

# Exhibit C:

February 14, 2019

Internal Affairs Report

**COMPLAINT DISPOSITION REPORT**

**INTERNAL AFFAIRS UNIT  
Grand Rapids Police Department  
1 Monroe Center NW  
Grand Rapids, MI 49503**

**COPY**

<b>DATE OF DISPOSITION</b> February 14, 2019	<b>DATE OF COMPLAINT</b> January 24, 2019	<b>DATE OF INCIDENT</b> November 21, 2018	<b>COMPLAINT NUMBER</b> CR19-013
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<b>COMPLAINANT NAME</b> ✓ ACLU of Michigan Michigan Immigrant Rights Center	<b>ADDRESS</b> 1514 Wealthy St SE, Suite 260, Grand Rapids, MI 49506 1550 E Beltline Ave SE, Suite 375, Grand Rapids, MI 49506-4365	<b>TELEPHONE NUMBER</b>
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**EMPLOYEE(S) INVOLVED** (rank, name, badge number)  
**Captain Curtis VanderKooi [550]**

**NATURE OF COMPLAINT:** Violation of Impartial Policing Policy / Discourtesy

**INVESTIGATED BY:** Acting Deputy Chief Peter McWatters and Lieutenant Chad McKersie

**INVESTIGATIVE FINDINGS – LIEUTENANT CHAD MCKERSIE**

On January 24, 2019, I was advised by Interim Police Chief David Kiddle to open an investigation, regarding the arrest of Jilmar Ramos-Gomez (Incident Report 18-087726). The American Civil Liberties Union (ACLU) of Michigan and Michigan Immigrant Rights Center (MIRC) filed the complaint, in letter form, to the Chief, regarding the Grand Rapids Police Department (GRPD) notifying Immigration and Customs Enforcement (ICE) of Ramos-Gomez's arrest. The allegation is that the GRPD only sent this information to the ICE due to the arrestee's last name.

Details – Computer Automated Dispatch (CAD) Entry  
The following are CAD details from the incident involving Ramos-Gomez.

11/21/2018 / 8:19:58 AM - mdekam - COVERS PULL STATION ON 12TH FLOOR, NEAR CENTER TOWER SIDE STAIR 23. PREMISES TX UNKNOWN TO RIVERSIDE.

11/21/2018 / 8:20:10 AM - mdekam - NOT LISTED ON THE IMPAIRMENT LOG

11/21/2018 / 8:20:50 AM - mdekam - GRFD USE CHANNEL #2

11/21/2018 / 8:23:48 AM - mdekam - PER TX WITH HOSPITAL SECURITY 616-391-1425 IT'S BELIEVED TO BE A FALSE ALARM

11/21/2018 / 8:31:44 AM - jkilborn - SPECTRUM DISPATCH HAS SUBJ IN CUSTODY FOR ATTEMPT ARSON OF HELIPAD -- MEET IN WOMENS LOBBY

11/21/2018 / 8:35:07 AM - kmclean - 04 ADVISED

11/21/2018 / 8:41:44 AM - mdekam - < GRC06 IS REQUESTING IBO >

11/21/2018 / 8:48:31 AM - mdekam - FIRE MARSHALL NOTIFIED 456-3803

11/21/2018 / 11:16:28 AM - sshosten - SGT GRIFFIN REQ TRANSPORT VEH FROM MCT

11/21/2018 / 12:28:29 PM - rwakeman – TEST

**Review – Incident Report 18-087726**

Original Report – Officer Daryl Howard  
The following is the original report, written by Officer Daryl Howard.

On 11-21-18, Officers responded to Spectrum Butterworth in regards to a subject in custody with Butterworth security who attempted to set a fire inside the hospital.

Upon arrival, officers spoke with Matthew Brinkman who is the chief of security at the hospital. Brinkman explained that the suspect, Gomez had entered the stairwell of the hospital in a manner that was unclear. Gomez then made his way to the 12 floor door that is locked by keypad. It is then believed by Brinkman that the keypad was destroyed by pulling it away from the wall. The sprinkler system above the door was also observed to have black scorch marks around it. At some point, Gomez pulled the fire alarm handle on the 12th floor. This triggered an alarm to security who responded to the area. This alarm came in at 0818hrs.

