



City of Bloomington

Community Advisory on Public Safety Commission

Meeting Packet

Regular Session

Thursday, 29 July 2021

At 12:00 pm

**NOTICE AND AGENDA
COMMUNITY ADVISORY ON PUBLIC SAFETY COMMISSION**

**COMMISSION MEETING
THURSDAY, 29 JULY 2021 AT 12:00 PM**

Per IC 5-14-1.5-3.7, this meeting will be conducted electronically.

The public may access the meeting at the following link:

<https://bloomington.zoom.us/j/93629149114?pwd=VDlrOGNtNGtoSU0vSTExa3lYRjBZdz09>

- I. Introduction and Roll Call
- II. Approval of Minutes
 - a. 24 June 2021
 - b. 22 July 2021
- III. Old Business
 - a. Derek & Matt’s Status on Commission
 - b. Recruitment Strategy
 - c. Discuss Malik Ali Malik Death
 - d. Alex Vitale – Author of “The End of Policing”
- IV. Old and New Business
 - a. Bylaws
 - b. Switchyard Park
- V. Guest Speaker – Chris Richardson with the Denver Star Program (1:30 pm)
- VI. Adjournment

STATEMENT ON PUBLIC MEETINGS DURING THE PUBLIC HEALTH EMERGENCY

Under Indiana Code 5-14-1.5-3.7, during a declared public health emergency, the Council and its committees may meet by electronic means. The public may simultaneously attend and observe this meeting at the link provided above. Please check <https://bloomington.in.gov/council> for the most up-to-date information on how the public can access Council meetings during the public health emergency.



**City of Bloomington
Office of the Common Council**

NOTICE

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As a quorum of the Council 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.

MEMORANDUM
Community Advisory on Public Safety (CAPS) Commission
Thursday, June 24, 2021

Per IC 5-14-1.5-3.7, this meeting was conducted electronically via Zoom.

Meeting called to order: 12:34 p.m.

Commission members present via Zoom: Jon Wunrow, Nicole Johnson, Nejla Routsong, Kamala Brown-Sparks, Heather Lake, Alexander Mann, Renee Miller, Arvind Jagdish

Commission members absent: Derek House, Matthew Diaz

City staff and officials present: Stephen Lucas

INTRODUCTION AND ROLL CALL

APPROVAL OF MINUTES

MOTION: It was moved and seconded to accept the minutes from June 3, 2021 and May 18, 2021.

ACTION: The motion was approved 8-0.

OLD BUSINESS

MOTION: Miller moved and it was seconded to amend the agenda to move election of officers after the discussion of bylaws.

ACTION: The motion was approved 8-0.

Members discussed different definitions of public safety and brainstormed topics for further research and investigation.

MOTION: Johnson moved and it was seconded to amend the agenda to take up the electronic meeting policy resolution immediately following Old Business.

ACTION: The motion was approved 8-0.

NEW BUSINESS

The Commission considered Resolution 21-01, which set out an electronic meeting policy governing members' participation in meetings by any electronic means of communication.

MOTION: Johnson moved and it was seconded to accept Resolution 21-01 (Electronic meeting policy).

ACTION: The motion was approved 8-0

The Commission discussed the attendance of members and how members who failed to attend meetings might be removed from the Commission.

The Commission discussed scheduling its next regular meeting, as well as scheduling a work session to allow any interested members to deliberate on and to prepare bylaws for consideration by the full Commission.

MOTION: It was moved but not seconded to schedule a meeting on July 22, 2021 at 12:30pm.

MOTION: It was moved and seconded to schedule the next Commission meetings after polling members for availability.

[No vote taken, though staff indicated a poll would be sent out to members to inquire about availability]

ADJOURNMENT

Meeting ended: 2:08 p.m.

Memorandum prepared by:
Stephen Lucas, Council Administrator/Attorney

Community Advisory on Public Safety (CAPS) Commission
Thursday, July 22, 2021
Work Session - Meeting Notes

Per IC 5-14-1.5-3.7, this meeting was conducted electronically via Zoom.

