

**Draft Minutes Detroit Board of Police Commissioners  
Date of Meeting: Thursday, April 30, 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 30, 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 30, 2020.**

**The Board acting in accordance with its rules approved the following Board Minutes: Thursday, April 23, 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 Charles Clark to provide the invocation.

**INVOCATION: Chaplain Kirk Goodlow**

The Board considered the following Business Items:

- Approval of the Agenda
- Approval of Minutes for April 23, 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.

As we approach the month of May, I want to highlight that May is Mental Health Awareness Month where we emphasize the importance of educating ourselves on mental illness and mental diseases as well as our mental health overall (according to Mental Health America). According to the American Psychiatric Association, “approximately 18% of US adults have a diagnosable mental disorder in a given year, and approximately 4% of adults have a serious mental illness.” So this is a very important matter. Please also continue to monitor the Board’s calendar as we work to highlight this topic more during one of our meetings for greater awareness and education regarding impacts to our community, law enforcement, and overall. We also encourage you to stay educated on this very important topic and to monitor you and your family’s mental well-being as well as physical health. Under this coronavirus pandemic, our mental and physical well-being are equally important.

The Board continues to send its support and prayers to the Department, Detroit, and the world and encourage all to continue adhering to public health mandates and safety precautions. Please stay safe and stay healthy.”

**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 Assistant Chief David Levalley provide us with any updates during her 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, work 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. The Board believes in transparency, community input, and accountability. And as a civilian oversight agency, we must protect the rights of citizens and victims. Our objective is to ensure the safety and protection for everyone.

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. Chief’s Report, From the Chief’s Office, I am requesting updates on city-wide crime statistics and any other critical issues or incidents facing the Police Department. I am also requesting updates on the following:

- any critical incidents on the Department given the widespread COVID-19 and in general;
- status of Department Mobilization results;
- status of Domestic Violence data;
- arrest data in light of COVID-19; and
- any other critical incidents impacting the Department and the Community.

Presentations: Today, we will have one presentation – Office of the Chief Investigator Presentation by Interim Chief Investigator Lawrence Akbar who will provide updates regarding OCI activities. Interim Secretary to the Board’s Report: Our Interim Board Secretary, Ms. White will also provide us with various updates regarding incoming correspondence. Also, under Unfinished Business, I’ve asked Agency CFO Mr. James George to provide an update regarding budget impacts amid the City’s current budget deficit.

Lastly, 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 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.

**Chief of Police Report: Chief of Police's Summary of CompStat Data and other Crime Information/DPD Information: Assistant Chief David Levalley representing Chief of Police James E. Craig:**

**Assistant Chief Levalley** reported on the following items: Officers Critically Injured in the Line of Duty; CompStat Crime and Statistical Data for the reporting period ending April 21, 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 20, 2020							Totals:
Part I Violent Crimes:	Criminal Homicides:	Sexual Assaults:	Aggravated Assaults:	Non-Fatal Shootings:	Robbery:	Carjacking:	Totals:
<b>Totals:</b>	24 Increase compared to last year	67 Decrease	85 Increase	59 Increase	20 Increase	8 Increase	2% Increase in Part I Violent Crimes
Property Crimes	Burglary	Larceny	Auto-Theft				Total:
<b>Totals:</b>	19% decrease	10% decrease	5% increase				9% decrease

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

- Current DPD Average Response Time: 9 minutes and 46 seconds;
- 99 members are currently in quarantine or currently off sick because of COVID-19;
- 69 members tested positive for COVID-19;
- 299 members who have tested positive at some point;
- The Department has returned 1,015 members to full duty status;
- Heavily impacted commands by COVID-19: Communications Operations currently has (16) members in quarantine; Second Precinct currently has (13) members in quarantine; and the remaining commands have under (10) members who are in quarantine;
- (4) Department members are currently hospitalized.