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Security footage of the helipad shows Gomez walk onto the helipad area at about 0821. Gomez stands for a moment and looks around, sets down his backpack, wraps an unknown item around his chest, pick back up his backpack, and walk out the way he came in. Gomez again steps back out into the camera frame for a short time and then again walks back towards the doors to the hospital.

He is then met by John McGarry with hospital security at about 0824hrs. When interviewed, McGarry said when he first observed Gomez he was staring into the sky looking at nothing. He called Gomez over and asked what he was doing on the helipad due to it being restricted area. Gomez stated an alarm went off so he went outside. McGarry stated Gomez had a backpack with him. Inside the backpack were burnt items. Once this was observed Gomez was taken into custody without incident.

Gomez was eventually transported to Police HQ for questioning by Ofc. Rood.

Upon checking with GRCC Police we were advised they do not have camera coverage in that area. They advised that the Van Andel Institute may have a camera pointed in that direction. They were not contacted at this time.

Spectrum Health security was not able to provide a copy of their surveillance video at this time but said they would make that available through Brinkman when needed.

IBO Tech Beaudry processed the scene and collected evidence.

Gomez was charged with  
Arson 20000 or more  
MDOP 100 but less then 20000  
Fire false alarm

Butterworth report number is 18-3406

Nothing Further

### Follow-up Report – Officer Jenny Rood

The following is a follow-up report, written by Officer Jenny Rood.

I responded to Spectrum Health Hospital Women's Center at the listed adx in reference to an Arson Investigation. The call info provided a subject was in custody for starting a fire on the Hospital Helio-pad.

Upon arrival Ofc J. Johnson and her recruit Ofc. D. Howard were onscene and speaking with Hospital Security. They advised the suspect (Jilmar) entered the stairwell and made his way to the 12th floor where he started a fire, see also their original for additional details.

While onscene at the hospital I was approached by Michael Schmuker, he advised he is the Plant Operations Supervisor and was called due to damage to an electrical item. He noted he did not witness the incident, see original report for additional info.

Security escorted R/o's to the 11th floor where we located Jilmar's back pack and property. Security Officer LaFave was standing by with the property and preserving it for evidence. I checked the property to assure there was nothing dangerous located in the bag. I located his Passport, a pistol purchase permit, gloves with yellow wraps and various clothing. LaFave stood by with the property until IBO arrived, see their follow up.

I met with McGarry on the helio-pad, he advised he was the Officer that took Jilmar into custody. He noted he observed Jilmar on the helio-pad standing about 25 feet from the doorway. McGarry advised he made contact with Jilmar and placed him in HC. McGarry noted Jilmar was cooperative. He advised Jilmar told him he was there to visit an unk person and did not say anything further. McGarry advised Jilmar was escorted to Spectrum's Detention Center where he was secured and still remained.

Spectrum Staff escorted me to the detention center near the adult ER entrance. I met with Security Supervisor Rose, he advised Jilmar had been cooperative and turned over a bag of property to me that I later turned over to Sgt. Griffin and was later turned over to IBO, see also Sgt. Griffin's follow up report.

I made contact with Jilmar in the detention area, I switched out HC, DL/PC and searched his person incident to arrest. Note: I did not locate anything on his person as Security had already searched him and removed his prooprty.

I escorted Jilmar to my cruiser nearby with the assistance of Security Ofc Rose. Jilmar was secured and transported to MCT per the directive of Lt. Merrill. I parked in the MP and was assisted by Ofc Bingel as I escorted Jilmar to MCT. I placed him in interview room #1 and advised Sgt. Griffin.

Ofc Johnson and Howard met with additional staff and located the damage on the 12th floor, see also their original report.



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On January 30, 2019, I contacted Officer Rood to report to my office. I asked Officer Rood to clarify this line in her report: *I located his Passport, a pistol purchase permit, gloves with yellow wraps and various clothing.* I asked Officer Rood if she remembered if the passport was a United States of America passport. Officer Rood clarified that it was a United States passport and did not think of documenting that for clarity. I asked Officer Rood if she believed it to be a legitimate passport and she advised that it looked legitimate and had nothing to go on to believe it was fraudulent. This ended my conversation with Officer Rood.

#### Follow-up Report – Officer Adam Baylis

The following is a follow-up report, written by Officer Adam Baylis (detective on the case).

