

9/26/2013

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DETROIT BOARD OF POLICE COMMISSIONERS

REGULAR BOARD MEETING

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Taken at 1301 Third Avenue, Media Room  
Detroit, Michigan,  
Commencing at 3:05 p.m.,  
Thursday, September 26, 2013,  
Before Wendy A. Boer, CSR 3505.

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APPEARANCES :

MS. JESSICA TAYLOR, CHAIRPERSON

MR. DONNELL WHITE, COMMISSIONER

MR. JEROME WARFIELD, COMMISSIONER

MR. GEORGE ANTHONY, EXECUTIVE SECRETARY

COMMANDER FRANKIE LEWIS, DETROIT POLICE DEPARTMENT

9/26/2013

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1 Detroit, Michigan  
2 Thursday, September 26, 2013  
3 About 3:05 p.m.  
4

5 COMMISSIONER WHITE: For the record, we'll  
6 call this meeting to order. I'm Commissioner Donnell  
7 White. I have the pleasure of serving as your vice  
8 chair. We are joined today with Chair to the Board of  
9 Police Commissioners, Commissioner Jessica Taylor.  
10 Representing the staff of the Board of Police  
11 Commissioners is executive secretary George Anthony.  
12 Mr. Anthony, can you please introduce our staff?

13 SECRETARY ANTHONY: Thank you, Mr. Chair. For  
14 the record, George Anthony, secretary to the Board. We  
15 have present Ms. Pamela Davis-Drake seated in the front.  
16 She's our chief investigator from the Office of Chief  
17 Investigator. We also have Officer Kent Cooper who is  
18 helping to record our proceedings, Sergeant Alan Quinn  
19 who is also recording, and Miss Wendy Boer from Hanson  
20 Court Reporting Service. And that completes the  
21 introductions.

22 COMMISSIONER WHITE: Thank you, Mr. Secretary.  
23 We currently do not have a quorum. We may or may not be  
24 joined by Commissioner Jerome Warfield. At such time,  
25 we will handle the approval of the agenda. Also, I'm

1           sorry, the approval of the agenda dated for Thursday,  
2           September 26, also the approval of the minutes dated for  
3           August 22, August 29, September 5, September 12,  
4           September 19 once a quorum has been reached. Madame, do  
5           you have a chairperson's report.

6                         SECRETARY ANTHONY: Madame Chair?

7                         CHAIRPERSON TAYLOR: No, I'm sorry, I don't.

8                         COMMISSIONER WHITE: Do you have a secretary's  
9           report?

10                        SECRETARY ANTHONY: There is, sir. This is  
11           the monthly report of citizen complaints received in  
12           August of 2013. The August complaints or monthly count  
13           of complaints was 123 compared to the receipt of  
14           complaints in August of 2012, which was 91. So, it  
15           represents a 35 percent increase. Year to date figures  
16           for 2013 is 841 compared to 882 for 2012, which  
17           represents a 5 percent decrease. At the end of August,  
18           2013, the Office of the Chief Investigator had open  
19           investigations of 284, cases filed, 841, cases closed,  
20           772.

21                        Of the 123 cases filed, 35 percent involved  
22           unknown officers. The alleged known units involved  
23           leading in complaints filed in August, 2013, were the  
24           Eastern District at 11 percent, communications at 10  
25           percent, and the Fourth Precinct at 7 percent. The

1 123 cases filed in August, 2013, involve 204 allegations  
2 where the leading areas of concern were demeanor at  
3 33 percent, procedure at 28 percent, service at  
4 15 percent and force at 7 percent. And that completes  
5 the report on citizen complaints received August, 2013.

6 And as usual, sir, you have available to you  
7 the statistics on the unknown officers and the  
8 allegations against unknown officers. That completes my  
9 report, sir.

10 COMMISSIONER WHITE: Thank you, Mr. Secretary.  
11 Commissioners, are there any questions for the  
12 secretary?

13 CHAIRPERSON TAYLOR: I don't have any.

14 COMMISSIONER WARFIELD: No, sir.

15 COMMISSIONER WHITE: Seeing none, we will  
16 accept the Secretary's report. Let the record please  
17 reflect the arrival and presence of Commissioner Jerome  
18 Warfield. Good to see you, sir.

19 COMMISSIONER WARFIELD: Good to see you, sir.

20 COMMISSIONER WHITE: At this time, we will  
21 back up and the chair will entertain a motion for the  
22 approval of the agenda dated for Thursday, September 26.

23 CHAIRPERSON TAYLOR: So moved.

24 COMMISSIONER WARFIELD: Support.

25 COMMISSIONER WHITE: Properly moved and

1 supported. Any discussion?

2 SECRETARY ANTHONY: Mr. Chair, I would just  
3 ask to make -- if you could, would you make one  
4 amendment? The Resolution for Mr. Richard Etue, that  
5 was read into the record September 12. But we hadn't  
6 had a quorum to approve that Resolution.

7 COMMISSIONER WHITE: Etue, for the record, is  
8 E-t-u-e, sir. We will deal with that under old  
9 business.

10 SECRETARY ANTHONY: Thank your, sir.

11 COMMISSIONER WHITE: Chair will entertain a  
12 motion to approve the agenda as amended for Thursday,  
13 September 26, 2013. Is there a motion?

14 CHAIRPERSON TAYLOR: So moved.

15 COMMISSIONER WARFIELD: Support.

16 COMMISSIONER WHITE: Properly moved and  
17 supported. Any discussion? Seeing none, all those in  
18 favor?

19 COMMISSIONERS: Aye.

20 COMMISSIONER WHITE: Opposed? Thank you very  
21 much. The chair will entertain a motion for approval of  
22 the minutes dated for August 22, August 29, September 5,  
23 September 12, and September 19.