Meeting start time: 12:03pm

Commission members present via Zoom: Renee Miller, Alex Mann, Nejla Routsong, Kamala-Brown Sparks

Commission members absent: Jon Wunrow, Matthew Diaz, Derek House, Nicole Johnson, Arvind Jagdish

MEMBERSHIP:

Commissioner Miller reported that Derek House plans to resign due to family obligations.

Kamala mentioned she would reach out to the Mathew Diaz and Derek House after this meeting

GENERAL DISCUSSION:

- Some discussion on the hiring of a private security firm for Parks and Rec. (Talk to the Mayor?)
- Some discussion about a Monroe County man who died by fire in his car after a police pursuit. Was not Bloomington Police but took place in the County and had Sheriff's officers on scene.
 - Questions
 - What is the jurisdiction of BPD vs Sheriff?
 - What is the CAPS jurisdiction? Does it include County?
 - Should Commission ask for body cam footage?
- In the future the Commission will hold a work session to compile questions for the Police.

AGENDA ITEMS:

- Because a quorum of members was not present, discussion on bylaws was limited to requirements of the Bloomington Municipal Code
- Speaker for July 29th meeting will be Chris Richardson with the Star Program in Denver
- Nejla will invite a speaker in August – author of the End of Policing book.
 - Suggestion to add an agenda item to next Work Session to formulate some questions for the speaker ahead of the meeting that he will attend.

CALENDAR:

- Next meeting is July 29th at 12:00 pm via Zoom.
- Suggestion for next Work Session - August 12th at 12:00 pm.
- Regular Session in August is scheduled for the 26th at 12:00 pm.

ADJOURNMENT

Meeting ended at 2:04 pm.

Memorandum prepared by:
Rebekka Boustani, Council Assistant Administrator

LOCAL

Questions remain in wake of fatal chase

Laura Lane The Herald-Times

Published 5:00 p.m. ET Apr. 24, 2021

Malik Malik knew the cops were looking for him.

He had not shown up for a March 19 Monroe Circuit Court hearing. Facing a habitual criminal filing and also charges involving drugs and a robbery, his bond had been revoked after he was arrested in Johnson County for reportedly running from a police officer after a March 7 traffic stop on Ind. 37.

When someone with a pending criminal charge gets arrested for a new crime, his or her bond gets revoked and they go to jail, held in lieu of bond until a court hearing where a judge decides if they remain behind bars or go home.

Given the serious nature of the offenses he faced, Malik figured he would be sent from that March 19 hearing straight to the Monroe County Jail. And that he might be there awhile.

He told Barbara Dorman, the mother of his children, that he wanted to buy some time. Enough time to see her oldest daughter, a girl he had raised since she was 3, celebrate her 18th birthday, attend the prom — he had bought her dress — and see her graduate from Eastern Green High School on May 22.

Instead of celebrations for these milestones in her daughter's life, Dorman is planning Malik's funeral.

The 39-year-old Bloomington man died in a fiery crash the night of April 17 when the 2021 Kia Sportage he was driving turned off Ind. 45 onto Dinsmore Road as a Monroe County Sheriff's Office deputy pursued him. The car sped down the rural residential street, taking out mailboxes and colliding head-on into a tree in a sharp curve.

The vehicle sustained heavy front-end damage and caught fire.

The 8:50 p.m. collision shook the foundation of Terry Dorman's house at 7195 Dinsmore Road. "It sounded like a bomb went off," the 68-year-old man said. He was watching the

1990 movie “Quigley Down Under” when deputies pounding on his door said he needed to evacuate the house.

They helped him out the sliding glass doors at the back as he asked what had happened. They had been chasing a dangerous felon, one said, and he had just crashed into that tree out front. “Then, halfway joking, I said, ‘Well, I know a lot of felons and I may know him, who was it?’ and that young deputy said it was Malik Malik.

“And I said that’s my grandkids’ dad. They kind of looked at me and didn’t say anything, and I asked them if they were sure there was no one else in that car, maybe my daughter or one of the grandkids. They said they were positive. I was so shook up ... I tried to get ahold of my daughter to make sure she was OK, that the kids were OK.”