*Arraignments.*

#### WARRANT:

*This case was reviewed by APA Helmer who was provided with a copy of the report and CCH. Helmer authorized charges for MDOP 200-1000 and TRESPASSING - AIRPORT (1 year MIS). The warrant was signed and sworn to Judge Distel. Bond conditions were dropped off with radio.*

*I sent a LEIN message ref the changes to the charges.*

*I called Brinkman and advised him on the charges that were authorized and requested an estimate for the cost of repairs.*

#### BWC

*I searched the timeframe of the incident and found BWC footage from Rood, Johnson, and Howard. I added the incident number and retention period.*

#### VIDEO FROM SPECTRUM:

*A thumb drive was left at my desk that contained two video clips (two different camera angles) from the helipad area at Spectrum. I attached both clips to case files.*

*11-26.*

*Brinkman sent an email advising the cost of repairs to the keypad on the door that was damaged is \$120.65.*

*This case will be closed 03*

#### Ramos-Gomez's Transport to GRPD – November 21, 2018

After Ramos-Gomez's arrest, he was transported to GRPD Headquarters and brought to an interview room in the Major Case Team (MCT) area of the Detective Unit. Ramos-Gomez was transported by Officer Jenny Rood and placed in MCT Interview Room #1. This room is audio and video recorded and the footage is saved in our Panasonic video system. I reviewed the interview that was conducted by Sergeant Gregory Griffin, as well as by Lieutenant Kristen Rogers. Ramos-Gomez was in the interview room on November 21, 2018, from 9:40 AM until 11:35 AM. At 11:35 AM, Officer Jenny Rood took custody of Ramos-Gomez and transported him to the Kent County Correctional Facility.

#### Review – Forensic Report

On November 21, 2018, Crime Scene Technician (CST) Jessica Beaudry was dispatched to 100 Michigan St NE (Spectrum Health Butterworth Hospital), reference an arson investigation. The following is her report narrative.

*On scene CST met with Ofc.'s Rood, J. Johnson and D. Howard. Also on scene were multiple Spectrum security guards.*

*Overall photographs were taken of the Helipad, which is located on the 11th floor of the hospital. Photographs taken just inside of the helipad doors show two back packs with belongings, a hat with charred cardboard and paper, and a passport. Ofc. Rood indicated the two back packs had been searched for safety purposes before CST arrival. Photographs were then taken of Stairwell 23 which leads to the 12th floor elevator control room. Photographs of the stairwell on the 12th floor show damage to a security entrance pad, a broken door closer cover, and apparent charring located around the ceiling sprinkler system. Photographs were taken of a fire pull station located on the other side of the security entrance door to the 12th floor.*

*Black fingerprint powder was used to process the door closer cover and both sides of the 12th floor entry door. Positive results were obtained on both. The latents were lifted and photographed.*

*All items located near the helipad door were collected as evidence. The scene was cleared with Ofc, Howard.*



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At HQ CST met with Lt. Rogers and Sgt. Griffin from MCT. Photographs were taken of a pair of New balances located outside of an MCT interview room. CST also received a plastic bag of belongings from Sgt. Griffin, the belongings were taken from Jilmar Benigno Ramos-Gomez 7-10-1991 by spectrum security. MCT requested CST to photograph all items collected as evidence.

The Multi colored back pack was found to contain: red shorts, swim trunks, gray pajama pants, black zip up sweatshirt, and multiple small in size notebooks.

#### Summary – Sergeant Gregory Griffin Interview with Ramos-Gomez

It should be noted that Sergeant Griffin is assigned to the GRPD Major Crimes unit. He has a secondary assignment with the Joint Terrorism Task Force, assigned to the Federal Bureau of Investigation (FBI). Due to this incident occurring at a major hospital in the city of Grand Rapids and involving a potential fire and accessing the helipad, Sergeant Griffin took on the interview to see if this incident had any domestic terrorism ties.

