

**Draft Minutes Detroit Board of Police Commissioners
Date of Meeting: Thursday, April 16, 2020 – 3:00 PM
Location: Zoom Virtual Meeting Platform**

BOPC Chairperson Lisa Carter called the BOPC Board Meeting to order at 3:00 PM (April 16, 2020)

Detroit Board of Police Commissioners' Membership / Attendance	Attend	Not-Attend
Lisa Carter, Chairperson	Yes	
Annie Mae Holt, 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	Yes	
Jim Holley	Yes	
Quorum (Yes)	10	

The Board acting in accordance with its rules approved the Agenda for Thursday, April 16, 2020.

The Board acting in accordance with its rules approved the following Board Minutes: Thursday, April 9, 2020

Chairperson Carter stated, “Good afternoon. I am Police Commissioner Lisa Carter, Chairperson of the Board, and I represent District #6. I will be conducting this afternoon’s virtual meeting. On behalf of the Board, for those in attendance and viewing this meeting on your government cable channel, thank you for joining our meeting.

Commissioners Brooks and Burch have asked to be excused from tonight’s meeting. Today, we have invited Chaplain Demetrius Davenport to provide the invocation.

INVOCATION: Chaplain Demetrius Davenport

The Board considered the following Business Items:

- Approval of the Agenda
- Approval of Minutes for April 9, 2020
- Introduction of BOPC Staff
- Introduction of Chief of Police and DPD Staff
- Introduction of Elected Officials, VIPs, civic leaders or their representatives

Again, thank you for joining us this afternoon for our Virtual Board Meeting. Given the critical stage of the Coronavirus, the Board will utilize this virtual platform for our weekly business meetings until further notice. Please note a few housekeeping rules before we move on.

We have distributed instructions on how to access the Virtual Meeting and how to participate during the Public Comments' section on the agenda. Upon joining the meeting, please note that you will join the meeting muted. Please do not start your video unless invited to do so by the host. Video or images deemed inappropriate by the Chair will result in your dismissal from the meeting. To make a public comment, please complete the Smartsheet form referenced on the Board’s Agenda. Or you may raise your hand by clicking on Participants in the attendee controls at the bottom of your computer screen (you will then see “Raise Hand” at the bottom of the participants' list). Or you may dial *9 if you are participating by mobile device. You may use any one of these options by 4:00 p.m. to be acknowledged for public comment. Finally, if you are experiencing technical difficulties, please dial any of the call-in numbers listed on the agenda to attend the meeting. Again, we thank you in advance for your patience. As a reminder, Commissioners, if you would like to make a comment, please acknowledge the Chair and wait until I acknowledge your request.

Coronavirus (COVID-19) Impacts:

We are continuing to encourage everyone to adhere to all public health mandates and safety precautions. Please stay safe and healthy. The Board continues to send its support and prayers to Chief Craig and the entire DPD Family and all first responders. We thank the Department and all first responders for their continued efforts to keep us safe.

Chairperson's Report: Chairperson Lisa Carter stated, "As we do every week, on behalf of the Board, I want to express the Board's concern and support for fallen and injured officers and their families. Officers' safety and citizens' protection are ranked as two of the most important priorities of the Board. Our Board receives a weekly report from the Department listing injured officers and I ask that the Deputy Chief Todd Bettison provide us with any updates during his report.

The Board of Police Commissioners meets every week except for the Thanksgiving and Christmas holiday periods. Typically, we meet at Police Headquarters every Thursday at 3:00 p.m. except every 2nd Thursday of the month when we meet in the community at 6:30 p.m. However, as indicated before, we will hold virtual meetings every Thursday at 3:00 p.m. until further notice.

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 Board investigates non-criminal citizens' complaints, monitors Department operations, works with the Mayor and the Chief of Police to establish police policies, rules, and regulations, and acts as the final authority on all disciplinary matters.

