

Draft Minutes Detroit Board of Police Commissioners

Date of Meeting: September 27, 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 (September 27, 2018)

Detroit Police Commission Membership / Attendance	Attend	Not-Attend
Willie E. Bell, Chairperson	Yes	
Darryl D. Brown, Vice Chairperson	Yes	
Lisa Carter	Yes	
Elizabeth Brooks	Yes	
Eva Garza Dewaelsche	Yes	
Shirley A. Burch	Yes	
Willie E. Burton (3:10 PM)	Yes	
William M. Davis	Yes	
Conrad Mallett, Jr. (3:45 PM)	Excused	
Jim Holley	Yes	
Vacant	N/A	
Quorum (Yes)	9	

The Board acting in accordance with its rules approved the Agenda for September 27, 2018.

Commissioner Darryl Brown motioned to approve the minutes for September 20, 2018, Commissioner Eva Garza Dewaelsche, second.

VOTE: Yes = 8 No = 1 (W. Burton) Abst. = 0 MINUTES APPROVED

Chairman, Board of Police Commissioner, Willie E. Bell: 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. Chairman Bell indicated that the Board of Police Commissioners will not meet on October 4, 2018, due to the NACOLE Conference September 30 thru October 4, 2018

- **INVOCATION:** invocation was done by Rev. Jim Holley, Pastor, The Historic Little Rock Church Baptist.

Chairman Bell asked for BOPC, DPD and elected official attending the meeting to introduce themselves. Bell also introduced Deputy Chief of Police Todd Bettison, representing COP James E. Craig.

Chairman's Report – BOPC Chairman Willie E. 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 in regular session, 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.

Before outlining the order of the meeting, I want to share a few items with the Board. Next week we will not have a Board meeting. Many of us will be away from the city attending the National Association for Civilian Oversight of Law Enforcement (NACOLE) Conference. The NACOLE conference is an opportunity for our Board and staff to connect with other oversight agencies from across the country and around the world. At the conference, we examine "best practices" in law enforcement and discuss things that we can apply to our local jurisdictions. This year, Detroit will be conducting a workshop on "Anatomy of Police Community Relations; Two Fatal Encounters and a City Keeps Calm." Presenting at this workshop will be Commissioner Lisa Carter and Deputy Chief of Police Todd Bettison. Next year's conference (2019) will be held in Detroit and we are organizing to do several things as local hosts for the conference. First, we want to show our visitors from across the nation and around the world a good productive time in Detroit. Second, we want to open the conference for more participation by Detroiters including clergy, the not-for-profit community, government and civic organizations. Third, we want to celebrate our leadership role in police oversight. The Board of Police Commissioners will be celebrating our 45th year as an oversight organization. Thanks to the wisdom of the people of Detroit, our 1973 Charter established civilian oversight of the Detroit Police Department. We believe that an active community, some strong federal guidance and our model of police oversight has allowed us to enjoy a more civil relationship between our community and the police. We also note that in each new revision of the Detroit City Charter our movement toward effective civilian oversight has been enhanced and endorsed by the people of Detroit.

The Chief of Police has transmitted to the Board 5 proposed changes to the Police Department's operational directives. The proposed changes are related to Citizen Complaints, Human Resources, Custodial Questioning, Polygraph Examinations and Bomb Threats and Explosives. The BOPC has posted these proposed changes at our website at http://www.detroitmi.gov/Government/Boards/BOPC/Policy_Directives. We have also asked the Department to post the same proposed directives at their website. This posting will begin the 90 day review period wherein the Policy Committee of the Board will review these changes in detail, discuss the proposed policy with the Department and take under consideration any comments from the general public. If you want to comment on any of the proposed policies, please do so at bopc@detroitmi.gov. The final decisions on any proposed policy will be made by the full Board.

I would like to share that our office has received several communications about our recent resolution that created a Police Department controlled and operated civilian towing operation. The most recent work on towing was encouraged by the Chief of Police and the Mayor, given the large number of criminal convictions in both the public and private sectors of the towing partnership in Detroit and in other communities surrounding Detroit. The Board and the City followed the many indictment and lawsuits that impacted towing and we concluded that something different had to be done to protect the interests of our citizens and visitors. While there may be a number of potential solutions, we acted upon the recommendation of the Chief of Police and we know that others may disagree with the approach that he has outlined. Later in the meeting, I expect to hear from several of the tow companies. You can address the Board under oral comments at the end of the meeting. Bell also reported on a conversation with the Chief of Police wherein he met with several tow company representatives. Bell indicated the Chief reported that the discussion reviewed a number of the concerns expressed by the tow companies. Bell also indicated that he was open to a discussion with tow companies at a date to be arranged in the future.

Today, we have rescheduled our presentation on Body Worn Cameras (BWCs) and Electronically Controlled Weapons (ECWs) because of time conflicts with DPD staff. We will have a short presentation on 2018 NACOLE conference from Executive Manager Melanie White and our monthly report from the Office of the Chief Investigator. Dr. Polly McCalister, PhD. will give the OCI report.

