

Draft Minutes Detroit Board of Police Commissioners
Date of Meeting: May 16, 2019 – 3:00 PM
Location: Detroit Public Safety Headquarters, 1301 Third Street, Detroit, MI 48226

BOPC Chair Willie Bell called the BOPC Board Meeting to order at 3:00 PM (May 16, 2019)

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 (3:40 PM)	Yes	
William M. Davis	Yes	
Jim Holley	Excused	
Evette Griffie	Yes	
Annie Mae Holt	Yes	
Quorum (Yes)	10	

The Board acting in accordance with its rules approved the Agenda for May 16, 2019.

**The Board acting in accordance with its rules approved the following Board Minutes:
 Thursday, May 9, 2019**

Chairman Willie Bell said “Good Afternoon! I am Police Commissioner Willie Bell, I represent District #4. I serve as the 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 Jim Holley has asked to be excused from today’s Board meeting.” Chairman Bell invited Chaplin Glenn Hodges to provide the invocation. Chairman Bell asked each Commissioner to introduce themselves. Other introductions were made of BOPC staff and DPD staff. Chairman Bell also acknowledged the birthday of date of former United State Congressman John Conyers (May 16, 1929).

Chairperson’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 ranked as two of the most important priorities of the Board. 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.

I want to point to several important items for your consideration and information. Again, I remind the Board, we are continuing to work with NACOLE (National Association for Civilian Oversight of Law Enforcement) to host the National Conference on September 22 thru 26, 2019 in Detroit. During the same time, Detroit will be celebrating our 45th year as a civilian oversight organization on July 22, 2019. We are inviting law-enforcement and other civic minded individuals and organizations to join us at the conference. The planning process is well underway, and again we invite your participation.

A few months ago, Detroit City Council President Pro Tem, Mary Sheffield requested input by the Board of Police Commissioners on a surveillance ordinance under development by the Detroit City Council. Commissioner Annie Holt expressed interest in this topic and we forwarded her name to the City Council as a participant for the workgroup. Additionally, I assigned BOPC staff to also work with the surveillance workgroup. In your package is a set of recommendations provided to Council President Pro Tem Sheffield reflecting their input. The Detroit City Council's efforts are designed to produce a comprehensive policy ordinance that will govern the city's approach to the use of surveillance technology with a special bridge to protect citizen privacy. In the past, we have had problems with government spying on civil rights and civic leaders. Remember the Detroit Red Files. We also have a history of sharing inappropriate information with employers who used this information in relationship to employment discrimination. We understand the potential abuses of large unsupervised government files and how they can be used to work against people who are poor or are of a specific racial and cultural background. The city employs several different resources that monitor the movement of citizens. We have surveillance equipment in public parks, transportation hubs like the Rosa Parks Transportation Center as well as police resources that we use to monitor crime. There is also a network of other government agencies like the State Police that have surveillance equipment in and around our freeway system. Private companies also use surveillance equipment and interconnect to our systems. The Detroit City Council ordinance will be designed to look at all of these items and set a reasonable standard by City ordinance on the use of this equipment including how public and private data exchanges will occur.

I should also note that Chief Craig transmitted several weeks ago a companion set of proposed directives for the Board's consideration. The DPD proposed directive #307.6 is entitled "Use of Traffic Light-Mounted Cameras and Facial Recognition Technology." I have instructed the staff to arrange a public discussion on proposed Directive #307.6 for June 13, 2019. This will occur at our June community meeting. DPD will be asked to make a presentation on the Directive and we will then hear from citizens on their reactions to the proposed directive. I would remind our citizens that the proposed Directive #307.6 is posted on our website for review. We encourage citizens and other stakeholders to attend the June 13th public discussion. If you are unable to attend or if you have extended comments that you would like to bring to our attention, please e-mail or send a letter to the Board and we will include your information in our consideration of the proposed directive. We will also include your extended comments into the record. I note that the City of San Francisco has recently adopted a resolution to oppose the use of Facial Recognition Technology indicating that it is not an appropriate tool for balancing the privacy rights of citizens against the law enforcement needs of the city. The Detroit City Council will take up these type of policy recommendation in its comprehensive ordinance, we will focus on the use of this technology as a tool to fight crime administered by DPD.

I want to call attention to the Detroit-Wayne County Mental Health Authority's acknowledgment of 11 Detroit Police Officers. These 11 Detroit Police Officers administered the lifesaving opioid reversal treatment NARCAN to several citizens effectively saving their lives. This quick reaction on the part of our public safety personnel show the importance of our work. I have requested a list of the 11 public safety personnel and look to acknowledging each of them at our next Board meeting. Job well done, Detroit public safety personnel.

