Oversight of Law Enforcement, Investigations, the Public and Transparency, Law, Policing/Law Enforcement Policies & Procedures, Remediation and Discipline. This training helps individuals understand questions to ask when reviewing a grievance investigation, how to review evidence such as body camera footage, and other specialized skills that are not immediately obvious to a lay person. No such training is provided to members of the UM PDOC.

Record Keeping. The PDOC members and administrative assistant share access to a UM Box folder, which is maintained by the administrative assistant. Historically, the Box has not been maintained in a consistent or organized fashion. When the current chair joined the PDOC, the Box did not contain a copy of the PDOC Bylaws, past meeting minutes, or most of the past grievance reports issued by the committee. The chair was forced to seek out past chairs and ask them to share their personal experiences,

as well as files that they had stored on their private computers, in order to piece together an understanding of the past activities of the PDOC in the last several years.

Organization of elections. Staff and faculty seats are on a two year cycle. Student seats are on a one year cycle, with elections staggered every 6 months. Staff and faculty elections are run by the UM Human Resources Department, while student elections are run by the Central Student Government (CSG). Timing of elections seems to be inconsistent, for instance with delays in elections in 2020 due to COVID. After one student graduated in 2020 in the middle of their term, there was a delay of many weeks while the appropriate method of selecting their replacement was determined (appointment by the CSG), as well as a delay in the CSG actually selecting and appointing a candidate, leaving the seat open. Elections are not always well advertised, with perhaps a mention in the University Record, but little campus awareness of elections coming up. The PDOC reported being contacted by several individuals who were concerned that they had missed notification of the opportunity to run. Some graduate students also expressed a concern that it was difficult to run against the undergraduate candidate that CSG supported. However, student members are not exclusively undergraduates; in early 2020, one of the PDOC seats was a medical student. At the most recent student election, CSG did not notify the PDOC of the results of the election. The PDOC chair and the PDOC administrative support person found out about the new member only when the Michigan Daily reached out to them to ask for a statement about the new PDOC member. In summary, election timing and procedures are not as regular as they should be. A 2009 Michigan Daily investigation revealed that this is a longstanding issue.

Institutional memory. Related to the lack of onboarding, when new members are elected, there is no standard process of having them meet with the person they are replacing, or with the new chair, unless the chair so chooses. There is no official list of past members and their contact information provided to the committee. As such, it is up to new members and chairs to “track down” who past members were and ask them for some time to get their insights on where past committees have focused their efforts, and lessons learned. This problem is exacerbated when multiple seats go up for election at the same time, resulting in a mostly new set of members.

Limited administrative support. The PDOC is currently assisted by two administrative assistants whose primary appointment is in the UM Human Resources department. The bylaws state “University Human Resources will provide administrative support to the Committee, including receipt of grievances submitted to the Committee, logistical and communications support for the nomination and election processes for faculty and staff representatives, and any other needs identified by the Committee.” These two individuals are responsible for attending all meetings, scheduling and sending out meeting invites, organizing the Box, taking meeting minutes, and running the elections for the four non-student seats on the committee. They also help coordinate communications between the PDOC and the UMPD if desired by the PDOC members. However, there is no formal description of their position duties, and no budget line for their work and no formal percentage of their effort budgeted for and allocated to the PDOC. They are simply expected to complete these duties around their paid positions.

While PDOC members reported that this aid was helpful, there were also concerns expressed by some members about this support. For instance, a PDOC member stated that on one occasion in August 2020, the committee intended to provide a private, non-binding recommendation to the UMPD about one of their policing initiatives, the COVID Ambassadors Program. The administrative assistant informed them that making recommendations was outside of the committee’s “purview” and offered to contact the Office of General Council to see if they agree, or what would be involved in changing the committee scope.

