

Draft Minutes Detroit Board of Police Commissioners
Date of Meeting: Thursday, May 14, 2020 – 3:00 PM
Location: Zoom Virtual Meeting Platform

BOPC Chairperson Lisa Carter called the BOPC Board Meeting to order at 3:00 PM (May 14, 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		Excused	
Darryl D. Brown		Yes	
Shirley A. Burch		Yes	
Willie E. Burton		Yes	
William M. Davis		Yes	
Evette Griffie		Yes	
Jim Holley		Yes	
Quorum (Yes)		9	

The Board acting in accordance with its rules approved the Agenda for Thursday, May 14, 2020.

The Board acting in accordance with its rules approved the following Board Minutes: Thursday, May 7, 2020

Vice Chairperson Holt stated, "Good afternoon. I am Police Commissioner Annie Holt, Vice-Chairperson of the Board, and I represent District Eight. I will be conducting this afternoon's virtual meeting in Chairperson Lisa Carter's stead. 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 has asked to be excused from today's meeting. Today, we have invited Chaplain Michael Oliver to provide the invocation.

INVOCATION: Chaplain Michael Oliver

The Board considered the following Business Items:

- Approval of the Agenda
- Approval of Minutes for May 7, 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 impact of the Coronavirus, the Board will continue to 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, please acknowledge the Chair and wait until acknowledgement if you would like to make a comment.

Vice-Chair Holt and Commissioner Brown represent the Eighth Precinct. I would ask for a warm greeting from the Commissioners at this time. Recognition of 8th Precinct Community Relations Council: Recognizing the value and importance of community involvement and participation toward enhancing our police-community relations and making our communities safer, I would like to acknowledge 8th Precinct Police Community Relations Council: Maurice Gholston (minister) President; and Michele Ruffin, Vice-President. Thank you.

Our hope is that everyone had a beautiful Mother's Day. We continue saluting our mothers and this special occasion. The Centers for Disease Control and Prevention and the World Health Organization continue to emphasize that COVID-19 highlights the importance of investing in services relating to the mental health crisis. The World Health Organization reports that specific population groups are at greater risk of developing psychological stress because of the COVID-19, (i.e. front-line health care workers, women, children and others). The Director-General of the World Health Organization, Dr. Tedros Adhanom Ghebreyesus (AG) states, "The impact of the pandemic on people's mental health is already extremely concerning." Scientists and Health Officials urge governmental authorities and the private sector to improve access to mental health services, especially during this time, toward advancing the quality of life for everyone. We know, however, out of every dilemma or crisis is an opportunity for change and improvement. The Director of the Department of Mental Health and Substance Abuse Use at WHO, Devora Kestel, states, "The scaling up and reorganization of mental health services that is now needed on a global scale is an opportunity to build a mental health system that is fit for the future." We look forward to observing the advancements in the health-care industry toward providing additional quality mental health care services for one of our most vulnerable populations. We will also continue to monitor the impacts of the COVID-19 on the Department and community and continue to find ways to address these challenges. We encourage you to stay informed on this important topic by visiting the Centers for Disease Control and Prevention website, the World Health Organization website, as well as your local listings, Michigan.gov and other local resources for more information. Please continue to adhere to state and local public health and social measures so that we stay healthy and save lives.

This week, we acknowledge National Police Week, where we pay homage to our first responders and the sacrifices they make each day, each hour to keep us all safe. We thank Chief Craig for your leadership and the DPD for your tireless service and commitment toward ensuring public safety and security, especially during a time when our security and domain have been tested. In recognition of National Police Week, the Department held its Fallen Officers' Memorial Tribute honoring officers killed in the line of duty and those officers impacted by the COVID-19. Presenting the families with flowers, special gifts, and holding a procession, the Department honored those fallen officers and celebrated their life and legacy of police service to our community. We again thank Chief Craig, his Executive Team, and the Department for ensuring such an event took place and thank you Vice-Chairperson Commissioner Annie Holt for representing the Board as we all continue supporting and praying for the safety and protection of the Department and our City.

As we progress forward, let us remember the key milestone of the 66th Anniversary of the U.S. Supreme Court Case decision in *Brown v. Board of Education*, May 17, 1954, where the court ruled against segregation in the public school system. While we acknowledge the significant strides and achievements made toward racial equality and racial justice, we still must continue the fight. Today, when we look at the recent protest in Lansing where symbols of racism, purported violence, and discrimination were exhibited, and observe unloving, illegal acts, we are reminded of the importance of the Fourteenth Amendment, equal protection under the law and due process for everyone. Regarding the events that occurred during the Lansing Protest, I will ask for the reading of the resolution at the appropriate time on today's agenda. I would also like to remind everyone to complete the Census Bureau questionnaire if you have not already completed the form. I emphasize the necessity of receiving proper resources in our community especially when we encounter emergency or crisis situations. Let us do our part to ensure that our community fairly and adequately receives the resources that we need to survive and flourish.