Today, we have several resolutions. The first is for retiring Supervising Investigator Abdullah Nelson. Supervising Investigator Nelson has been with the Office of the Chief Investigator for 18 years and with the Highland Park, Michigan Public Safety Department for 25 years. His combined service spans over 43 years. Yesterday, OCI and BOPC staff had a retirement celebration for Investigator Nelson. Today, I hope we will read into the record an acknowledgment of his service by approving a resolution that will memorialize his dedication to service as part of the official records for the City of Detroit. The second resolution will acknowledge the 41 years of services of Sergeant Vanessa Wyatt. Sergeant Wyatt has a long and distinguished history of service to the Department. I want to thank Ms. Fredia Butler, a community activist and President of the 2nd Precinct Police Community Relations Organization for requesting the resolution acknowledging the service of Sergeant Vanessa Wyatt.

I also want to include in my report and recommend to the Board that we take up the promotion of Lieutenant Sonia Russell. On May 9, 2019, Chief Craig submitted to the Board a promotional recommendation to promote Lieutenant Russell to Captain Russell. The information supporting this recommendation was distributed to the Board two weeks ago and is included in your package today. As a Board, we reviewed the service history and qualifications of Sonia Russell and I will be asking for a vote to approve the Chief's recommendation at the end of my Chairman's report.

Today, we have one presentation. The presentation is from Professional Standard. Much of the work of Professional Standards was included in the recent presentation by Disciplinary Administration, however there are still several outstanding questions that must be addressed. The first question is that on January 3, 2019, this Board approved a resolution requiring the Chief of Police to provide a report to the Board on the "return to service" by any personnel that had been suspended or received a change in duty status without pay. The Chief of Police has the authority to suspend or change the duty status of any police personnel with pay. The Board is the only authority within the Department that can change a duty status and vote to withhold pay. The January 3rd

Resolution requires the Chief to directly report to the Board “returning officers to active duty” so that the Board can decide to lift or change a Board action. We want to check to see if the officer has complied with the terms of their corrective disciplinary action as administered by the Chief of Police. In reviewing several months of HR reports, it is not clear that the Department is following the requirements of our resolution. I ask that the Chief of Police and the Director of Police Personnel to review this practice and report back to the Board on the compliance with our January 3rd resolution within 30 days.

The second question to be addressed is our continuous request that disciplinary information be shared with this Board. Disciplinary Administration recently reported on four investigative procedures (1) OCI investigations, (2) Force Investigations, (3) Internal Affairs Investigations and (4) Command Level Investigations. The Board has repeatedly ask for information on the results of these investigations and the associated disciplinary action related to these investigations. Our responsibility is to broadly monitor the violations within the Department and check to see if fair and expeditious corrective disciplinary actions is administered by the Chief of Police. I hope that as of today, this information will start to be shared with the Board.

Under the Assistant Chief’s Report, I am requesting an update on our crime statistics and any critical issues facing the Police Department.

At the end of the meeting we will have public comments 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. I ask that everyone turn off your cell phones and other electronic devices. This request does not include the devices held by DPD personnel as many of you are on emergency standby. I ask DPD personnel to put their phone on vibrate so that ringing phones will not interrupt our meeting.

Finally, at the very end of the meeting, I ask that the Board go into Closed Session to discuss personnel issues related to the Board. I do not anticipate a vote on the issues for today’s closed session, therefore when we return to regular order after the closed session, it will only be to adjourn our meeting. Again, I anticipate no actual decision to be made in this session, only a discussion on procedural personnel issues related to our Board.

Chairman Bell asked Board Secretary Hicks to expand on his reference to the Red Files. Board Secretary Hicks gave a brief summary of the history and involvement of the Detroit Police Department with the Red Files. Chairman Bell added that the Board of Police Commissioners had been charged with the processing and public distribution of the Red File by making them available to the public after which the files were destroyed.

Commissioner Darryl Brown read into the record a resolution honoring the work of Supervising Investigator Abdullah Nelson, Sr. of the Office of the Chief Investigator.