As an oversight agency, the Board has the broad responsibility to protect the citizens and create policies to enforce strict adherence to Department policies. Additionally, the Board works to eliminate police misconduct, discriminatory police practices, and unnecessary use of force by police. Of special importance, the Board strongly disagrees with the recent Arbitration Ruling on the promotion of Corporal Dwayne Jones to the rank of Sergeant. We hope that the Department will take the necessary actions to refrain from promoting Corporal Jones based on no official ruling provided by the Arbitrator and as a matter of strong public policy.

Commissioners, there are several important items for your consideration and information in your board packet emailed to you on Tuesday of this week and in your packet today. Today, we one (1) resolution honoring Emergency Services Dispatch Operator Shawn Pride (Posthumously). At the appropriate time, I will ask for the reading of the resolution. Chief's Report, From the Chief's Office, I am requesting updates on city-wide crime statistics and any other critical issues facing the Police Department. I am also requesting updates on the following:

- the Progress of Chief Craig
- any critical incidents on the Department given the widespread COVID-19; and
- any other critical incidents impacting the Department

Interim Secretary to the Board's Report: Our Interim Board Secretary, Ms. White will provide us with various updates regarding incoming correspondence.

Also, I want to announce a few reminders: Again, if you would like to make a public comment, please complete the Smartsheet form referenced on the Board's Agenda. Or you may raise your hand by clicking on Participants in the attendee controls at the bottom of your computer screen (you will then see "Raise Hand" at the bottom of the participants' list). Or you may dial *9 if you are participating by mobile device. You may utilize any one of these options by 4:00 p.m. to be acknowledged for public comment. Please also note video or images deemed inappropriate by the Chair will result in your dismissal of the meeting.

During the public comments' section of the agenda, each speaker will have two (2) minutes to speak. Mr. Brown will acknowledge each speaker. We ask that you remain respectful and professional. Please also note the Board continues to accept citizen's feedback by telephone, email, fax, and mailing and will respond accordingly. The telephone numbers to the Board's Office is (313) 596-1830 and the Office of the Chief Investigator is (313) 596-2499 should you like to file a citizen's complaint regarding alleged police misconduct.

At this time, please silence your cell phones, other electronic devices and other background sounds to prevent interrupting the meeting. Finally, in the spirit of effective communication, please treat each other respectfully and professionally. Commissioners, please be reminded not to speak until you are recognized by the Chairperson and address your comments to issues that are relevant to the agenda. My objective is to run an orderly meeting and conclude within a reasonable time. Thank you."

Resolution: Vice-Chairperson Commissioner Holt read the Resolution honoring Commander Emergency Services Dispatch Operator Shawn Pride, Posthumously.

**RESOLUTION HONORING
EMERGENCY SERVICES DISPATCH OPERATOR SHAWN DEWAYNE PRIDE POSTHUMOUSLY**

WHEREAS Emergency Service Deployment Operator (ESDO) Shawn D. Pride was appointed to the Detroit Police Department on January 17, 2012, where he was assigned to the Communication Section; and

WHEREAS Mr. Pride was a graduate of Martin Luther King High School. He later went on to further his education at Ferris State University majoring in Biology; and

WHEREAS Mr. Pride was recognized for his valuable service to the Department. He was a recipient of a certificate for Most Improved EMD Performance and Perfect Attendance Award. His dedication to the City of Detroit Police Department, the Communication Section, and the community showed constantly through his actions on-duty and off-duty; and

WHEREAS Mr. Pride served the Detroit Police Department with great commitment and dedication for over eight years. His professionalism, commitment, and integrity were great assets to the Detroit Police Department. He was highly respected 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 posthumously to Emergency Service Deployment Operator Shawn Pride for his eight-plus 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, Emergency Service Deployment Operator Shawn Dewayne Pride for a job well done.

Vice-Chairperson Commissioner Holt moved to adopt the resolution of ESDO Pride. **Commissioner Birch** seconded. Discussion.

Motion: Vice-Chairperson Commissioner Holt **Second:** Commissioner Burch Discussion.