How it began

Malik Ali Malik was 23 when he moved to Bloomington in 2004 from Elgin, Illinois, to escape “a bad environment and the pain of my mother’s passing,” he wrote in a 2008 letter to then-Monroe Circuit Court Judge Teresa Harper.

He had been in trouble as a kid, he said, and was serving jail time in Illinois when his mother got sick and then died from cancer in 2002. Incarcerated, he couldn’t attend her funeral.

Court records show that in October 2008, Harper sentenced Malik to two years on house arrest when he pleaded guilty to carrying a .40-caliber semi-automatic handgun without a license; a resisting law enforcement charge for running away from police at the scene was dismissed in a plea agreement.

About the same time, the state dismissed a robbery charge stemming from a June 2007 bank robbery where Malik was accused of being the getaway driver. He denied being there.

He was attending classes at Ivy Tech and getting all A’s while on house arrest. One instructor told the judge Malik “has referenced the importance that he accomplish something for which his son can be proud.” The boy, a toddler back then, is now in eighth grader.

Malik was working at Ackerman Auto Detailing part time, and the owners wrote a letter to Harper on his behalf saying he was a “valued and dependable employee” and “a great guy.”

Barbara had pleaded with the judge for Malik to be sentenced to house arrest instead of jail for the gun charge. “Malik is great with his children and I am concerned about what would happen to them emotionally if he were to be removed from their lives,” she wrote.

Years passed before Malik faced trouble with the law again. He was charged in August 2017 with dealing in cocaine, dealing in marijuana and unlawful possession of a firearm by a serious violent felon.

Two years later, more criminal charges: possession of marijuana, possession of cocaine, resisting law enforcement with a deadly weapon, being a habitual offender, driving left of center and driving without insurance. The charges from 2017 and 2019 were pending at the time of his death. Malik had pleaded not guilty, and the cases were moving slowly through the court system.

He was a primary caregiver for his son and daughter, Aaliyah, who is now 11. Barbara sent a letter in 2019 to the judge overseeing the cases saying the two didn't live together as a couple but were parenting partners.

“He is consistently and actively involved with his children on a daily basis,” she wrote, asking that Malik be released from jail and placed on house arrest. “Malik is a positive example and influence in their lives, overall a very good person with good intentions. I am not denying that there appears to be a clear lapse of judgment that has occurred.”

The chase

A cellphone video a man recorded on Hickory Drive early in the April 17 chase shows the white SUV speeding down the residential street as darkness fell. Following closely is a string of six, possibly seven, police cars with blue-and-red lights flashing and sirens wailing.

A review of conversation on the scanner between officers and dispatchers shows the pursuit of the Kia Sportage started near Ind. 48 and Hickory Drive.

A supervisor called off the chase after one minute and 20 seconds when the officer on the tail of Malik's fleeing vehicle reported he was exceeding 105 mph on South Curry Pike and Malik had shut off the SUV's headlights.

“I'm at 105 and climbing and he's turned his lights off,” the deputy is heard saying on the police scanner.

“Discontinue, discontinue,” Lt. Troy Thomas responded right after that, at about 8:45. “We know who it is. We're not gonna get anyone killed.” The deputy responded with “10-4.”

A 911 dispatcher advised other agencies that the chase had been called off near Ind. 45 and Leonard Springs Road “due to speed.”

After the chase was ended, Deputy Deandre Moxley took it up again after encountering the SUV westbound on Ind. 45 at 70 mph. Thomas is heard saying that “if the speeds are too fast, we’re not going to pursue him.”

Nearly four minutes after the initial chase started, Moxley says “10-50, 10-50,” and reports that the SUV had crashed into a tree on Dinsmore Road and that flames were coming from the heavily damaged front end.

“The suspect’s had an accident. The car’s on fire,” he said, requesting a fire truck and ambulance.

The situation turned desperate. “We attempted to get him out, but the fire’s too big,” an officer said. “The car’s fully engulfed.”

Then a pause. “The vehicle has now exploded.”

