

Draft Minutes Detroit Board of Police Commissioners

Date of Meeting: March 22, 2018 – 3:00 PM

Location: Detroit Public Safety Headquarters, 1301 Third Street, 3rd Floor, Detroit, MI 48226

Acting Chair Willie Bell called the BOPC meeting to order at 3:00 PM (March 22, 2018)

Detroit Police Commission Membership / Attendance	Attend	Not-Attend
Lisa Carter, Chairperson	Excused	
Eva Dewaelsche, Vice Chairperson	Excused	
Willie E. Bell	Yes	
Elizabeth Brooks	Yes	
Darryl D. Brown	Yes	
Shirley A. Burch	Excused	
Willie E. Burton (3:50 PM)	Yes	
William M. Davis	Yes	
Conrad Mallett, Jr.	Yes	
Derrick Sanders	Yes	
Vacant	N/A	
Quorum (Yes)	7	

The Board acting in accordance with its rules approved the Agenda for March 22, 2018.

The Board acting in accordance with its rules approved the following Board Minutes:
Thursday, March 15, 2018

BOPC Officers Report(s): After welcoming attendees to the meeting **Acting Chair Willie Bell** invited **Pastor Matthew Nickel, Jefferson Avenue Presbyterian Church** to provide the invocation. **Acting Chair Bell** asked the Commissioners in attendance to introduce themselves and add any comments to the record. Other elected officials, representatives and VIPs were also asked to identify themselves or their organizational affiliations. BOPC staff in attendance were also introduced. Bell also welcomed **Chief of Police James Craig** to the meeting and invited him to introduce DPD staff.

Acting Chair Bell, said *Welcome*: Good Afternoon. I am Police Commissioner Willie Bell. I represent District #4. Thank you for attending our meeting today. Commissioners Lisa Carter, Eva Dewaelsche and Shirley Bruch are unable to join us today. I will be acting as Chair for today's meeting. For people viewing this meeting on your government cable channel, thank you for viewing. The Board of Police Commissioners meets every week except for the Thanksgiving and Christmas Holiday periods. We meet at Police Headquarters in regular session 3 weeks in the month on Thursday's at 3:00 PM. We also meet in the community every 2nd Thursday of the month at 6:30 PM.

The Board of Police Commissioners exist to provide civilian oversight for the work of the Detroit Police Department. As a Board, we receive and investigate non-criminal citizens' complaints, monitor the operations of the Department and working with the Mayor and the Chief of Police to make or modify police policy. Our objective is the same as the city of Detroit, to provide for the best use of your tax dollar to improve on the quality of life within our city. As a Board, we bring a unique prospective to policing, the eye and the viewpoint of civilians. The principle of civilian oversight is as old and as important as all of the founding principles in our democracy. Separation of powers between and within government allows of accountability, transparency, rights to appeal and citizen control. These principles are important nationally as well as locally.

At the top of our meetings, we always indicate, on behalf of the Board, our concern and support for fallen and injured officers and their families. I would ask the Chief during his remarks to provide us with any additional information related to injured and fallen officers. I will also asked the Chief to provide a report on several recent events in the Department. (1) A report on the investigation involving Commander Leach, (2) A report on the circumstances resulting in a car crashing into Cody High School,

(3) A report on what appears to be an increase in the number of treats over the internet aimed at closing local schools, (4) A report on any other disciplinary actions taken by the Chief's Office.

Today, we have scheduled a presentation from the Department on the Chief of Police's Improvement Plan. In the 2012 Detroit City Charter, Section 7-806-7, it reads under the Duties of the Chief of Police,

"Present annually a police department operations improvement plan. The plan shall be filed with the City Clerk, distributed to the Mayor and City Council, and be a public record."

Under Old Business, last week we took an action to grant a disqualification appeal to Nathaniel Sandrich pending an inquiry of MCOLES policy and practice. Our actions was predicated on receiving an answer from MCOLES to determine the likelihood that a recruit with a expunged juvenile record could upon the successful completion of their training at the Police Academy be certified as an officer. Several inquiries have been made and we have a report from Mr. Wyrick, attorney to the Board on this subject under Old Business.

Toward the end of the meeting, we will have oral communications from the audience, so if you would like to speak to the Board, please make sure you print your name on a speaker's card. Cards are located in the back on the table or can be obtained by seeing Mr. Robert Brown, and he needs your card before the beginning of public comments.