24 CHAIRPERSON TAYLOR: So moved.

25 COMMISSIONER WARFIELD: Support.

1 COMMISSIONER WHITE: Properly moved and  
2 supported. Any discussion? Seeing none, all those in  
3 favor?

4 COMMISSIONERS: Aye.

5 COMMISSIONER WHITE: Opposed? Thank you very  
6 much. At this time, we will have a presentation from  
7 the Chief's office, Inspector Mott?

8 SECRETARY ANTHONY: I'm sorry, sir. OCI has a  
9 report today.

10 COMMISSIONER WHITE: I apologize. Madame  
11 Chief?

12 CHIEF INVESTIGATOR DAVIS-DRAKE: Thank you,  
13 Assistant Chair. For the record, Pamela Davis-Drake,  
14 Chief Investigator. As of Thursday, today, September  
15 26, 2013, there are a total 289 cases that are currently  
16 open. 19 cases have been submitted for closing. There  
17 are no cases open over 90 days, and the total submitted  
18 cases over 90 days is zero. Just for the record, as  
19 Secretary Anthony pointed out, there has been a  
20 35 percent increase in the number of cases between  
21 August, 2013 and August, 2012. And that is representing  
22 a steady incline in the number of cases that we have  
23 been receiving.

24 COMMISSIONER WHITE: Thank you, Madame Chief.  
25 Commissioners, any questions?

1 CHAIRPERSON TAYLOR: None.

2 COMMISSIONER WARFIELD: I do, sir. Ma'am,  
3 first of all, good to see you.

4 CHIEF INVESTIGATOR DAVIS-DRAKE: Thank you.  
5 Good see you, sir.

6 COMMISSIONER WARFIELD: In lieu of the incline  
7 in cases or the increase in cases that we have receiving  
8 -- and I know that there is a recruiting effort  
9 underway --

10 CHIEF INVESTIGATOR DAVIS-DRAKE: Yes, sir.

11 COMMISSIONER WARFIELD: -- to bring on  
12 additional investigators. Where are we at in that  
13 process?

14 CHIEF INVESTIGATOR DAVIS-DRAKE: With the  
15 recruitment efforts, we are looking at Monday at  
16 posting.

17 COMMISSIONER WARFIELD: Great, wonderful.

18 COMMISSIONER WHITE: I'm sorry. One moment.  
19 Anything else, Commissioner Warfield?

20 COMMISSIONER WARFIELD: No, thank you.

21 COMMISSIONER WHITE: Thank you, Madame Chief.  
22 As we move to the presentations that are before us,  
23 chair would acknowledge Inspector Myles, lieutenant --  
24 I'm sorry, Lieutenant.

25 LIEUTENANT MYLES: Good afternoon to the

1 Board. Lieutenant Herbert Myles from Patrol Operations  
2 Bureau. Just to advise the Board, I received an e-mail  
3 from the Chief's office regarding a meeting that he and  
4 both AC Jones as well as AC White are in. And that  
5 precludes them from being here. Deputy Chief Tolbert  
6 was supposed to be here. However, he is excused for the  
7 day. So, we have an executive officer coming, but no  
8 one has arrived as of yet. We can go ahead with the  
9 presentation from sex crimes if that's what the Board's  
10 pleasure is.

11 COMMISSIONER WHITE: Thank you, Lieutenant.  
12 And I tried to get you a promotion today. You let it  
13 slide. So, that's all right.

14 INSPECTOR SIMMS: I was told to sit in until  
15 someone got here.

16 THE WITNESS: Love to have you. Would you  
17 like to lead into the Chief's presentation from the  
18 office?

19 INSPECTOR SIMS: Sure. I'm interim Inspector  
20 Deshaune Simms from the office of civil rights. The  
21 Chief's presentation for today is going to be sex  
22 crimes. And it's going to be presented by Sergeant  
23 Marvin Redford -- Jones. Jones Sergeant Marvin Redmond  
24 retired a long time ago. Sorry.

25 SERGEANT JONES: Good afternoon, everyone.

1 I'm Sergeant Jones. I work at sex crimes. I have been  
2 there approximately 13 years. And I'm here to do a  
3 presentation on our responsibilities at sex crimes. Sex  
4 crimes, we have a responsibility for investigating any  
5 and all allegations of sexual assault and/or abuse. Any  
6 crime that is reported falsely, that is our  
7 responsibility also to prosecute anyone that has falsely  
8 reported a sexual assault. It is punishable by up to  
9 four years in prison and/or \$2,000.

10 Now, it's a sticky situation because we have  
11 to have independent knowledge that someone -- from  
12 someone else that this person was going to falsely  
13 report a crime. And the prosecutors tend not to want to  
14 sign unless we have that particular statement. We will  
15 prosecute any and all offenders. It's missing one  
16 slide, but that's okay. It's regarding the statutes of  
17 CSC 1 through 4. So, I'm going to give those out real  
18 quick.

19 Criminal sexual conduct in the first degree is  
20 punishable by up to life imprisonment. And the person  
21 has to be at least 13 years or younger, and the  
22 assailant has to be at least 16 or above. Criminal  
23 sexual conduct in the second degree, the same rules  
24 apply as in CSC 1. However, this includes touching of  
25 any of the vital body parts on a person.

1 Criminal sexual conduct in the third degree,  
2 it also requires penetration. So, it's kind of you can  
3 compare CSC 1 and 3 together. But CSC 3 is usually a  
4 known perpetrator, and it's punishable by up to 15 years  
5 in prison.

6 The way a sexual assault case is put together  
7 -- this is where we are at right now. When we receive a  
8 phone call of an allegation of a sexual assault, what we  
9 like to do is complete a case draft. And then we would  
10 send out a crime notification to all our executive  
11 members of the Detroit Police Department involved with  
12 investigations.