The family

Barbara Dorman was home with her youngest daughter when the Saturday night crash happened. Her mother went to the scene right away and saw medics remove Malik’s body from the burned-out interior. They had to pry the door open.

Her dad called at 9:11 p.m. when the fire had been extinguished. She’s haunted by the accounts of neighbors who said deputies, guns drawn, approached the wreck scene and ordered the driver to get out of the vehicle. “He was trapped. How in the world could they expect him to get out?” she said.

Her dad said the SUV was traveling at a high rate of speed before the crash, and that Malik likely had been knocked out by the impact. According to the scanner traffic, the vehicle caught fire soon after hitting the tree.

Barbara Dorman said the coroner told her that Malik’s body showed no signs of trauma that would have killed him. She said heat and toxins from the fire, filling his lungs, likely caused his death.

Dorman is grieving, and she’s angry. “Granted, he shouldn’t have started the chase. But I don’t think it, his death, should have happened like this. I think they should have stopped. The warrants were for failure to appear. Is that what they go out and chase people down for?”

She hasn’t been able to listen to the scanner audio from the five-mile police pursuit. “I just know they should not have continued to chase him. They put more people than him at risk.

And my kids don't have a dad.”

Terry Dorman said he and Malik had their differences, but he appreciated him being good to his grandchildren, supporting them financially and attending their school sporting events. He suspects Malik may have turned onto Dinsmore Road hoping to elude the police and stay out of jail awhile longer.

“He may have been coming here thinking he could hide here, and to tell you the truth, I would have hid him. But once he told me why he was running, I would have said he needs to call the police and turn himself in. I know Malik is no angel and he's been in some trouble, but they were chasing him for failure to appear,” Terry Dorman said. “I told those guys I couldn't believe they were chasing like that for not showing up in court. I told them the only reason I could see to chase someone at high speeds was if they had just shot someone or run out of a bank after robbing it.”

Minutes before the chase began, Barbara Dorman got a message from Malik. “How's everybody doin? Checking in, just checking in, love you all.” She said he never opened the message she sent back. “Everybody's doing OK. Aaliyah is getting in the shower. Everybody says they love you.”

She wondered why there was no response. “I figured he must be driving.”

Support Team Assisted Response (STAR) Program Expansion Overview

The STAR Program deploys Emergency Response Teams that include Emergency Medical Technicians and Behavioral Health Clinicians to engage individuals experiencing crises related to mental health issues, poverty, homelessness, and substance abuse. The STAR Emergency Response Teams will be administered by a local agency. In the near future, the STAR Teams shall also work in partnership with a network of local service providers. This network will provide Community Support Services that will address the distressed individuals' needs in the moment as well as longer term issues. The expanded STAR Program shall be available no less than 7 days per week for 16 hours daily and provide coverage to the entire City of Denver. The STAR unit can be assigned to a call for service through three general mechanisms: 1) 911 call takers flagging incoming calls and directly dispatching a STAR mobile unit; 2) Uniformed response independently requests STAR to respond on scene; or 3) STAR self-initiates a response in the field.

To make the STAR Program most effective, an ongoing Community Advisory Committee will ensure it is run according to the values identified by the community. These **Core Values*** are:

- 1) **Culturally Responsive** – a program that is culturally responsive will include responders and providers who share lived experiences and identify with Denver's diverse population. In doing so, the program will be more trustworthy and responsible to the community that it serves
- 2) **Linguistically Specific** – a program that fosters the many languages that are spoken by the community it serves will ensure that people will trust and rely on the program to serve their needs;
- 3) **Holistic Care** – key to success for the STAR program is the recognition that the van itself is just one mechanism that lives within a continuum of care and support to people who are in crisis. Holistic care ensures connecting those in crisis with long-term support, services, and treatment to reduce repeat calls;
- 4) **Do No Harm** – the STAR program shall commit to a “do no harm” approach. In addition, the STAR program itself will use a harm reductionist approach recognizing that not every crisis can be “resolved” in the moment, but rather navigated and creating trust with the person in crisis to help them continue through programs and services that meet their needs;
- 5) **Healthy De-Escalation** – the STAR program will commit to de-escalation as a guiding principle of engaging with individuals and communities in crisis;
- 6) **Problem Resolution** – the STAR program will be dedicated to identifying, navigating, and solving problems that they encounter through serving individuals in crisis;