RESOLUTION HONORING SUPERVISING INVESTIGATOR ABDULLAH NELSON, SR

WHEREAS Abdullah Nelson, Sr. was appointed to the Highland Park Fire Department on December 4, 1974, as a Firefighter; and

WHEREAS Firefighter Nelson dutifully served in that position until being classified as a Public Safety Officer in November of 1985. As a member of the Highland Park Pubic Safety Department he held several ranks: Narcotic/ Vice Auto Theft Investigator, Police Counselor, Corporal/Team Leader, Youth Investigator, Sergeant-Patrol Supervisor, Sergeant-Chief’s Staff, Sergeant-Supervisor-in-Charge of Narcotic and Vice, Appointed as a Deputy Chief of Public Safety, and promoted on January 1, 2000, as a Lieutenant after 25 years of service; and

WHEREAS On November 27, 2001, Abdullah Nelson, Sr. began a second career as an appointee of the Detroit Board of Police Commissioners. On June 29, 2006, Investigator Nelson was promoted as a Senior Investigator. After several years as a Senior Investigator, on July 20, 2015, he was promoted to Supervising Investigator until his retirement; and

WHEREAS Supervising Investigator Nelson tirelessly served the Detroit Board of Police Commissioners, the citizens of Detroit for 18 years, and the citizens of Wayne County neighboring communities. His professionalism, commitment to public service, civilian oversight, integrity and dedication were a credit to the Detroit Board of Police Commissioners. He was a community activist and 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, awards this resolution in recognition of Supervising Investigator Abdullah Nelson, Sr. many decades 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.

Commissioner Lisa Carter moved the resolution acknowledging the contributions of Supervising Investigator Abdullah Nelson, Sr. **Commissioner Eva Dewaelsche, Second.**

VOTE - Yes = 9,

No = 0,

MOTION APPROVED

Commissioner William Davis read into the record a resolution honoring the work of Sergeant Vanessa Wyatt.

RESOLUTION HONORING RETIRING SERGEANT VANESSA WYATT

WHEREAS Vanessa Wyatt was appointed to the Detroit Police Department on July 18, 1977. Upon graduating from the Detroit Metropolitan Police Academy, Officer Wyatt began her career at the Seventh Precinct; and

WHEREAS Officer Wyatt's assignments with the Detroit Police Department included the Eleventh Precinct, reassigned to the Seventh Precinct, Special Duty Section, Tenth Precinct, Mini Station Section, and the Training Academy; and

WHEREAS Officer Wyatt displayed tremendous knowledge and leadership skills as a Police Officer and was promoted to the rank of Sergeant on October 9, 1987. As Sergeant, she was reassigned to the Training Academy. Her other assignments included the Recruiting Division, Second Precinct, Southwestern District, and reassigned to the Second Precinct where she served until her retirement; and

WHEREAS Sergeant Wyatt was the deserving recipient of the following awards: Meritorious Service Award, Chief's Unit Award, both Consent Judgment Awards, two Chief's Citation and Medals, the Ford Fireworks Awards, the Major League Baseball All-Star Recognition Award, the Rosa Parks Funeral Recognition Award, and the Super Bowl XL Recognition Award, as well as numerous letters of commendation from citizens and superiors; and

WHEREAS Sergeant Wyatt has tirelessly served the Detroit Police Department, the citizens of Detroit and its neighboring communities for 41 plus years. She has served the Detroit Police Department and the citizens of the City of Detroit with loyalty, professionalism, integrity and dedication, and is widely respected throughout the law enforcement community as the consummate professional.

NOW THEREFORE BE IT RESOLVED That the Detroit Board of Police Commissioners, speaking on behalf of the citizens of the great City of Detroit recognize and honor the lifelong contributions and commitment to excellence in public service of Sergeant Vanessa Wyatt. Her display of courage and unwavering community spirit has improved the quality of life for the citizens of Detroit. We wish you all the best in your future endeavors. We thank and congratulate you, Sergeant Vanessa Wyatt.

Commissioner Darryl Brown moved the resolution acknowledging the contributions of Sergeant Vanessa Wyatt. **Commissioner Evette Griffie, Second.**

VOTE - Yes = 9,

No = 0,

MOTION APPROVED

Commissioner Darryl Brown moved a resolution to accept the recommendation of DPD Chief of Police James Craig for the promotion of Lieutenant Sonja J. Russell to the Rank of Captain. **Commissioner Evette Griffie, Second. Captain Russell** addressed the Board indicating her honor to be selected to the rank of Captain.