13 We respond to the scene to process the scene.  
14 If there's any evidence, we will contact evidence techs  
15 to come out and confiscate that evidence. We interview  
16 all our victims. We like to interview them right there  
17 at the scene. And then we will see to it that they  
18 receive the proper medical attention. If we have to  
19 convey, we will convey. If EMS is on scene, they will  
20 go ahead and convey the victim, and we'll try to conduct  
21 that interview at the hospital while they are seeking  
22 medical attention.

23 Another thing that we like to do is canvass  
24 the area, see if anybody seen anything, heard anything.  
25 In particular, in the middle of the night, if someone

1 is out and if someone is up, they may have heard  
2 something or may have saw something in the area. And  
3 they will alert us to the situation. If there's video  
4 in the area, we will go -- we will try to retrieve the  
5 video that night. However, a lot of times, the manager  
6 may not be there. So, we may have to come back and  
7 follow up the next day with video, which a lot of times  
8 we get good video from our scenes.

9 After we have done that, if it's a known  
10 perpetrator, we will type an investigator's report. We  
11 will complete a scene package for our executives so they  
12 will know exactly what's going on. We'll type search  
13 warrants. If we need a buckle swab -- and a buckle swab  
14 is something that we extract from the inner part of the  
15 mouth to compare to the sexual assault kit that is  
16 completed on our victim at the hospital. And we will  
17 send that to the crime lab for comparison and see if we  
18 can get a match from it.

19 If it's an unknown perpetrator, we try to get  
20 consent from the perpetrator if he is in custody. If he  
21 doesn't consent to it, then we have to type a search  
22 warrant to get that buckle swab extracted. However,  
23 there's also a new law on the books for any violent  
24 felon, they automatically have to be swabbed once they  
25 are arrested and brought into the precinct.

1           Now, that's precluded from what we have to do  
2 because we still need it for that particular crime. The  
3 swab that is extracted at the precinct, that swab is  
4 placed into the CODIS database which is a combined DNA  
5 index which if the person has committed any other  
6 crimes, it can lead us to more charges against the  
7 person.

8           Photo and live line-ups. We prefer to do live  
9 line-ups. If the person is in custody, if we have a  
10 person of interest, we try to get them to come in and do  
11 a line-up. But most times they won't. So, we will put  
12 together a photo line-up. We'll call in an attorney to  
13 come in and call our victim in so they can review it in  
14 the presence of an attorney.

15           Once all that is completed and we type our  
16 investigator's report and wait for the charges from our  
17 prosecutors, once the case is closed, we have to do what  
18 we call SMCR, sexually motivated crime reporting, which  
19 actually puts them on a sex offender register. So, once  
20 we have completed our entire package and the case is  
21 closed, we will see to it that the state has that  
22 package so that they can add them to the sex offender  
23 registry. I'm sorry. Okay. I did skip over that.  
24 Okay.

25           Okay. Oh, other sexual assaults that we

1 investigate is marital rape, a domestic violence  
2 component to it. That seems to be on the rise lately,  
3 where someone will come home and they will get into an  
4 argument because someone wants to engage in what they  
5 think that they are entitled to. And then they will  
6 physically assault their partner as well as sexually  
7 assault them. We like to get on these immediately  
8 because like I said, this is something that, you know,  
9 that really bugs me and bothers me when we get one of  
10 these because it tends to develop into something else  
11 the longer it lingers.

12 What we are talking about, criminal sexual  
13 conduct in the third degree, a lot of times we have  
14 young ladies that are out at the club. They meet  
15 someone, and they feel like they have been drugged. And  
16 lot of times that happens with GHB. That's a very  
17 powerful drug. And GHB is a synthetic drug. It's very  
18 sedative and euphoric. It will render you powerless.  
19 And we get a lot of guys that like to use this against  
20 females when they have been out and having drinks and  
21 tend to go out on a date with them.

22 What happens is -- what they don't know is  
23 that if you have been drinking and this drug is placed  
24 into your drink, it can be fatal. And a lot of people  
25 out here today, they are making homemade GHB, you know,

1 get the ingredients off the internet. And they think  
2 they're chemists or scientists. And they'll go out and  
3 they'll drug some of these victims out there. And then  
4 we will get a victim who will come in and say she  
5 doesn't remember half the things that she's been through  
6 that particular night.

7 Another thing that's on the rise is indecent  
8 exposes. That in particular comes back when school  
9 starts, you get a lot of guys around these schools. You  
10 know, the kids are going to school and report there's a  
11 guy sitting out in the car and when DPS goes out to  
12 investigate, lo and behold this guy is trying to get  
13 kids' attention to expose himself to them. So, we  
14 really like to have the precincts, when they have their  
15 school car really pay close attention to that.

16 And I know DPS pays close attention to it when  
17 you have someone just sitting around the school and they  
18 are doing absolutely nothing and don't have any business  
19 for being around that school. And they tend to notify  
20 us pretty quick when we have that going on.

21 Some of the prevention -- when I go and speak  
22 at schools and community groups, I like to talk to them  
23 about when you're out there alone, you need to walk and  
24 stay on the path by yourself, walk against traffic you  
25 know. You get a lot of females out here that have to

1 catch the bus. And they walk with their back -- a lot  
2 of times we interview women, and they will say, he came  
3 up from behind. He grabbed me from behind. He came up  
4 from behind and put a knife against me. If you walk  
5 against traffic and you see them coming, it may change  
6 your path of direction, and it may also change their  
7 mind now that you have gotten a good look at them and  
8 they will go on about their business.

