

Draft Minutes Detroit Board of Police Commissioners

Date of Meeting: October 25, 2018 – 3:00 PM

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

BOPC Vice Chairman Darryl Brown called the BOPC Board Meeting to order at 3:00 PM (October 25, 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	Excused	
Shirley A. Burch	Yes	
Willie E. Burton	Excused	
William M. Davis	Yes	
Jim Holley	Yes	
Vacant	N/A	
Vacant	N/A	
Quorum (Yes)	7	

The Board acting in accordance with its rules approved the Agenda for October 25, 2018.

The Board acting in accordance with its rules approved the following Board Minutes:
Thursday, October 18, 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. Commissioner Eva Garza Dewaelsche will not be attending today and has asked to be excused.

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.

INVOCATION: Chaplain Christie Solomon provided the invocation.

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 3 weeks in the month on Thursdays at 3:00 PM. We also meet in the community every 2nd Thursday of the month at 6:30 PM. 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.

This week several public safety issues have appeared in our local newspapers. In a Detroit Free Press Report entitled “*They look like cops, but they're not. And they're all over Michigan.*” The article is about the alarming number of unregulated

civilian Reserve Officers operating in various cities in Michigan. The Free Press reports that there are more than 3,000 civilian officers in Michigan. The reports indicates that Detroit has 118 such officers. While the report addresses several important concerns. The report highlights problems in connection with the backgrounds of civilian officers. The report also identifies training of the officers and the potential liability of cities that have civilian officers. I want to assure the public that in Detroit our Reserve Officers, in fact receive considerable training and they do **not** operate without supervision. A few months ago, this Board received an excellent presentation from the Department about the Detroit Police Reserves. The presentation discussed additional measures to professionalize and train our reserve officers as well as spotlighted the investments the Department has made to establish clear authority and operational procedures for reserve officers.

Early this year, I appeared on a public affairs show to discuss opioid addiction and its effects on people and communities. This Saturday is National Drug Take Back Day sponsored by the DEA with DPD. The objective of National Drug Take Back Day is to help get unused opioid medications out of circulation. All Detroit Police precincts are involved and listed as participants, in the Drug Take Back Day. For citizens and visitors, we ask your cooperation to take as many of these dangerous opioid medications off the streets. Take them into the local police precinct and turn them over to a police officer who will secure and eventually destroy these dangerous drugs. I would also ask that parents go and take a look in your medicine cabinets and collect up old prescriptions drugs that are no longer in use by you or your family. You can turn in these old prescription drugs and keep them from falling into the wrong hands and into the illegal drug market in your community.

I want to also acknowledge the Chiefs' prompt response to a concern discussed at our last BOPC Meeting, wherein I challenged officers to take their jobs seriously and uphold the high standards of the Department. The Chief has released an Administrative Message on ETHICAL OBLIGATIONS OF MEMBERS OF THE DETROIT POLICE DEPARTMENT. The Administrative Message seeks to correct an emerging problem in law enforcement, that officers correctly convey information in their pursuit of law enforcement.

I also want to acknowledge the receipt of an updated Green Light location list from the Department. The Green Light program is now up to 418 locations. The Green Light program with its network of surveillance cameras allows for DPD to spread its eyes across the city without the limitations of manpower. Copies of this list are included in your Board package.

Additionally, in your board package are announcements about an annual event sponsored by the Public Safety Foundation. The Above & Beyond Awards Ceremony will be held on November 29, 2018 at the Marriot in the Renaissance Center. Commissioner Elizabeth Brooks is working with the Foundation and may at the appropriate time want to say something about Above & Beyond Awards Ceremony.

Under the Chief of Police Report, I would like to ask the Chief to expand on any arrangements that the city is planning to cover the annual Halloween season. I understand that several precincts will be sponsoring events designed at engaging the community. Chief, if you can include in your report information on Trunk-A-Treat celebrations. In the same report, please update the Board on the recent officer shooting incident and the current investigations involving two local funeral homes.

Today, we have a full agenda. We have three important presentations. We will hear from a very special guest, United States Congresswoman Brenda Lawrence, 14th District. Congresswoman Lawrence will provide a legislative update focused around concerns of law enforcement and policing. I want to thank Mr. James Slaughter, Congresswoman Lawrence's Senior District Outreach Coordinator for his help in scheduling this event. Congresswoman Lawrence will address the Board under presentations. Thank You Congresswoman Brenda Lawrence for agreeing to attend and speak at a meeting of the Board of Police Commissioners. Following the Congresswoman, we will receive a presentation on Neighborhood Policing. Deputy Chief Elvin Barren and Deputy Chief Charles Fitzgerald will make this presentation. I would add that some of the most comprehensive work on neighborhood policing was discussed in President Obama's detailed 21st Century report on policing. I have asked the Department to use some of the recommendations included in that report to guide their presentation. Our third presentation will be from our Office of the Chief Investigator. Dr. Polly McCalister will make this report. The Office of the Chief investigator is charged with investigating citizen complaints surrounding non-criminal conduct of our DPD.

