



City of Bloomington

NOTICE

Thursday, 23 January 2025 at 4:00 p.m.

Community Advisory on Public Safety Commission Regular Session

This meeting will be held in the Allison Conference Room (Suite #225, City Hall, 401 N. Morton St) and may also be accessed electronically via Zoom (see information below).

Join Zoom Meeting

<https://bloomington.zoom.us/j/88472201341?pwd=GQmdyhbC5qYpqtbc7neCqnmJJbASbN.1>

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As a quorum of this Commission or its committees may be present, this gathering constitutes a meeting under the Indiana Open Door Law (I.C. § 5-14-1.5). For that reason, this statement provides notice that this meeting will occur and is open for the public to attend, observe, and record what transpires.

Meeting Agenda

Community Advisory on Public Safety Commission

Thursday, January 23, 2025 at 4:00 pm – 5:30 pm

Allison Conference Room (#225), Showers Building, 401 N. Morton Street

The public may also access the meeting at the following link:

<https://bloomington.zoom.us/j/88472201341?pwd=GQmdyhbC5qYpqtbc7neCqnmJJbASbN.1>

- I. ROLL CALL & INTRODUCTIONS
- II. APPROVAL OF AGENDA AND APPROVAL OF MEMORANDA/MINUTES
 - A. May 22, 2024
 - B. July 24, 2024
 - C. October 24, 2024
 - D. December 19, 2024
- III. REPORTS (if any)
 - A. Co-Chairs
 - B. Individual Members
 - C. Committees
 - D. Staff
 - i. Missing meeting memoranda from committee meetings in 2024
 - E. Public / Public Comment
- IV. OLD BUSINESS
 - A. Discussion of Committees (Outreach & Research)
 - B. Discussion of bylaws
 - C. Housing Advocacy Concerns (Housing Committee)
- V. NEW BUSINESS
 - A. Discussion of Stride Visit
 - B. Collaborating on Documents
- VI. TOPIC SUGGESTIONS FOR FUTURE AGENDAS
- VII. ADJOURNMENT

CAPS Commission Goals and Purpose:

Perform research and gather data on the perceptions and preferences about public safety from community members, with specific focus on perceptions and preference data gathered from minority community members, individuals who are disabled, and other often marginalized community members

Research evidence-based alternatives to traditional policing

Identify best practices in public safety globally and evaluate the efficacy of such practices for implementation in Bloomington.

Make recommendations to the Common Council, the Board of Public Safety, and/or the Mayor or the Mayor's designee on policies and programs that enhance public safety for all community members.

MEMORANDUM

**Community Advisory on Public Safety (CAPS) Commission
Thursday, December 19, 2024 at 4:00 p.m. – McCloskey Conference Room (#135),
401 N. Morton Street, Bloomington, Indiana**

The Regular Session meeting was called to order at 4:04 p.m.

Commission members present in person: Erin McNeil, Robert Freeman-Day, Kamala Brown-Sparks, Jason Michalek, Zero Rose, Sharon Wainshilbaum (arrived 4:08 p.m.)

Commission members absent: Tyler Shaffer, Todd Mullins

City staff present: Clerk Nicole Bolden

Members of public present: Khari Mkola (Adrian Thomas)

Cm. Michalek moved to approve the agenda. Motion passed by roll call vote (5-0, Wainshilbaum not yet present).

Reports

Co-chairs

- Cm Michalek gave a brief report on the number of commissioners present on the Commission now that Jenna Buckner was removed, reminded commissioners of the rule to not miss more than two meetings in a row, and brought up the idea of the usefulness of committees

Other members

- Cm Wainshilbaum reported that the tour of the Stride center will be January 9, 2025, at 4 p.m.
- Cm Rose reported that the Environmental Resilience Institute was meeting in February for a conference and discussed environmental initiatives and issues impacting the community.

Committees

- None

Staff

- None

Public

- Khari Mkola (Adrian Thomas) gave comments about the Indiana State Police presence and other police without their lights on. Comments also included comments about Bloomington Housing Authority trash pickup. Comments cited apparent legal authority and legal action being taken.

New Business

Discussion of Bylaws

- Cm Michalek asked if commissioners had a chance to look over the Bylaws
- Cm Rose stated that these were things prepared before but had never been voted on or codified as official bylaws of the Commission. Cm Rose suggested getting them instituted and then amending them later.
- Cm Freeman-Day pointed out some of the proposed bylaws that would need changed.
- Cm McNeil stated that the changes would not need to be amendments because the proposed bylaws had never been adopted by the Commission.
- Cm Rose proposed having another draft incorporating those changes.
- Cm Michalek noted a change needing to be made to the chair and vice chair to co-chairs to eliminate the hierarchy.
- Cm McNeil suggested that the commissioners individually make suggested changes to the proposed bylaws document before the next meeting and then come back and vote on the changes at the January meeting.
- Clerk Bolden suggested checking with the staff liaison about any proposed changes that would be contrary to or already accounted for in the Bloomington Municipal Code section governing the Commission. This suggestion was specific to the number of members on the Commission, which is dictated in the BMC.
- Cm McNeil suggested refraining from voting on the proposed bylaws and taking the next month to fix the documents before bringing it back to the table for a vote.
- Clerk Bolden gave the BMC citation 2.12.120 that governs the CAPS Commission.
- Cm Wainshilbaum asked if there was something in the municipal code that referred to the CAPS Commission.
- Clerk Bolden stated that all City commissions are referenced in local and/or state code. Clerk Bolden explained that the Commission was formed within the last 4 years and stated that the code section governing it outlays its vision, purpose, and what it is supposed to do, as well as the terms of commissioner appointments and priority of who gets to serve. Clerk Bolden stated that if the Commission wanted to recommend changes to its municipal code section that the staff liaison could take those proposals to Council, depending on council staff workload.
- Cm McNeil stated that they would clean up the bylaws and table it for a later meeting, and then hopefully pass it then.