9 We like for them to walk or be out during  
10 daylight hours. We, you know, stress for people not to  
11 be out here alone at night. That's a tragedy waiting to  
12 happen. As a group, stay together, watch each other's  
13 back. We get some victims who say, well, I was with my  
14 friends but I walked around the corner. And it happens  
15 just that fast. And the friends, we'll interview them.  
16 And they don't know -- have a clue as to what happened  
17 with their friend as they walked around the corner.

18 Another thing I stress when I go to schools  
19 is, you know, lot of young men that think a young lady  
20 says no, it really means yes. That's just unbelievable  
21 to me that people still think that way because no really  
22 means no. And I can't stress that enough. Anyone could  
23 be a victim, anyone, kids, adults, male, female,  
24 elderly. Anyone could be a victim. And a lot of people  
25 don't like to tell because of the embarrassment. But

1 why should you tell? For the next victim because if  
2 this perpetrator got away with it, then he will try it  
3 again with someone else.

4 We like to do workshops on sexual assaults.  
5 We work with victim assistance, Ms. Cooper-Reid, once we  
6 do have a victim and they go down to normally Detroit  
7 Receiving Hospital, they are right there at Detroit  
8 Receiving so they can provide counselors for them.  
9 Wayne County sexual assault forensic examiner, that is  
10 Ms. Hurst. They conduct all forensic examinations,  
11 which they provide. And we get the rape kit, and we  
12 take it back. And we can get some very valuable  
13 evidence from them doing their examinations. They are  
14 called SANE nurses, sexual assault nurse examiners. And  
15 sexual assault recourse team is when they need to bring  
16 in their team. We have a very very high profile  
17 situation, they will bring in their team to provide any  
18 help that we need.

19 Forensic interviewing. Forensic interviewing  
20 is video taped interview for children that are 12 and  
21 under, and the perpetrator is at least 16 and above.  
22 Now, this is a collaborative group between the Detroit  
23 Police Department and the Wayne County prosecutor's  
24 office and where we will attend the video interview as  
25 well as the prosecutor. And we have an independent

1 person that's conducting the interview, which is very  
2 successful to say the least. Once we get that  
3 interview, then we can start with our cases and move  
4 forward.

5 The Assistance League of Southeast Michigan,  
6 every year like clock work, they will bring us two or  
7 three boxes of teddy bears for our kids. We have a room  
8 for our kids where we keep all our toys that once they  
9 come down, if they have to be interviewed, we will make  
10 them feel comfortable, put them in our room and let them  
11 play before they have to talk to us because a lot of  
12 kids don't like to talk to adults. So, we like for them  
13 to feel as comfortable as possible.

14 I'm going to move forward. I think the next  
15 slide was significant case closures.

16 COMMISSIONER WHITE: We have hard copies,  
17 Sergeant.

18 SERGEANT JONES: Significant case closures for  
19 this year. Steven Jerrell. This young man was with  
20 another subject where he broke into a young lady's house  
21 on the east side of Detroit. This one was just last  
22 month. We were able to catch him within the hour. We  
23 are still looking for the second perpetrator regarding  
24 his case. But he was charged with multiple counts of  
25 criminal sexual conduct. Now, he didn't actually

1 sexually assault the young lady, but he held her down  
2 while the other guy sexually assaulted her. And we were  
3 able to get him charged as if he committed the rape  
4 himself.

5 Mark Reed, this one was on the news recently.  
6 This young man is 16 years old. He kidnapped a young  
7 lady over in mid town and took her to several ATM's  
8 trying to extract money from her. He then took her to a  
9 vacant field where he sexually assaulted her. We got  
10 some good pictures from the ATM. We put them on the  
11 news, and we started getting tips immediately. We then  
12 tracked him down to a location not too far from mid town  
13 where our officers were able to catch him. And he's  
14 been charged as an adult.

15 Anthony Hunter. Anthony Hunter is another  
16 case that happened down in mid town. We had a young  
17 lady here from Detroit -- I'm sorry, from New York here  
18 doing a video shoot. And she was leaving the Majestic  
19 Theatre where she was trying to be nice and ask him if  
20 he wanted some coffee. She tried to buy him a cup of  
21 coffee. He ended up kidnapping her, taking her to ATM'S  
22 and robbing her also. Then he took her and sexually  
23 assaulted her. We caught him on video as well and put  
24 it on TV. And we were able to find his location and  
25 capture him also. And all three of these guys are still

1 currently in jail.

2 I had one more, Gabriel Cooper. I wanted to  
3 bring this up. Mr. Cooper is a serial rapist. He raped  
4 a young lady while she was shoveling her snow in the  
5 early part of this year, over on Plainview. He took her  
6 behind the school, sexually assaulted her. A short time  
7 later, he took another female over in the Puritan and  
8 Tiller area behind a vacant building and sexually  
9 assaulted her.

10 Our third victim, she met him on a chat line,  
11 and she agreed to meet with him. When she met with him,  
12 he sexually assaulted her. But she wasn't having no  
13 part of it. He is a small framed guy, and she fought  
14 with him. He jumps in his car and takes off.

15 So, she jumps in her car and she takes off and  
16 chases him. And she gets into a car accident. But  
17 there's a scout car from the Second Precinct that's not  
18 too far. And they pull up, and she is able to point the  
19 car to him as he is escaping. And that's how we were  
20 able to capture him. And from my understanding, he  
21 also may be wanted for homicides. And they I believe  
22 they have charges on him as well.

23 That concludes my presentation. If there's  
24 any questions, I will --

25 COMMISSIONER WHITE: Thank you, Sergeant

1 Jones. Commissioner Taylor?

2 CHAIRPERSON TAYLOR: Yes. I just have a  
3 question. How long would a sex offender remain on the  
4 sex registry?

5 SERGEANT JONES: That comes from the court.  
6 You can get life, you can get 25 years, depends on the  
7 heinous of the crime. And it's totally up to the judge  
8 as to how long they can be on the sex offender registry.

