

MINUTES
CITY OF FARMINGTON HILLS
FARMINGTON HILLS CITY COUNCIL
CITY HALL – COUNCIL CHAMBER
JANUARY 8, 2024 – 5:30PM

The study session meeting of the Farmington Hills City Council was called to order by Mayor Rich at 5:48pm

Council Members Present: Aldred, Boleware (arrived at 5:49pm), Bridges, Bruce, Dwyer, Knol (arrived at 5:49pm), and Rich

Council Members Absent: None

Others Present: City Manager Mekjian, Interim City Clerk Lindahl, Assistant City Manager Mondora, Directors Harvey and Sullen-Winn, Police Chief King, and City Attorney Joppich

UPDATES FROM WINBOURNE

City Manager Mekjian said that tonight City Council will hear an update from Winbourne regarding Phase 2 of the 2022 Farmington Hills Police Department Traffic Stops and Citations Assessment Analysis, as requested and authorized by City Council.

Police Chief King said he was confident that Phase 2 of this independent report will further underscore the commitment of the exceptional men and women within the Police Department in serving Farmington Hills with constitutional policing practices. He was also confident that the report will further demonstrate the Department's dedication to providing exceptional police services without prejudice. Department staff look forward to continuing these efforts on behalf of the community, in order to strengthen the relationship with the community through ongoing transparency and communication.

Mayor Rich noted that Council had received tonight's materials very recently. She looked forward to hearing tonight's report, and noted there may be some preliminary questions from Council. However, the majority of questions will come later and be forwarded to Winbourne through the City Manager.

Utilizing a PowerPoint presentation, Tom Maureau and Clark Kimerer from Winbourne gave an overview of the draft Primary Report *Farmington Hills Police Department Analysis 2022, Phase 2 – Traffic Stops and Citations Assessments & Analysis*. Highlights of their review included:

- The report was divided into two main sections:
 - Summary of Findings and Recommendations
 - Summary of Traffic Stop and Citation Data
- The scope of the project is to complete an assessment of the Police Department's policies, procedures, training, customs, and culture regarding traffic stops and the issuance of traffic citations. The assessment will focus on identifying any bias regarding traffic stops and citations.
- Specifically, the consultant contract is to assess the Police Department traffic stop policies, procedures, and training to compare law enforcement industry model policies, standards, guidelines, and best practices.
- Department Strengths. The Department has a very experienced, very conscientious, and principled leadership group. The Department has a state of the art mission statement and core values prioritizing reverence of life and constitutional policing. The Department's unwavering commitment to

situational awareness is a gold standard relative to developing policy and training programs. There are very good, multi-tiered accountability systems in place.