Collaboration with City Boards and Officials

- Cm Michalek prefaced this item by explaining the Commission's past efforts with outreach to other City boards and commissions during the Hamilton administration. Cm Michalek stated that when CAPS reached out to different boards and commissions that there were different ways the request was handled.
- Clerk Bolden stated that a new staff member is located in the Clerk's office to specifically work with boards and commissions, the Deputy Clerk of Communications and Outreach Jennifer Crossley, to work with boards and

commissions on issues like these. Clerk Bolden suggested the CAPS Commission set up a meeting with Jennifer Crossley in order to facilitate communications about standardizing communications between and across City boards and commissions.

- Cm Michalek agreed with the suggestion to reach out to Jennifer Crossley
- Cm Rose asked about the restrictions or differences between how other City boards and commissions treat these requests to collaborate.
- Cm Michalek stated that it depends on the nature of the work that the CAPS Commission is doing and engaging with other City and boards and commissions for.
- Cm Rose expected pushback about sending things to other City boards and commissions to not overwhelm those bodies.
- Cm Michalek asked who would want to do the outreach. Cm McNeil agreed to do that.
- Cm Rose stated that they are also on the Sustainability commission and wants to share anything that may relate mission or the activities of the other.
- Cm Rose suggested establishing a working group or committee working toward a possible collaborative project or report.
- Cm. Michalek explained the purpose of special committees.
- Cm McNeil asked about what would be done as part of outreach. Cm Michalek gave an example of what one of the former special committees did, which was standardize questions to be asked across City boards, have volunteers do outreach with those boards, and then report back.

Outreach and Community Engagement

- Cm Michalek also explained the outreach process done in the past for community engagement, which also included asking a standardized set of questions to marginalized groups.
- Cm Brown-Sparks explained that the set of questions was pre-approved for each agency or organization, with specific information for those groups that related to their organizations.
- Cm Michalek explained that it was not a flat script but it was tailored or targeted outreach.
- Cm Brown-Sparks explained that the purpose of standardization was so that the information conveyed was what the Commission as a whole had agreed to convey on behalf of the full Commission, and so that no one commissioner could substitute their personal opinions or beliefs for that of the Commission.
- Cm Michalek suggested coming up with a set up questions and brainstorming them in a working document.
- Cm McNeil asked about the term outreach in general.
- Cm Michalek said the outreach would be more targeted than general outreach and gave an example about the community kitchen or the experience of no-lights police cars the public commenter brought up.
- Cm Freeman-Day emphasized to distinguish/define the groups for targeted outreach, for instance talking to BPD versus IUPD.

- Cm Michalek discussed the makeup of the Outreach Committee and stated that this may be a good way of operating by taking an item like police outreach to this committee, establish how that outreach should be done, and bringing it back to the full Commission.
- Cm Michalek explained the role of the previous Research Committee.
- Cm Michalek explained how to join committees.
- Cm McNeil asked about how committees operate.
- Cm Michalek explained that the Commission assigns work to its committees which then becomes that committee's work.
- Cm Rose asked about creating a special committee for environmental research efforts.
- Cm Michalek said it would be a good idea and explained how committee work gets incorporated into the annual report each year.

Housing Advocacy Concerns Discussion

- Cm Michalek opened the discussion with the news about the abatement issue in the news regarding Joe Davis. Cm Michalek brought up the issue of mental health in relation to housing, specifically that the abatement issue was about hoarding which is based in OCD, a mental health issue.
- Cm Rose stated that sometimes the person can get connected at Centerstone before the issue reaches abatement but was unsure if that was ever tried with Joe Davis.
- Cm Freeman-Day mentioned that Community Justice and Mediation Center (CJAM) involvement would be useful.
- Cm Rose stated that donating the items to the Habitat restore would have been better than throwing them away.
- Cm Freeman-Day stated that a lot of the abatement movement was coming from the Board of Public Works and that it felt like a lot of power for just a few people to have.
- Cm Rose stated that a commissioner on the Commission of Sustainability stated that some of that language could technically outlaw composting.
- Cm Michalek brought up procedural equity so that it is not just pick and choose. Cm Michalek brought up the public commenter in relation to why he was targeted for selective enforcement and that Joe Davis is a case highlighting procedural equity. Cm Michalek suggested advocating for resources so that if someone ends up in a situation like this where they need help to be able to take care of things that it is apparent what kind of resources they have.
- Cm Freeman-Day brought up the idea of project management or other mediating body to come in and assist.
- Cm Rose stated that it seems like there needs to be clarification in some of the code because of the leeway and discretion given in some cases. In Joe Davis's case, he is a builder and that is not just somebody's pile of stuff. Cm Rose also stated that it is also predicated on having enough money to have one or multiple storage units. Some ambiguous language can be interpreted differently, like the word garbage. A pile of hats on the property may or may not be garbage.

- Cm Michalek talked about some of the original outreach done that was about the word safety and how people defined that word. Cm Michalek noted not to confuse safety with comfort. A pile of hats may be unpleasing but is not a safety hazard. An example of actual safety hazard is a hoarding cats situation in which they defecate in the house.
- Cm Rose explained from an alternative solution meditational viewpoint that it would have cost less for the city for Mr. Davis to build a fence so the neighbors would not have to look at the items. If you don't want to see it, turn your head mentality. Make it art, put up a fence and hang up your hubcaps and call it art.
- Cm Michalek proposed continuing talking about housing advocacy issues.
- Cm Rose explained that someone in this situation could be at risk of homelessness due to fines and legal process that can affect mortgage payments or could be reason for eviction if you are a renter. Cm Rose talked about a situation where an elderly person had to go to court for an eviction and get services triaged through the courts when it should not have gone through the courts in the first place. Cm Rose talked about the stigma of eviction on your record when it comes to finding housing. Cm Rose explained that HAND does all kinds of good things and has good programs but there are also unintended consequences.
- Cm Michalek encouraged CAPS to focus on procedural equity and how can CAPS advocate for housing and actual language changes as far as making recommendations to the City. Cm Michalek stated that at one point CAPS had a committee focused on housing.
- Cm Rose expressed interest in starting a housing committee. Cm Rose moved and it was seconded to form a housing committee. Motion passed by roll call vote 6-0.