**Mobilization Results:** Deputy Chief Todd Bettison anticipates submitting the Mobilization Report within (4) weeks to determine amount of time it takes for members to respond to the mobilization order. **Domestic Violence (DV) Updates:** The Department reviewed DV reports over a (4) four-week period to determine the impact of Executive Order on DV: 1,796 DV Reports currently; last year during same period, the Department observed 2,052; Currently observing approximately 12 ½ DV Reports less than last year; **Arrest Data:** Currently, 1,724 Arrests Citywide; Last year, 3066 Arrests; **Tickets Issued:** Officers have conducted 24,000 spot checks of various locations around the city; issued 3,166 warnings; issued 1,749 citations; closed down 46 businesses; and dispersed 30 house parties. Lastly, regarding the pit bull and animal control concerns, Animal Control is considered an essential function and is open 24 hours a day and can be reached at (313) 224-6356; and E911 continues to handle emergency calls.

**Chairperson Carter** recognized Commissioner Burch. **Commissioner Burch** asked for an updated number for the Animal Control Unit, discussed the active shooting that occurs within the Eleventh Precinct and requested more information regarding officers' patrol activities. **Commissioner Davis** inquired whether police overtime was reduced given current pandemic crisis. **Commissioner Davis** asked whether any recipients has paid any of the tickets issued during COVID-19 crisis. **Commissioner Davis** also inquired about Department Executive Members who recently graduated from Wayne State University with Master's Degrees. **Commissioner Brown** congratulated Department Executive Members on their recent accomplishments, discussed the Detroit Fire Department's efforts on administering the Narcan device and inquired whether all agencies were receiving the same type of standardized training. **Commissioner Brown** also discussed the Department's efforts to equip each police vehicle with road flares in lieu of officers having

to request and share with neighboring law enforcement agencies; the status of the hazard pay; and plans for ongoing testing for COVID-19. **Commissioner Brown** also discussed the rapid response times that he has observed within the Eighth Precinct and inquired about how the Department is tallying the numbers; he also discussed whether the Department would purchase new body armor given recent comments received. **Vice-Chairperson Commissioner Holt** asked whether the road flares would be included in the Department's Budget similar to vehicle maintenance and other associated expenses. **Vice-Chairperson Commissioner Holt** also discussed the Neighborhood Association President compliments to Commander Darrell Patterson, assigned to the Eighth Precinct regarding his quick response to special concerns related to neighborhood activities amid the COVID-19 circumstances. **Commissioner Burton** requested the non-fatal shootings percentage during the pandemic crisis. **Commissioner Burton** also asked about the number of tickets and fines that Detroiters have received during the pandemic crisis.

**PRESENTATIONS TO THE BOARD: (A) Office of the Chief Investigator – Interim Chief Investigator Lawrence Akbar (Please see OCI Material Provided)**

- A. Interim Chief Investigator Lawrence Akbar, Office of the Chief Investigator:** Interim Chief Investigator Akbar reported on OCI's current staff operations, activities, and citizen complaint data and statistics over the last period and during the COVID-19 pandemic. The following includes highlights from the report:
- a. Reorganization of OCI Staff
  - b. COVID-19 Operations and Continuity Plan
  - c. OCI's Remote Activities and Assignments in cooperation with the Department of Innovation and Technology
  - d. OCI Case Status Report (Citizen Complaint Case Summary Statistics)
  - e. OCI Personnel Status Report
  - f. Future Publication of OCI Standard of Operations' Procedures
  - g. Notifications to Honorable Board Regarding Activities and Receipt of Updates

**Chairperson Carter** recognized Commissioner Davis. **Commissioner Davis** inquired whether the complaints had decreased as a result of the COVID-19 crisis. **Commissioner Davis** asked whether the OCI's assigned vehicles were maintained at the OCI facility or at staff members' residences. **Commissioner Davis** asked about the sanitation and safety measures taken at the OCI facility given a previous positive COVID-19 diagnosis. **Commissioner Brown** asked for a copy of the Confidentiality Agreement staff members were required to sign. **Commissioner Burch** asked for an example of the types of complaints the OCI receives and inquired about the OCI Staff. **Chairperson Carter** asked about revisions to the proposed Finding's letter issued to complainants and commended ICI Akbar for completing the proposed letters and regarding the OCI presentation.