Chairperson's Report: Vice-Chairperson Annie Holt 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 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 Chief Craig 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 with 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 mandate compliance. 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 and protect the City against unwarranted lawsuits. 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. Resolutions: Today, we have (1) resolution – A Resolution Supporting Governor Gretchen Whitmer’s Ban Against Assault Rifles and Support of Peaceful Protest and Assembly. At the appropriate, I will ask for the presentation 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 or incidents facing the Police Department. I am also requesting updates on the following: critical incidents impacting the Department amid COVID-19 and in general; updates regarding the Department's COVID-19 Rapid Testing and Quarantine information; updates on Department Hazard Pay and the Department's efforts to increase hourly amount for all members; Unemployment Benefit Update – Certification and existing delays for benefits; Arrest and Citation Data; general update on the Department's Use of Surveillance RTCC Technology and Facial Recognition Technology Reports; any other important critical items relating to the Department and the community.

Presentations: Today, we will have (2) two presentations – Human Resources Report by Dr. Marcella Anderson, Director of Police Personnel, and Eighth Precinct, Commander Darrell Patterson. Interim Secretary to the Board’s Report: Our Interim Board Secretary, Ms. White will also provide us with various updates regarding incoming correspondence. Under Unfinished Business, we need to vote on Staff Budget matters toward the reduction of the City’s revenue shortfall. I will ask for a vote at the appropriate time.

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.”

Resolution: Commissioner Brown read the Resolution Supporting Governor Gretchen Whitmer’s Ban against Rifles and Support of Peaceful Protest and Assembly.

RESOLUTION SUPPORTING GOVERNOR GRETCHEN WHITMER’S BAN AGAINST RIFLES AND SUPPORT OF PEACEFUL PROTEST AND ASSEMBLY

WHEREAS the City of Detroit Board of Police Commissioners has approved resolutions for public safety measures that protect schools, worship houses, offices, shopping malls, and other gathering places. Among other steps, The Board supports a ban on military-like weapons of mass assault and terrorism in public arenas; and

WHEREAS on Thursday, April 30, 2020 at the Michigan Capitol, people gathered to protest public health protections against a deadly coronavirus outbreak. While many observed time-honored Constitutional protections of free speech and public protest, a dangerous part included people dressed in combat gear and armed with assault weapons, with some showing hostile manners with police and others. Another untenable aspect was the display of swastikas and confederate flags, well-known symbols of ethnic and racial hatred and oppression; and

WHEREAS the mass assault weapons and hate symbols created clear dangers that made some legislators wear bulletproof vests, secure armed escorts, and take other drastic steps to protect their lives and safely perform their jobs at

the Capitol. The legislative building is also a national landmark that draws thousands of grade school students, educators, and other tourists. Governor Gretchen Whitmer recently said, "No one should be intimidated by someone who's bringing in an assault rifle into their workplace." The Board agrees and further believes no one should endure intimidating hate symbols in their workplace and that Capitol visitors deserve protections from the same threats that make elected and other workers fearful for their lives; and

WHEREAS

the State Capitol Commission oversees the building and exercises its powers by setting and imposing various safety rules and procedures, including recent building closures and other steps against the coronavirus threat. A recent Attorney General opinion stated the Commission's powers include authority to ban firearms. A Capitol Commission meeting Monday, May 11, 2020 ended with a call for additional study; therefore be it

RESOLVED,

that the Detroit Board of Police Commissioners supports a firearms ban at the Capitol. Our Board urges prompt action by the State Capitol Commission on its rules or by the Michigan Legislature and the Governor on state law to ban firearms at the Capitol and ensure safety for employees and visitors to the building and to protect them from intimidation and dangers in the course and performance of their work.

Commissioner Brown moved to adopt the Resolution Supporting Governor Gretchen Whitmer's Ban against Rifles and Support of Peaceful Protest and Assembly. **Commissioner Davis** seconded. Discussion.

Motion: Commissioner Brown

Second: Commissioner Davis

Discussion.

VOTE:

Yes = 6

No = 1

Motion: APPROVED

Yes: Vice-Chairperson Holt, Commissioner Bell, and Commissioner Brown, Commissioner Davis, Commissioner Griffie, and Commissioner Holley.

