

Draft Minutes Detroit Board of Police Commissioners
Date of Meeting: January 17, 2019 - 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 (January 17, 2018)

Detroit Police Commission Membership / Attendance	Attend	Not-Attend
Willie E. Bell, Chairperson	Yes	
Darryl D. Brown, Vice Chairperson (6:50 PM)	Excused	
Lisa Carter (3:15 PM)	Yes	
Elizabeth Brooks	Yes	
Eva Garza Dewaelsche	Yes	
Shirley A. Burch	Yes	
Willie E. Burton (3:10 PM)	Yes	
William M. Davis	Yes	
Jim Holley	Yes	
Evette Griffie (3:10 PM)	Yes	
Vacant	N/A	
Quorum (Yes)	9	

The Board acting in accordance with its rules approved the Agenda for January 17, 2019.

**The Board acting in accordance with its rules approved the following Board Minutes:
 Thursday, January 10, 2019**

Board of Police Commissioner Chairman Willie Bell: Chairman Bell said, “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.

Last week, the family of Sgt. Eric Bucy held the funeral for the untimely passing of one of our police officers. In today’s meeting we have a resolution to honor Sgt. Bucy’s service as a Detroit police officer. But first, I would ask for a 60 second period of silence in honor of Sgt. Bucy.

INVOCATION: Commissioner Jim Holley provided the invocation.

Chairman Bell asked for Commissioners in attendance to introduce themselves to the audience. Each Commissioner introduced themselves for the record. Bell also asked for the introductions of BOPC staff, Chief of Police James Craig and DPD personnel. Bell also recognized and invited the Honorable Brenda Jones, President of the Detroit City Council to address the Board. **President Brenda Jones** indicated she was here to participate in a press conference on human trafficking. President Jones also indicated that because of high profile events and activity within the city it is necessary to remind everyone of the increase likelihood of issues related to human trafficking. President Jones summarized the recent press conference with Chief of Police James Craig by encouraging the public that if you see something during the course of the auto show that suggest trafficking or abuse to contact the authorities. Chairman Bell also recognized Detroit City Councilmember Roy McCalister in attendance.

Chairman’s Report: Chairman 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 ranked as two of the most important priorities of the Board. Our Board receives a weekly report from the Department listing injured officers. Again, we will acknowledge the passing of Sergeant Eric Bucy under resolutions.” Bell also acknowledged nationally, that 6 police officers had died in the line of service in the recent period. Bell asked the Chief of Police during his remarks to provide us with any additional information related to injured and fallen officers.

Chairman Bell continued, “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.

In your Board package, you will note a change in our published agenda. We had scheduled a review and vote on the Detroit Police Department’s annual budget, but at the request of the Deputy CFO, we will take up this matter within the next few weeks. Commissioner William Davis, the co-chair of the Budget subcommittee will make a report on this matter under committee reports. We have replaced the budget review with an important discussion on police towing. In the past, we have had several people approach the Board seeking relief to return their impounded vehicles because they are unable to pay the tow and storage fees. Last year, September 20, 2018, the Board adopted a towing resolution that provided for the Detroit Police Department to operate tow trucks and storage yards. While passing this resolution, we indicated that the Board would review and create guidelines for citizens who because of economic hardship could not redeem their property. These guidelines were distributed in your Tuesday package for your consideration at today’s Board meeting. BOPC Executive Manager for Policy, Melanie White will make a presentation on these guidelines at the appropriate point in today’s meeting.

Additionally, I want to point to several important items for your consideration. The next graduation of the Detroit Police Academy will be held January 25, 2019 at 10:30 AM at Greater Grace Temple located at 23500 W. Seven Mile Road.

The Board is continuing to work with NACOLE (National Association for Civilian Oversight of Law Enforcement) to host in Detroit the National Conference in September, 2019. Commissioner Elizabeth Brooks has agreed to head our local host committee and they have been hard at work in coordinating the interests of the national organization with the local flavor of Detroit. Additionally, Detroit will be celebrating our 45th year as a civilian oversight organization. I will repeat this several times as we approach the September conference, we are inviting law-enforcement and other civic minded individuals and organizations to join us at the conference. We have invited the Chief of Police and he has agreed to participate in the conference. More invitations will be going out soon. If you would like to invite anyone to participate in the conference as a sponsor or as an attendee, please share this information with Commissioner Brooks or members of our staff.