**Report from Interim Board Secretary/Communications Submitted to BOPC as incoming information:** Ms. White reported on the following incoming correspondence items and noted the items are being evaluated and processed for the Board's consideration:

1. DPD Facial Recognition Report #25
2. 19-756 Cover Memo V&F Collision, Inc. with the Chief's Signature
3. 19-756 20200408 Referral V&F Collision, Inc.
4. 19-756 20200408 Addendum Referral V&F Collision, Inc.

**Unfinished Business:** **Chairperson Carter** recognized CFO Agency James George. Agency CFO Mr. George clarified the Board's Staff aligns under Category B Workshare Plan instead of Category C of Mayor Michael Duggan's Proposed Budget Plan.

**Chairperson Carter** recognized Commissioner Brown. **Commissioner Brown** asked whether the Board would return unspent Board Budget funds to the City's General Fund to offset the City's revenue shortfall. **Agency CFO Mr. James George** confirmed the funds would be returned to the City's General Fund at the end of the Fiscal Year to contribute to the City's \$184 revenue shortfall. **Mr. George** also explained that City Council would vote on the City's Budget next week and that positions of Secretary to the Board, Executive Manager, and Chief Investigator would be restored to the Board's FY 2021 Budget.

- I. Motion to Reconsider the Board of Police Commissioners' Motion from April 23, 2020, that adopted Category C of the Mayor's Budget Plan, where Board Staff would incur a (5%) five percent pay cut or the equivalent use of 18 Vacation Days based on the city's current budget deficit:**

**Chairperson Carter** recognized Commissioner Bell. **Commissioner Bell** moved to reconsider the Board of Police Commissioners' motion from April 23, 2020, that adopted Category C of the Mayor's Budget Plan where Board Staff would incur a (5%) five percent

pay cut or the equivalent use of 18 Vacation Days based on the city's current budget deficient. **Vice-Chairperson Commissioner Holt** seconded. Discussion. **Motion Approved.**

**Motion:** Commissioner Bell                      **Second:** Commissioner Holt                      **Discussion**                      **Motion: APPROVED**

**VOTE:**                      Yes = 10                      No = 0                      **Motion: APPROVED**

**Yes:** Chairperson Carter, Vice-Chairperson Holt, Commissioner Bell, Commissioner Brooks, Commissioner Brown, Commissioner Burch, Commissioner Burton, Commissioner Davis, Commissioner Griffie, and Commissioner Holley

**II.                      Amendment Motion to Adopt Mayor Duggan's Workshare Plan to include all Board Staff to accept the criteria outlined within Category B to help reduce the city's existing Budget Shortfall.**

**Chairperson Carter** recognized Commissioner Brown. **Commissioner Brown** moved to amend the original motion (noted below under section "III." to require all Board Staff to accept the criteria outlined within Category B of the Workshare Plan to help reduce the city's existing Budget Shortfall. **Commissioner Davis** seconded. Discussion. **Motion Failed.**

**Motion:** Commissioner Brown                      **Second:** Commissioner Davis                      **Discussion**                      **Motion: FAILED**

**VOTE:**                      Yes = 4                      No = 5                      **Motion: FAILED**

**Yes:** Commissioner Brown, Commissioner Burch, Commissioner Davis, and Commissioner Holley

**Nay:** Chairperson Carter, Vice-Chairperson Holt, Commissioner Bell, Commissioner Brooks, and Commissioner Griffie

**Abstain:** Commissioner Burton

**III.                      Motion to Adopt Mayor Duggan's Category B Workshare Plan where all Board Staff with the exception of the Interim Secretary to the Board, Interim Chief Investigator, and Attorney to the Board, shall accept the criteria outlined within Category B to help reduce the city's existing Budget Shortfall.**

