

**Draft Minutes Detroit Board of Police Commissioners**

**Date of Meeting: August 29, 2019 – 3:00 PM**

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

**BOPC Chairperson Lisa Carter called the BOPC Board Meeting to order at 3:00 PM (August 29, 2019)**

Detroit Police Commission Membership / Attendance	Attend	Not-Attend
Lisa Carter, Chairperson	Yes	
Eva Garza Dewaelsche, Vice Chairperson	Yes	
Willie E. Bell	Yes	
Elizabeth Brooks	Yes	
Darryl D. Brown	Yes	
Shirley A. Burch	Yes	
Willie E. Burton	Yes	
William M. Davis	Yes	
Evette Griffie	Excused	
Jim Holley	Excused	
Annie Mae Holt	Yes	
Quorum (Yes)	9	

**The Board acting in accordance with its rules approved the Agenda for August 29, 2019.**

**The Board acting in accordance with its rules approved the following Board Minutes:**

**Thursday, August 15, 2019 and**

**Thursday, August 22, 2019**

**BOPC Chairperson Lisa R. Carter:** Good Afternoon! I am Police Commissioner Lisa Carter, I represent District #6. 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. Commissioners Evette Griffie and Jim Holley requested to be excused from our meeting today. Today, we have invited Chaplain Krafus Walker to provide the invocation. Chaplain Walker provided the invocation for the meeting. Chairperson Carter requested the introductions of the Board, Chief of Police James Craig, BOPC and DPD staff and other civic leaders and representatives.

Chairperson's Report – Lisa R. Carter, “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 2<sup>nd</sup> 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.”

Chairperson Carter continued, “I want to point to several important items for your consideration and information. The NACOLE conference is fast approaching. 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 45<sup>th</sup> year as a civilian oversight organization.

The BOPC has secured an exciting keynote speaker for our 45<sup>th</sup> Anniversary Dinner, Christy E. Lopez. The 45<sup>th</sup> Anniversary dinner is Tuesday, September 24, 2019 at 5:00 PM to 7:00 PM at the Marriot Hotel. Christy E. Lopez is a former member of the U. S. Department of Justice in the Special Litigation Section as well as a visiting Professor at Georgetown Law School. Professor Lopez's work has centered on criminal justice reform and constitutional policing. Professor Lopez led the DOJ in conducting pattern-or-practice investigations of local police departments and negotiated settlement agreements in Ferguson, Chicago, New Orleans, Los Angeles Sheriff's Department, Newark, New Jersey and several other important oversight initiatives across the country. Again, the planning process is well underway, and again we invite your participation. We also invite you to volunteer to help with the conference and dinner. Volunteer forms are located on the back table.

The Chief of Police has transmitted to the Board three recommendations for appointment to the command ranks of the Department. The positions are for Deputy Chief, Commander and Captain. Each Board member was transmitted copies of the appointment packages on Monday, August 26, 2019. We are currently conducting a review of these recommendations. Upon the completion of this review, I will schedule these appointments for approval at our September 5, 2019 Board meeting.

There continues to be some confusion suggesting the Board is in violation of the Open Meetings Act. The Act is clear that no person shall be required to identify themselves as a pre-condition to participating in a meeting held by a public body. While the Act has some exceptions to open meetings, the Board does not require identification to participate in our meetings. However, we continue to receive complaints that the Public Safety Headquarters Building requires identification and also runs the identification through a machine before they allow for entrance into the building. I have asked Dan Davis, Director of Building Security for the Public Safety Headquarters Building to appear and explain their policy and procedures in connection with building operations. Again, the Board does not run the Public Safety Headquarters Building. My hope is that his presentation will allay many of the concerns on this subject."

Chairperson Carter continued, "I also want to report that the next edition of the Detroit Board of Police Commissioners Newsletter has been printed and is scheduled to hit mailboxes immediately following the Labor Day Holiday. The approximate printing run was 160,000 copies. We are mailing directly to 150,000 households. We also provide copies of the newsletter to the Detroit Public Library System, various community centers that act as community hubs including workforce development sites, as well as direct mailing to some 3,000 individuals who have indicated their interest in the work of the BOPC. Copies of the newsletter are also on line at our website, [www.detroitmi/bopc](http://www.detroitmi/bopc).