9 CHAIRPERSON TAYLOR: Okay. That's it. Thank  
10 you.

11 COMMISSIONER WARFIELD: Thank you, sir. Good  
12 afternoon, Sergeant Jones.

13 SERGEANT JONES: Good afternoon, sir.

14 COMMISSIONER WARFIELD: Couple of questions.  
15 And I'm glad you went over the cases recently where you  
16 all have done just some great work, outstanding work  
17 there. I do have some questions regarding time lines.  
18 There was a situation as you know that happened in  
19 southwest Detroit recently where the community was  
20 questioning the time line as relates to how the case  
21 progressed. Can you talk a little bit about once the  
22 report is taken at the hospital, how long does it take  
23 for someone to actually go out and speak to the family  
24 because to my understanding, the family was told that it  
25 takes a 24-hour period once the case number is assigned

1 before it goes out. Is that true?

2 SERGEANT JONES: No, sir, that is not true.  
3 Once we get a call regarding a sexual assault, as quick  
4 as the officers can complete the police report, we will  
5 get the report, we will log it into our book. And once  
6 the supervision is there in the morning because all our  
7 cases are assigned in the morning, that case gets  
8 assigned immediately. And the officer in charge of the  
9 case, they are directed to contact -- once they receive  
10 a case, they are directed to contact the victim and/or  
11 their parents immediately.

12 COMMISSIONER WARFIELD: That's not a change?  
13 That's been the policy?

14 SERGEANT JONES: That has always been the  
15 policy.

16 COMMISSIONER WARFIELD: Someone in our office  
17 to be honest called. And they were told it was a  
18 24-hour wait before an investigator can go out.

19 SERGEANT JONES: No, sir, that is totally  
20 inaccurate.

21 COMMISSIONER WARFIELD: Thank you. Appreciate  
22 that. Also as relates to the actual turning over of the  
23 kit to the state police, what is the time frame for  
24 that?

25 SERGEANT JONES: We have two drop-offs of

1 sexual assault kits a week to our DPD -- it's not a lab  
2 but where it has to go to be processed. We drop those  
3 off on Tuesdays and Thursdays, sir.

4 COMMISSIONER WARFIELD: Okay.

5 SERGEANT JONES: And then they're transported  
6 to the Michigan state police.

7 COMMISSIONER WARFIELD: I do know that we get  
8 those kits back fairly quickly once we get those off.

9 SERGEANT JONES: Yes. That particular kit  
10 when it went to MSP, we got that back in one day.

11 COMMISSIONER WARFIELD: Right, great. You had  
12 talked about Kid Speak.

13 THE WITNESS: Yes, sir.

14 COMMISSIONER WARFIELD: That's also used for  
15 special needs as well?

16 SERGEANT JONES: Yes, it's also used for  
17 special needs. And when we can't talk to a victim, we  
18 will see if we can get something from a forensic  
19 interview.

20 COMMISSIONER WARFIELD: Okay. And then you  
21 already hit on it about the community outreach. I was  
22 wondering if this information was going out to schools  
23 and other community organizations. And, sir, you have  
24 answered that already.

25 SERGEANT JONES: Yes, sir. I'm always getting

1 letters to come out and speak to schools. And we will  
2 take our information, and we will disseminate it through  
3 school districts as well as churches.

4 COMMISSIONER WARFIELD: I'm sorry. And then  
5 finally let me thank you because I know that we did call  
6 on you, and you showed up and you did an extremely  
7 excellent job in that case. And so I thank you here on  
8 the record for the job that you did.

9 SERGEANT JONES: Thank you, sir.

10 COMMISSIONER WARFIELD: You're welcome.

11 COMMISSIONER WHITE: Thank you, Commissioner  
12 Warfield. Sergeant Jones, what number can victims call  
13 should they need information?

14 SERGEANT JONES: For sex crimes, you can call  
15 596-1950.

16 COMMISSIONER WHITE: Is that anonymous?

17 SERGEANT JONES: No, sir. That is our main  
18 line. We do not have an anonymous phone number. If  
19 they need to contact me, they can call me at 596-2229.

20 COMMISSIONER WHITE: 2229. Sergeant Jones,  
21 do you have an idea of the sex crime stats 2012, year to  
22 date?

23 SERGEANT JONES: 2012, year to date, we were  
24 at 1,069 cases reported.

25 COMMISSIONER WHITE: This year to date we are?

1 SERGEANT JONES: 1,034. So, we are down 4  
2 percent.

3 COMMISSIONER WHITE: Thank you, sir. Anything  
4 further?

5 COMMISSIONER WARFIELD: You had it up on the  
6 screen, and I thought it was new to me, the first I've  
7 heard of it, of marital rape. Is that something -- a  
8 new category?

9 SERGEANT JONES: No, it's not a new category.  
10 That's just the way I labeled it, sir. It's actually  
11 criminal sexual conduct in the third degree/domestic  
12 violence.

13 COMMISSIONER WARFIELD: Got you. Okay. Thank  
14 you.

15 COMMISSIONER WHITE: Thank you, Sergeant.  
16 Chair would like to note the presence of Commander  
17 Frankie Lewis on behalf of the Chief's office. Is there  
18 anything further, Commander?

19 COMMANDER LEWIS: No, sir.

20 COMMISSIONER WHITE: Thank you, sir. There  
21 are no standing committee reports. Under new business,  
22 I do see Lieutenant Bliss, the Directive for 202.2, our  
23 search and seizure policy. Lieutenant?