One of our objectives for 2019 is to enhance our communications and cooperation with the Chief of Police. I want to report that this process has started. The Board and the Chief understands that mutual respect and cooperation is critical toward building confidence in the work of the Detroit Police Department. Last week, several Commissioners and I, met with the Chief. We are looking to meet directly with the Chief monthly. Over the course of these meetings, I will endeavor to include all of the Commissioners, so long as we do not violate the Open Meetings Act. I will rotate different Commissioners into different meetings in an effort to avoid a quorum at these meetings. I will also note that these meetings are to improve the dialogue between the Chief and the Board, these meetings are not for decision-making. Any issue that requires a decision will be brought back to the Board, in an open meeting, for appropriate action.

Please note that our current plans are to conduct two community meetings in the month of March. The first will be on March 7th at Western International High School. The time of the meeting is likely to change because we want to accommodate and interact with students at Western International High School. A special meeting notice will be generated and posted as we move closer to the March 7th meeting. Additionally, we will have our regular community meeting in March on March 14th in the 9th police precinct.

I want to acknowledge that Monday, January 21, 2019 is a national holiday to celebrate and reflect on the work of Dr. Martin Luther King, Jr. The BOPC offices will be closed. I invite everyone to select and attend one of the many celebrations of the life of Dr. King. This holiday was hard to win and long to recognize. In fact, some people still refuse to recognize and honor Dr. Martin Luther King, Jr. There is a list of activities published in the newspapers, seek them out and attend as if your life depends on it. In fact, our reality is that at one point our lives did depend on our participation in the civil rights and resistance movements of our day. The ability to “speak truth to power” and to participate in social activism is what Dr. Martin Luther King, Jr. holiday is all about!

Please note in your package information on the 75th Birthday of Commissioner Jim Holley. The information also includes a public event that will celebrate his 50th year in the ministry. Please check your schedule and support Rev Jim! I also want to report that I recently meet with Ross Jones, Investigative Reporter at Channel 7. It is my understanding that Channel 7 will air, Monday an investigative report about 64 Detroit Police Officers who have been charged criminally. I also understand that these charges

cover a period of three years. The report is a comparison between like cities including Baltimore, Atlanta, Dallas and other cities. As members of our local oversight Board, we only see the suspension of officers where the Chief of Police indicates the conduct of the officers are so egregious that it merits suspension without pay. We do not see nor act upon officers who are suspended with pay. Our records show that the Chief has recommended about half of these incidents to the Board. I encourage Commissioners to view the report to be aired Monday on Channel 7 News.

Finally, the Chief of Police and the President of the Detroit City Council Brenda Jones convened a press conference on human trafficking. I ask that the Chief under his report to include some of the highlights and initiatives associated with the efforts to fight against human trafficking. Additionally, we received a communications from the 9th Police Precinct Community Relations Council about continuing issues related to a citizen disrupting traffic in the 9th precinct. The community relations council expressed their concerns about the potential discipline of officers who responded to this incident. I ask the Chief to give us an update on this issue.

Toward the end of the meeting we will have oral communications from the audience. 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.

Commissioner Evette Griffie read into the record a resolution honoring Sergeant Eric Cordell Bucy. (Posthumously)

BOARD RESOLUTION HONORING SGT. ERIC CORDELL BUCY (Posthumously)

WHEREAS Eric C. Bucy was appointed to the Detroit Police Department on June 6, 1996. Upon graduating from the Metropolitan Police Academy, Officer Bucy began his career at the Second Precinct; and

WHEREAS Officer Bucy dutifully served the Southwestern District for several years, before being promoted to Sergeant on June 1, 2006, was reassigned to Southwestern District. He also served the Eastern District Criminal Investigations Unit, Second Precinct, and Investigative Operations Section before his reassignment to the Second Precinct. On Thursday, January 3, 2019, after twenty-two and half (22 1/2) years of service, Sergeant Eric C. Bucy, Badge S-13 passed away; and

WHEREAS During his law enforcement career, Sergeant Bucy was the deserving recipient of one Perfect Attendance Award, three Chief Citation Awards, the Major League Baseball All-Star Recognition Award, the Rosa Parks Funeral Recognition Award, and the Super Bowl XL Recognition Award, and numerous letters of commendation from citizens and superiors; and

WHEREAS Sergeant Bucy tirelessly served the Detroit Police Department, the citizens of Detroit and its neighboring communities for 22 1/2 years. His professionalism, commitment to public service, integrity and dedication were a credit to the Detroit Police Department. He trained and mentored numerous officers and contributed greatly to the development of many adept professional law enforcement personnel today. He was highly respected by the citizens for whom he served as a consummate professional.