Meeting adjourned at 5:29 p.m.

Minutes prepared by Ash Kulak, staff liaison.

MEMORANDUM
Community Advisory on Public Safety (CAPS) Commission
Wednesday, May 22, 2024 at 4:30 p.m. – Allison Conference Room (#225),
401 N. Morton Street, Bloomington, Indiana

The Regular Session meeting was called to order at 4:33 p.m.

Commission members present in person: Kamala Brown-Sparks, Todd Mullins (left at 6:02 p.m.), Nejla Routsong, Tyler Shaffer (left at 6:02 p.m.)

Commission members present over Zoom: Jason Michalek

Commission members absent: Jenna Buckner

Public present:

Guest speakers: Bryce Green and Dr. Jody Armour

Public commenters: Hemayatullah Shahrani

City staff present: Ash Kulak

I. ROLL CALL & INTRODUCTIONS (4:33 p.m.)

II. ELECTION OF SECOND CO-CHAIR

- Cm. Brown-Sparks moved and it was seconded to nominate Nejla Routsong as the second co-chair. Motion passed 5-0.

III. APPROVAL OF AGENDA AND APPROVAL OF MEMORANDA/MINUTES (4:37 p.m.)

- A. Possible Motion to Extend Meeting by 30 Minutes to 6:30 pm
 - Cm. Routsong moved and it was seconded to extend the meeting by thirty minutes to 6:30 p.m. Motion passed 5-0.
- B. Regular Session Minutes – April 24, 2024 and Special Session Minutes – May 1, 2024
 - Cm. Brown-Sparks moved and it was seconded to approve both sets of minutes. Motion passed 5-0.

IV. GUEST SPEAKERS (4:40 p.m.)

- Cm. Brown-Sparks moved and it was seconded to strike Kathleen Sobiech as a guest speaker from the agenda due to a scheduling conflict. Motion passed 5-0.

V. REPORTS (4:41 p.m.)

A. Co-Chairs

- Cm. Brown-Sparks reported on the DEI training she attended at the Indiana Recovery Alliance (IRA) and suggested CAPS go to one. Cm. Routsong suggested bringing individuals from the IRA to a CAPS meeting. Cm. Brown-Sparks agreed to contact the IRA to determine availability.
- Cm. Routsong reported attending the IRA's event on drug legalization vs decriminalization, and reported that she and Cm. Shaffer are working on

inviting a guest speaker and experts on the drug war DARE program to attend a future CAPS meeting.

B. Individual Members

- Cm. Shaffer reported on steps to work on the CAPS website and attempted outreach with New Leaf New Life, Community Kitchen, Courage to Change, and IRA about peer liaisons.

C. Committees

- Cm. Routsong reported for the Outreach Committee on the status of the requested meeting with the Mayor, council president, and members of the Law Enforcement Action Partnership (LEAP).

D. Staff

- By request of the CAPS co-chair, staff liaison Ash Kulak shared an update from council office regarding status of CAPS's budget requests.

E. Public / Public Comment – none

VI. *BRIEF RECESS* (5:00 p.m.)

VII. *NEW BUSINESS* (5:05 p.m.)

A. Guests to discuss militarized police response to peaceful protests

B. Cm. Routsong introduced guest speakers, Dr. Jody Armour & Bryce Greene (5:10 p.m.)

C. Cm. Routsong posed questions for the guest speakers

- a. For Dr. Armour: Can you tell us more about what civil disobedience is? Do you see the protests happening around the country as acts of civil disobedience?
 - i. The disobedience part of civil disobedience is, by definition, breaking the rules. University administrators often justify police intervention on the grounds that the students were not following the rules. If that is your position, there can be no civil disobedience without bringing in police.
 - ii. Civil disobedience occurs when the normal channels of democratic decision making are not working, resulting in gross injustices like Jim Crow segregation, laws that forbid interracial marriage, and any other unjust laws that were themselves products of the democratic process. Acts of civil disobedience are part of a dialogue in the democratic process itself, by bringing attention to an injustice that is not properly being addressed through the democratic channels. The hope is that by bringing attention to the matter, it will start to stir the conscience of the nation and people who aren't otherwise paying close attention to the injustices.
 - iii. We started with the Civil Rights Movement, then you saw the same thing with the Vietnam War and protests against South African apartheid. The universities were invested in South Africa promoting that system of apartheid through their investments. Civil disobedience, specifically setting up "shanty towns," was the mechanism to disrupt and draw attention to those kinds of injustices.

This is part of that long tradition and part of the democratic process to have these conversations through civil disobedience, but the conversation stops when you bring in riot police with tools of violence. They are there to shut down the conversation entirely and arrest people for breaking the rules, but violating the rules can sometimes be a way of encouraging dialogue in the democratic process itself and it has historically been an effective mechanism in the Civil Rights Movement, protests against the Vietnam War, and the South African Divestment Movement.