Today, in addition to the presentation from building security, we have two presentations, the Fourth Quarter DPD Financials, by Nevrus Nazako, Agency CFO for DPD Finance and the Report from Chief Investigator Dr. Polly McCalister of the Office of the Chief Investigator. Please note that staff of the Board transmitted questions to the Finance section in advance of our meeting. I hope that these questions will direct the presentation today. A copy of these questions are included in your Board package. Under the Chief's Report, I am requesting an update on our crime statistics and any critical issues facing the Police Department.

Again, 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 end of the Chief of Police Report. We will hold each speaker to the allotted 2 minutes. I ask that everyone place your cell phones and other electronic devices on vibrate to make sure that they are not interrupting the meeting.

Chairperson Carter requested Dan Davis, Director of Building Security for the Public Safety Headquarters Building to address the Board in connection with complaints received by the Board about entrance into the Building. Mr. Davis indicated that his management organization is required to follow laws established by the Patriot Act and CJUS for "critical infrastructure" both of which required the identification of people entering the building. Davis also indicated that no check point exist between the original entrance point and the location of the BOPC meeting. Davis also indicated that individuals could refuse to have their identification scanned, but there must be positive identification checked by security officers. Chairperson Carter directed BOPC staff to contact City of Detroit Corporation Counsel and request a legal opinion on the practice of BOPC meetings in the Public Safety Headquarters and any violations of the Michigan Open Meetings Act.

**COP Police Report: Chief of Police James Craig** reported crime and statistical data utilizing DPD Department report dated August 29, 2019. Chief Craig reported year-to date data by category including, 3% increase in Criminal Homicides, Sexual Assaults 4% increase, Aggravated Assaults -2% decrease, non-fatal shootings 2% increase, Robbery -3% decrease, Carjacking -27% decrease, Burglary -8% decrease, Larceny -3% decrease, Stolen Vehicle 1% increase and Part 1 offenses -3% decrease. Chief Craig provided the Board with a current status involving Corporal Jones and recent information about Ceasefire Call-ins. Chief Craig acknowledge a recent meeting with Mr. Eric Blount related to public concerns raised by Mr. Blount re: Corporal Jones.

**Presentation to the Board: (A) DPD Budget Report 4<sup>th</sup> Quarter, Nevrus Nazako, Agency CFO for DPD Finance  
(B) Monthly Report, Office of the Chief Investigator, Dr. Polly McCallster**

**(A) DPD Budget Report 4<sup>th</sup> Quarter, Nevrus Nazako, Agency CFO for DPD Finance** reported his office had transmitted to the Board four (4) documents (1) Budget to Actual Report – General Fund, (2) Grants Funds available Report, (3) Forfeiture Funds Available report (State and federal), and (4) DPD facilities cost location report (GSD report). Mr. Nazako also indicated that he responded to question direct to his attention by BOPC staff.

Nazarko’s responses included, the DPD’s budget was \$321,681,648 across all funds (baseline budget \$318,670,561). Revenue for the 3<sup>rd</sup> Quarter are estimates, as is the same for other quarters. He indicated that \$58 Million was estimated and \$62 Million was collected, grant receipts for 2019 were \$7,157,775. Forfeiture funds revenues for 2019 were \$689,785 (State) and \$153,153 (federal). Overtime for the Department was \$43,819,443. Towing revenues between October to June 2019 received was \$1,785,816. Nazarko also indicated that DPD was able to make all major equipment purchases for 2019 including the purchase of Tasers at \$4,400,000.

**(B) Monthly Report, Office of the Chief Investigator, Dr. Polly McCallster** reported from January to July 2019 OCI received 704 complaints, a 14% increase over the same period of last year. For the month OCI investigated and closed 126 Citizen Complaints inclusive of 203 allegations. OCI investigations involved allegations - use of profanity, incident involving “hit & run” incidents, and electronic evidence (Body Worn Cameras and Electronic Control Weapons). Below, please see a table for closed July, 2019 Citizen Complaints.

