

Proposed Resolution

At the HRC meeting on September 22, 2015, members of the HRC and the community discussed the incident referred to above (item 2 of the agenda). Near the end of the meeting, the HRC passed a motion indicating the members should review information, including the full video recording, related to the incident and then determine its position at a special meeting. Members of the HRC have received the video, as well as the “case report” of the Burns Harbor Police Department (8/29/15) and the statement issued by Mayor Costas on September 3, 2015.

This draft attempts to assess the incident in light of well-publicized confrontations between police officers and members of minority communities in our country during the past few years, and begin a search for ways to improve police-community relations in our community. In thinking of ways to make such improvement, you may want to consult the Final Report of The President's Task Force on 21st Century Policing (May 2015), available at:

http://www.cops.usdoj.gov/pdf/taskforce_finalreport.pdf.

Resolution: After reviewing the full video of the stop of a SUV, and the arrest of the driver, Darryl Jackson, as well as the arrest-related documents, we believe:

1. The alleged justification for the stop - double parking on Monroe Street while waiting for Darryl's friend to come out of his apartment and join Darryl and Alaina for dinner -- reasonably can be viewed as a pretext for a race-based stop of a vehicle containing a Black driver and two Black passengers, particularly in light of the fact that the officer indicated another vehicle had double parked at the same location just minutes earlier, but no stop/arrest was made.
2. Even if the stop was justified, the Burns harbor officer who made the stop acted unprofessionally in that his demeanor and tone demonstrated his ~~contempt~~ (changed to: 'lack of respect') for Darryl and his passengers; this action of the officer instantly escalated the situation and caused the driver to delay getting out of the vehicle due to his fear of the officer.
3. Even if the law permits an officer to order the driver and/or passenger(s) to get out of the vehicle upon stopping it, there should be some justification for such an order, ~~beyond the race of the occupants~~; if officer safety was a concern, the officer could have called for back-up before approaching the car; further, an officer should inform the driver of the reason for the stop particularly where, as here, the driver asks.
4. Without attempting to determine whether any of the officers violated state or federal law, the police function has failed when a stop for double parking results in an arrest, a trip to jail, the need to post bond, a dog-sniff of the vehicle, mental and emotional harm, fear of the police, and serious damage to police-community relations in the City.

Therefore we:

1. express our apology to Mr. Jackson and his passengers for this unfortunate incident that took place in the City of Valparaiso;
2. express our support and thanks for the prompt action taken by Mayor Costas in issuing a statement on September 3, 2015, condemning this police action;
3. express our support and thanks for the action of the Porter County Prosecuting Attorney in rejecting the charges proposed by the Burns Harbor police officer and refusing to prosecute Mr. Jackson;
4. express our thanks to Valparaiso Police chief Mike Brickner for his support of Mr. Jackson and his passengers following the August 29, 2015 incident;
5. express our thanks for all of the professional police work, which often goes unnoticed and unappreciated, in our community;
6. express our disappointment and outrage that this incident happened in the City of Valparaiso, as part of a Porter county Police Task force (Task Force) operation; and
7. recommend that (a) the City of Valparaiso reconsider its participation in the Task Force and withdraw from it unless steps are taken by the end of 2015, including training of all officers assigned to the task force, to prevent such incidents in the future, and (b) the Porter County Sheriff's Department take immediate steps to repair its relationship with University students and all residents of the Hilltop community, which has been publicly labelled a "high crime area" by the Task Force.