- b. For Bryce Greene: What is IU Divestment Coalition hoping to achieve, and do you believe it is an act of civil disobedience?
 - i. Yes, it is an act of civil disobedience, and the goal is to get IU to divest from companies, partnerships, and sponsorships with Israel. The secondary demand is to divest from the Crane naval base, and the final goal is the resignation of the IU president, vice provost, and provost for their role in making the university corporatized and the full militarized response to kids pitching tents in a park.
- c. For Bryce Greene: Why does Indiana University administration view the demonstration as such a threat that warrants a police response?
 - i. Many of the administrators are ignorant of what is going on in the world and on campus, with no clear firsthand understanding of what is happening on the ground. A lot of media coverage has falsely portrayed the demonstrations as violent, anti-Semitic, or in some way a threat to other students. This is so far removed from the reality of the encampment, but that (sheer ignorance and fear) was a contributing factor to the university's response.
 - ii. On a structural level, it is deeper than that. The University has close ties to the military industrial complex, to the decision-making class, and the Israel lobby in particular. The Israel lobby has amassed a significant amount of structural power within in the U.S. to affect the political system and social system. States have passed laws that make boycotting Israel illegal and some require loyalty oaths of state employees that they will never boycott Israel. So the University took the path of least resistance and overreacted against nonviolent demonstrators. For all the bad press they got, perhaps they made the calculation that press was not as bad as the negative reaction of the Israel lobby.
- d. For Bryce Greene: Do you think you were racially targeted for arrest and that your more severe punishments were politically motivated?
 - i. It is difficult for me to make the case that it was racially motivated when the political motivation was just so extreme. Police scanners were looking for a "black male, afro, with black shorts blue shirt who appears to be an instigator" – that was me. The circumstances of the arrest support the fact that they were targeting me because I was behind the line of protestors and a police officer singled me out, pointed at me, and said "don't run" – but I wasn't doing anything to

single me out compared to the other protestors. Of course, then I had a higher sanction issued by the University. I was given a 5 year ban from the IU Bloomington campus, whereas others arrested were only banned for one year.

- ii. All of this seems to support the fact that they were politically targeting me, specifically, in addition to politically targeting the demonstration as a whole. So I don't see any too much evidence for racial profiling. The fact is that structures of power can accommodate diversity a lot more than they could historically – I can have a President of the United States with a black face and a black name still contribute to the white supremacist empire. So for these reasons, I don't think that race was as big of a factor.

e. For Dr. Armour: How does this involve your theory on mens rea?

- i. What I was getting at there is in the legal process. The more we other-ize criminal defendants, the easier it is to condemn and punish them. The Model Penal Code points out that the “reasonable person” standard is a legal vehicle that jurors use to express sympathy or withhold sympathy from a defendant. And to the extent that you sympathize with an accused person, you forgive them, you exculpate them, and you are more lenient toward them. To the extent that you don't sympathize or empathize with them or have care and concern for them, you more readily blame them and ratchet up the amount of punishment you deliver to them.
- ii. So you have to wonder about how much the people in decision-making power in this situation other-ized the protestors rather than seeing them as “one of us” in “our” community as “our” students. If one of your children was in the encampment, would you have unleashed that amount of violence on your own children? The university often operates as a “Trojan” family, calling itself a community or a family. You don't treat family members this way.
- iii. So that's where all of that is coming into play talking about mens rea – to the extent that you sympathetically identify people, you are less likely to be draconian toward them or unleash violence on them.

f. For Dr. Armour: When should civil disobedience warrant police action based on the level of disruption or harm it is causing society? Talk a bit more about this “ladder of harm” framework.

- i. The foundational work for this framework was done by Christopher Edley, former Dean of the Berkley Law School. In 2011, police were brought into UC Davis for the Occupy movement, and they sprayed student protestors with mace and pepper spray. The Chancellor of the University asked former Dean Edley to prepare a report. So I base a lot of these remarks on that report.
- ii. One of the things pointed out in the report is there is a kind of ladder of harm for civil disobedience. First, you ask how much disruption the protest is causing. There are four levels of disruption, and each level may warrant a different kind of reaction.

1. The lowest level of disruption is civil disobedience that breaks the rules but that is all it does. It is not otherwise disruptive. For instance, encampments that are orderly and peaceful but technically trespassing.
 2. The second level is inconvenient or significantly inconvenient but tolerable. For instance, the encampment is disruptive enough that it may require relocation of exams or classes or may require additional grounds keeping.
 3. The third level is disruptive of important business that some people may consider not tolerable. For instance, the protest is so loud that it interrupts studying and teaching in a significant way or blocks people from going to classes or graduation.
 4. The fourth level is disruption that causes an imminent threat to safety and especially to life. An example here would be the melee between protestors and counterprotestors at UCLA in which the counterprotestors were attacking. Or cases in which staff, students, and faculty are trapped in a building that is taken over.
- iii. The question then becomes when do you have an intervention – when is it disruptive enough to justify bringing in the police?
1. There may be disagreements about what the level of disruption is, especially if you cannot get an agreement about what the facts are on the ground or people have reason to characterize it as much worse than or not as bad as it really was.
 2. There may be disagreements about the appropriate reaction to the level, since some people believe that even a level 1 disruption (mere rule breaking) requires police action, that *any* violation requires bringing in police, whereas others believe a police response is not necessary until there is an imminent threat to safety and life.
- iv. The next question is once you have crossed the threshold and brought in police, consider how much force the police should use. There are three levels of force (from San Diego Police Dept use of force guidelines):
1. Passive resistance—in which actions do not prevent officers' attempt to control the subject including sitting, standing, being prone, no physical contact—shall not be subjected to use of controlled devices including tasers, batons, or chemical agents.
 2. Active resistance—evasive physical movements to defeat officers' attempt at control like bracing, tensing, linking arms, verbally signaling an intent to avoid being taken—should not be met with use of intermediate force (pepper spray, batons, etc.) when the active resistance is non-aggressive displays during peaceful protests.
 3. Active aggression—threats or overt acts of assault through physical means—justifies police use of a range of approved

force options so long as it is reasonable under the circumstances.