NOW, THEREFORE, BE IT RESOLVED That the Detroit Board of Police Commissioners, speaking for the citizens of Detroit and the Detroit Police Department, award this resolution posthumously in recognition of Sergeant Eric Cordell Bucy's 22 1/2 years of dedicated and diligent public service. His professionalism, integrity, and standard of commitment to the city of Detroit and its citizens merit our highest regards. We salute you Sergeant Eric Cordell Bucy for a job well done.

**Motion by: Commissioner Evette Griffie to honor the life and contributions of Sergeant Eric Cordell Bucy.
Second by Commissioner Lisa Carter.**

VOTE: Yes = 9 No = 0; Motion APPROVED

COP Police Report: Chief of Police James E. Craig reported that crime is continuing to trend downward as against last year. He indicated that the start of this year is better than the previous year. COP Craig reported on CompStat data for the reporting period ending January 13, 2019. COP Craig reported percentage change between 2018 and 2019, -75% decrease in Homicides, Sexual Assaults 79% increase, Robbery -21% decrease, Carjacking 69% decrease, Aggravated Assaults 21% increase, non-fatal shootings -14% decrease, Burglary -4% decrease, Larceny -4% decrease, Stolen Vehicle -6% decrease and Part 1 offenses -1% increase. COP Craig also indicated the next graduation for the academy is January 25, 2019 at Greater Grace Temple, at 10:30 AM located at 23500 W. Seven Mile Road, Detroit. COP Craig also provided additional information on the recent press conference and general strategy of the Department to handle potential issues related to human trafficking, recent meetings with the BOPC leadership and an incident in the 9th Police Precinct involving business complaints and an individual dancing in the street. COP Craig noted that of the officers in question by reporter Ross Jones that this represented a very small fraction of Detroit Police Officers. COP Craig concluded his report on recruitment in discussing changes in the labor market and increase concerns by the public on the dangers to police. Craig indicated that these two issues are adding extra concerns for police recruiting. COP

Craig also indicated that the liaison between the Department for the NACOLE conference and the planned meeting of the BOPC at Western International High School will be DC Todd Bettison. Commissioner Shirley Burch inquired on the installation of speed control devices and invited the Board and department to participate in a community engagement activity in April at the Samaritan Wellness Center. Commissioner Jim Holley asked for more information on the Chief's concerns related to the Detroit Auto Show and human trafficking. Commissioner Elizabeth Brooks indicated that concerns around human trafficking should also be extended to concerns for young men inasmuch as they too are victimized by human traffickers. Brooks also emphasized the need to have more support for recruitment including tables at different events and more brochures for distribution. Commissioner Dewaelsche added that work on recruitment is ongoing and in conjunction with city workforce development agencies like SerMetro several police employment fairs are planned including February 13th at the Samaritan Center, February 21, 2019 at the Northwest Activities Center and February 27, 2019 at SerMetro.

Presentations to the Board: (A) Towing Hardship Guidelines Review, BOPC Executive Manager Melanie White