24 LIEUTENANT BLISS: Yes, Commissioners,  
25 Commander Lewis, pleasure to see you, sir. I am here to

1 present the search and seizure. Approximately several  
2 months ago there was a version of search and seizure  
3 that was presented by then Commander Jeff Romeo. During  
4 that time it was posted, and we did find some errors,  
5 some duplications of vocabulary words and maybe some  
6 grammatical stuff we wanted to clarify. So, what we did  
7 is we pulled it back. There was -- this is the new  
8 search and seizure. And we made those changes. I want  
9 to apologize to the commissioners because there was  
10 approximately, when we drafted this Directive, 20  
11 versions.

12 So, there is an occasion where something could  
13 actually get mixed up. But the changes that we made to  
14 the search and seizure, we wanted to update it in  
15 regards to the current laws, the current Supreme Court  
16 laws that were -- that have come out that in some ways  
17 have adjusted our policy. We also wanted to clarify  
18 some legal terms and make sure that everything is in  
19 line with constitutional policing.

20 So, those are the changes to this. But in  
21 essence, if you look at this Directive versus the 2010  
22 or even in some cases the 2008 effective dates of those  
23 Directives, they're very close to being the same. There  
24 hasn't been any dramatic changes. And if you look at  
25 this current one, you will see that there's not any

1           strikeouts, and there's not any bolds. And that's  
2           because when I reorganized things and added new laws, I  
3           wanted a fresh take on it. And I wanted to make sure  
4           that the reader, whoever that may be, can look at that  
5           from start to finish and read it almost like a story on  
6           what you can and what you cannot do and also give you  
7           just little bit of tips on the law.

8                         So, for that matter, it's -- it did grow by a  
9           couple pages. But we did include like vehicle searches,  
10          what you can and cannot do as an officer in this  
11          department and some of the changes in the law. But it  
12          is -- there's about 15 copies at the front. And it has  
13          been posted on line. And we did also make sure that it  
14          was sent out to be posted at each of our police  
15          stations. So that where we currently are. And of  
16          course we will wait for any feedback.

17                        COMMISSIONER WHITE: Thank you, Lieutenant.  
18          Commissioner Taylor, any questions?

19                        CHAIRPERSON TAYLOR: No questions.

20                        COMMISSIONER WHITE: Commissioner Warfield?

21                        COMMISSIONER WARFIELD: I want to read it.  
22          Then I'm sure I have several questions after I have read  
23          the new update.

24                        LIEUTENANT BLISS: Yes, sir.

25                        COMMISSIONER WHITE: Just for the record,

1 where are we as relates to time line on this policy?

2 LIEUTENANT BLISS: Well, I think it would be  
3 fair if we do this as we currently do it, let's just  
4 make this be as we are just releasing a new policy. So,  
5 let's have it be the 30 days, even though we have had  
6 the older one out, I think it's fair that with the --  
7 with just some of the changes, that the reader should  
8 have the adequate 30 days. And also search and seizure  
9 is always a very hot topic, especially in the field of  
10 policing and out there, it's always on the news. So, I  
11 think for just the audience, it would be good for them  
12 to look. And I would love to hear feedback on this  
13 directive.

14 COMMISSIONER WHITE: Thank you. So, for  
15 30 days, at that time, the commission would vote on the  
16 new policy, correct?

17 LIEUTENANT BLISS: Correct.

18 COMMISSIONER WHITE: Mr. Secretary, could you  
19 make sure that we have that scheduled?

20 SECRETARY ANTHONY: Yes, sir. Just for the  
21 record, too, I have had conversations with Lieutenant  
22 Bliss. They have had this new policy out for at least a  
23 couple of weeks. So, it's -- you know, in all fairness,  
24 it's already been out there for a couple of weeks. So,  
25 it's just the presentation to the Board at this time.

1                   COMMISSIONER WHITE: Yes, sir. Thank you,  
2 Mr. Secretary. And certainly, Lieutenant Bliss, I  
3 appreciate your concern and emphasis on allowing the  
4 community could wrap their arms around this new policy  
5 being out. I do know within that search and seizure  
6 policy contains the stop and frisk component, which a  
7 lot of individuals have tried to educate themselves  
8 around. So, I do think the community will benefit from  
9 some extra time having it posted. So, thank you for  
10 that.

11                   LIEUTENANT BLISS: Thank you.

12                   COMMISSIONER WHITE: And while you're here,  
13 Lieutenant, Directives 203.4 and 204.1.

14                   LIEUTENANT BLISS: Yes. We will start with  
15 203.4, missing or lost persons. The prior Directive,  
16 the 2008 effective date. This one, what we had to do is  
17 there are new procedures for reporting a missing person.  
18 There's also been some federal laws that have been  
19 written and talking about how the age of reporting a  
20 missing person. But for this primarily, prior we had  
21 what is called a missing person's report. It was a  
22 separate form, and it was catalogued a different way, in  
23 regards to our usual crime reporting as in our CRISNET  
24 reports.

25                   That has been changed. And we do our missing

1 reports and the verifications now through this, which is  
2 the CRISNET report. We have done away with the separate  
3 missing report. So, that's what -- this is new  
4 procedure for the officers. They currently are doing  
5 it. But we have codified it to make sure that if they  
6 had any questions, any concerns, it's there.

7 The other 204.1, crash investigation, the  
8 original title was traffic crash investigation. But the  
9 policy indicates that it has to do with industrial  
10 accidents, watercraft accidents. It's actually more  
11 than just traffic crashes. So, we shortened it up, made  
12 it crash investigation. For that, we added the fact  
13 that now under Michigan law, the UD-10's are electronic.  
14 They used to be private paper. They are electronic. It  
15 talks about if somebody needs a copy of their UD-10,  
16 they can go to a website to get a printout or they can  
17 come and get it from our department.