- g. For Bryce Greene: What level of disruption on the ladder of harm was IU Divestment Coalition's actions? Do you think this framework is useful?
 - i. I would categorize this as a 1, maybe a 2 given that we were taking space that may have been used by other events some time in the future. There may have been times where it had risen to 3 just because of the counter protestors who were actively violent and provocative for the purposes of getting a rise. But no, it's definitely not a violent protest in any way.
 - ii. I do think the framework is useful for giving administrators and decision-makers the tools to begin making assessments because there is a tendency to flatten the response and send the military for any level 1 rule-breaking just for the purpose of maintaining order. This is a good model for handling civil disobedience, but it's also a good model for handling police and use of force by law enforcement in general.
- h. For Dr. Armour: How do you think unarmed community responder teams might fit into this framework?
 - i. The unarmed community responder approach has been talked about extensively now, especially since the George Floyd protests. Marches erupted, and there was a lot of discussion about how valuable community responders could be.
 - ii. We have unarmed intervention models at Southern California USC, including a number of people with the police department who are unarmed. But this community model goes further and says they don't even need to be part of the police department. They can be part of the community and be unarmed interveners.
 - iii. There is empirical data that points to the efficacy of these alternative approaches. In Oregon, they took armed police officers out of traffic stops and found that the fatalities and crime did *not* go up.
 - iv. There are lots of places where we don't need violence workers, where the solutions to problems are primarily in a violent nature with tools of violence. If you send a violence worker into a situation, do not be surprised if violence is going to be the result of the interaction.
 - v. When it comes to mental health interventions in LA, we found that some recent studies show that one third of people police have killed have been civilians going through a mental health crisis. Now they're finding in a lot of places that having unarmed people come in and intervene, they've been able to avoid those fatal encounters.
- i. For Bryce Greene: Would a community responder team have been a better response?
 - i. This is a difficult question because it presumes there should have been a response. And when we discuss the threat level was at level 1, with no emergency whatsoever, so there was no reason for any response including a community response. But the counter protestors

were a persistent presence and could provoke violence, so there was as safety threat with them. So the presence of community resource officers simply being placed there on site could have been able to deescalate that situation. The fact that they wouldn't be violent or wouldn't be able to make any arrests would diffuse the fears that an armed police presence usually brings.

- j. For Bryce Greene: With regard to consent-based decision making, has the University administration attempted to include views of the IU community on decision making processes, either before or after the demonstration?
 - i. No attempted dialogue was made, and there was no consideration that the protestors were legitimate stakeholders. There was no such consideration before the encampment went up, as the administration made it clear that they were opposed to the protestors and the protestors' goals by changing the rules of the space hours before the students showed up and used this rule change to justify the use of force to arrest the protestors and expel the encampment.
 - ii. There was no inkling that University administrators would want to talk to us and there hasn't been any communication, official or otherwise, that they are interested in sitting down with us to talk about any of the issues we've raised. This is falling in line with the broader trend of the University administration being inaccessible, distant, and dismissive of the concerns of the staff, faculty, and student body.
- k. For Dr. Armour: When should negotiations or dialogue with communities engaging in actions of civil disobedience take place, before or after a police response?
 - i. It has to come before a police response if it is going to be useful and helpful. A lot of the times, the reason that the disruption had to happen in the first place is because the normal channels of decision-making are producing unjust results, and the voices represented in the encampment were not taken seriously or given due weight in deliberations carried on by the administration.
 - ii. So at that point, the administrators have a chance to figure out a way to take the concerns more seriously and restructure the decision-making process to hear the voices that have not traditionally been heard. There are a lot of structural changes the administrators can make, but sometimes they just make pacifying appeasement maneuvers like making a meaningless committee. If they can make real efforts to include those voices in the decision making process, a lot of the times that is what the students want.
 - iii. I'll analogize this to Black Lives Matter movement beginning in the 20-teens and then culminating in the protest against the murder of George Floyd. The methodology of Black Lives Matter was disruption first, shut it down. Then after it's been shut down, let's have some uncomfortable conversations and really tease out what it is that needs to be addressed moving forward.

- iv. When we are getting to these uncomfortable conversations, how do we address discomfort? One of the bad things that came out of the DEI (Diversity, Equity, and Inclusion) Movement was the need to prioritize “safe spaces” to justify not allowing certain views to be heard. We started talking a lot about safe spaces and keeping people from feeling too discomforted by certain kinds of speakers coming on campus, for instance, like the outwardly virulent racist Ben Shapiro who came to my own campus in 2018. A number of people would say “you can’t have him come on campus” and you can’t have certain things even said in the classroom because that makes people feel “unsafe.” The key was the word “unsafe” – because it makes us feel uncomfortable, it also makes us feel unsafe. Do not go down that road because it may seem like you’re going to keep Ben Shapiro or the KKK sympathizer out, but tomorrow they are going to turn that on you.
 - v. Because now, that is what you see is happening. Now, a lot of administrators are turning the concept of safe spaces and this concept of “safety” on its head, saying that students feel unsafe from any criticism of Israeli policies, that any criticism of Israeli policy is seen as attacking Jewish people. But many of the people in the encampments are themselves Jewish, and a lot of Jewish students and Jewish people in general in America are critical of Zionism and colonial policies and apartheid policies in Israel. But there’s not an insignificant number of Jewish students and people who really identify with Israel and see any criticism of Israeli policy as an expression of antisemitism, conflating antisemitism with antizionism.
 - vi. We have to make clear that distinction and get away from thinking that anybody on campus is entitled to not feel discomfort when they walk through campus. The campus is the place for uncomfortable conversation. That is what Black Lives Matter was preaching all along. We need to have uncomfortable conversations. There needs to be a pedagogy of discomfort that we recognize and endorse and vindicate on campuses, and we make our classrooms and our campuses not safe spaces but brave spaces for robust debates about controversial subjects.
- l. For Dr. Armour: What does it say in your view about the level of democracy and consent-based decision making at a university when it chooses to not only initially respond by force but *only* respond by force?
- i. It is a complete breakdown of any kind of consent-based deliberative process.
 - ii. Again, civil disobedience is part of a deliberative process. It is part of a dialogue. It is part of the conversation, saying the normal democratic process is not producing a just result. So we need to introduce something into the conversation that is going to shake people up and have them pay attention to things that they haven’t been paying attention to previously.