VOTE: Yes = 8 No = 0 **Motion: APPROVED**

Chief of Police Report: Chief of Police's Summary of CompStat Data and other Crime Information/DPD Information: Deputy Chief Todd Bettison representing Chief of Police James E. Craig:

Deputy Chief Bettison reported on the following items: Chief Craig's Progress, who has returned to full duty, thanks the Board and the community for their prayers; Officers Critically Injured in the Line of Duty; CompStat Crime and Statistical Data for the reporting period ending April 13, 2020; Department Efforts to combat the spread of COVID-19, and recent critical incidents impacting the Detroit Police Department and the community.

CompStat Data Provided: (See Full Report in Packet) as of April 13, 2020							Totals:
Part I Violent Crimes:	Criminal Homicides:	Sexual Assaults:	Aggravated Assaults:	Non-Fatal Shootings:	Robbery:	Carjacking:	Totals:
Totals:	50% Decrease	14.3% Increase	24.2% Decrease	51% Decrease	21% Decrease	0% Increase	7.1% Increase in Part I Violent Crimes
Property Crimes	Burglary	Larceny	Auto-Theft				Total:
	25% decrease	27.8% decrease	18.1% decrease				24.3% decrease

Discussion of the impact of the Governor's Executive Order on the DPD and Community over the last two weeks:

- complaints regarding persons failing to adhere to Executive Order; 874 spot checks conducted; 45 warnings issued; 26 citations issued;
- 866 members were able to receive Rapid Testing;
- Special thanks to State Representative Tyrone Carter who donated 4,000 N-95 masks to the DPD and other partner law enforcement agencies in partnership with the UPS.

Coronavirus Impacts (COVID-19) on the DPD Personnel and the Return of Members to Patrol Operations:

- (9) members are currently hospitalized and currently on ventilators;
- DPD loss (2) reserve officers Police Reserve Captain Ernest Robinson; and Reserve Officer Gus Hughes who both served over 30 years;
- 345 members are currently in quarantine;
- 185 members tested positive for COVID-19; DPD has returned 611 members to full duty status due to the Rapid Testing;
- screening procedures at all of the precincts; requirement to wear surgical masks and when appropriate will place N-95 masks;

Chairperson Carter offered condolences to the families of Reserve Members Robinson and Hughes and officers who are on ventilators in the hospital. Chairperson Carter also extended support to Chief Craig in his return to full duty and the Department. **Commissioner Burch** commended Deputy Chief Bettison and Assistant Chief James E. White and the handling of the pandemic crisis. She also inquired about the Rapid Testing. **Deputy Chief Bettison** explained the general test and the rapid test, which the latter allows for the results to return in approximately (15) minutes. **Deputy Chief Bettison** also discussed the impact of the Rapid 15-minute test and other measures the Department is taking to restore the Department to regular operational capacity. **Deputy Chief Bettison** also commended Assistant Chief Lashinda Stair on ensuring proper medical treatment and care onsite at the testing facilities. **Commissioner Burch** inquired about the donation of the masks and whether the juvenile system would receive the masks. **Commissioner Davis** asked whether the Department has taken any action to promote Corporal Jones based on the recent arbitrator's ruling. **Deputy Chief Bettison** noted that the arbitrator's ruling is binding and is final. **Deputy Chief Grant Ha** reiterated the arbitrator's decision is binding and noted the reasoning was not provided in official writing due to the COVID-19 social distancing guidelines. Additionally, based on the arbitrator's ruling, Corporal Jones will receive retroactive pay from the time in which other members of his class would have received back pay. **Commissioner Burch** discussed the officers obeying the social distancing guidelines, information the dispatcher provides to the responding officers and repeat police runs, and whether the Precinct Commanders are aware of the police runs within each of their precincts. **Deputy Chief Bettison** asked to discuss the matter further with Commissioner Burch. **Commissioner Bell** emphasized the responsibility of officers to support fellow officers during police runs. **Commissioner Holley** discussed the critical impact the COVID-19 virus is having on the Detroit community, citing the recent passing of (7) Church Bishops and Leaders at a recent funeral in the City. **Deputy Chief Bettison** discussed Chief Craig's decision to share his recent diagnosis to offer encouragement and support, further cited the Police and Pancake Breakfast where some Department members contracted the virus, and discussed the Department's efforts to monitor and warn the community of the virus during this time. **Commissioner Bell** emphasized the importance of adhering to the Executive Order guidelines. **Deputy Chief Bettison** noted that as of today's date, the City had a total of 469 deaths as a result of the virus.

