

Draft Minutes Detroit Board of Police Commissioners

Date of Meeting: October 18, 2018 – 3:00 PM

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

BOPC Chairman Willie Bell called the BOPC Board Meeting to order at 3:00 PM (October 18, 2018)

Detroit Police Commission Membership / Attendance	Attend	Not-Attend
Willie E. Bell, Chairperson	Yes	
Darryl D. Brown, Vice Chairperson (3:35 PM)	Yes	
Lisa Carter	Yes	
Elizabeth Brooks	Yes	
Eva Garza Dewaelsche	Yes	
Shirley A. Burch	Yes	
Willie E. Burton	Excused	
William M. Davis	Yes	
Conrad Mallett, Jr.	Excused	
Jim Holley	Yes	
Vacant	N/A	
Quorum (Yes)	8	

The Board acting in accordance with its rules approved the Agenda for October 18, 2018.

**The Board acting in accordance with its rules approved the following Board Minutes:
Thursday, October 11, 2018**

Chairman Willie Bell said, “Welcome: Good afternoon. I am Police Commissioner Willie Bell, I represent District #4. I serve as Chair of the Board and will be conducting our meeting today. On behalf of the Board, for those in attendance, thank you for joining us. For people viewing this meeting on your government cable channel, thank you for viewing our meeting.

INVOCATION: Invocation was provided by Rev. Jim Holley.

Chairman Bell asked each Commissioner to introduce themselves for the record. Introductions of BOPC staff and DPD staff and Elected Officials, VIPs, civic leaders or their representatives were also made.

Chairman’s Report – Willie Bell said, “On behalf of the Board, I want to express our concern and support for fallen and injured officers. Our concerns for officer safety and citizen protection is continuous. Our Board receives a weekly report from the Department listing injured officers. I would ask the Chief of Police during his remarks to provide us with any additional information related to injured and fallen officers.

The Board of Police Commissioners meets every week except for the Thanksgiving and Christmas Holiday periods. We meet at Police Headquarters every week at 3:00 PM. On the second Thursdays we meet at 6:30 PM in the community. Under the Detroit City Charter, Article 7, Chapter 8, the Board of Police Commissioners is empowered to provide civilian oversight and supervisory control of the Police Department. Our citizens are justified in asking “How does civilian oversight of law enforcement help you as a citizen within our community?” Our answer is, we protect the civil rights of citizens. Oversight organizations like the BOPC are at the forefront of investigating, reviewing and auditing individual cases of citizen complaints and patterns of operations by police agencies to eliminate misconduct, discriminatory police practices and unnecessary use of force by police. Our work is based on developing and supporting effective policing. Mutual trust and respect between the police and the community is critical toward increasing the quality of life for residents and visitors to Detroit.

The Board of Police Commissioners exists 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 work with the Mayor and the Chief of Police to make or modify police policy.

I want to publically recognize the recent graduation ceremony of new DPD Officers. The graduation was held last Friday at Greater Grace Temple. It was good to see the new officers, their families and supporters. The Mayor and the Chief of Police, Councilmember Roy McCalister and several of our Commissioners attended the ceremony.

After the graduation ceremony, Chief Craig uncovered a Detroit Police Scout Car decorated with a pink ribbon. The pink ribbon was to show the Department's support for Breast Cancer Month. **Breast Cancer Awareness Month**, is an annual international health campaign organized by major breast cancer charities every October to increase awareness of the disease and to raise funds for research into its cause, prevention, diagnosis, treatment and cure of breast cancer. The BOPC joins with the Chief in this important cause.

I also want to share with the Board according to news reports the DOPA has settled a contract with a 7% raise over three years. I also want to challenge officers to accept responsibility for their jobs and help the city bring down the high number of lawsuits paid out by the city for police misconduct. I am also mindful that we must work to retain officers trained by the Department. Each training costs the city \$80,000.00. The Board will look for patterns of conduct within the Department and create and modify policy aimed to reduce the liability for the city including lawsuits filed against officers for force and shooting civilian owned dogs.

I want to share with the Board that the Chief's Office transmitted two additional proposed directives. The first directive is about how the Department will handle Criminal Justice Information, shared between governments and agencies. The second directive is about the Department approach to the L G B T Q community (Lesbian, Gay, Bisexual, Transgender and Queer). I want to remind the public that copies of these and other proposed directives are accessible at our website, at www.detroit.gov/bopc. As part of our policy review, we encourage public input. We are hoping that you, **THE PUBLIC**, review and comment on the recommended changes on police policy. Police policy is not made in a vacuum, public input is important.