Sergeant Griffin entered the room, along with Michigan Department of Corrections Parole Agent Jordan Becklin. Sergeant Griffin's interview started at 9:51 AM and ended at 10:20 AM. Agent Becklin did not partake in the interview. This summary is not a detailed account of the interview. Sergeant Griffin spoke with Ramos-Gomez about being a United States Marine Corps veteran and his post-traumatic stress disorder (PTSD). They discussed his deployment in Afghanistan and his discharge from the Marine Corps. Sergeant Griffin asked about the incident at the hospital and inquired about Ramos-Gomez's intentions at the hospital. Sergeant Griffin asked Ramos-Gomez why he was at the hospital and Ramos-Gomez advised he was there to visit a good friend's mother who was in the hospital. Ramos-Gomez advised he did not know her first name and thought he could just figure it out (as to what room she was in). Ramos-Gomez advised he only knew her last name and tried to ask a nurse, but when the nurse started to call Security, he walked away. The remainder of the conversation was regarding the actual crimes committed and Sergeant Griffin attempting to have Ramos-Gomez disclose his true intentions. At no time was Ramos-Gomez' citizenship questioned. The conversation lasted for about 29 minutes.

#### Summary - Lieutenant Kristen Rogers Interview with Ramos-Gomez

Lieutenant Rogers entered the interview room at 10:54 AM. She spoke with Ramos-Gomez from 10:54 AM until 11:14 AM. This summary is not a detailed account of the interview. Lieutenant Rogers spoke with Ramos-Gomez about persons whom she could contact for him, as well some of the details of the case. She asked about his family and asked if there was anyone she could contact for him. Lieutenant Rogers asked if there were any other Marines she could call for him and Ramos-Gomez refused any assistance. After speaking with Ramos-Gomez about the case, Lieutenant Rogers reaffirmed if there was anyone she could call for him and he, again, refused. At no time was Ramos-Gomez' citizenship questioned. The interview ended at 11:14 AM. At 11:35 AM, Lieutenant Rogers and Officer Rood entered the interview room and Ramos-Gomez was then transported to jail.

#### Interview – Sergeant Gregory Griffin

On February 1, 2019, Acting Deputy Chief Peter McWatters and I interviewed Sergeant Griffin regarding his involvement in the Ramos-Gomez arrest on November 21, 2018. This is just a summary of the interview, which was recorded in its entirety.

Sergeant Griffin is currently assigned as a Major Case Team (MCT) supervisor and also has additional assignment as a Joint Terrorism Task Force member, associated with the FBI. I asked Sergeant Griffin to describe how he was made aware of the incident that took place at Spectrum Health Butterworth Hospital. Sergeant Griffin advised he received a phone call from FBI Agent Austin Leighton regarding the incident. Sergeant Griffin then took it upon himself to have the suspect brought down to headquarters, so he could interrogate him to see if there was any concern of a possible terroristic attack, preparation for an attack, or attempt. Sergeant Griffin stated that he learned, through his interrogation, that Ramos-Gomez claimed to be a veteran, had been deployed to Afghanistan, and suffers from PTSD. Sergeant Griffin recalled he thought Ramos-Gomez was in the Army. I asked Sergeant Griffin if, at any time, during his interrogation he questioned Ramos-Gomez's citizenship and Sergeant Griffin advised he did not. Sergeant Griffin stated he was interrogating Ramos-Gomez, in attempt to figure out if he was attempting suicide from the helipad, looking for a sniper position, or was trying to do a dry run on the facility to see how far he could get. At the conclusion of the interrogation with Ramos-Gomez, Sergeant Griffin reported back to FBI Agent Leighton with a text message, which read: *Vet, PTSD, but not an FBI issue. Thanks much.*

Sergeant Griffin was then asked what information he relayed to Lieutenant Rogers and Captain Curtis VanderKooi. It should be noted that Sergeant Griffin reports directly to Lieutenant Rogers and Captain VanderKooi is the Commander of the Investigative Division. Sergeant Griffin advised he remembers being in Captain VanderKooi's office, talking about the case, but he was not certain if it was that day (November 21, 2018) or not. He also advised that Lieutenant Rogers attempted an interview with Ramos Gomez after he was done and had the same information as himself. We advised our payroll records show Captain VanderKooi was off on Wednesday November 21, 2018. Sergeant Griffin then advised it must have been a different day then but was not certain. Acting Deputy Chief McWatters asked if Sergeant Griffin recalled any information about a passport, and Sergeant Griffin advised he never looked at any type of identification. This interview was recorded in its entirety and this is just a summary.