Nay: Commissioner Burch

Abstain: Commissioner Burton

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

Chief of Police Craig reported on the following items: thanked Commissioners for their prayers and support during his recovery; National Police Week's highlights, and the Department and national ceremonial tributes to all fallen officers; Officers Critically Injured in the Line of Duty; CompStat Crime and Statistical Data for the reporting period ending May 12, 2020; Department Efforts to combat the spread of COVID-19, Hazard Pay, and recent critical incidents impacting the Detroit Police Department and the community. He also noted that Detroit is seeing a decline in domestic violence incidents in contrast to other cities around the country, and noted the increase in barricaded suspects with a nexus to domestic incidents. **Chief Craig** also noted that the Department is progressing forward regarding Zoom interviews for the Disciplinary Unit.

CompStat Data Provided: (See Full Report in Packet) as of May 12, 2020						
Part I Violent Crimes:	Criminal Homicides:	Sexual Assaults:	Non-Fatal Shootings:		Robbery:	Carjacking:
Totals:	36% Increase	26% Decrease	32% Increase		2% Decrease	5% Increase
Property Crimes	Burglary	Larceny	Auto-Theft			Total:
Totals:	22% Decrease	12% Decrease	4% Increase			11% Decrease

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

- 313 Department Members have tested positive for COVID-19;
- 23 Members; (19 sworn and 4 civilians) who are still testing positive for COVID-19 as of today's date;
- As of today, (54) Department members are currently quarantined (44 sworn and 10 civilian); previously 1,145 Department members who were previously quarantined;
- 1089 Department Members have been returned to full duty; (867 sworn and 222 civilian)
- Currently, (2) Department members who are currently hospitalized.
- Citation Data: As of May 13, 2020, 114 warnings were issued and 30 citations were issued;
- 14 locations the Department responded to where there were (5) individuals or more present

Vice-Chairperson Holt discussed safety measures and resources. **Vice-Chairperson Holt** recognized Commissioner Burch. **Commissioner Burch** welcomed Chief Craig back from his recovery, commended Assistant Chief James E. White and Deputy Chief Todd Bettison for their leadership during Chief Craig's recovery, discussed traffic enforcement efforts to reduce reckless driving, and requested an update on the Student Police Officer (SPO) who was recently involved in a vehicular accident. **Commissioner Davis** inquired about the status of social gatherings and distancing violations and citations and asked about the arrest and citation data during COVID-19. **Commissioner Davis** also inquired about steps community members may take to ensure safe distancing measures throughout the community. **Commissioner Brown** discussed incidents surrounding persons disregarding police during traffic stops and the Department's Vehicle Pursuit policy and requested the Department to identify measures to address this issue. **Commissioner Bell** supported Chief of Police Craig's stance on the Department's efforts to address persons disregarding police traffic stops and commended the Department's efforts on Rapid Testing for all BOPC Commissioners and staff and OCI staff members. **Commissioner Bell** also commended Mayor Michael Duggan for his leadership regarding the Rapid Testing efforts. **Commissioner Burch** requested additional information on other law enforcement patrol efforts and on other agencies' data on COVID-19. **Commissioner Burch** asked about the Department's use of Facial Recognition Technology and ticket issuance during COVID-19.

PRESENTATIONS TO THE BOARD: (A) Eighth Precinct Presentation: Commander Darrell Patterson

(B) Monthly Human Resources' Report Presentation: Dr. Marcella Anderson, DPD Director of Police Personnel

A. Commander Darrell Patterson, Eighth Precinct:

Commander Darrell Patterson reported on overall crime within the Eighth Precinct, continued enforcement efforts, special initiatives including partnerships with the Michigan Department of Corrections (MDOC), Homicide, Major Violators, and other specialized precinct crime-reduction efforts. Vice-Chairperson Holt recognized Commissioner Brown. **Commissioner Brown** requested demographic (racial ethnicity) data retroactively and for future reports regarding disqualifications and associated rationales. Also, as part of the Department's recruitment efforts, the Human Resources Unit is currently auditing the number of persons in pending status (i.e. files on hold, documents not received). **Commissioner Burch** requested information on applicants' inefficiencies during the application process and whether they are assisted in the recruitment process.

- B. Monthly Human Resources' Report:** Dr. Marcella Anderson, DPD Director of Police Personnel, provided a summary of activities and statistical data during the month of April 2020, noted below, including the leaves of absence, restricted duty, and suspensions. Please refer to the Human Resources' Report for full details. Dr. Anderson also noted the Department's recruitment efforts were suspended as a result of the COVID-19 pandemic.