(A) Towing Hardship Guidelines Review, BOPC Executive Manager Melanie White presented, SUMMARY POLICY GUIDELINES FOR ECONOMIC HARDSHIP RELIEF OF TOW, STORAGE, AND ADMINISTRATION FEES. Ms. White reported, "Dear Honorable Commissioners and the Detroit Police Department: On September 20, 2018, at the Board of Police Commissioners' Meeting, the Board approved a *Resolution Authorizing the Detroit Police Department to Operate Motor Vehicle Storage Facilities and Towing Operations*. The Board also specified that it would develop and establish policy guidelines on the economic hardship relief program. In drafting these policy guidelines, we met with the Department and the Tow Monitor of the Assets and Licensing Unit, Lieutenant Michael Parish. We conducted research and analysis and contacted various law enforcement agencies and other entities across the country to identify best practices and recommendations. Therefore, this is a shared product between the Board of Police Commissioners and the Detroit Police Department. Of importance, the Board of Police Commissioners and the Department is setting a standard by establishing and implementing policy guidelines on requests for tow economic hardship relief. Our research shows that many law enforcement agencies and oversight agencies have not implemented this type of relief effort on reducing or eliminating tow fees. Therefore, the Board and the Department is establishing a standard and setting a precedent.

The Detroit City Charter Article 7 Chapter 8 empowers the Board of Police Commissioners (hereinafter 'Board') to establish policies for the Detroit Police Department (hereinafter "Department") under Sections 7-802, 7-803, and 7-806. The purpose of this Economic Hardship Policy is to provide an administrative relief process for applicants who are unable to pay tow, storage, and/or administrative fees imposed. Regarding the recovery of property, the policy of the Board is to establish guidelines for an efficient, effective, and fair recovery of property. The Board has independent supervisory oversight of the Detroit Police Department, its tow operations, and motor vehicle storage sites. The Department supervises the day-to-day towing operations and motor vehicle storage sites.

In general, an applicant has (5) business days from the date of impoundment to apply for economic hardship relief. The Department has (5) business days to review and evaluate the facts and circumstances based on the eligibility criteria outlined in the policy guidelines (i.e. hardships may include *low income relief, compassionate early release, first time tow, medical expenses, etc.* see hardship application for a complete listing of potential relief. Fee waivers and hardship claims do not apply to corporate or business entities. The Tow Monitor is required to evaluate each application based on the policy guidelines and make a determination on a case-by-case basis. During the Department's (Tow Monitor) evaluation process, the Department shall freeze all tow and storage fees for the applicable involved in the hardship relief request.

Lastly, applicants have a right to appeal hardship decisions to the Board. Appeals to the Board should include a written request from an applicant and a copy of the Department's evaluation and decision. All requests for appeals shall be submitted to the Secretary of the Board, Mr. Gregory Hicks. In rendering its decision, the Board has (5) business days from the date of the request and will consider the facts and circumstances surrounding the request as well as the Department's evaluation and decision.

For integrity safeguard purposes, the Department is responsible for providing a quarterly report to the Board on this matter.

Regarding applications, applicants may visit the Detroit Police Department's website or the DPD Assets and Licensing Unit located at 2121 Fort Street. The application package consists of the following: 1. One-page application; 2. Department's Evaluation Page; 3. Instruction and Information Page for the applicant; and 4. Board of Police Commissioners' Evaluation Page."

Ms. White concluded by indicating for more information, you may refer to the Policy Guidelines included in your packet today.

Commissioner Willie Burton requested more time to review the material because he indicated this was the first time that he had an opportunity to review the material. Commissioner Burton motioned to hold the materials for an additional week. Commissioner Griffie, seconded the motion.

Motion by: Commissioner Willie Burton to delay consideration of the Towing Hardship recommendation and materials for one week. Second by Commissioner Evette Griffie.

VOTE: Yes = 3 No = 6; Motion - NOT APPROVED

Motion by Commissioner Lisa Carter, In accordance with the 2012 Detroit City Charter, Sec. 7-802, 7-803, and 7-806, that empowers the Board with the authority to establish police policies. Upon review and consideration, the Board moves to accept and approve the Tow Economic Hardship Guidelines for Department implementation effective immediately. **Second by Commissioner Dewaelsche.**

Discussion: Commissioner Griffie amended the motion to require 7 business days for BOPC action, amendment accepted.

VOTE: Yes = 8 No = 0; Motion APPROVED

BOPC Standing and Ad hoc Committee Reports: Budget Subcommittee by Commissioner William Davis. Commissioner read the following report into the record. **BUDGET SUBCOMMITTEE REPORT To: Board of Police Commissioners, Date: January 17, 2019, Re: DPD Budget approval for FY 2019-20.**

The Budget Subcommittee is currently completing our review of the DPD Budget for FY 2019-20 which begins July 1st 2019. We met with the Deputy CFO and DPD Finance on January 8th to discuss questions we compiled from their budget. This meeting was very fruitful but there remain further clarification and outstanding responses. We believed these matters would have been resolved at this time but, the Deputy CFO and DPD Finance has asked for more time to complete their responses. In agreeing to provide more time for their responses, we have moved the possible approval of their budget until the January 31st meeting.