#### Interview – Lieutenant Kristen Rogers

On February 5, 2019, Acting Deputy Chief McWatters and I interviewed Lieutenant Kristen Rogers regarding her involvement in the Ramos-Gomez arrest on November 21, 2018. This is just a summary of the interview, which was recorded in its entirety.



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Lieutenant Rogers is currently assigned as the Detective Unit Commander and reports directly to Captain VanderKooi. I asked Lieutenant Rogers how she was involved in the arrest of Ramos-Gomez, and she advised she was made aware of the incident at the hospital and knew Ramos-Gomez was being brought to headquarters for an interview. Lieutenant Rogers advised that Sergeant Griffin conducted an interview and she then conducted a follow-up interview with Ramos-Gomez. I asked her what information was learned about Ramos-Gomez's citizenship. Lieutenant Rogers advised she never asked him, specifically, about his citizenship and that she asked more about information of whom she could contact for him, due to Ramos-Gomez being very vague with his answers. Lieutenant Rogers asked about siblings, his mother, or other points of contacts. She stated Ramos-Gomez grew up here and went to school here in Grand Rapids. Lieutenant Rogers asked him about his service and Ramos-Gomez and that he got out of the Marines in 2014. Lieutenant Rogers advised she did not believe most of his answers because Ramos-Gomez was so vague and she did not have any facts, or reviewed any documents, to prove or disprove his answers at that time. Lieutenant Rogers advised she was mostly inquiring about the elements of the crimes and points of contact for Ramos-Gomez and was not focused on any immigration status. I asked Lieutenant Rogers if she remembers any conversations with, or notifications to, Captain VanderKooi and she advised she could not remember, because she talks with him about incidents all the time. Acting Deputy Chief McWatters asked Lieutenant Rogers if she believed Ramos-Gomez was not an American citizen and she advised it was not her focus. She was looking for someone to contact regarding his family, in attempts to get more information.

#### Interview – Officer Adam Baylis (Case Detective)

On February 5, 2019, Acting Deputy Chief McWatters and I interviewed Officer Adam Baylis regarding his involvement in the Ramos-Gomez arrest on November 21, 2018. This is just a summary of the interview, which was recorded in its entirety.

I asked Officer Baylis what his current assignment was and he advised he is currently assigned to the Major Case Team in the Detective Unit. I asked Officer Baylis how he became involved in the Ramos-Gomez arrest and he advised he was assigned the lock up and brought the warrant packet to the Prosecutor's Office the next day. I asked Officer Baylis what information he learned from reading the police reports about Ramos-Gomez's citizenship. Officer Baylis advised he did not focus on his citizenship and just focused on the facts of the case, to obtain charges. I asked Officer Baylis about the email he received from Captain VanderKooi, regarding ICE. Officer Baylis advised he forwarded the email to Assistant Prosecuting Attorney (APA) Daniel Helmer. APA Helmer then questioned this, asking about a United States passport and being a veteran. Officer Baylis advised he was not aware it was a United States passport and was unsure about the veteran question, because he was not part of the interrogation and a report was not prepared for him for the warrant paperwork.

#### INVESTIGATIVE FINDINGS – ACTING DEPUTY CHIEF PETER MCWATTERS

On January 24, 2019, Interim Police Chief David Kiddle informed me that I was being assigned to work with the Internal Affairs Unit Commander, Lieutenant Chad McKersie, to investigate a complaint made by the ACLU and MIRC against the Grand Rapids Police Department (GRPD). The complaint alleged that someone at the GRPD had forwarded the name of Jilmar Benigno Ramos-Gomez (DOB 7/10/1991) to the United States Immigration and Customs Enforcement (ICE), for review of his citizenship status, without justification to do so and despite GRPD officers having knowledge that Ramos-Gomez was a United States citizen. The resulting ICE investigation and immigration detainer allegedly resulted in Ramos-Gomez being unjustly detained by ICE an additional three days, after he was released on the Grand Rapids charges. I was assigned to help investigate this case because it had already been determined that Captain Curtis VanderKooi had requested that ICE investigate the status of Ramos-Gomez, on the day of his arrest (November 21, 2018). Due to Captain VanderKooi's rank, it would violate the Internal Affairs protocols to have the lower rank of Lieutenant investigate a Captain, so I, as Acting Deputy Chief, was assigned this task.