As a reminder, at the end of the meeting 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. We will hold each speaker to the allotted 2 minutes.

COP Police Report: Chief of Police James E. Craig reported that crime is continuing to trend downward. COP James Craig reported on CompStat data for the reporting period ending October 21, 2018. COP Craig reported Homicides percentage change between 2016 and 2017, -5% decrease in Homicides, Sexual Assaults 50% increase, Robbery -12% decrease, Carjacking 3% increase,

Aggravated Assaults -5% decrease, non-fatal shootings -9% decrease, Burglary -13% decrease, Larceny 1% decrease, Stolen Vehicle -20% decrease and Part 1 offenses -9% decrease. Chief Craig discussed a recent administrative message to the members of the Department that was informed by the Giglio case. Craig indicated that in cases wherein officers have sustained allegations of misconduct federal and county prosecutors are dismissing warrants request because officers lack truthfulness. The Administrative Message is designed to alert officers of this concern and to instruct command on the procedures that the Department will following in these type of cases. Chief Craig indicated that the Department is assembling a list of officers that may fall into this category and would share this list with the Board. Chief Craig also reported on a recent officer involved shooting indicating that the shooting appeared to be justifiable. Chief Craig described the incident and indicated that the officers involved in the shooting also render first aid to the victim, but the victim died later in the hospital from his injuries. Chief Craig also reported on a continuing investigation of two area funeral homes wherein remains had been found. Chief Craig indicated there are two investigations underway. **Commissioner William Davis** inquired as to the reported incident involving scooters. **Commissioner Lisa Carter** inquired if the officers involved in the recent shooting was assigned to restrictive duty and is receiving counseling. **Commissioner Jim Holley** inquired as to the number of shots involved in taking down the victim. **Chief Craig** indicated 13 shots; center mass. **Commissioner Holley** asked if the Department would provide the Board with a written report on the incident. Holley also asked for clarification on Detroit crime figures as he indicated that news reports indicate Detroit is the second violent city in the nation, Holley asked if the news or media data the same as the City's data. Chief Craig indicated that the media is using per-capita data.

Presentations to the Board: (A) United State Congresswoman Brenda Lawrence, 14th Congressional District (B) Neighborhood Policing, DC Elvin Barren and DC Charles Fitzgerald (C) Monthly Report from the Office of the Chief Investigator, Dr. Polly McCallister.

(A) United State Congresswoman Brenda Lawrence, 14th Congressional District. Congresswoman Brenda Lawrence acknowledged the hard work of locals as oftentimes the first responders. Congresswoman Lawrence expressed her concerns for crime prevention and support to local communities and local police departments. Congresswoman Lawrence indicated she wanted to give a brief update on several issues from a federal perspective and wanted to focus on community policing. The Congresswoman continued by stating that it is important that community know that they can trust law enforcement to keep their communities safe. She added, that she is proud of the City of Detroit because we have not seen the rioting and the lack of trust that others cities have experienced and that in large part this is due to community oriented policing and work over a long period of time. She cited the need for continuous investment and communication between police and the community. Lawrence indicated that we don't want everyone taking the law into their own hands, community members are not police officers and that the community must trust that police officers will operate on their behalf.

Congresswoman Lawrence indicated that a subject that is very important to her is gun violence. She continued to say that following the shooting in Columbine 150,000 students in 170 elementary and middle-schools have experienced school shootings, 91% of the children in low income communities are killed with firearms are killed in the United States. Guns are the third leading cause of death of all American under 18 years of age; of Americans age 14-17 17% experience gun violence; 60% of High School students report fear of gun violence; 40% of those exposed to shootings develop PTSD (**Post Traumatic Stress Disorder**). Abused women are 5-times more likely to be murdered if their partner has a firearm; women are 16-times more like to be murdered; 2/3 of women killed with guns are killed by their intimate partners. Congresswoman Lawrence discussed how to interact with federal agencies including ICE and other federal agencies. She noted that the Border Patrol has a 50 Mile enforcement radius off the coast of any federal waterway, therefore all of the City of Detroit is included in the Borders Patrol's jurisdiction. Lawrence added, AFT works with anyone including being a resource and that ATF has 40 agents assigned to the City of Detroit. Lawrence cites several issues around Immigration and investments into borders, she discussed human trafficking and drug trafficking. Lawrence also indicated that even if the State of Michigan makes marijuana legal, marijuana is still a federal crime.