Toward the end of the meeting we will 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.

Resolutions: None.

COP Police Report: Deputy Chief of Police Todd Bettison representing Chief of Police James E. Craig reported that crime is continuing to trend downward. DC Bettison reported on the Chief's meeting with several tow companies indicating the Chief's willingness to work with tower under the new construction of the tow operations initiated by the Chief and approved by the Board. DC Bettison reported on CompStat data for the reporting period ending September 23, 2018. DC Bettison reported Homicides percentage change between 2016 and 2017, -5% decrease in Homicides, Sexual Assaults 49% increase, Robbery -13% decrease, Carjacking 5% increase, Aggravated Assaults -4% decrease, non-fatal shootings -12% decrease, Burglary -14% decrease, Larceny 0% increase, Stolen Vehicle -22% decrease and Part 1 offenses -8% decrease. **Commissioner William Davis**

inquired as to if there was any patterns or concentrations related to carjacking. **DC Bettison** indicated that carjacking was a crime of opportunity and that no pattern has emerged. **Commissioner Shirley Burch** asked about a wave of cars and/or trucks that have been used to break into local businesses. Burch also commented on DC Elvin Barren's speedy response to some of her concerns. **DC Bettison** indicated that this activity is relatively recent and that the Department had arrested two crews who used this as the mode of operations in committing breaking into business. **Chairman Bell** and **Commissioner Jim Holley** inquired about the effectiveness of the bike lanes and how they might impede traffic. Holley specifically asked which entity in city government made the decision to establish bike lanes. **DC Bettison** responded that DPD is not making the decision and it is likely that between the Mayor, the Director of Planning and DPW or the "traffic committee" (a collection of various Departments) are making the decision. **Bell** indicated that the issues of bike lanes has been discussed with the Board a representative from Planning and Development. **Bell** also indicated that the Mayor has indicated that he would evaluate the bike lane approach in November. **Bell** also inquired about the high rate of crimes appearing to be located around some of the discount dollar business establishments. **DC Bettison** responded that it is difficult to get the cooperation of the Dollar Store because their business model does not encourage them to participate in prevention program like the Department Greenlight program. **Commissioner Lisa Carter** inquired about efforts to educate the general public about bike lanes and traffic. She suggested the use of printed materials, public service announcement and the use of social media to hammer home an education message about safety and bike traffic. **Commissioner Holley** also requested that specific time limitation be placed on the BOPC agenda for presentations. Chairman **Bell**, agreed.

Presentations to the Board: (A) NACOLE 2018 Conference Update by BOPC Executive Manager Melanie White (B) Office of the Chief Investigator, Dr. Polly McCalister, Chief Investigator.

(A) NACOLE 2018 Conference Update by BOPC Executive Manager Melanie White. Executive Manager White read into the record the following statement related to the 2018 NACOLE Conference. "We are excited about this year's 24th Annual NACOLE Conference! Enclosed you will find viable information regarding the Conference, which will be held in St. Petersburg, Florida starting Sunday, September 30, 2018, through Thursday, October 4, 2018. The conference sessions will take place at The Vinoy Renaissance located at 501 5th Avenue, NE, St. Petersburg, Florida 33701. This year's conference theme is "Sustaining Reform. Advancing Justice." The conference sessions are assigned under four tracks: **(1) Training for Oversight, (2) Building Public Trust, (3) Sustainable Reform Efforts, (4) Correctional Oversight.** Civilian Oversight of law enforcement is fundamental to U.S. policing and comprehensive criminal justice reform. To that end, this conference will provide useful information for you to continue providing effective and efficient oversight of law enforcement. Further, the conference will also highlight the many achievements civilian oversight agencies make every day toward police and criminal justice reform.

Your NACOLE Conference Binder includes relevant articles and handouts consistent with the plenary sessions and workshops. The articles provide you with background context of the subject matter, as well as update you on current and emerging trends. Given the changing landscape of civilian oversight, the articles are beneficial and address a number of key items for oversight agencies' education. Please see attached list of articles. Also listed below are transforming plenary sessions and exciting workshops that will revolutionize the scope of civilian oversight. Information ranging from **Local Impact, Broad Impact, and Emerging Impact** help illustrate the sessions' helpfulness with Detroit charter mandates and BOPC goals. Check out the conference schedule for any updates. Don't forget to attend the conference session featuring our very own Board of Police Commissioners and the Detroit Police Department. The session, "**Anatomy of Police-Community Relations: Two Fatal Encounters and a City Keeps Calm, will be held on Wednesday, October 3, 2018, at 8:00 a.m.** Our very own presenters, Immediate Past-Chair Commissioner Lisa Carter, Detroit Board of Police Commissioners, and Deputy Chief Todd Bettison, Chief's Neighborhood Liaison Unit, Detroit Police Department, will focus on key components and initiatives that serve a community when civilian oversight and law enforcement agencies consistently collaborate to build community trust. As a reminder, please do not forget to cast your votes for the upcoming NACOLE Board Election and Bylaws' provisions. Please see relevant material in your NACOLE binders.