Lieutenant McKersie completed the initial stages of the investigation, including locating the pertinent reports, speaking with responding Officer Jenny Rood, and scheduling formal interviews with Officer Adam Baylis (case detective), Sergeant Gregory Griffin (Detective Unit Supervisor), and Lieutenant Kristen Rogers (Detective Unit Commander). I participated in these interviews and assisted with questioning. See Lieutenant McKersie's portion of the report (above) for details.

#### Review – Incident Report 18-087726

I reviewed the incident report (18-087726) documenting the arrest of Ramos-Gomez, for Arson and Malicious Destruction of Property, at Spectrum Health Butterworth Hospital, on November 21, 2018. I took note of the fact that Ramos-Gomez had damaged property at the hospital, had lit a small fire in a stairwell, and was arrested on the highly restricted heliport area of the hospital. The area is restricted, due to medical helicopters that land and take off from the hospital. I also noted that it was documented by Officer Jenny Rood, in her report, that Ramos-Gomez had a passport in his possession at the time of his arrest.

#### Review – Pertinent Emails

Lieutenant McKersie had already obtained the email that Captain VanderKooi sent to ICE employee Derek Klifman, on November 21, 2018, at 7:39 PM. The email included the sentence, "**Could you please check his status?**", followed by a cut and pasted portion of the daily GRPD shift summary detailing the arrest of Ramos-Gomez, along with Ramos-Gomez's full name and date of birth (DOB). The cut and pasted portion of the shift summary detailed the incident at the hospital and that Ramos-Gomez had set a small fire and breached the secure area of the hospital helipad.

On November 23, 2018, Captain VanderKooi received an email from ICE employee Matthew Lopez, stating that he (Lopez) had interviewed Ramos-Gomez at the Kent County Jail and that Ramos-Gomez was a "**foreign national illegally in the U.S.**". It is unknown how ICE came to this conclusion, but it has been reported in the media that Ramos-Gomez claimed to be an illegal alien when interviewed by ICE.

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On Monday, November 26, 2018, Captain VanderKooi sent an email to ICE Employees Matthew Lopez and Derek Klifman and GRPD Officer Adam Baylis, which read, "It is not clear what mad intent was involved in this breach of hospital security but here is the report. Detective Adam Baylis, 456-3395, is assigned." Attached to this email was the GRPD incident report (18-087726).

#### Interview – Captain Curtis VanderKooi

I conducted the investigatory interview with Captain VanderKooi on February 7, 2019, and a supplemental interview on February 12, 2019.

#### Summary

On January 23, 2019, the Grand Rapids Police Department (GRPD) received a complaint from the American Civil Liberties Union (ACLU) of Michigan and Michigan Immigrant Rights Center, alleging that someone at the GRPD had forwarded the name of Jilmar Benigno Ramos-Gomez (DOB 7/10/1991) to United States Immigration and Customs Enforcement (ICE), for review of his citizenship status, without justification to do so and despite GRPD possessing Ramos-Gomez's passport and officers having knowledge that Ramos-Garcia was a United States Citizen. The resulting ICE investigation and immigration detainer allegedly resulted in Ramos-Gomez being unjustly detained by ICE an additional three days, after he was released from the Grand Rapids charges. As part of this investigation, it was determined that ICE was notified by Captain Curtis VanderKooi (Investigative Division Commander) on November 21, 2018. Captain VanderKooi had emailed a summary of the incident to an ICE employee and asked, "Could you please check his status?", regarding Ramos-Gomez.

The incident that prompted this complaint occurred on November 21, 2018, when Jilmar Benigno Ramos-Gomez was arrested by GRPD officers, for Trespassing and Arson, for an incident that occurred at Spectrum Health Butterworth Hospital, in Grand Rapids. Spectrum Health Butterworth Hospital is Grand Rapids' largest hospital, with several thousand employees and patients. The criminal investigation determined that Ramos-Gomez entered a restricted access stairwell at the hospital, where he lit a fire, damaged an entry point key pad, and pulled a fire alarm. After pulling the fire alarm, Ramos-Gomez gained access to the restricted helipad area of the hospital that is used for incoming and outgoing medical helicopter flights. Ramos-Gomez was detained by Hospital Security and subsequently arrested by GRPD officers. The original call of a fire alarm came into the GRPD dispatch center at 8:19 AM, on November 21, 2018, and GRPD officers were dispatched at 8:31 AM. At the time of his arrest Ramos-Gomez, possessed a United States Passport, military "dog tags", and other miscellaneous items.