Report from the Board Secretary: Mr. Hicks reported on four items including a proposed directive on Facial Recognition (307.5) and correspondence from the 9th Police-Community Relations Council.

Old Business: Commissioner Bell distributed to the Commissioners a draft of a BOPC organization Chart under discussion by the Board. Chair Bell indicated it is his intention to vote on the organizational Chart at our next meeting.

New Business: None.

Announcements: The next Board meeting is scheduled for January 24, 2019 at 3:00 PM at the Detroit Public Safety Headquarters, 1301 Third Street, 3rd Floor, Detroit, MI, 48226. The next community meeting of the BOPC is on February 14, 2019, 6:30 PM at Ford Resources and Engagement Center, 15491 Maddelein St., Detroit, MI 48216 (9th Police Precinct).

Oral Communications: Fredia M. Butler, Community Activist said, "During your meeting January 3, 2019, Commissioner Jim Holley expressed his frustration with the report given by Assistant Chief David LeValley. Assistant Chief LeValley reported on the decrease in crime in Detroit. Commissioner Holley stated that he felt like giving up because his parishioners and others were telling him of their experience with crime. It seemed as if Commissioner Holley was blaming the police for not doing more. Our officers are not responsible for our society morals or to teach morals. However, they are to enforce laws and ordinances that govern. We have many officers who go beyond the call of duty. Each of us must look and determine what we are doing and can do to make changes in our communities. In the African American communities the entities that sustained us, were our homes, churches and schools in that order. Arthur Ashe the famous tennis player wrote in his book "Days of Grace" that after the 1965 Voting Rights Act many of our more affluent blacks moved from their communities creating a void of mentors and leadership. February 10, 2010, I sent over seven hundred letters to the ministers with the largest churches in Detroit asking them to do more. I asked them not to meet in a church but on neutral grounds and come up with a plan. The city of Dearborn was given as an example, where money turns over many times before leaving their community. From my letter, I received responses from six pastors. Two responses that stood out were; the churches weren't to start businesses and the other was who would lead or be in charge. Commissioners too many of our so called leaders have helped to destroy our communities by not living in them. Instead of working within the homes and school system, they started their own schools (for money) and did not protest against school closures and the bankruptcy of the city. Communities are not viable without schools. Some of the schools started by churches have failed our children. The lack of homes that are functional, schools and churches not teaching values; we will have crime and more of it. The department's report will grow negatively if we don't stop chasing the dollar and prestige and come together for the benefit of our communities." Ms. Faith indicated her satisfaction with the discussion and work on human trafficking. **Scotty Bowman** voiced his objection to the Board action in connection with Corporal Jones and asked for a revote on the same matter.

Ms. Wilcoxson voiced her opposition to the high insurance rates for Detroiters and requested the Board to send a communications to the new Attorney General for the State of Michigan requiring that the AG look into insurance rates. **Ms. Wilcoxson** also noted her concern about the number of people living in the city, but who because of the high insurance rates an official residence outside of the city. She indicated that this pattern caused by the high insurance rates will have a great impact on the 2010 census count and funds that will be allocated as a result of the 2020 census. **Ms. Warwick** complained about the substance of information contained in the Office of the Chief Investigators reports returned to citizens after any investigations. **Ms. Warwick** indicated that the information did not provide any useful information to determine who was at fault in investigations. **Ms. Michelle George** voiced her concern that the city offer tax abatements when the same funds can be paid toward increasing police wages. **Ms. George** also wanted to remind the Board that February 8, 2019 is Law Enforcement Appreciation Day. **Ms. Lory**, member of the National Action Network indicated that young people should be part of the process, supported a re-vote of Corporal Jones and inquired if the Chief of Police had resolved his police credential/certification issue.

Commissioner Bell requested motion to adjourn. Adjourned at 4:42 PM.