**PRESENTATIONS TO THE BOARD: (A) DPD Professional Education and Training Academy: Captain Brian Harris
(B) BOPC Policy Division: Melanie White, Interim Secretary to the Board**

A. Captain Brian Harris, DPD Professional Education and Training, Office of Support Operations:

Captain Brian Harris discussed the unit's organization, which consists of the following: In-Service Training, Firearms Training and Inventory, Recruit Training, and Field Training Program. **Captain Harris** discussed the curriculum for basic recruit training, which consists of (594) hours of MCOLES mandated curriculum, (120) hours of Detroit specific training including legal updates, diversity and ethics, fitness, defensive tactics, emergency vehicle operations, and firearms training. Captain Harris discussed the Department's Graduation numbers over the last few years. **Captain Harris** discussed various programs within the Training Unit that provides opportunities for the SPOs' interaction with citizens in a non-law enforcement capacity. **Captain Harris** also discussed the Department's In-Service Training (40-hour block

mandatory training), which exceeds MCOLES recommendation training guidelines: Legal Updates, Mental Health, Tactical De-escalation, Implicit Bias, Ethics, Social Media, and Peer Support, among other trainings. The Department also offers specialized training to ensure proficiency when interacting with citizens and during various police runs, and training for civilian members within the Department. **Commissioner Davis** asked about whether anyone at the academy had contracted the virus. **Captain Harris** explained that recruit training has been suspended since March 24, 2020, and the unit has implemented social distancing guidelines to ensure the health and safety of all members. **Captain Harris** stated that members who have tested positive for the virus have followed the department's guidelines. **Commissioner Burch** inquired about the Training Unit's volunteer efforts. **Chairperson Carter** discussed whether or not accommodations have been implemented for the Board and its Staff to provide training to the recruit classes and during the training classes. **Commissioner Bell** discussed the importance of including customer service (demeanor) classes within the Department's 40-hour training and the Board and OCI impacting the training in this regard.

B. BOPC Policy Division Report: Melanie White, Interim Board Secretary, provided a summary of updates of the policy directives for vote at a later date: (A written report was also distributed)

1. Manual Directive 304.7 Taser X2 Conducted Energy Weapon (Revised Directive)
2. Manual Directive 301.5 Mobile Communication Devices (New Directive)
3. Manual Directive 202.7 Foot Pursuits (Revised Directive)
4. Manual Directive 301.3 Telephone Crime Reporting Non-Emergency Calls for Service (Revised Directive)
5. Manual Directive 306.3 Property Control (Revised Directive)

Report from Interim Board Secretary/Communications Submitted to BOPC as incoming information: Ms. White reported on the following items:

1. DPD Facial Recognition Report #23
2. Information Regarding Corporal Dewayne Jones
3. Correspondence Re: Drug Activity dated April 15, 2020

Unfinished Business: **Chairperson Carter** recognized Commissioner Burch. **Commissioner Burch** urged continued communication with neighbors and to continue social distancing; served reminders about the 2020 Census; and the use of the non-emergency number. **Chairperson Carter** requested the Board to decide a salary adjustment for Interim Chief Investigator Lawrence Akbar given his responsibilities as a supervisor over all of the investigators assigned to the Office of the Chief Investigator and his role as acting Chief Investigator, ultimately performing dual roles.