18 Also, it gives various responsibilities for  
19 how people that are supervisors have a certain time  
20 limit where they have to approve the UD-10's because  
21 there are people who when they do have an accident, they  
22 need to get those UD-10's in order to get their  
23 insurance, in order to submit that. So, we wanted to  
24 make sure that that is clearly defined for your  
25 responsibility as a supervisor, for checking, and also

1 for an officer on how to do it. But we also wanted to  
2 make sure that we included other things that are very  
3 rare but have happened.

4 One, aircraft accidents. As you know, the  
5 city of Detroit airport is here. And we have on certain  
6 rare occasions had aircraft accidents. We wanted to  
7 make sure that we put in various guidelines for a  
8 responding office to follow. Also, industrial  
9 accidents. As you know, when Ford Field was built,  
10 there was an industrial accident there. There was  
11 nothing in the directive prior to that for airplanes or  
12 industrial accidents. Now, there was something that had  
13 to do with watercraft. But again, we kind of updated  
14 that. But we have included those now.

15 So, now there is some guidelines for the  
16 officers out on the street to know where to go in those  
17 cases. But those are the basic updates to the  
18 Directives. Finally, the last one, there used to be  
19 what's called fatal squad that took care of various  
20 traffic fatal accidents. There was an organizational  
21 change, and that has been -- the fatal squad has been  
22 absorbed into homicide. So, they're homicide fatal  
23 traffic crash investigators.

24 So, we wanted to make sure that we didn't use  
25 the old language fatal squad so people don't call up

1 looking for fatal squad and no one has heard of fatal  
2 squad. So, we also updated that. But it's still --  
3 just to let the Board know, it's -- fatal squad has  
4 always been part of homicide within some respects. And  
5 that doesn't change. So, even if somebody was to call  
6 homicide and they said fatal squad, it would still get  
7 to the right people. So, we just wanted to make sure  
8 that our policy reflected those changes also.

9 COMMISSIONER WHITE: Thank you, Lieutenant.  
10 Commissioner Taylor, any questions?

11 CHAIRPERSON TAYLOR: No questions.

12 COMMISSIONER WHITE: Commissioner Warfield?

13 COMMISSIONER WARFIELD: I do have a question  
14 but not specifically to Lieutenant Bliss.

15 LIEUTENANT BLISS: One other thing, both of  
16 those Directives, the missing persons and also the  
17 traffic crash, have been posted for the allotted time.  
18 We have not gotten any feedback from the community to  
19 the Directives. But they have been out there on the  
20 website and they have been posted at the stations.

21 COMMISSIONER WHITE: Thank you. So, if I'm  
22 hearing you correctly, Lieutenant, both of those  
23 Directives would be ready for a Board vote?

24 LIEUTENANT BLISS: Yes, sir.

25 COMMISSIONER WHITE: So, Madame Chair and

1 Executive Secretary, I would ask that we would schedule  
2 in the immediate near futures. I'm not sure if the  
3 commissioners have had an opportunity to review those  
4 two policies. So, we will schedule those two  
5 immediately in the future for a vote.

6 LIEUTENANT BLISS: Thank you so much.

7 COMMISSIONER WHITE: Thank you. Commissioner  
8 Warfield, did you have another question?

9 COMMISSIONER WARFIELD: Again, not directly  
10 regarding Lieutenant Bliss. But he had mentioned the  
11 reorganization of one unit being absorbed into another  
12 just brings to my mind something that I think this  
13 Board -- if not the Board, I do. I need clarity on our  
14 Charter mandated responsibility as relates to approving  
15 re-orgs for the Detroit Police Department and approving  
16 promotions within the Detroit Police Department. And if  
17 those powers have been taken away from the Detroit Board  
18 of Police Commissioners, then that needs to be  
19 communicated I think in open forum so that we are not  
20 under false pretenses that we do or do not have the  
21 powers within the Charter that we are still I think  
22 operating under so that we can move better and possibly  
23 even a little bit swifter with the current chief of  
24 police.

25 And so I don't know -- and I'll leave it up to

1 the Chair and the Vice Chair to determine if we need to  
2 send a letter to the emergency manager or to the mayor  
3 to see if the Charter has been changed to where this  
4 Board does not now have to approve promotions and does  
5 not now have to approve the organizational changes  
6 within the department that the Charter says we do.

7 COMMISSIONER WHITE: That question wasn't for  
8 you, Lieutenant. But, Mr. Secretary, through -- I think  
9 there's been some various conversations from  
10 commissioners around this topic. And I agree with you,  
11 Commissioner Warfield. And I think it is a conversation  
12 worth having on the record. I know Madame Chair has  
13 stated that she wishes to set a meeting with the  
14 Chief to have some discussions. But for the record, I  
15 too am concerned about the powers vested in the Board  
16 via the Charter voted by the citizens of Detroit and the  
17 direction that it appears to be that we may be moving  
18 in.

19 And so, my concern would be that we work with  
20 the Chief and this administration, that while an  
21 executive order may say one thing, the people of the  
22 City of Detroit have said another thing by vesting  
23 certain powers in this body. And if in fact it is the  
24 prerogative of the administration to move in a different  
25 direction, then I certainly would agree with you,

1 Commissioner Warfield, that it should be done in an open  
2 forum that citizens may have an opportunity to provide  
3 feedback as well as commissioners.

4 So, I would echo that sentiment. And, Madame  
5 Chair, I don't know if you wish to speak to -- but we  
6 did have a conversation, Commissioner Warfield, about  
7 meeting with the chief in the immediate near future to  
8 discuss that very topic.