I want to acknowledge the receipt of the Department's Tow Rotation List. This list was just received and transmitted to each Commissioner at the request of Commissioner Carter.

Today, we have a full agenda. We have adjusted the agenda and moved public comments up in our agenda. Under New Business, we have two requests from the Chief of Police to change the duty status of two officers, P.O. Bradley Clark and Sergeant Paul Glaza. It is likely that we will go into closed session on these items, therefore I have adjusted the agenda moving public comments into the mid-point of our meeting. This adjustment will not force any person to stay until we return from the closed session to address the Board under public comments. We have two presentations scheduled for today. The first will be our normal HR Report from Ms. Bridget Lamar, Interim Director DPD Human Resources. Commissioners have received this report well in advance of the meeting, I am asking for a brief presentation from HR to help move forward our packed agenda. The second presentation is on Domestic Violence, Sergeant Kya Williams will be making this report. Domestic Violence is one of the topics flagged by the Board to keep in the public's eye and to monitor the resources devoted to this serious crime that largely victimizes women. We will also have under Committee Reports, Personnel Committee Chairman Eva Garza Dewaelsche who will make a recommendation to the Board in connection with filling the position of DPD Personnel Director.

Under New Business, we have the two requests from the Chief of Police to change the duty status of two employees. Board attorney Jermaine Wyrick will be asked to read into the record the Chief's requests and I will ask for a motion to go into closed session. The closed session is one of the exceptions under the Open Meeting Act that allows for the Board to close out a meeting to take up personnel matters. After the closed session, we will return to the public meeting and vote, in public on any matters arising from the closed session.

As a reminder, in the mid-section of our agenda we have oral communications. 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. He will need your card before the beginning of public comments at the mid-point in tonight's meeting. We will hold each speaker to the allotted 2 minutes.

COP Police Report: Deputy Chief of Police David LeValley representing Chief of Police James E. Craig reported that crime is continuing to trend downward. DC LeValley reported on CompStat data for the reporting period ending October 14, 2018. DC LeValley reported Homicides percentage change between 2016 and 2017, -7% decrease in Homicides, Sexual Assaults 47% increase, Robbery -12% decrease, Carjacking 3% increase, Aggravated Assaults -5% decrease, non-fatal shootings -10% decrease, Burglary -13% decrease, Larceny 1% decrease, Stolen Vehicle -20% decrease and Part 1 offenses -9% decrease. DC LeValley also reported on plans to convene a domestic violence workshop on Friday October 26, 2018. LeValley also shared

information on a current investigation involving dead bodies found in two area funeral home abandoned by the owners of the funeral homes. **Commissioners William Davis** inquired about carjacking in District #7.

Presentations to the Board: (A) Human Resources, Ms. Bridget LaMar, Interim Personnel Director (B) Domestic Violence, Sergeant Kya Williams

(A) Human Resources, Ms. Bridget LaMar, Interim Personnel Director

The HR Report was rescheduled from the October 11, 2018 Board meeting. Report was distributed to the Board under separate cover.

(B) Domestic Violence, Sergeant Kya Williams

Sergeant Williams outlined the mission and purpose of the **Detroit Police Violence Unit** and outlined police personnel assigned to the unit. **Williams** also discussed the objectives and goals of the unit including to send a message that domestic violence is a crime and those that commit the crime will be prosecuted. **Williams** also discussed the type of cases that the Domestic Violence Unit has authority as well as discussed several of the governmental, community and financial partners working with Domestic Violence Unit. **Commissioner Dewaelsche** requested a greater breakdown of the number of cases adjudicated by the Domestic Violence Unit.

BOPC Standing Committee Reports: Personnel & Training Committee Chair, Eva Dewaelsche.

Commissioner Dewaelsche read the following report into the record.

Board of Police Commissioners – Committee Report
HR Director Search Committee, Chair Willie Bell & Personnel & Training Committee, Chair Eva Garza Dewaelsche.
For Full Board Action, Thursday, October 18, 2018

Report by Commissioner Eva Garza Dewaelsche

The position of Personnel / Human Resource Director

Following the resignation of former Personnel Director Gail Oxendine, the Chair appointed a board level committee to review and interview candidates for the position of Detroit Police Department Personnel Director. The Board Leadership Team also meet with Deputy Personnel Director Bridget Lemar and agreed to ask Ms. Lamar to act as Interim Personnel Director during the search time. Ms. Lamar agreed to this assignment. On behalf of the Board, I want to thank Ms. Bridget Lamar for her service as the Interim Director.