- 7) **Healthy Outcomes** – much of what the program will respond to will be public health issues and social determinants of health. Because of that, the STAR program will be dedicated to improving the health of those they engage with as components of improving community health;
- 8) **Community Empowerment and Resilience** – STAR will be dedicated to community empowerment and resilience through building trusted relationships and connecting people to services and support;
- 9) **Self Determination** – communities are supported in self-determination to decide and build safety, survival, and thriving. The STAR program will act as a vehicle towards empowerment and support;
- 10) **Alternatives to Policing** – the STAR program sends clinicians and medically trained responders to crisis instead of armed law enforcement officers with badges and ability to arrest;
- 11) **Non-Violence** – the STAR program will be committed to non-violence and de-escalation;
- 12) **Trauma-informed** – the STAR Program should have a trauma-informed approach to incorporating the needs of individuals impacted by systemic violence and trauma that they experience as the result of both systemic and personal harm. The program will understand that individuals served by the STAR program are disproportionately impacted by violence and trauma and should be driven by their needs first and foremost.

STAR Community Advisory Committee Description

The purpose of the STAR Advisory Committee is to:

- Ensure the STAR Program’s fidelity to its Core Values*
- Advise on the integration of new, community support services into the emergency response component of STAR
- Create awareness and understanding of the STAR Program within the community
- In partnership with the Denver Department of Public Health and Environment (DDPHE), act as an ambassador for the program

The STAR Advisory Committee will have three functions at the monthly meetings. They are:

- Data tracking and evaluation of outcomes for the STAR Program
- Qualitative tracking and ensuring fidelity to its Core Values*
- Discuss feedback from the community regarding the STAR Program

Composition of the STAR Advisory Committee:

- Shall be composed of 15 members
- Every effort will be made to have at least one representative from each of the city's Council Districts
- The committee will prioritize membership of the following groups:
 - BIPOC
 - LGBTQ community
 - Disability community
 - People with lived experience
 - Youth
 - Harm reduction community
 - Housing advocates
 - Veterans community
 - Behavioral health treatment community
 - Denver 911
 - DDPHE
- The members must live in Denver
- The group will be facilitated by a staff person from DDPHE

Terms of Membership:

- Each member will serve a term of three (3) years, with a maximum two (2) terms. Terms of the initial members will be staggered so the entire committee does not turn over at the same time. If a member steps down before their term is over, they are charged with providing three individuals for consideration to replace them. Should a member vacate their seat due to death or other unforeseen circumstances that prevent them from nominating a replacement, the seat will open for public nomination.

Schedule of Meetings:

- The STAR Advisory Committee will have one meeting per month
- Additionally, the advisory committee will have one meeting per year with DDPHE to achieve alignment and strategy for the year

Application Deadline:

- Monday, July 12, 2021 at 5:00 p.m.

Draft Bylaws - based on Bloomington Commission on the Status of Women
As discussed in CAPS Work Session on 7.22.2021

ARTICLE I.

Members.

Section 1. Appointment. Bloomington Municipal Code (BMC) Section 2.12.120 (c) or its successors specifies the appointment mechanism. BMC Section 2.08.020 (5) or its successors specifies filling of vacancies.

Section 2. Qualifications. In addition to the qualifications stated in BMC Section 2.12.120 (d) or its successors, members are *encouraged* to attend regular monthly meetings and contribute to programs and projects of the Commission.

Section 3. Attendance. BMC Section 2.08.020 (4) or its successors specifies attendance requirements. Members shall give prior notice to the Chairperson or the Council Office Liaison if they are unable to attend a regular or special meeting.

Section. 4. Resignation. Resignation shall be communicated to the Chairperson and/or the Office of the Bloomington Common Council.

ARTICLE II.

