



CITY MANAGER'S OFFICE APPEAL FORM

1. NAME <i>(Last Name, First Name, Middle Initial)</i>		
2. MY ADDRESS IS <i>(Number & Street or Post Office Box, City, State & Zip Code)</i>		
3. HOME NUMBER <i>(Include Area Code)</i>	4. CELL NUMBER <i>(Include Area Code)</i>	5. EMAIL ADDRESS <i>(Required)</i>
6. HAVE YOU RECEIVED A LETTER FROM THE OFFICE OF PROFESSIONAL STANDARDS? <input type="checkbox"/> YES <input type="checkbox"/> NO	7. IF YES, WHAT IS THE DATE OF THE LETTER AND THE PCR NUMBER ASSIGNED? DATE: _____ PCR # _____	
8. DATE OF THE INCIDENT	9. LOCATION OF THE INCIDENT	
10. WHY DO YOU DISAGREE WITH THE OFFICE OF PROFESSIONAL STANDARDS' FINDINGS?		
11. SUMMARIZE THE INCIDENT LISTED ABOVE AS PART OF YOUR APPEAL.		
12. HEARING <i>You have the right to request an open hearing to the general public or a closed hearing with the Citizens Public Safety Review & Appeal Board. Which would you prefer?</i> <input type="checkbox"/> OPEN <input type="checkbox"/> CLOSED		
13. SIGNATURE OF PERSON MAKING THIS APPEAL	14. DATE <i>(MM/DD/YYYY)</i>	
CONTINUATION SHEET FOR ANY ITEM(S) ON THE FIRST PAGE		

Return this form to:

City of Kalamazoo
City Manager's Office
241 W. South Street
Kalamazoo, MI 49007

Phone: (269) 337-8047

Fax: (269) 337-8182

Email: cokcitymanager@kalamazoocity.org

TERMS OF APPEAL PROCESS

The term “complainant” shall mean a person who has filed a Public Safety Community Relations (PCR) complaint with the Department of Public Safety or a person who has filed a complaint on behalf of another person.

To file an appeal, a complainant must submit the following:

- An appeal form.
- Response Letter from the Kalamazoo Department of Public Safety-Office of Professional Standards (OPS).
- Materials must be submitted to and received by the City Manager’s Office located at 241 W. South Street, 2nd Floor - Room 200 no later than 15 business days after the receipt of the OPS Response Letter.
- An appeal may be filed online, in person, by mail, facsimile, by telephone or email. Incomplete appeal materials will **not** be processed.

After thorough examination of the appeal material, the City Manager shall refer the matter to the Citizens Public Safety Review & Appeal Board (CPSRAB). If the appeal is referred to the CPSRAB, the City Manager’s Office will schedule an appeal hearing, which will include the complainant, a representative from the OPS, representative from the City Manager’s Office and members of the CPSRAB within 30 business days. The hearing shall be conducted no later than 60 business days after an appeal is filed. The Board will review all materials (e.g., interview transcripts, police reports, appeal form, written statement audiotapes, etc.) submitted about the case as well as appeal materials submitted by the complainant.

The complainant may also request that personal information not germane to the appeal be deleted from any document. The complainant may appear in person before CPSRAB, but the CPSRAB shall **not hear from other witnesses or from city employees other than the Chief or his/her designee.**

The CPSRAB’s scope of authority when considering an appeal shall be limited to considering decisions made by the Chief of Public Safety at the conclusion of the PCR complaint process. The CPSRAB shall have the authority to hear an appeal from any PCR finding in which the Chief has made a finding of exonerated, unfounded, misconduct not based on the complaint or not sustained. Based on information presented, the CPSRAB may recommend that the Chief of Public Safety’s finding be changed to sustained under Kalamazoo Department of Public Safety General Order 16. The CPSRAB shall not have the authority to hear an appeal when the Chief of Public Safety has sustained the complaint nor impose discipline on any employee, recommend that discipline be imposed or increased in a particular instance. The CPSRAB may also make a written request for further investigation by the Chief of Public Safety, his/her designee or City staff member assigned to work with the CPSRAB.

A complainant may request a hearing be open or closed to the general public. Requests can be made on the Appeal Form (Item 12). All hearings shall be conducted pursuant to CPSRAB policies and procedures of operation. The CPSRAB’s deliberations will be closed to the public.

At the conclusion of its deliberations, the CPSRAB shall prepare a written report to be submitted to the City Manager summarizing the conclusion from the hearing; as well as a recommendation to sustain or amend the Chief’s original response. The CPSRAB’s report shall contain comments and criticisms of the Chief of Public Safety’s findings as deemed appropriate by the CPSRAB. This report shall be submitted to the City Manager no later than 15 business days after the conclusion of the hearing. The City Manager may ask the CPSRAB, in writing, to clarify its conclusion.

The City Manager shall have the final authority to sustain or amend a response made by the Chief of Public Safety and/or the CPSRAB. The complainant will receive notification of findings from the City Manager no later than 20 business days following an appeal hearing.