Motion to approve Interim Chief Investigator Lawrence Akbar's Salary Adjustment:

Chairperson Carter recognized Commissioner Holley. **Commissioner Holley** moved to approve the Interim Chief Investigator's Salary Adjustment for Mr. Lawrence Akbar to \$105,000 retroactive to the date he was first appointed. **Commissioner Brooks** seconded. Discussion. **Motion Approved.**

Motion: Commissioner Holley **Second:** Commissioner Brooks **Discussion** **Motion:** APPROVED

VOTE: Yes = 7 No = 1 **Motion:** APPROVED

Yes: Chairperson Carter, Vice-Chairperson Holt, Commissioner Bell, Commissioner Brooks, Commissioner Burch, Commissioner Holley, and Commissioner Griffie

Nay: Commissioner Davis

New Business: None.

Announcements: **Chairperson Carter** announced the following:

- A. **Next Meeting:** Thursday, April 23, 2020, at 3:00 p.m., BOPC Virtual Meeting
- B. **Next Community Meeting:** Thursday, May 14, 2020, at 3:00 p.m., BOPC Virtual Meeting

Oral Communications/Public Comments:

Mr. Scotty Bowman indicated that the Board of Police Commissioners acts as final authority with discipline of any employee based on Section 7-803, Provision (4) of the Charter. The Board of Police Commissioners has the right to appeal the decision, and it may be challenged in the courts. **Mr. Bowman** stated that the Zoom meetings are not posted online, and he expressed concerns about fining people for peaceably assembling and a violation of civil rights under the color of law. **Ms. Joanne Warwick** expressed condolences to those families who have lost loved ones, and shared best wishes to the First Responders on the frontline. She also expressed concerned about the promotion of Corporal Dewayne Jones and the Board as the final authority. Ms. Warwick also discussed the FOIA request process, paying for the request, and the money being returned, and being unable to obtain the request. **Mr. Eric Blount** requested documentation of Corporal Dewayne Jones's status and any official documents of change of position and employment and demanded the Board to make a public statement against this promotion and also include a formal request to Wayne County Prosecutor's Office to appeal the Judge's decision to remove the felony charges against Corporal Jones. **Ms. Ashley Smith**, sister of the victim, expressed her embarrassment over the Arbitrator's decision, the perception of the Board given the recent Arbitrator's decision, and stated that her sister, nor has anyone in her family received an apology. **Ms. Brenda Hill** appreciates that all are safe and healthy, inquired about the process at DPSH regarding safety precautions, and expressed concerns with the promotion of Corporal Jones. **Chairperson Carter** noted that the Board voted to disapprove his promotion, the promotion was granted through arbitration which is legal and binding based on the DPOA contract; the Board is in the process of preparing a resolution and letter expressing the Board's strong opposition against Corporal Jones's promotion to the rank of Sergeant. **Attorney Wyrick** highlighted the Michigan Supreme Court Case (1977) citing the appeal of an arbitrator's ruling based on public policy grounds. **Commissioner Bell** urged the Board's legal team to research and evaluate the legal options to appeal the decision and address this matter.

Motion to go into Closed Session to discuss the Administrative Leave Without Pay but with Medical Benefits for Police Officer Stanley Saunders:

Motion: Commissioner Bell **Second:** Commissioner Davis Discussion.

VOTE: Yes = 8 No = 0 **Motion: APPROVED**

Motion to Reconvene for Public Board Meeting:

Motion: Commissioner Davis **Second:** Vice-Chairperson Commissioner Holt Discussion.

VOTE: Yes = 8 No = 0 **Motion: APPROVED**

Motion to Support the Chief's Recommendation to Change the Duty Status to Administrative Leave Without Pay but with Medical Benefits for Police Officer Stanley Saunders:

Motion: Vice-Chairperson Commissioner Holt **Second:** Commissioner Davis Discussion.

VOTE: Yes = 8 No = 0 **Motion: APPROVED**

Adjournment:

Chairperson Carter recognized Commissioner Davis. **Commissioner Davis** moved for adjournment. **Commissioner Burch** seconded. Discussion. **Results:** Motion Approved.

VOTE: Yes = 8 No = 0 **Motion: APPROVED**

Chairperson Carter adjourned the meeting at 5:02 pm.