9 CHAIRPERSON TAYLOR: We will discuss it with  
10 him and see how that goes and then we'll know how to  
11 move forward.

12 COMMISSIONER WARFIELD: I think from my  
13 perspective, as you all prepare for that meeting, from  
14 my perspective, you know, either way. We just need to  
15 know either way if the Charter has been set aside as  
16 relates to our duties or if we are still under the  
17 mandate of the Charter, either way. And, you know, at  
18 least it gives us a clear direction of what we can and  
19 can't do on behalf of the people and on behalf of the  
20 Department because, you know, you hear things in the  
21 media, you see things that has been, you know, not run  
22 by an open board forum. And it causes us to be somewhat  
23 concerned as to where we are operating right now. I  
24 just don't know. I just -- I just don't know. So, I  
25 just need clarify on how we are operating. Thank you.

1 Appreciate it.

2 COMMISSIONER WHITE: Anything further, Madame  
3 Chair?

4 CHAIRPERSON TAYLOR: No. I think that's it.

5 COMMISSIONER WHITE: Commander, I did have a  
6 question as well. And I'm sorry, is there anything  
7 further from the Chief's office?

8 COMMANDER LEWIS: No, sir.

9 COMMISSIONER WHITE: I did have a question for  
10 you that you might be able to shed some enlightenment  
11 on. I do know that there was a communication that went  
12 out to current inspectors seeking those who may wish to  
13 apply for the position of captain, as that position is  
14 going to change as per the Chief's vision for a new  
15 structure. My question lies in for those that do not  
16 apply for the captain position, what happens to their  
17 rank status?

18 COMMANDER LEWIS: I would have to get back to  
19 you once I've had that conversation with the Chief's  
20 office.

21 COMMISSIONER WHITE: Okay. Thank you, sir.  
22 Also, under new business, Commissioners, there was a  
23 Resolution presented by this Board at our past community  
24 meeting for Mr. Richard Etue, E-t-u-e. There is a  
25 motion in order to adopt that Resolution as presented.

1 COMMISSIONER WARFIELD: So moved, sir.

2 CHAIRPERSON TAYLOR: Second.

3 COMMISSIONER WHITE: Properly moved and  
4 supported. Any discussion? Hearing none, all those in  
5 favor?

6 COMMISSIONERS: Aye.

7 COMMISSIONER WHITE: Opposed? Thank you very  
8 much. There is no further old business before us.  
9 Under announcements, please be mindful that the next  
10 Board of Police Commissioners meeting will be held  
11 Thursday, October 3 at 3:00 p.m., here at police  
12 headquarters, 1301 Third Avenue, third floor media room.

13 At this time, the Board will entertain oral  
14 communications from the audience. If you wish to  
15 address the Board of Police Commissioners, we would ask  
16 that you would come forward, please state and spell your  
17 first and last name for the benefit of the record and  
18 also please be mindful of our allotted two-minute time  
19 period as to provide an opportunity for everyone to be  
20 heard this afternoon. Are there any communications?  
21 Are there any communications?

22 MS. SMITH: Yes, sir. Good afternoon. Good  
23 afternoon to you, commander, and to the Board. Bernice  
24 Smith, political activist. I wish to congratulate -- he  
25 is gone. Oh, well. Anyway, I wish to congratulate the

1 report that we were just given. And due to the fact  
2 that I am a product of mid town, I was very delighted to  
3 hear -- and I hope that it was the city police and not  
4 the sheriff and the Wayne State, having contributing to  
5 the capture of these felons.

6 I hope that it is my police department because  
7 that would make that announcement because we have been  
8 waiting. The public has been waiting for the last month  
9 or so in regards to this assault on these women. We are  
10 very fearful and a lot of the seniors in the area  
11 because you do know, there are over four to five senior  
12 buildings down there, including the one that I reside  
13 in. In the mean time, this happened a block away from  
14 where I live at that theatre. So -- and it gave a bad  
15 reputation not only to our city but to the neighborhood  
16 because she was an out-of-towner.

17 So, I'm very delighted. And I can report that  
18 back to the Detroiters and let them know mid town is  
19 still alive and we still capture felons that come in our  
20 direction. Now, I just want to let you know -- I don't  
21 know whether I should tell you or not. But in July,  
22 most of you know that the mayor has the choice of  
23 appointing commissioners. All right. You just made the  
24 statement that you don't know whether the Charter is  
25 being followed through or whatsoever.

1           It was told to me by him that he could not  
2           make any appointments until the -- it was told to me and  
3           I'm going to tell the Commission, he cannot make any  
4           appointments because Orr told him to not make any  
5           appointments. So, I don't know whether you're going to  
6           get an answer from the Chief or not because he will  
7           probably tell you the same thing, you got to go to Kevin  
8           Orr. So, I just wanted to let you know that little  
9           tidbit. He could not make any appointments until  
10          further notice in other words. So, that's what's going  
11          on now. So, maybe the Chief could tell you something  
12          otherwise. But he was assigned by Orr, and most of you  
13          know publicly it was stated that he has no more -- the  
14          mayor has no more authority to make appointments. So, I  
15          just want to let the Board know this so you can choose  
16          whoever you want to talk to.

17                 And by the way, there was nice presentation of  
18          the police officers to the funeral this past week, and  
19          I'm very proud of you. I know you're not supposed to,  
20          but I think I counted about 102 cars. There was a  
21          beautiful sight. And in case you -- Commissioner  
22          Taylor, I have your obituary. So, anybody else, I have  
23          about three left so if anybody wants an obituary, ask me  
24          and you can get it. All right. Thank you so much.

25                         COMMISSIONER WHITE: Are there any other



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*Wendy A. Boer*

Wendy A. Boer,

CSR 3505

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