- Training programs exceed standards in most regards, with a commitment to procedural justice and police legitimacy, which is the anchor for implicit bias prevention.
- There are very good traffic safety initiatives, particularly in commercial vehicle regulatory enforcement.
- There is a commitment to continuously and progressively improve – this is the best place the Department can be.
- The training system and accountability system used in FHPD addresses implicit bias. Implicit bias involves making decisions with the authority of a police officer, based on stereotypes, but without intellectual intention or a conscious act. Implicit bias can influence or affect how decisions are made and how people are treated. FHPD is doing a state of the art job of determining whether there are bias effects within their agency.
- The formal complaint component is very good, with a good performance evaluation system.
- Recommendation: Have more systematic review of body worn camera video to determine elements of potential bias as well as other things within the Department that they want to prohibit.
- Finding and Recommendation: Improve the quality of FHPD data. Virtually all law enforcement initiatives are data-driven.
 - Department strategic directive is that the department will be data-driven.
 - Data delivery by CLEMIS is constrained; some data could not be delivered. Understanding CLEMIS modules better can help with data mining, but CLEMIS itself has limitations.
 - Data needs to be timely, accurate, relevant, objective and comprehensive.
 - Quality of data needs to improve.
 - There needs to be a formal quality improvement program that is constantly measuring the quality of the data.
- Top Recommendation: hire a data subject matter expert, someone who has expert knowledge/advanced certification regarding the CLEMIS system data. This is a civilian position.
 - Chief and staff need this support as an essential core tool.
- After initial analysis, FHPD completed a pilot project and then expanded enterprise wide, relative to data collection. Data collection is infinitely better than at the start of project.
- New information is being collected for traffic stops, so that the Department now has significant capabilities to successfully complete an anti-bias initiative.
- Section 2 has many different tables and charts addressing specific criteria and events, such as vehicle pursuits and use of force incidents related to traffic stops.
 - The data has been difficult to collect, whether from CLEMIS or the court administrator's office. Trends and patterns cannot be understood without data regarding such things as gender, race, where were citations issued? where were warnings issued? was the driver from in or out of the City? The Department must have the capability to collect this data, with daily and weekly reports.
 - Discussions of bias should not be based on the demographics of the City. Roadway demographics can be very different from City demographics.
 - Patterns can be affected by month, day of the week, time of the day, shift change, etc. This data needs to be collected.
 - When data is deficient, no factual determination can be made. This was the case with data collection in FHPD.
- Reducing tickets to “impeding traffic” to avoid points for insurance is widespread throughout Michigan. This practice inhibits collection of data, as the information regarding the original reason for a traffic stop is lost. If the policy is to continue to use “impeding traffic”, some way needs to be found to collect the relevant data.

- The City receives the entire fine amount for a civil citation vs. a shared amount for a state motor code citation.
- On November 10, the Chief issued a new policy that gives clear direction regarding alternative traffic violations, relative to the civil violation being closer to the actual motor code violation.
- Final findings:
 - The stop and citation polices for FHPD meet national and state standards, as well as a number of the established and modeled practices. However, Winbourne considers these standards to be baseline, not aspirational.
 - FHPD has the strengths to meet the goals outlined in the Report, including the implementation of a formal Traffic Safety Enforcement Strategic Plan protocol that is data informed and focused on life safety as the ultimate goal of enforcement, warnings, education, and prevention.
 - Random enforcement has random results.
 - FHPD has a superb program regarding commercial vehicle enforcement.
 - There should be non-punitive, systemized review of body worn car video footage relative to discussions of bias in policing.
 - The City is in a much better position to get information and data than before the study began.
 - An article from Ann Arbor showed the same issue regarding data collection from CLEMIS during a professional traffic stop anti-bias initiative.

Council discussion and questions included:

- General agreement that it will take some time to digest the information in the report.
- It was difficult to interpret the data when the presentation concluded the data was not sufficient. The issue of data collection needed to be resolved.
- Council expressed confidence in Chief King's ability to use the information provided to improve the Department. Farmington Hills was already a Safe City, and could be an even better city by implementing the recommendations made.
- Council acknowledged the importance of hiring a data subject matter expert.
- CLEMIS did provide an economy of scale, with multiple jurisdictions on the same system and sharing the same information. Options regarding getting better data should be explored with CLEMIS.

Councilmember Dwyer spoke to his experience with CLEMIS. While no system was perfect, Dwyer considered CLEMIS to be the best system available. Dwyer also felt a single expert could never provide all the information being requested by this study – funding would need to be provided for more than one person. He pointed out that FHPD was one of the best police departments in the state.

Mr. Maureau suggested Council could further discuss these issues during a subsequent meeting when a “deep dive” would be taken relative to the information provided.

Mayor Rich thanked Chief King for working with the consultants and already implementing changes to make things better.

Chief King said that CLEMIS was going through a significant overhaul of their transparency dashboard, spearheaded at the County Executive level. The County has reached out to FHPD to help the County develop a more comprehensive, accurate and informative transparency dashboard for the community.

Mayor Rich said Council will come back to this discussion after receipt of the final draft for Phase 2. During the initial draft of Phase 3 CLEMIS will attend and present to Council.

ADJOURNMENT

The study session meeting adjourned at 7:14pm.

Respectfully submitted,

Carly Lindahl, Interim City Clerk