**Chairperson Carter** recognized Commissioner Bell. **Commissioner Bell** moved to adopt Mayor Duggan's Category B Workshare Plan where all Board Staff with the exception of the Interim Secretary to the Board, Interim Chief Investigator, and Attorney to the Board, shall accept the criteria outlined within Category B to help reduce the city's existing Budget Shortfall. **Vice-Chairperson Commissioner Holt** seconded. Discussion. **Motion Failed.**

**Motion:** Commissioner Bell                      **Second:** Commissioner Holt                      **Discussion**                      **Motion: FAILED**

**VOTE:**                      Yes = 5                      No = 5                      **Motion: FAILED**

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

**Nay:** Commissioner Brown, Commissioner Burch, Commissioner Burton, Commissioner Davis, and Commissioner Holley

**New Business:**

**I.                      Motion that the Department Ban Facial Recognition Use during COVID-19 Crisis for one year.**

**Chairperson Carter** recognized Commissioner Burton. **Commissioner Burton** moved that the Board ban the Department's use of the Facial Recognition Technology during the COVID-19 Crisis for one year. **Commissioner Davis** seconded. Discussion. **Motion Failed.**

**Motion:** Commissioner Burton                      **Second:** Commissioner Davis                      **Discussion**                      **Motion: FAILED**

**VOTE:**                      Yes = 3                      No = 7                      **Motion: FAILED**

**Yes:** Commissioner Brown, Commissioner Burton, and Commissioner Davis

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

**Commissioner Burch** thanked everyone for their food distribution volunteer efforts during this crisis and encouraged the community to wear safety gear and practice social distancing.

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

- A. Next Meeting:** Thursday, May 7, 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:**

**Ms. Erin Butler** spoke about disturbing stories of police questioning persons as they utilize bus transportation referencing an unknown man being pulled off the bus for not wearing a mask. **Commissioner Brown** stated officers have masks and noted their efforts to distribute to persons without masks and discussed the responsibility of the Detroit Transit Authority. **Minister Eric Blount** expressed his disappointment with the Board's disagreement with suspending the Department's use of Facial Recognition Technology and also asked when Facial Recognition Reports would be available. **Minister Blount** requested an update on Corporal Dewayne Jones's status and any official documents regarding the change in his employment or position and demanded the Board make a formal request to Wayne County Prosecutor's Office to appeal the Judge's decision regarding Corporal Jones. **Commissioner Griffie** indicated that Facial Recognition Technology does not use live surveillance footage and discussed the parameters surrounding the use of the technology system. **Mr. Scotty Boman** expressed his support for Ms. Sheldy Smith who involved in the incident involving Corporal Dewayne Jones; called for the rejection of Corporal Jones's promotion and requested the Board to appeal the matter in Court. **Mr. Boman** also advised of Corporal Jones's hearing tomorrow at 36<sup>th</sup> District Court and noted disagreement with Executive Order mandates. **Commissioner Brown** indicated the BOPC Attorney is working with Corporation Counsel on deciding the matter involving the City Charter versus a binding Arbitration decision. **Ms. Kathy Montgomery** opposed Corporal Dewayne Jones's promotion and noted that officers are not practicing safety protocols regarding masks. **Chairperson Carter** shared a point of reference for C.A.P.P.A. acronym which stands for Community and Police Partner Advocacy and emphasized that Facial Recognition Technology reports are posted to the Board's website every week immediately after each meeting. **Commissioner Burton** stated several constituents had called the Board's main office and received voicemail. **Chairperson Carter** stated that BOPC staff were responding to all calls and voicemail messages.

**Adjournment:**

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

**VOTE:**                      **Yes = 10**                      **No = 0**                      **Motion: APPROVED**

**Chairperson Carter adjourned the meeting at 4:56 pm.**