Officers. (Use an alternate term for Officers? Possibly "Office Holder")

Section 1. Positions. Officers of the Commission can include but not be limited to the Chairperson, the Vice-Chairperson, the Secretary, and/or whatever the Commission determines best carries out the functioning of the Commission. The Common Council Office staff liaison to the Commission is not a member of the Commission.

----- **End of discussion on 7.21.2021** -----

Section 2. Eligibility. All officers shall be members of the Commission; no member shall hold more than one office at a time; and no member shall be eligible to serve more than two consecutive terms in the same office. The Chairperson shall have been a member for at least six months prior to becoming Chairperson.

Section 3. Election. All officers shall be elected at the annual meeting by a majority of the current membership of the Commission.

Section 4. Term. Officers shall be elected to serve for one year or until their successors are elected, and their term of office shall begin at the close of the annual meeting at which they are elected. Officers shall deliver to their successors all accounts, papers, records, and other commission property within two weeks of their expired term.

Section 5. Removal. An officer may be removed for cause, provided a member or members of the commission submit(s) a signed statement outlining the charges to the Commission and, following the proper procedure, cause is established. Proper procedure includes distribution of the statement to all Commission members; a written response within ten days of receipt of the stated causes from the officer in question; decision as to removal will be made by majority vote at the next scheduled meeting. Removal from office is not a vote for dismissal from the Commission.

Section 6. Vacancies. If an office becomes vacant, the term shall be filled by election at the next regular meeting. If the officer resigns from the office giving advance notice, the election shall take place at the next regular meeting after the resignation is submitted.

Section 7. Chairperson duties. The Chairperson should prepare an agenda for all meetings, preside over all meetings (except when she/he designates another person, or the Vice Chair); the Chair shall appoint a nominating committee prior to the annual election of officers; the Chair should prepare and distribute an annual report of the previous year's activities.

Section 8. Vice Chairperson Duties. The Vice Chairperson shall serve as the Chairperson in the absence of the Chairperson; shall perform all duties that may be delegated by the Chairperson; shall aid the Chairperson on request; and such other duties applicable to the office as prescribed by the parliamentary authority adopted by the Commission.

Section 9. Secretary duties. In addition to the duties stated in BMC Section 2.08.020 (10) or its successors, the elected Secretary shall be responsible for overseeing and maintaining the minutes of all meetings and handling correspondence of the Commission. The Secretary shall ensure that copies of all minutes, committee reports, etc. are kept on file in the Community and Family Resources Department of the City of Bloomington.

Section 10. Community and Family Resources Department staff duties. CFR staff will provide notice of all Commission meetings as required by IND. CODE 5-14-1.5-1 through 7 or its successors; and provide other support for Commission activities as agreed to by the Director of Community and Family Resources.

ARTICLE III.

Meetings.

Section 1. Regular meetings. Regular meetings of the Commission shall be held monthly.

Section 2. Annual meetings. The regular meeting in April shall be known as the annual meeting and shall be to elect officers and for any other business that may arise.

Section 3. Special meetings. BMC Section 2.08.020 (II) or its successors specifies requirements for calling special meetings. Notice of special meetings must be given in advance and the purpose of a special meeting shall be set forth in the notice thereof.

Section 4. Notice. Notice of each regular meeting shall be conveyed to Commission members before each meeting and shall include the agenda. The news media shall also be notified in accordance with IN Code 5-14-1.5-1 through 7 or its successors.

Section 5. Quorum. BMC Section 2.08.020 (7) or its successors specify requirements for a quorum.

Section 6. Votes. Each member shall be entitled to one vote. All business of the Commission shall be conducted by majority vote of those present except where otherwise specified in these bylaws.

ARTICLE IV.

Parliamentary Authority.

BMC Section 2.08.020 (8) or its successors specifies requirements for Parliamentary Authority.

ARTICLE V.

Amendment of Bylaws.

BMC Section 2.23.060 (4) or its successors describes the procedure required to change these bylaws or any other rules of the Commission. In addition, amendments shall be discussed at the regular meeting immediately prior to the

meeting in which the vote is taken on the proposed amendment. Notice of such a meeting shall be given to all members not less than 14 days before such meeting.