COP Police Report: Chief of Police James Craig reported that crime is continuing to trend downward. Craig reported on CompStat data for the reporting period ending March 18, 2018. Chief Craig reported Homicides percentage change between 2016 and 2017, -14% decrease in Homicides, Sexual Assaults 23% increase, Robbery -23% decrease, Carjacking -5% decrease, Aggravated Assaults -n/a decrease, non-fatal shootings -21% decrease, Burglary -26% decrease, Larceny -4% decrease, Stolen Vehicle -26% decrease and Part 1 offenses -17% decrease. Craig gave an update on injured and fallen officers including Lt. Shawn Westley. **Commissioner Bell** add for special acknowledgements the names of two Police retirees who had made their transition, **Kenneth Ray and Harold Clark**. Chief Craig reported that Detroit school received 30 threats which required police attention. Additionally, Chief Craig reported on an accident that resulted in a car jumping the curb and hitting the entrance of Cody High School. Chief Craig indicated that the situation involved a victim that had been stabbed wherein officers were in pursuit, but pursuit was monitored and terminated by command staff before the driver lost control of the vehicle striking the building. Chief Craig also reported on the upcoming graduation from the Detroit Police Academy and the Opening of the Police Athletic League Field on Michigan and Trumbull. Craig continued his report updating the Board on the investigation and demotion of Commander Leach to the rank of Lieutenant. Craig indicated there are two investigations underway in this incident, one for violations of departmental policy and the other for potential criminal charges. He indicated that Leach was working unauthorized in a security detail with a company not affiliated with the Department. He indicated the investigations look into administrative and potentially criminal matters. Craig also indicated that he thought the investigation would be wrapped up in a couple weeks. The investigation includes at least one other officer and a group of civilians working the security detail. Craig also reported that the Wayne County Prosecutor had been included in the investigation at its start. Chief Craig concluded his remarks on the Leach case indicating that high ranking command officers are and should be held to the highest standards. Chief Craig also asked **AC James White** to report on a Run in LA wherein the DPD team placed 29th out of 150 teams. White indicated that the run was financed by private funds. AC White indicated that he would submit the names of all of DPD runners for special recognition at a later date. **Commissioner Brown** acknowledged the work of the Department for traffic enforcement along Gratiot Ave and a recent press conference related to threats against schools. Brown also provided the Chief with information about a illegal marijuana operation on West 8 Mile Road that needs attention. **Commissioner Mallett** underscored the importance of supervision and acknowledged the good work in this case where the pursuit was monitored and called-off to avoid potential danger.

Presentations to the Board: (A) Chief of Police Improvement Plan (2012 Charter, 7.806-7) AC White and Lt. Brendon Lewis.

A. Chief of Police Improvement Plan (2012 Charter, 7.806-7). AC James White acknowledged the Charter requirement of the DPD to provide to the Board an Annual Improvement Plan. He indicated the Department would provide today an update on the preparation of the plan. AC White introduced **Lieutenant Brandon Lewis** who reported the plan would be provided in May 2018 and it will cover several improvement areas such as equipment upgrades, facilities upgrades and manpower improvements. Lewis indicated that command officers are responsible for accessing their operations and providing the information need to improve the department. He indicated the plan would be organized by precinct and command with attached organizational charts and a discussion of new crime strategies. **Commissioner Sanders** asked for clarification on the Department's vehicle strategy.

AC White responded by indicating the Department has a four year replacement strategy. The Department is in the first year of the four year strategy. Sanders also asked about the budgetary impact of the strategy.

BOCP Standing Committee Reports: Commissioner Brooks reported on the continued work of the Department's Recruitment efforts.

Report from the Board Secretary. Mr. Hicks reported on seven items listed on the agenda. Hicks indicated he wanted to expand on a letter from the Chief regarding the BOPC lack of notification for hearing related to Suspension of without pay. Hicks said that this item had been resolved back in January, 2018 when the BOPC Leadership received a report and authorized a modified method for handling Suspension without Pay. Hicks outlined the four step process.

Upon Receipt of a Suspension Without Pay from the Chief of Police,

(1) The request would automatically be place on the BOPC agenda one week after it is received by the BOPC. This would effectively mean that no case would be heard by the BOPC sooner than seven days after the transmission from the Chief's Office.

(2) The Attorney for the Board would review each case and formally recommend to the Board a course of action. Such course of action would involve a specific review of the violations of rules and procedures.

(3) The DPOA and/or the LSA, or any other police union, would be notified at least 5 days in advance of the hearing by electronic mail (the same notice will also be mailed utilizing regular US Postage). The union representative will be asked in the notification if a closed session is requested and if they (member and/or union) plan to be in attendance during the hearing.

(4) Notes of the notification BOPC and the response by the union would be recorded for future reference.

Hicks also indicated as of 4:30 PM yesterday, the Chief has transmitted the first of the Suspension Without Pay request after the enactment of our new policy. Hicks indicated the most recent transmission from the Chief would comply with the above procedural methods.

Old Business: Report on Disqualification Appeal of Mr. Sandrich and the potential of MCOLES certification after the successful completion of the Detroit Police Academy by BOPC Board Attorney Jermaine Wyrick.