EMPLOYEE CATEGORY	POSITIONS FILLED	VACANCIES
SWORN	2525	146
CIVILIANS	611	56
TOTALS	3139	202

MCOLES		AGILITY EXAM			
SCHEDULED	APPEARED	PASS	SCHEDULED	APPEARED	PASS
203	123	88	121	86	46

SWORN RECRUITING NUMBERS July 2019 – April 2020						
APPLICANTS	IN PROCESS	HIRED	LACK OF INTEREST	TEMPORARILY DISQUALIFIED	PERMANENTLY DISQUALIFIED	AWAITING MCOLES
4680	50	140	280	3,204	646	360

ZERO HIRES FOR APRIL 2020

DETROIT RESIDENCY INFORMATION (as of 02/29/2020)		
SWORN	CIVILIAN	POLICE ASSISTANTS
570	339	31

ATTRITION March 2020			
SWORN	CIVILIAN	POLICE ASSISTANTS	TOTAL
7	4	1	12

LEAVES OF ABSENCE / RESTRICTED DUTY							
Employee Category	FMLA Continuous	FMLA Intermittent	Medical Leave	Military	Personal Education	Restricted	Disabled Sick
Sworn	8	92	3	2	0	123	45 9

SWORN PERSONNEL SUSPENSIONS					
Police Officer	Detective	Investigator	Sergeant	Lieutenant	Total
13	0	0	0	0	13

DROP PROGRAM (DEFERRED RETIREMENT OPTION PLAN)	
TOTAL	
556	

Unfinished Business:

MOTION:

Motion that Board of Police Commissioners Staff with the exception of the Interim Secretary to the Board and the Interim Chief Investigator accept Mayor's Duggan Category B Workshare Plan to reduce the Budget Shortfall effective May 18, 2020:

Vice-Chairperson Holt recognized Commissioner Bell. Commissioner Bell moved that the Board of Police Commissioners' Staff with the exception of the Interim Secretary to the Board and the Interim Chief Investigator align with Mayor Duggan's Category B Workshare Plan to reduce the City's budget shortfall effective May 18, 2020.

Motion: Commissioner Bell **Second:** Commissioner Griffie Discussion. **Motion: PASSED**

VOTE: Yes = 6 No = 3 **Motion: PASSED**

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

Nay: Commissioner Brown, Commissioner Davis, and Commissioner Burton.

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

1. DPD Facial Recognition Report #27
2. Chief of Police James E. Craig's Letter of Recommendation to Promote to the Ranks of Lieutenant (9), Sergeant (20), and Detective (22) and Support Material
3. ACLU FOIA Request: All future issuances of Agenda Packets until 6/30/20
4. Listening Phase Flyer Update Regarding Upcoming Charter Revision Commissioner's Schedule
5. Human Resources Report Presentation
6. Upcoming NACOLE Webinars and Virtual Roundtables Notice
7. Incoming Correspondence from Professional Standards Re: Police Officer Latasha Williams

New Business: None.

Announcements: Chairperson Carter announced the following:

- A. **Next Meeting:** Thursday, May 21, 2020, at 3:00 p.m., BOPC Virtual Meeting
- B. **Next Community Meeting:** Thursday, June 11, 2020, at 3:00 p.m., BOPC Virtual Meeting

Oral Communications/Public Comments:

Rev. Eric Blount requested an update on official documents regarding Corporal Dewayne Jones promotion, inquired about procedures of Citizens Arrest, and disapproval of use of Facial Recognition Technology. He also express displeasure of Facial Recognition Reports data posted on BOPC Website. **Commissioner Bell** indicated that information on Citizens Arrest can be posted to the website. **Ms. Ashley Smith** requested the firing of Corporal Jones, there has been No Justice. **Mr. Scotty Boman** requested an update on Corporal Dewayne Jones and noted his disagreement with the Executive Order mandates. Also request stopping the use of Facial Recognition Technology. **Former Commissioner Jerome Warfield** express support for officer promotion. **Ms. Kathy Montgomery** express opposition to Corporal Dewayne Jones promotion, and request the appeal of the Arbitrator's promotion ruling. Attorney Jermaine Wyrick stated Corporation Counsel Opinion states due to the Board of Police Commissioners not being a party to the collective bargaining agreement, the Board of Police Commissioners does not have the standing to make the appeal. The City of Detroit would have to appeal and they are not appealing the promotion. **Commissioner Brown** requested to see the Corporation Council Opinion. **Commissioner Bell** indicated he supports Commissioner Brown and that the BOPC was preparing to pursue legal action.

Adjournment:

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

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

Chairperson Carter adjourned the meeting at 5:32 pm.