Additionally, the NACOLE package includes a section for your conference travel materials. Please keep track of all related material for reporting purposes. Finally, if you have any questions or concerns, please contact staff. Sincerely, Gregory Hicks Secretary to the Board.

(B) Office of the Chief Investigator, Dr. Polly McCalister, Chief Investigator. Chief Investigator McCalister (August 2018 - Report). Chief McCalister discussed with the Board (1) leadership focuses on the mission and the people, Leadership is important, and the leader's job is to create the desired future for their department, (3) Leaders examine the role of organization learning capabilities in an effort to examine the links between the gaps that exist in hopes of creating sustainability. McCalister noted CCRs for August 2018 equal 110 complaints as compared to August, 2017 of 100 complaints, a 10% increase in complaints.

CITIZEN COMPLAINTS CLOSED

105 OCI CCRs CLOSED - AUGUST 2018						
165 ALLEGATIONS' FINDINGS						
Allegation	Total	Admin_Closure (34%)	Exonerated (11%)	Inconclusive (18%)	Sustained (14%)	Unfounded (24%)
Arrest (1%)	2	2	0	0	0	0
Demeanor (24%)	39	3	2	8	11	15
Entry (1%)	1	1	0	0		0
Force (2%)	4	2	0	1	1	0
Harassment (4%)	7	5	0	1	0	1
Procedure (50%)	82	28	14	13	10	17
Property (4%)	7	4	0	2	0	1
Search (2%)	4	1	1	2	0	0
Service (12%)	19	10	1	2	1	5
Total (105 CCRs Closed)	165	56	18	29	23	39

Commissioner William Davis asked about the consequences of not turning on their body worn cameras. **Commissioner Willie Bell** asked about the outcomes for disciplinary measures of officers shown to be in violation.

BOPC Standing Committee Reports: None.

Board Secretary Report: Mr. Hicks reported on seven items as correspondences to the BOPC. **Commissioner Lisa Carter** suggested social media be utilized to help citizens identify officers.

Old Business: Commissioner Shirley Burch thanked the Board for honoring the Chaplain. Commissioner Willie Burton asked if the Board had violated the Open Meeting Act on Towing and requested an updated copy of the Boards Bylaws. Commissioner Lisa Carter requested an update on a troubled officer in the 8th Precinct.

New Business: none.

Announcements: The next meeting of the BOPC is on October 11, 2018 at 6:30 PM, 7th Precinct, @ Hunt Street Station, 2200 Hunt Street, Detroit, MI 48207. 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. Fredia M. Butler, Community Activist, said Commissioners: While protesting the used cars and repair places in our community, there are two posters that speak to everyone in our city. One poster says "Wake Up Detroit" and the other says "Stay Woke" which isn't grammatically correct but it got the attention of a child, whom I believe to be about six or seven years old. He was with his father and four other siblings. He asked what does "Stay Woke" means. An explanation was given. Last Thursday, September 20th I listened to a presentation on identification cards for the City of Detroit. The presentation was disturbing. We already have school IDs, state IDs, and driver licenses. Not long ago during the Fourth of July there was a suggestion of having a curfew for the young people in Detroit. The question was asked how were they to identify the young people coming from the suburbs and those who live in Detroit. In South Africa, not very long ago Africans had to have identification cards to go to certain areas of their country. We need to be cognizance of what is put before us. The shiny objects of supposedly discounts at certain businesses and other amenities are only to draw us in; I believe. As we were told at a community meeting in 2014, which if we don't get involve in our city, we may need a passport to come downtown. Let's not think that it could not happen. I didn't think that I would hear the words internment camps but today the man in the White House has established them for people who have and are migrating to this country and some are United States citizens. They have worked to overturn President Obama's policies on immigration and some prison offenses. We are reliving history of children and even nursing babies being taken from the arms

of mothers. Businesses have been created from the president's policy on immigration. Millions of dollars have been taken from FEMA to create more internment camps. Attorney General Sessions said that he was carrying out President Trump's policies. Look at what has happened and is happening today. I told an official at the water department that we have one of the largest bodies of fresh water in the world and yet we are paying the highest cost in the City of Detroit. Why? "Wake Up Detroit" and "Stay Woke". **Ms. Bernice Smith**, reported on successful cooperation with the police in the areas of West Grand Blvd and Warren Streets. Ms. Smith also inquired into the rationale for the new towing approach. **Diane Wilcoxon** indicated as a result of the Board recent action on towing there is confusion on if the Board, the police or the City council had the ability to act on hardship requests. **Eric Blount** request an explanation on the high number of unknown officers in connection with CCRs. **Marcellus Bryce**, Alternative Care Choices, medical marijuana center have strict guidelines and are not able to participate in the Greenlight program. Mr. Bryce suggested modifications to allow for his organization to participate in the Greenlight program.

Motion to Adjourn at 4:57 PM