Sergeant Gregory Griffin is the supervisor of one of our Major Case Teams and also a liaison officer to the area's FBI Joint Terrorism Task Force. On the morning of this event, Sergeant Griffin was contacted by a local FBI agent, who notified him of the incident and Sergeant Griffin was told by the FBI agent that it sounded like a possible terrorist attack. Sergeant Griffin agreed with this initial assessment, contacted officers at the scene, and had Ramos-Gomez transported to the GRPD to be interviewed, following his arrest. Sergeant Griffin interviewed Ramos-Gomez at the GRPD and although he found Ramos-Gomez evasive and not completely forthcoming, Sergeant Griffin concluded that Ramos-Gomez's actions were likely the result of mental health issues related to military service and post-traumatic stress disorder (PTSD), and not an act of terrorism. Lieutenant Kristen Rogers interviewed Ramos-Gomez separately and came to a similar conclusion. Neither Sergeant Griffin nor Lieutenant Rogers questioned Ramos-Gomez about his citizenship status and they were not aware of a passport being in his property that had already been turned over to GRPD forensics by patrol officers and tagged as evidence.

After the interviews with Sergeant Griffin and Lieutenant Rogers, Ramos-Gomez was lodged at the Kent County Jail, for Trespassing and Arson. Ramos-Gomez was released from the Kent County Jail, on the Grand Rapids charges, on December 14, 2018. Ramos-Gomez went directly from Kent County Jail custody to ICE custody, based on ICE's immigration detainer.

Captain VanderKooi, commander of the Investigative Division, was not working on Wednesday, November 21, 2018. While off duty, Captain VanderKooi viewed media reports of the incident on either the 5:00 PM or 6:00 PM television news and also reviewed a shift summary (emailed to all sworn employees by the Watch Commander at 4:02 PM), detailing the event. Captain VanderKooi did not have communication with anyone at the GRPD on the date of this incident, as it was after normal Detective Unit work hours when he learned of the incident. He also did not know about Ramos-Gomez being in possession of a passport or "dog tags", or was aware of the fact that Ramos-Gomez was a veteran. In addition, Captain VanderKooi did not know the results of the interviews conducted by Sergeant Griffin and Lieutenant Rogers.

Based on the information detailed in the media and in the shift summary, Captain VanderKooi felt that what occurred met the criteria of a potential terrorist attack, or a "dry run" for a terrorist attack. This is the same conclusion the local FBI agent and Sergeant Griffin came to earlier in the day, prior to interviewing Ramos-Gomez. Based on his belief that this was possibly an act of terrorism, Captain VanderKooi felt that it was his obligation, as the GRPD's ICE liaison officer and by Department policy in our *Manual of Conduct*, section 13.5, which reads: "Employees shall report any suspected criminal activity, including those pertinent to the Department of Homeland Security.", to report the incident to the Department of Homeland Security (DHS)/ICE. It was also the Wednesday night prior to the Thanksgiving holiday weekend and Captain VanderKooi was concerned that if Ramos-Gomez was a potential terrorist, he could bond out of jail prior to Monday, November 26, 2018, when further investigation would take place, so he chose to forward the information to ICE Wednesday evening.

On Friday, November 23, 2018, Captain VanderKooi received an email from an ICE officer, stating that Ramos-Gomez was a "foreign national illegally in the U.S.". It is not known, nor is it within the scope of this investigation, how ICE came to the conclusion that Ramos-Gomez was not an American Citizen. It should be noted that on Monday, November 26, 2018, upon returning to work, Captain VanderKooi emailed a full copy of the GRPD incident report to two ICE agents and Officer Baylis. The emailed report included the fact that Ramos-Gomez had a passport in his possession at the time of his arrest. The subject line of the email was titled "Spectrum Hospital Pad Loco". The use of the term "Loco" in the subject line of this email was investigated as part of this complaint and the findings summarized below.



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Captain VanderKooi denied that he forwarded Ramos-Gomez's name to ICE because it is a Hispanic name, and there are several reasons why he felt it was appropriate to have ICE review Ramos-Gomez's status. The Department of Homeland Security and ICE have resources that can be used to check not only citizenship status, but also travel to foreign countries for terrorism purposes or affiliation with terrorist

organizations. He felt that, given the nature of what Ramos-Gomez had done, it was in the best interest of public safety and the community to do so. The check for terrorist ties can be done whether a suspect is a United States citizen or not.