83 OCI CCRs CLOSED – June 2019						
156 ALLEGATIONS' FINDINGS						
Allegation	Total	Admin_ Closure (31%)	Exonerated (16%)	Inconclusive (19%)	Sustained (16%)	Unfounded (22%)
Arrest (4%)	9	2	1	0	0	6
Demeanor (26%)	53	8	1	18	12	14
Entry (1%)	2	1	0	1	0	0
Force (5%)	10	1	1	3	1	5
Harassment (3%)	7	3	0	0	0	4
Procedure (40%)	40	29	12	8	14	19
Property (4%)	9	2	2	0	1	4
Search (2%)	5	1	2	0	0	2
Service (13%)	26	9	1	7	3	6
Total (126 CCRs Closed)	203	56	20	26	30	60

**BOPC Standing Committee Reports: None.**

**Report from Secretary to the Board: Mr. Hicks** indicated that on the agenda three items have come into the Board (see list below). He summarized one of the items.

1. Recommendations from Chief of Police; for appointment/promotions for Deputy Chief, Commander and Captain.
2. Use of BOPC Subpoena, FI Investigation Case #19-023
3. Quarterly Report, DPD Finance (August 28, 2019)

**Old Business:** Commissioner Burton inquired into the status of Corporal Jones work status and disciplinary disposition.

**New Business:** Commissioner Burch indicated the public schools have returned and requested the public assistance of individual interested in donating water to Pershing High School. Burch indicated that Tuesday, September 3, 2019 a drop-off point will be established at Ryan and E. 7 Mile Road. Burch encouraged donations. Additionally inquiries were made about cooperative programming between the Department and the Detroit Public School for law enforcement training and recruitment.

**Commissioner Willie Burton moved that the BOPC move all of its meetings out from the Public Safety Headquarters Building into the Coleman A. Young Municipal Center to avoid compliance with the Open Meetings Act. Second Darryl Brown Discussion.**

**VOTE – Yes = 3,**

**No = 6,**

**MOTION FAILED**

**Announcements:** The next meeting is scheduled for September 5, 2019 at 3:00 PM at the Detroit Public Safety Headquarters Building, 1301 Third Street. The following month community meeting is scheduled for September 12, 2019 at 6:30 PM at Kemeny Recreation Center, 2260 South Fort Street, Detroit, MI 48217 (4<sup>th</sup> Precinct).

**Oral Communications – 7 individual comments**

**Ms. Bernice Smith** registered her concerns about the factionalism between Board members. **Mr. Eric Blount** thanked the Chief for the briefing on Corporal Jones, but indicated he disagreed with the remarks made by Judge Miller in her discussion of the trial of Corporal Jones and thought the focus should not be on the before and after surrounding a violation, but rather the actual conduct of the officer wherein a violation took place. **Ms. Marie Thornton** submitted a written request under the Open Meetings Act for a copy of the DPD Financial Report provide to the Board. . Ms. Thornton also indicated she never had to show identification to enter public building and she has requested an opinion from the State AG on the Open Meetings Act. Ms. Thornton also complained that police officers are soliciting business to join the Greenlight Program. **Ms. Valerie Glenn** indicated she has not had to show identification to enter public buildings and the BOPC is violating the Open Meetings Act by requiring identification. **Ms. Brenda Hill** complained about animal enforcement and suggested that the Board place the money to support meetings away from DPD be placed in the BOPC budget. Ms. Hill also indicated she was opposed to facial recognition technology. **Ms. Faith** discussed the care and nurturing of children and parenting. Ms. Faith read a descriptive poem on children and parenting. **Ms. Joanne Warwick** described a recent arrest and encounter with DPD complaining about physical harassment, injuries and that she did not have all of her personnel property cataloged and returned.

**Motion to Adjourn, Willie Bell, Second, Holt.**

**Chairperson Carter adjourned the meeting at 5:04 PM.**