Congresswoman Lawrence turned her attention to community policing. She discussed how we protect civilians in our communities including the use of federal resources contained in bills like HR344 which is a technology bill that allows for the purchase of body worn cameras and HR1870 which requires diversity training and encourage the hiring and retention of diverse law enforcement officers. Lawrence also discussed bills that she had recently co-sponsored to address law enforcement including HR 4-1495, a bill to prohibit racial profiling and the Gun Violence Restraining Order which prohibit the sale of guns to any person with a Personal Protection Order (PPO). Lawrence also added that the body worn cameras also protect police officers. Lawrence also discussed the Fair Chance Act which is an act to eliminate post incarceration employment barriers. Congresswoman Lawrence finalized her remarks by emphasizing the need to protect officers. She discussed an example from the comments of Commissioner Lisa Carter who asked if the officer that was involved in a citizens shooting was being taken care of. Lawrence indicated that officers need the time and support to process things that they encounter in the streets. She indicated

that it is not just debriefing, it is counseling, reconnecting them to their job and community. **Commissioner Shirley Burch** expressed the need for officers to respect the citizens and in turn the citizens respect the officers. **Commissioner Elizabeth Brooks** raised concerns about the connection between, gun violence, drug trafficking and mental illness. Brooks asked what was happening at the federal level around purchase of guns and with retail businesses. **Congresswoman Lawrence** responded indicating that Americans have a problem with guns, she added that the 2nd amendment does not give you the right to own a military style assault guns. Lawrence continued, gun purchases in American should have the same or similar regulatory requirement as in the purchase of a car. You need a driver license and demonstrate knowledge that you can operate the car. We mandate that in purchasing the car that it must have a seat belt. We also mandate that you cannot drive and drink or we will give you a ticket. Driver's license are not given out for a life-time, we have to re-issue them periodically. Congresswoman Lawrence concluded her response by suggesting that reasonable common-sense restriction are necessary, given what were are experiencing in our country. Lawrence indicated you can continue to speak up on these and other issues, including advance technology for finger-print technology that locks out the ability for the gun to fire. **Commissioner Darryl Brown** indicated States can mandate checks in gun purchase and we don't have to wait on federal action and what are the federal authorities doing to help fund more officers. **Congresswoman Lawrence** responded that grants like the Safer Grant program are effective, but budgetary cuts are likely, so we need to weigh the options and impact within the community.

(B) Neighborhood Policing, DC Elvin Barren and DC Charles Fitzgerald. DC Elvin Barren and DC Charles Fitzgerald reported on the programs within the Department on Neighborhood Policing Bureau. Barren discussed the operations on the eastside and Fitzgerald on the westside.

(C) Monthly Report from the Office of the Chief Investigator, Dr. Polly McCallister. Dr. Polly McCallister gave the September 2018 monthly report from the Office of the Chief Investigator. She indicated that in the month of September the office received 91 citizen complaints as opposed to 86 citizens' complaints in 2017, an increase of 6% increase over the previous year. Dr. McCallister indicated that some of the data related in her powerpoint presentation is an attempt to locate the actual incidents or citizen complaint into the District structure so that Commissioners will have some knowledge of the location of the complaints. Data related to OCI cases closed for September 2018 is listed below.

86 OCI CCRs CLOSED - SEPTEMBER 2018						
Allegation	139 ALLEGATIONS' FINDINGS					
	Total	Admin_ Closure (20%)	Exonerated (14%)	Inconclusive (21%)	Sustained (18%)	Unfounded (27%)
Arrest (1%)	1	0	0	0	0	1
Demeanor (29%)	40	3	0	14	9	14
Entry (0%)	0	0	0	0	0	0
Force (2%)	3	1	0	2	0	0
Harassment (4%)	5	0	0	2	0	3
Procedure (42%)	58	11	13	9	13	12
Property (7%)	10	5	2	1	1	1
Search (1%)	2	0	2	0	0	0
Service (14%)	20	8	3	1	2	6
Total (86 CCRs Closed)	139	28	20	29	25	37

Board Standing and Ad Hoc Committee Reports: None.

Board Secretary Report: Mr. Hicks reported on four items including the receipt of a policy grievance from the DOPA related to a concern in a closed session.

Old Business: None.

Announcements: The next meeting of the BOPC is on November 1, 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:

Ms. Tonya Brown, District #2 member of a neighborhood Association expressed concerns about speeding in the area of two schools. Ms. Brown wanted to know if her area was slated for speed bumps (Bates Academy and McDowell). Chairman Bell asked Chief LeValley to speak with Ms. Brown for resolution on the issue. **Ms. Bernice Smith** indicated she enjoyed the meeting tonight and announced a meeting next week of local Mayors. Also former mayors from New York and Chicago would also be in attendance. Smith also encouraged a 10% raise for the police. **Mr. Eric Blount** indicated his concern about lawsuits that are paid out by the city for the bad behavior of police officers. Blount also indicated that if police officers that lack credibility by the federal and county prosecutors; why are they still able to remain as police officers. **DC LeValley** indicated that if police officers are not credible and there are unable to put the officer on the stand for testimony this has an effect on policing. He indicated that the Chief of Police is reviewing several cases in this regards and is dealing with this problems including firing officers. **Mr. James Stephens** complained about corruption at the 2nd Police Precinct. Mr. Stephens was referred to DC LeValley. **Mr. Albert Martin** representative from Councilmember McCalister about a mental health workshop to be held this weekend, WCCCD West Outer Drive and Southfield Expressway.

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 = 7 No = 0 Abst. = 0 MOTION APPROVED

Adjournment 5:15 PM.