This investigation has determined that Captain VanderKooi had justification to send Ramos-Gomez's name to ICE for further investigation, based on the actions of Ramos-Gomez at Spectrum Health Butterworth Hospital, on November 21, 2018. Captain VanderKooi was unaware of the fact that Ramos-Gomez possessed a United States Passport at the time of arrest, and he was unaware that other GRPD employees had interviewed him and the results of those interviews. It is acknowledged that the lack of communication between Captain VanderKooi and those who had investigated the case limited Captain VanderKooi's knowledge of critical parts of the case. Sergeant Griffin and Lieutenant Rogers had interviewed Ramos-Gomez and had concluded this was not likely to have been a terrorist incident. However, based on the information Captain VanderKooi had when making the decision to forward Ramos-Gomez's name to ICE, it was reasonable to do so. Had Captain VanderKooi known Ramos-Gomez was a United States citizen, he would still have been justified in sending his name to ICE, to investigate ties to terrorism. Ramos-Gomez's behavior at the hospital showed several characteristics of a terrorist event and it was prudent to not only have ICE check his citizenship, but also any travel to foreign countries or affiliations with terrorist organizations, which DHS/ICE is tasked with doing.

This investigation has also concluded that Captain VanderKooi is not responsible for ICE allegedly improperly detaining Ramos-Gomez. Captain VanderKooi asked ICE to "review his status". This request did not provide ICE authorization to detain Ramos-Gomez, nor was it a request that ICE detain him further. It was a request to investigate his citizenship status and investigate possible terrorism ties, based on Ramos-Gomez's actions on November 21, 2018.

It should be noted that Ramos-Gomez had been arrested by the GRPD in 2017 for Operating While Impaired (Incident Report 17-017095) and in 2018 for Trespassing (Incident Report 18-075284). He was not referred to ICE after either of these arrests, which supports the fact that the GRPD does not routinely send names of arrestees with Hispanic sounding names to ICE and confirms that Ramos-Gomez's name was referred to ICE for the November 21, 2018 incident based on his actions, which closely resembled a terrorist incident.

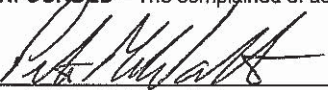
With regards to the use of the term "Loco" to describe Ramos-Gomez in the November 26, 2018 email to two ICE agents and a GRPD Detective, Captain VanderKooi is found to have violated the *Grand Rapids Police Department Manual of Conduct*, section 9.1 (Discourtesy), which reads: "While performing their duties, employees shall not express any prejudiced words or gestures concerning race, national origin, religion, sexual gender, physical or mental handicap, or other personal characteristics." The term "Loco", in the context in which it is used, could reasonably be perceived as a "prejudiced word" concerning national origin, mental handicap, or other personal characteristics.

Therefore, Captain Curtis VanderKooi is **EXONERATED**, with regards to the allegation of **VIOLATION OF IMPARTIAL POLICING POLICY**, while the allegation of **DISCOURTESY** is **SUSTAINED**.


The conclusion contained in the *Complaint Disposition Report* is subject to review by the Civilian Appeal Board, as set forth in *City Commission Policy 800-02*, if the disposition of the complaint is not sustained, unfounded, or exonerated.

**DISPOSITIONS**

- SUSTAINED** – Evidence was sufficient to prove the allegation(s)
- NOT SUSTAINED** – Lack of sufficient evidence to prove the allegation(s)
- EXONERATED** – The complained of act(s) did occur, but were justified and lawful
- UNFOUNDED** – The complained of act(s) did not occur

  
Internal Affairs Unit Investigator

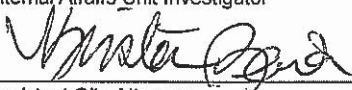
2-14-19  
Date

  
Internal Affairs Unit Commander

2-14-19  
Date

  
Internal Affairs Unit Investigator

2-14-19  
Date

  
Assistant City Attorney

2-14-19  
Date

Labor Relations

Date

APPROVED:  
  
Chief of Police

2-14-19  
Date

City Manager

Date