Some members felt this had a chilling effect on the ability of the committee to do its work. While the ability to make private, non-binding recommendations about policies and initiatives unconnected to grievance reviews is neither clearly endorsed nor prohibited in the bylaws or in Public Act 120, a review of past PDOC activity reveals that the PDOC has frequently done so in the past. As such, the administrative assistant's read of the committee's scope was conservative. Further, several PDOC members felt that taking the initiative to intervene and report on the PDOC's activity to the University Office of General Council was beyond the scope of what they understood the administrative assistant's role to be. After this incident, some members wondered whether the administrative assistant was being asked by the university to monitor and police the committee's activities. This made some members uncertain about whether to speak freely at meetings in front of the administrative assistant.

Because the administrative support assigned to the committee does not include dedicated effort, and administrative assistants also have no formal training in conducting police oversight, the committee has no administrative support for conducting time-consuming investigations or report writing. In comparison, other groups such as the Ann Arbor Police Department Independent Community Policing Oversight Committee (ICPOC) have 2-3 members who are dedicated "Information Managers" who are tasked with ensuring secure compilation, organization, storage of and access to relevant data. These committee members are often retired and donate an estimated 10-15 hours per week of their time to do this work. Other oversight committees nationally who follow a similar structure to the UM PDOC (i.e. providing non-binding recommendations about grievances after reviewing investigations undertaken by the police department, rather than oversight committees that have binding recommendation powers or primary investigatory authority) often have a full-time, paid administrative support person with the specialized training needed to write reports and handle evidence (e.g. the Fairfax County Police Civilian Review Panel).

Limited scope. The current scope and powers of the committee have not changed substantially since its establishment in 1992 and do not go much beyond the minimum legislatively required by Public Act 120. While this level of civilian oversight was considered robust in 1990, civilian oversight of policing has changed dramatically in the last 30 years. Even taking as set in stone a model in which the police department has primary investigatory authority and the PDOC may only make non-binding recommendations, there are several measures that should be undertaken to enhance oversight and public trust.

- Communities may find they are better off granting authority that may never need to be used than they would be in withholding authority that may be needed at a critical time.⁴

Currently, the PDOC is under negotiations with DPSS and the University administration to 1) explicitly allow the PDOC to proactively review UMPD policies, procedures, and data to look for potential issues and 2) explicitly allow the PDOC to make public reports, appropriately redacted to protect confidential information about individuals involved as required by law, union contract provisions, or safety concerns.

University philosophy regarding role of oversight committee. Unlike most other university committees, the PDOC's existence is mandated by state law. Its function is to provide robust independent oversight of the police force. However, PDOC members reported that they were told by the University as well as the UMPD that the purpose of the committee is to advise the University and serve the needs and interests of the University. This view has seriously hamstrung the PDOC from conducting transparent oversight. Until 2016, the University maintained that the PDOC was not to even share information back to the grievant themselves about the status of their complaint or what disciplinary action or remedial action was taken in response. The Office of General Counsel stated in 2011 that the bylaws "allows the 4 NACOLE

⁴ NACOLE Oversight Models, https://www.nacole.org/oversight_models

Oversight Models, https://www.nacole.org/oversight_models 45 committee to make recommendations to the CFO, but does not include language regarding notice to affected persons, contemplating that these recommendations are for an internal audience only. The grievance procedure is not established to resolve a matter for an individual grievant, but to improve the functioning of our DPS.” After significant advocacy from the then-chair of the PDOC, President Schlissel stated in May 2016 that the PDOC is able to make reports back to the grievant, officially changing the practice, and stated that reports might also be made to the general public, if they were approved by the University. Unfortunately, while the PDOC began issuing reports to grievants at that time, no one ever actually updated the bylaws to reflect the fact that the PDOC had the powers to make public reports or what these reports should look like. That is why currently, in 2020, negotiations are underway to formalize this power.

Culture. Culture of “collegiality” means oversight committees generally do not request additional evidence, hearings, body cam footage, etc. and tend to take PD’s investigatory findings at face value. Concerns were expressed by some members that this amounted to a “rubber stamp” on UMPD investigations of grievances.