- iii. And when you bring in violence workers with riot gear, there is no conversation anymore because they are shutting off the conversation. They are cutting off the conversation, so it is really anti-democratic and anti-deliberative and anti-consent based decision making to bring in the police at that point.

D. Commissioner Questions/Comments

- a. Cm. Michalek – I really like the idea of the pedagogy of discomfort and in many ways I strive for that in the classroom and particularly with the people that are most primed to be comfortable. I really like that idea because it is productive. Even if you are just frustrated, there is a reason you are frustrated and talking that out is what liberal education is for.
- b. Dr. Armour – One of the ironies is that not even 3, 4, or 5 years ago, people on the right side of the political spectrum were arguing for more free speech and criticizing “snowflakes” who couldn’t handle discomfort, and people on the left were talking about “safe spaces” and “word that wound” making them feel unsafe. And now, it’s flipped around where the far right are criticizing encampments and saying people feel uncomfortable as the reason to justify shutting them down. And a lot of the Israel counter-protestors are white supremacists. And now more people on the left are recognizing the vital importance of free speech and embracing the value of free speech!
- c. Cm. Routsong – That reminds me that people were saying they “feel” unsafe and that was the first thing CAPS had to figure out was how to measure safety. We decided we were not going to go around asking people how safe they feel but rather use an evidence-based approach to safety and use more objective standards of safety rather than simply taking polls on how safe people feel. My guess is that people with more socioeconomic privilege and general privilege in our society tend to have lower risk tolerances and lower tolerances for discomfort, which makes them feel unsafe more often or inaccurately when they are, in fact, physically safe.
- d. Dr. Armour – It is important to not confuse feeling unsafe with feeling discomfort, which is exactly what I’m getting at. There’s also the safety issue of whether the crime rate or homicide rate is going up or down in a community. We find in study after study that a lot of times when objectively the homicide rate is going down and the crime rate is going down, people still are saying that they feel unsafe. Their feelings are at odds with the crime statistics.
- e. Bryce Greene – We talk about this amongst organizers, about how people don’t really believe the impact is the most important thing over intent; because if they did believe that, then we would be apologizing to every pro-Israel person who genuinely but falsely believes that we are trying to attack or eradicate them. We have to bring some rationality into this about what actually makes people safe and what is actually dangerous, and what the response to that should be. I think this framework is a great step on the path toward getting that society-wide consciousness so we can make rational decisions about keeping each other safe.

- f. Cm. Brown-Sparks – This has helped a lot. I have had people say things that make me feel frustrated but it doesn't make me feel unsafe. It just makes me frustrated. And so other people need to know that you may be frustrated but that doesn't make you unsafe. It just makes you upset. That's not the same as somebody starving you to death, killing your family, and bombing your house. That's the main difference and we need to work on ending that. I appreciate the framework.
- g. Cm. Routsong – I hope that the Commission will try to use such a framework going forward, and push for the City to use it as well.

E. Public Comment

- a. Hemayatullah Shahrani – I think there is a double standard when people are talking about feelings. "I feel unsafe" is very different from being bombed. It seems dishonest when people prioritize how they feel. I have a question for the speakers. You both mentioned some inconsistencies or differences with the University's reaction and how different people perceive facts differently. And you kind of see what the real lens in which people in positions of power are seeing things because it seems like these procedures and protocols, made by these people, are made to protect their power and they're using it to silence people. Because what is more nonviolent than sitting in? And it seems like what they were doing by targeting leaders is to silence or make an example of the leaders and take away the leadership to scare others. And with the four levels of disruption – it's not just different people seeing it differently. What we are seeing is the same but people will actually categorize things differently depending on who it is and whether or not their interests are aligned with them. For example, at the protest at UCLA, the pro-Israeli groups were the ones causing the violence, but the police just let them do it. The police are supposed to be there to stop the violence. But then with nonviolent protestors who are predominantly pro-ceasefire, the police targeted them. That's why the police were brought in. The rules are being applied selectively and inconsistently by people in positions of power, for the interests of those in power, often to hide the fact that they are making a lot of money in these investments in the military industrial complex. When you start to see it from that lens, all of the pieces fall into place more neatly.

F. Responses by Guests to Public Comment

- a. Bryce Greene – There is a structural reason for why they did it, they have interests they want to protect, but there is also an irrationality to it because the administration was ignorant and was fed misinformation. That has roots in the same structural factors. It's also separate pressure making people do the things that they do against the protestors.
- b. Dr. Armour – Power matters. Sometimes rhetoric is made to align with power to justify what power wants to do anyway. But Bryce is pointing out a kind of ideological dimension to this. Some people are truly ignorant. They need to have their consciousness raised, and that's one of the things that happens when students have their encampments. The "true believers" in the status quo will not have their minds changed. For instance, the people who truly believed in Jim Crow segregation weren't moved by the Montgomery bus

boycott or crossing of the Pettis Bridge. But who you are trying to reach are those other people who aren't so entrenched, to get their attention and have them start to think about something they haven't thought about before, to cut through some of their complacency and sometimes that helps move the needle. We saw that with the protest against the murder of George Floyd. We saw some real changes in public opinion happen over time, and some of those changes stuck over time. We never reached a lot of the hard core people, but we reached a lot of other folks. And that's what you see happening at the universities. The universities are going to be persuaded by what the donors say, and they're going to make their policies march to the tune of the donors. But you also have other power factions at the university level, for instance, censure or no confidence votes that really undermines power in the institution. And the students have power. That's what we're seeing now and the administrators worry about the power students can flex and other faculty members. So there are all of those other power dynamics at play too.