The Board level search committee was composed of Willie Bell, Chair, Darryl Brown, Lisa Carter, Eva Garza Dewaelsche. Joining the search committee was a non-voting member representing Chief James Craig, Deputy Chief Todd Bettison.

The Chairman's charge to the committee was to administer the search process, short list potential candidates, conduct interviews and make a recommendation to the FULL Board.

The search committee reviewed and authorized an update job announcement reflecting the requirements under the Detroit City Charter and other local laws that might impact the search process or the qualifications of the candidate pool. The new job announcement was posted with 10 job bulletin boards (Internet Job Boards). The bulletin boards had national reach and allowed for interested individuals to communicate directly with the BOPC. The Board also took out two large ads with the Michigan Chronicle (April 25-May 1, 2018 edition) and Detroit Legal News (4/25 and 5/11, 2018 editions). The deadline for applications was May 20, 2018. Additionally solicitations were made at Wayne State University, University of Detroit, Detroit NAACP, etc., each cooperating partner utilized their network of recent graduates and alumni associations to distribute, post and otherwise share the announcement. Additionally, members of the BOPC received and were asked to provide candidates for the above position or asked to help distribute the job announcements within their respective networks.

The search committee interviewed 10 candidates for the position. Five of the ten interviews were asked to return for a second round interview. The search committee agreed on the following recommendation to be presented to the FULL Board.

Therefore, it is the recommendation to the FULL Board that Dr. Marcella Anderson, Ph.D, be offered the position of Director of Personnel / DPD Human Resources in the amount of \$107,000, plus normal fringe benefits offered by the city of Detroit including vacation, medical and other such benefits.

Dr. Marcella Anderson is the current Interim Campus President of South University, former Dean of Academic Affairs and Operations of South University and Director of the Criminal Justice Program at South University. Dr. Anderson has held positions of Dean at Strayer University, Nashville TN, and ITT Technical Institute, Troy Michigan. Dr. Anderson is also a former Wayne County Sheriff retiring as a Detective Sergeant. Throughout Dr. Anderson's work assignments she has had to organize and administer personnel and training programs as well as attend to other responsibilities as senior executive staff.

The search Committee has asked Dr. Anderson to join us today to be introduced to the full Board and to respond to any questions or concerns from the Board.

Following any questions and responses, I move that the full Board vote to offer the DPD Personnel Director position to Dr. Anderson in the amount of \$107,000.00 annually with the associated fringe benefits offered by the city of Detroit.

Commissioner Lisa Carter move the adoption of the Report made by Commissioner Eva Garza Dewaelsche to offer the position of DPD HR Personnel Director to Dr. Marcella Anderson, PhD. in the amount of \$107,000.00 with associated fringed benefits.

Commissioner Darryl Brown, Second

Commissioner Jim Holley indicated that he was not pleased with the process associated with the selection and approval. Chairman Bell called for the question.

VOTE: Yes = 8 No = 0 Abst. = 0 MOTION APPROVED

Board Secretary Report: Mr. Hicks reported on two proposed directives transmitted by the Chief of Police and a request by the Department to use the BOPC subpoena for case # !A-18-120.

Old Business: Commissioner Dewaelsche corrected the date wherein members of her organization would volunteer to paint a section of the Detroit Police Academy.

Announcements: The next meeting of the BOPC is on October 25, 2018 at 3:00 PM, Detroit Public Safety headquarters, 3rd Floor 1301 Third Street, Detroit, MI 48226. The next community meeting is November 8, 2018, 6th Precinct at Second Grace United Methodist Church, 18700 Joy Road, Detroit 48228.

Oral Communications from the Audience / Public Comments:

Fredla M. Butler, Community Activist. Thursday, September 27th a gentleman came before you, I believe seeking to join the Green Light Program. He said that he has a medical marijuana business and can only do transactions in cash. He spoke of safety for his customers. Commissioners, I am aware that the Green Light program is to deter crime. Since protesting at Wyoming and Joy Road, there is a business in the area committing an allege crime selling loose cigarettes. One protestor said that this is small and perhaps helping the purchaser to stop smoking instead of buying a pack of cigarettes. She said the seller wasn't hurting anyone; the buyer is only hurting himself. My explanation was a small crime can lead to something larger. Example, if a small leak isn't taken care of it will become much larger and do more damage to a structure. Everyone has a right to make decisions and have opinions about marijuana but my concern is for our young people and other crimes. They are our future and some would say that this is a cliché but I read an article in the Detroit Free Press about places where marijuana has been legalized and it is frightening. The article stated the affect it has on youth 12 to 17 years old having a decrease in cognitive skills, an increase in school suspensions by 141 percent, an increase in emergency room services due to marijuana poisoning and a fifty percent increase in crime of illegal growing operations. In the state of Colorado, there has been a 66 percent increase in related marijuana traffic deaths. The article also stated that an employer can fire and refuse to hire based on drugs of any kind. With stats like these, what kind of future will our youth and others have? We, the black communities, have suffered too many blows since we shouted Black Power. There are studies where marijuana has been very effective in treating some medical conditions. We need education and control of this substance. I believe our communities will suffer more than any other. We already have high unemployment due to the lack of education and updated skills. More emphasis needs to be placed on educating our communities about this drug. Too many, I believe think of this as an innocent drug because they have heard about results from some medical studies. I fear the outcome of legalizing recreational marijuana. **Ms. Bernice Smith** acknowledged the work of DC Barren in connection with a downtown demonstration, agreed with the city proposal to award police a 7% raise, and suggested that it be a 10% raise. **Mr. St. James** indicated he had information of a criminal nature involving DPD. He was referred to the Department via DC LeValley. **Albert Martin**, indicated he was representing Detroit City Councilmember Roy McCalister.

New Business: Chairman Bell asked Board Attorney Jermaine Wyrick to read into the record the subject related to new business.

Board Attorney Wyrick indicated the Chief of Police submitted to the Board an (1) ADMINISTRATIVE LEAVE WITHOUT PAY HEARING FOR OFFICER BRADLEY CLARK Badge Number 337. Wyrick cited the jurisdiction and authority of the Board of Police Commissioners Over Administrative Leave without Pay Hearings, Section 7-803(4) of the City of Detroit Charter and the Detroit Police Department Manual Section 101.2-4.1(4) on the Duties of the Board of Police Commissioners which states in relevant part, “The duties of the Board shall include: Act as final authority in imposing or reviewing discipline of department personnel;” (2) BOPC ADMINISTRATIVE LEAVE WITHOUT PAY HEARING FOR SERGEANT PAUL E. GLAZA Badge Number S-50. Section 7-803(4) of the City of Detroit Charter and the Detroit Police Department Manual Section 101.2-4.1(4) on the Duties of the Board of Police Commissioners which states, “The duties of the Board shall include: Act as final authority in imposing or reviewing discipline of department personnel;”

Chairman Bell indicated because both items are personnel items that the Open Meetings Act allows for the Board to go into Closed Session. Bell asked for such a motion.

Commissioner Carter moved the Board go into closed session to take up a personnel item.

Commissioner Brown, second.

VOTE: Yes = 8 No = 0 Abst. = 0 MOTION APPROVED

Chairman Bell requested a motion to reconvene the Board.

Commissioner Carter moved the Board reconvene.

Commissioner Brown, second.

VOTE: Yes = 8 No = 0 Abst. = 0 MOTION APPROVED

Board Returned to regular order.

On Behalf of the Board, Board Attorney Wyrick read the following recommendation into the record. BOPC ATTORNEY

RECOMMENDATION: Based upon the egregious nature of Officer Clark’s conduct which violated DPD policies, leading to criminal charges, I agree with Chief Craig’s recommendation *that Officer Clark be placed on administrative leave without pay.*

Commissioner Carter moved the Board accept the recommendation from the Chief of Police for ADMINISTRATIVE LEAVE WITHOUT PAY HEARING FOR OFFICER BRADLEY CLARK Badge Number 337, but with medical.

Commissioner Brown, second.

VOTE: Yes = 8 No = 0 Abst. = 0 MOTION APPROVED

BOPC ATTORNEY RECOMMENDATION: Based upon the egregious nature of Sergeant Glaza’s conduct which violated DPD policies, leading to criminal charges, I agree with Chief Craig’s recommendation *that Sergeant Glaza be placed on administrative leave without pay.*

Commissioner Carter moved the Board accept the recommendation from the Chief of Police for ADMINISTRATIVE LEAVE WITHOUT PAY HEARING FOR SERGEANT PAUL E. GLAZA Badge Number S-50, but with medical.

Commissioner Brown, second.

VOTE: Yes = 8 No = 0 Abst. = 0 MOTION APPROVED

Commissioner Bell asked if there were not additional items before this Board, he requested a motion to adjourn. Commissioner Carter moved for adjournment.

Commissioner Brown, second.

VOTE: Yes = 8 No = 0 Abst. = 0 MOTION APPROVED

Adjournment.