Transparency. Lack of transparency - currently being negotiated with the administration the ability to make public reports. In the past, the law and bylaws are ambiguous about the ability to make public reports, university admin has discouraged it, and some chairs have irregularly issued public reports while others were told they could not do so. Even the PDOC bylaws are inaccessible to the public. No website presence, etc.

Lack of public transparency in how to file a complaint with the Oversight Committee. Our review suggests that most grievances are submitted directly to the police, likely because the police department website does not prominently feature the oversight committee contact information. The police department page on making a complaint has a prominent online form that individuals may fill out, with the oversight committee listed in smaller font at the bottom of the page. Individuals may also choose to make a phone call (which routes to the DPSS Dispatcher and supervisor), or print out a form that they can submit in person or via mail or fax. In many instances it is not clear to the public who handles the complaint, the UMPD or the oversight committee. For instance, the oversight committee website says “For information or to file a complaint, call (734) 647-7292, email pdoversight@umich.edu or visit room 2005 Wolverine Tower, 3003 S. State St.” However, only, the email address is routed directly to oversight committee. The address given is for UM Staff HR Services. The phone number goes to a voicemail that says it is for the Oversight Committee, but no current member of the Oversight Committee had any knowledge of who monitors that phone line. It was recently revealed that the staff support person was supposed to be checking the line, but no one was checking the line, and a grievance went unaddressed for several months as a result.

Grievances not always forwarded to the Oversight Committee. Based upon a review of the DPSS policy documentations on grievances, there was evidence that grievances submitted to DPSS -- either internally by DPSS staff or by members of the public -- are not forwarded in a systematic or universal way to the PDOC. This would seem to directly contradict the intention of Public Act 120 that states that a committee like PDOC “shall receive and address grievances by persons against the public safety officers or the public safety department of the institution.” However, DPSS Deputy Director of Administration Services Teresa Oesterle stated that some grievances received directly by the UMPD are considered “personnel standard investigations” and triaged as not being relevant to the Oversight Committee and not shared with them. It was not explicit what standard is used for this triage, though Task Force members attending the meeting were left with the impression that complaints considered less severe or more “minor policy infractions” may be triaged in this way. Eddie Washington also stated that DPSS considers “internal complaints” (i.e. complaints submitted by DPSS staff against other DPSS staff) as

“not within the purview of the Oversight Committee.” Neither Public Act 120 nor the Committee bylaws exclude any class of grievances from Oversight Committee purview, regardless of who submitted the complaint (“grievances by persons against the...officers” does not restrict class of persons by employment at DPSS), the perceived severity of the complaint, or any other dimension of the complaint.

The Task Force requested detailed information about the grievances received over the last 3 years and received only 1-2 sentence summary information about grievances from the last two years on April 13, very close to the end of the Task Force’s mandate period on April 30. From the limited information provided, in the limited time allowed for review, it was not clear to the Task Force what percentage of complaints have recently shared with the oversight committee, but it is clear from the available data and the records of the Oversight Committee that DPSS does not share all grievances with the Oversight Committee despite being legislatively mandated to do so in order to exist.

In data shared by DPSS, DPSS received 73 grievances in 2019 and 32 grievances in 2020 on the Ann Arbor Campus. Of these, 20 grievances in 2019 and 7 grievances in 2020 were against a police officer (rather than a U-M security officer, dispatcher, police supervisor, or other DPSS employee who may not be under the purview of the Oversight Committee, though whether the employee should be under the purview of the Oversight Committee was not entirely clear in all cases from the information provided to the Task Force). The Oversight Committee reported only having records of up to 3 complaints from 2019 and only 1 complaint from 2020 that had gone through full review in their shared drive as of April 2021. A full review indicates that the Oversight Committee received 1) the complaint as submitted by the grievant, 2) a full written report of the UMPD’s investigation, and 3) answers to any questions the PDOC had about the complaint. As stated above, the organizational system of the Oversight Committee is not comprehensive and records may be missing. Further investigation into 2019 complaints (which would have required contacting past members of the committee who have since left the University to see if they had additional records) was not possible in the time allotted to the Task Force to investigate the issue. Due to the limited information provided to the Task Force about each complaint, it was not always possible to definitively determine which of the 2020 complaints had been shared with the PDOC. However, of the 7 complaints against police officers, DPSS acknowledges that 2 were internal complaints that they did not share with the oversight committee. Of the 5 remaining complaints that DPSS states were shared with the oversight committee, the PDOC was able to confirm that:

- 1 complaint: went through full review by the PDOC
- 1 complaint: was shared directly with the PDOC by the complainant; the PDOC has not yet received the full investigation report from UMPD 47
- 2 complaints: the PDOC received a brief written summary and oral debriefing about the complaint, but did not receive a copy of the complaint or a copy of the written investigation findings
- 1 complaint: based on the limited information provided to the Task Force, the PDOC has no record of being informed of this complaint

The Oversight Committee also reported that other irregularities exist even when grievances are shared with the committee, such as not always being shared within 5 business days of receipt of the grievance as specified in the bylaws, but sometimes as many as 8 months later. UMPD also has inconsistent practices about sharing information about grievances. For complaints that come first to DPSS rather than to the Oversight Committee, DPSS sometimes shares the grievance itself as submitted by the grievant with the Committee, and other times withholds the complaint, stating confidentiality or unspecified legal concerns. Similarly, DPSS at times provides the Committee with a written report of its investigation of the complaint for the Committee to review, and at other times states that a written report with full details

cannot be shared for confidentiality or legal reasons. UMPD has indicated that they share more information about the investigation in a written report when the complaint is first filed with the oversight committee, as compared to when the complaint is first filed with the UMPD. There is no justification in the bylaws or Public Act 120 for this distinction.

Given that 1) the Oversight Committee is not the public at large but rather a legislatively mandated body responsible for oversight of grievances, 2) the Oversight Committee is bound by a signed confidentiality statement agreeing not to share confidential information publicly, and 3) the UMPD has the primary responsibility for conducting the investigation and the PDOC cannot conduct the investigation itself, it seems untenable to withhold grievances and full reports of the investigation of the grievance from the Committee if the PDOC is to conduct robust oversight.

The 2009 Michigan Daily investigation into the PDOC reveals that a discrepancy between the number of grievances received by the UMPD and the number of grievances shared with the PDOC has been a serious issue for the entire 30 year history of the PDOC. A 1996 investigation found that “DPS received about 10 complaints each year, none of which were filed as grievances with the committee.” As a result, the 1996 Investigation of Policies and Practices of the Department of Public Safety and Security report explicitly recommended that the PDOC “receive all complaints and grievances reported to DPS,” as quoted in the 2009 Michigan Daily investigation. In fact, in several years since then, the UMPD shared zero grievances with the committee, and to this day, does not seem to receive all grievances in full or in the time frame required by Public Act 120 or the bylaws. The Task Force lacked sufficient time, information, and resources to fully determine exactly what percentage of grievances have recently been shared with the PDOC, and reasons for any discrepancies.

Lack of standards for review timeline. There are no standards or tracking for 1) how long the UMPD takes to investigate a grievance and 2) how long it takes the Oversight Committee to review the report and complete their own review and report on the grievance. Frequently, many months pass between when the grievant makes a report and when they receive any notice. Related to the aforementioned lack of training, the Oversight Committee has no internal protocols or standards for how to conduct a thorough and timely review. The Oversight Committee has no written protocol for how to communicate with the grievant after review or whether this is the responsibility of the police department.

Full report is available here: https://provost.umich.edu/wp-content/uploads/2022/07/APS-UM_TaskForce-FinalReport050621.pdf