- G. Cm. Routsong summarized the session, stating that members and guests processed the power dynamics seen in the IU community around political policing. Cm. Routsong thanked the guests help the CAPS Commission have this discussion and learn more about these topics.

VIII. OTHER BUSINESS

- None

IX. TOPIC SESSIONS FOR FUTURE AGENDAS

- None

X. ADJOURNMENT

- Cm. Brown-Sparks moved and it was seconded to adjourn the meeting at 6:35 p.m. Meeting adjourned.

Memorandum prepared by:
Ash Kulak, Staff

MEMORANDUM
Community Advisory on Public Safety (CAPS) Commission
Wednesday, July 24, 2024 at 4:30 p.m. – Allison Conference Room (#225),
401 N. Morton Street, Bloomington, Indiana

The Regular Session meeting was called to order at 4:31 p.m.

Commission members present in person: Jason Michálek, Todd Mullins, Nejla Routsong, Kamala Brown-Sparks, Tyler Shaffer

Commission members absent: Jenna Buckner

City staff present: Stephen Lucas, Colleen Williamson

ROLL CALL

APPROVAL OF AGENDA

- Cm. Routsong moved and it was seconded to reorder Item III (Guest Speakers) to after Item VII (Topic Suggestions). Motion passed 5-0.
- Cm. Routsong moved and it was seconded to strike Items VI (A) (i) through Item (A) (iii) from the agenda in the interest of time and due to the unavailability of the member of the public to speak on Item VI (A) (iii). Motion passed 5-0.

REPORTS

Co-chairs: none

Individuals: none

Committees:

- Outreach Committee
 - Cm. Routsong gave the report on the Outreach Committee.

Staff: No report.

Public: none

OTHER BUSINESS

- Cm. Routsong moved and it was seconded to dissolve the Special Committee on Violence Suppression of Protests. Cm. Routsong explained that its purpose has been served and was created with the intention of responding to April's Dunn Meadow protests and police response. Cm. Routsong also noted the Special Committee's accomplishments. Motion passed 5-0.
- Members of the Commission discussed the amended 2023-2025 CAPS Commission Budget Request. Acting staff liaison Stephen Lucas explained that he had already submitted their budget as written in 2024 to the Controller for 2025. Lucas

explained that the only impact is that they would have more money in the budget. Commission members agreed. Cm. Routsong moved and it was seconded to approve the amended budget request. Motion passed 5-0.

NEW BUSINESS

- Items VI (A) (i-iii) stricken by an earlier motion.
- In light of community complaints brought to the Commission, Cm. Routsong raised the suggestion of establishing a committee and a procedure for dealing with those concerns. Cm. Shaffer offered a concern that making a committee to respond to public safety incidents may be troublesome due questions of oversight and member capacity. Cm. Michálek suggests discussing the safety models currently employed by the community. Cm. Brown-Sparks expressed support for the pending committee as members of the public view CAPS as a last resort, and turning them away will leave them with nowhere else to go. Acting staff liaison Lucas mentioned the online Complaint for Bloomington Police Department form that community members with a complaint may fill out which leads to an insight process. Lucas clarified that this form does not need to supersede a new committee, but may be an additional resource to offer. Cm. Michálek mentions the need for a standard operating procedure. Cm. Brown-Sparks and Cm. Michálek mention interest in serving on such a committee. Cm. Brown-Sparks moves and Cm. Routsong seconds to create a then-unnamed committee for these purposes. Motion passes 5-0.
- Cm. Routsong suggests moving the planned August 7th presentation of the 2024 CAPS Report to the Common Council to a later date due to commissioner disagreement and lack of time to bring about a consensus. Cm. Routsong moved and it is seconded to move Item VI (B) Approval of 2024 CAPS Report to Council to a later date and to additionally discuss the Report in Outreach Committee. Motion passed 5-0.
- Cm. Routsong moves and it is seconded to moved Item VI (C) to choose presenters for the August 7th Council Meeting to the August CAPS meeting. Motion passed 5-0.

TOPIC SESSIONS FOR FUTURE AGENDAS

- Guest Speaker Erika Oliphant suggests a future topic of violence prevention work. Cm. Routsong confirms that Kathleen Sobiech from the Indiana University School of Public Health will be at the August meeting to present findings from a class project on CAPS' Alternative Public Safety Report.

GUEST SPEAKER

- Guest speakers Nick Voyles, Director of Indiana Recovery Alliance and Erika Oliphant, Monroe County Prosecutor, participated in a question and answer session on drug policy and harm reduction in the Bloomington area community. Cm. Shaffer asked Voyles and Oliphant a series of prepared questions pertaining to this topic. Voyles and Oliphant emphasized the difficulty in addressing addiction, discussing the differences of drug decriminalization versus drug legalization. Voyles and Oliphant shared the concern of decriminalization's impact on children and the inability to regulate and prosecute drug cartels. They additionally discussed their

personal and professional experiences in dealing with people struggling with addiction within current drug policies. Both guest speakers emphasized that these community issues do not occur in isolation, and local ability to effect change is limited by State and Federal law.

Cm. Routsong moved and it was seconded to adjourn the meeting at 6:33 pm. Meeting adjourned.

Memorandum prepared by:
Colleen Williamson, Staff

MEMORANDUM

Community Advisory on Public Safety (CAPS) Commission
Thursday, October 24, 2024 at 3:00 p.m. – Hooker Conference Room (#245),
401 N. Morton Street, Bloomington, Indiana

The Regular Session meeting was called to order at 3:05 p.m.