BOPC Attorney Jermaine Wyrick indicated he has been in communications with MCOLES and that after he clarified the difference in, if an individual is convicted of a felony in adult court as opposed to the adjudication in juvenile court, the resolution and the certification of a successful candidate for police is allowed. Attorney Wyrick provided to the Board a written report that outlined the facts in the Sandrich appeal as well as discussed applicable law and MCOLE policy. Attorney Wyrick concluded by indicating "the juvenile adjudication for felony CCW will not prohibit Mr. Sandrich from becoming MOLES certified."

Commissioner Bell asked HR if they wanted to weigh in on this issues. **Ms. Bridget LaMar** (HR) indicated that she would submit this issue and wait for DPD legal staff to review the case before opining on the issue. **Mr. Hicks** added to the discussion the intent of the BOPC to send the information surrounding the Sandrich case to MCOLES and request that this item be placed on their agenda for discussion. Hicks indicated that a policy correction at MCOLES will alleviate future confusion in matters like this wherein a juvenile record is held against an individual seeking police certification.

Commissioner Sanders requested additional information on vehicle deployment. **AC White** indicated that a list of deployed vehicles would be provided on an "as we go" and a final list would be provided at the end of the deployment period which he projected to be within the next 30 days. **Commissioner Davis** asked about the deployment of vehicles to personnel living outside of Detroit and if these vehicles are taken home by the assigned officer. AC White responded that command officers are allowed to take vehicles home if they are on "re-call status." Sanders also inquired about the deployment of vehicles to NOP's. **AC White** (later in the meeting) indicated that BOPC cars are scheduled to be on the ground within 30 days and that funds to support the vehicle strategy within the Department are capital dollars and not operational dollars.

New Business: None.

Announcements: The next regular meeting of the BOPC is Thursday, March 29, 2018 at Police Headquarters at 3:00 PM. The next Community Meeting of the BOPC is April 12, 2018 at Peace Baptist Church, 13450 Goddard Avenue, Detroit Mi., 48212 (11th Police Precinct).

Oral Communications from the Audience / Public Comments:

Ms. Bernice Smith indicated that citizens oftentimes provided questions to her to bring to the BOPC meetings. These questions include 139 shooting in Detroit between January 1 thru February 25, 2018, the work assignment of one of the DPD Commanders involved in an altercation, union President suggesting 18 PO's retire per month. Ms. Smith concluding by voicing her support for officer safety and higher compensation for officers. Ms. Smith also indicated in a discussion with Wayne State University Chief of Police Anthony Holt, that he suggested a BOPC Board meeting at WSU. **Mr. Eric Blount** indicated his continued concerns about police interaction with the public and has discussed in the past concerns involving Body Worn Cameras and Electronic Controlled Weapons. Mr. Blount also stated his horrific reaction to the shooting death in Stanford CA., of Stephone Clark captured on camera as police fired 21 shots resulting in his death. Mr. Blount requested a monthly report on BWC. Chief Craig responded that deployment of BWC are complete including deployment to Secondary Employment Officers. Craig also discussed Taser purchase and deployment to the 4th precinct as a test precinct. **Yolanda McCants**, indicated a need to see and have more communications between the BOPC and her organization. Ms. McCants asked for the second Wednesday of each month some representation from the BOPC at her meeting at 6:00 PM at Police Headquarters. Ms. McCants also expressed concerns about marijuana grow houses in commercial areas. McCants also asked how citizens would find if grow operations are legal. Chief Craig encouraged people to work with the precinct. Bell also suggested Ms. McCants to discuss outreach efforts with Ms Blossom (BOPC Media Outreach Coordinator). **Rico Razo**, announced a funding raising at Joseph Walker Jr. Recreation Center. Razo raised the issues for payment of police services. Has DPD looked into purchasing protective caps for officers? Craig responded indicated yes, protective helmets are being investigated along with other protective measures. **Ashley Carter** commented on the lack of user friendly interface in the open data portal. Ms. Carter questions if the information was available about adjudication of the cases investigated by DPD. Ms. Carter also asked if the BOPC has taken a position on the new jail configuration of the County Jail Development. Bell responded the Wayne County Project is a county project, not a Detroit project.

DPD Recruitment Division (Cowling and Coles) wanted to place on the record their discussion with MCOLES. Coles reported that MCOLES uses Michigan statues indicating they would not certify anyone with a felony conviction. **Board Attorney Wyrick**, again clarified the difference between adult and juvenile adjudications. **Chief Craig** allowed as much as if the case, as reported out as a juvenile, MCOLES may view the certification differently.

MOTION to Adjourn by Commission Bell.

Second, Sanders

VOTE: Yes = 7 No = 0 Abst. = 0 MOTION APPROVED

Adjournment 4:40 PM