VOTE - Yes = 9,

No = 0,

MOTION APPROVED

COP Police Report: Assistant Chief James White representing Chief of Police James E. Craig. Assistant Chief James White reported that crime is continuing to trend downward as against last year. AC White reported utilizing DPD Department CompStat (2019) data for the reporting period ending May 12, 2019. AC White reported percentage change between 2018 and 2019, - 21% decrease in Homicides, Sexual Assaults 12% increase, Robbery -8% decrease, Carjacking -44% decrease, Aggravated Assaults 0% decrease, non-fatal shootings -14% decrease, Burglary -3% decrease, Larceny -12% decrease, Stolen Vehicle -7% decrease and Part 1 offenses -6% decrease. AC White reported on three recent incidents involving drag racing resulting in the death of one citizen, homicide of a 26 year old female found in dumpster and the crime spree of two suspects committing crime in and around the schools. AC White also provide information on injured officers.

Presentation to the Board: (A) Professional Standard, Director Christopher Graveline and Commander Elaine Bryant.

(A) Professional Standard, Director Christopher Graveline and Commander Elaine Bryant reported on the organization and the command structure of Professional Standards Bureau including Disciplinary (Lieutenant Robert Torres), Integrity (Lieutenant Dietrich Lever), Force Investigations (Lieutenant Howard Phillips), Internal Controls (Captain Lena Purifoy) and Internal Affairs (Lieutenant Jeffrey Hahn). Commander Bryant discussed the assignment flow of cases and the average time involved to process cases. She indicated that typical delays occur when added time is needed for Prosecutorial Review, Court Proceedings, Forensic (DNA) Testing and the duty status of officers. Bryant indicated that 15 cases are currently under review at the Wayne County Prosecutors Office, eight of which were submitted in 2018. Bryant also reported on duty

status (2) officers on Administrative Duty, (21) on Administrative Leave – No Gun status, (6) suspended with pay and (6) suspended without pay. A three years to date comparison was also presented on Internal Affairs cases, Preliminary Investigations, Force Investigations, Firearms Discharges and Fatal/Critical Pursuit Accidents. **Commissioner Evette Griffie** commented on the presentation of the stats associated with the presentation and requested a complete data set representative of the full years under discussion.

BOPC Standing Committee Reports: None.

Report from Secretary to the Board: Mr. Hicks presented and summarized 10 items as incoming items into the BOPC on the agenda as follows,

1. Communication to Mary Sheffield, Detroit City Council President Pro Tem Re; COPS Surveillance Ordinance 5-10-2019.
2. Communications to State Representative Wendell Byrd Re: Requesting Bill draft to allow for State authorization to provide Board of Police Commissioners an Attendance Per-Diem.

Old Business: Commissioner Shirley Burch thanked everyone for joining the paint the Highland Park water reservoir and encouraged them to return each weekend until the job is complete. Burch also gave a description of the project and its historical picture that it would provide for the community ranging from the 1930 to the current day. Burch also commented on the funeral of Federal Judge Damon Keith and the work of the 11 Police Precinct.

Commissioner Willie Burton moved that all committee meetings become open to the public. **Commissioner Darryl Brown**, Second. Under discussion, **Commissioner Evette Griffie** moved that this motion to postpone indefinitely. **Commissioner Eva Dewaelsche**, Second.

Vote results – Yes = 8 No =2 (Burton, Brown), MOTION TO INDEFINITELY POSTPONE APPROVED

Commissioner Willie Burton moved that all BOPC subcommittee meeting be scheduled regularly and posted on the website along with minutes of the meeting. Motion died for lack of support.

Announcements: The next regular BOPC meeting is scheduled for May 23, 2019 @ 3:00 PM at Detroit Public Safety headquarters, 1301 Third Street, Detroit, MI 48226. The following month Community Meeting is scheduled for 6:30 PM June 13, 2019 at St. John Lutheran Church (2nd precinct) located at 4950 Oakman Boulevard, Detroit, MI 48204.

Oral Communications – Public Comment. **Ms. Bernice Smith** expressed her concerns about the conduct of the Board over the last month. Ms. Smith also complained about illegal car repairs in the W. Grand Blvd. area and a suspected drug house. **Ms. Faith** indicated she appreciated the orderly work of the Board and the Police Department. **Eric Blount** recommended that the Department use a rolling year for its statistical data reports. Mr. Blount also expressed his concerns about violence against women and the relationship to Corporal Jones actions against women. DPD indicated that Corporal Jones has been served with his discipline notice and is on Administrative Leave No- Gun. **Michelle George** commented on the funeral of Judge Keith and the Detroit Charter Revision Commission.

Chairman Bell indicated that the Board will go into a closed session to discuss past conduct of Board members at 4:41 PM.

The Board reconvened at 5:51 PM

Motion to Adjourn. **Chairman Bell** adjourned the meeting at 5:52 PM.