Commission members present in person: Erin McNeil, Jason Michálek, Sharon Wainshilbaum, Robert Freeman-Day, Kamala Brown-Sparks, Todd Mullins

Commission members absent: Tyler Shaffer, Jenna Buckner, Zero Rose

City staff present: Colleen Williamson

Others present: Council President Isabel Piedmont-Smith

Commissioner Michálek made a motion to amend the agenda and move Election of new co-chair and discussion of ODL requirements and attendance policy. Commissioner Brown-Sparks seconded. Motion passes 6-0

Commissioner Brown-Sparks made a motion and Commissioner Freeman-Day seconded to nominate Commissioners Michálek and Mullins. Motions passes 6-0.

Staff liaison Williamson explained the attendance policy with regards to non-attendance. Commissioner Mullins made motion to ask the Common Council to remove Jenna Buckner from the Commission, Commissioner Michálek seconded. Commissioner Wainshilbaum asked for more information regarding the situation. The motion passed 6-0.

Commissioner Brown-Sparks moved and Commissioner Mullins seconded to approve minutes from the May 22, 2024 and July 24, 2024 meeting minutes. The motion passed 6-0

Commissioner Brown Sparks gave a Co-Chair report that former co-chair Commissioner Nejla Routsong resigned from the commission.

Commissioner Michálek gave an Individual Report regarding his participation in the Bloomington Residents Academy.

Committee Report: Commissioner Michálek gave a Committee report speaking to the dissolution of the Special Committee on Violent Suppression of Protests, and briefly spoke of the creation of a new unnamed committee on police oversight, which was discussed in an earlier meeting.

Staff liaison Williamson reported on the full staffing of the Council office, and that the Outreach Committee must begin recording and/or streaming their meetings in accordance with House Enrolled Act 1167 which requires all government meetings to be recorded or streamed live, starting July 1st, 2025. Williamson additionally reminded the Commission of the need to send her

memorandums from the Outreach Committee meetings, as well as the need for bylaws, especially in situations such as the election of the new co-chair. Williamson additionally reported that the Council included in their 2025 budget \$500 for books and approximately \$3500 to fund activities in events.

There was no public comment.

All Commissioners introduced themselves due to the arrival of new Commissioners.

Commissioner Mullins moved and it was seconded to approve the CAPS Commission 2024

Commissioner Robert Freeman-Day moved and Commissioner Michálek seconded to move the Approval of the Community Safety Indicators to the next CAPS Commission meeting on November 20th, 2024. Approval of Community Safety Indicators: moved to next

Topic Suggestion: Adding the Joe Davis situation comment (Freeman-Day), Reaching out to Linda Grove-Paul about the tour of STRIDE Sharon, collaboration with local faith institutions (Todd), discuss later at next meeting.

Meeting adjourned at 4:23 pm

Memo prepared by Colleen Williamson

Review of visit to Stride Center

Robert, Jason and Sharon toured the Stride Center on January 9th. The tour was led by Jackie Morris, a long-time social worker at Stride, and Jennifer Scott, who heads up their mobile unit. They spent a lot of time with us, and answered any questions we had.

Stride is ostensibly a crisis center, and does crisis intervention, but they do so much more. Many times Jackie said that someone might come to her with an ask, and she says “I’ve never done that before, but let’s give it a try”. Here are some of the things they do:

- Bring people to the hospital and treatment centers.
- Bring people to a Dr’s appointment.
- They have a computer onsite for people to use for their talk therapy in private.
- Bring people to the food stamps or welfare office, and assist them through the process.
- Help navigate insurance for Centerstone, or other health insurance.
- Accompany people to court appointments. At times, they have convinced the court to not issue a warrant for failure to go to their hearing.
- Provide toiletries and clothing.
- Be a listener when someone needs to talk, or a place to get out of the cold for a while.

Mobile Crisis Response:

The Mobile Crisis Response is part of Stride, and does some of the same things, but outside of Bloomington. They go to something like 5 or 6 different counties, and are also available 24/7. They do a lot of mental health intervention, they go out for welfare checks instead of the police, as well as other things. It started in 2022.

They use a “Peers in Recovery Program” where people who have been in crisis provide support to those currently in crisis. They offer immediate intervention,

then refer to the Stride Center. They always have a buddy system, and check in with Stride when they get to their destination.

The Mobile crew meets with the BPD regularly, in particularly with officer Charles Colt, who they call the “night time ambassador”. They also partner with the Monroe Co Fire Dept. if necessary.

Community policies:

People from The Stride Center participate in a meeting every Wednesday with other non-profit groups and the police, so they are all kept abreast of what other groups are doing. They collaborate with the police, and communicate with them regularly, but are not integrated into the police department. This is important to them. In fact, the mobile team declined to use a police radio when they are out on a call.

They are an alternative to the police. The phone number is 988, and people who are in crisis can call the number 24/7.

They also meet with social workers in the school system about teens who are a suicide risk, or in unsafe living conditions, or abusing drugs.

We talked about the population of unhoused adults in Bloomington. They mentioned the “magnet theory” where people are attracted to Bloomington, and in fact, sent here because Monroe County is one of the few counties in Indiana that is not restricted. In other words, you do not have to show an ID that proves they have lived in this county in order to receive services. Most other counties in Indiana are restricted, so people come here because of that, and are sent here as well. Apparently, it is not unusual for someone to be discharged from prison, with no place to go, and that county will buy the person who was just released a bus ticket to Bloomington, and then they show up here with nothing. However, sometimes, those people do have somewhere they would rather be. Because of this, the city recently started a reunification program, and has allocated “reunification dollars”. These are funds that can be used for transportation to another place. They make sure that the person does have a safe place to go to, and then can help them get there.

Funding:

The Stride Center is funded by a grant from Centerstone. Centerstone is a community mental health agency. They are funded by CCBHC, (Certified Community Behavioral Health Clinic) which is government funding, and next year Stride will probably get another grant. There are 3 Stride Centers in Indiana, all affiliated with Centerstone, and the mobile unit goes out to many counties.

They are always looking for extra funding, and material items such as hygiene items, clothing, men's shoes, and dog food.