

**Draft Minutes Detroit Board of Police Commissioners
Date of Meeting: Thursday, May 21, 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 21, 2020)

Detroit Board of Police Commissioners' Membership / Attendance	Attend	Not-Attend
Lisa Carter, Chairperson	Excused	
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)	9	

The Board acting in accordance with its rules approved the Agenda for Thursday, May 21, 2020.

The Board acting in accordance with its rules approved the following Board Minutes: Thursday, May 14, 2020

Vice Chairperson Holt stated, “Good afternoon. I am Police Commissioner Annie Holt, Vice-Chairperson of the Board. 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.

Today, we have invited Chaplain Glenn Hodges to provide the invocation.

INVOCATION: Chaplain Glenn Hodges

The Board considered the following Business Items:

- Approval of the Agenda
- Approval of Minutes for May 14, 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 information on participating during the Public Comments’ section of the agenda. Please note the following: Upon joining the meeting, participants 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. 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.

During presentations and remarks, all microphones except for the Chairperson and the Presenter will be muted to ensure the Presenter is heard and to avoid any microphone feedback. Commissioners’ microphones will be unmuted during each Question and Answer period of the Agenda. As a reminder, Commissioners, please acknowledge the Chair and wait until acknowledgement

if you would like to make a comment. Finally, if you are experiencing technical difficulties, please dial any of the call-in numbers listed on the agenda to rejoin the meeting; or for Commissioners, please contact Staff for assistance. Again, we thank you in advance for your cooperation and patience.

The Centers for Disease Control and Prevention (CDC) and the World Health Organization (WHO) continue to emphasize the importance of health and safety measures for our mental and physical health. As we continue through this time and highlight May as Mental Health Awareness Month, we encourage you to stay updated about the coronavirus and its associated impacts by visiting the Centers for Disease Control and Prevention website, the World Health Organization website, as well as your local listings, such as Michigan.gov website, City of Detroit website, and other local resources for more information. Continue to adhere to state and local public health mandates so that we stay healthy and save lives.

Census Bureau Reminders: I would also like to remind everyone to complete the Census Bureau questionnaire if you have not already completed the form. Michigan is now the fourth leading state of completed census questionnaires. I will continue to emphasize the necessity of completing these forms to ensure our communities receive 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 Deputy Chief Marlon Wilson 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 supervisory control and oversight of the Police Department. Our Board has broad supervisory responsibilities that includes, but is not limited to, investigating non-criminal citizens’ complaints, monitoring Department operations, working with the Mayor and the Chief of Police to establish police policies, rules, and regulations, and acting 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 safeguard 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. Chairperson’s Report: Under my report, we will take up the Chief’s Recommendation to promote nine (9) lieutenants, twenty (20) sergeants, and twenty-two (22) detectives. I will ask for a vote at the appropriate time.

Chief’s Report, I would like to highlight the updates made to the Facial Recognition Report that you received this week based on the meeting that took place with Department Executives Captain Tosqui and Director Stein and Vice-Chairperson Holt last week on behalf of the Board. Based on the meeting discussion, the following updates were implemented for review and consideration by the Board and the public. Inclusion of Demographic Information including race and gender of probe photos; Inclusion of source of probe image; Indication of whether or not a violation in policy occurred; Discussion and update on Facial Recognition Report included in the Open Data Portal, which is forthcoming after additional measures are implemented.

Commissioners, as we do with other Department operations, we will continue monitoring and evaluating the Department’s use of this technology and its effectiveness as well as continue working with the Department to ensure transparency and accountability. 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: The Detroit News Article discussing the \$3.5M wrongful arrest award against a Detroit Police Officer that was reversed; Arrest and citation data; and any other important items impacting the Department.

Presentations: Today, we will have (1) one presentation – Professional Standards Bureau by Director Chris Graveline and Captain Lena Liddell. Our Interim Board Secretary, Ms. White will also provide us with various updates and incoming weekly correspondence.

Lastly, I want to announce a few reminders: Upcoming Board Elections: Commissioners, Article IV of the BOPC Bylaws governs the Officers of the Board, including the Nomination Process for the Election, and Duties of the Officers. Section 2 entitled, "Election of Officers and Terms" states in relevant part, "The Members may elect officers annually from its membership by majority vote. The term of office is for one year or until the successor has been elected." Further, "New offices may be created and filled at any meeting of the Board. Except as otherwise provided, each officer will hold office until such officer's successor is duly elected." Please note the following information for the Nominations' Process under Section 3 of the Board's Bylaws:

A. Any Board Member who is eligible to serve may self-nominate or be nominated by a fellow Member. A Member need not be present to be nominated, provided they have previously indicated their willingness to serve.

B. It is the responsibility of the candidate to inform the Board Members of his or her intention to run for office.

C. Once the Chair opens the nominations process, nominations may also be taken from the floor. Nominations do not need a second. Members who are nominated from the floor may decline or accept the nomination, but must do so on record. The Chair will need a motion and a second to close the nomination.

Section 4. Voting states that a quorum is required for voting. Only members present are eligible to vote and any member may vote for him or herself. Please see Section 6(b) – Duties of Officers for more details on office requirements."

We will have Board Elections on Thursday, June 11, 2020, the second Thursday in June. Please plan to attend and cast your vote.

As a reminder, Monday, May 25, 2020, is Memorial Day, where we pay tribute to men and women who have died while serving in the military. The Board's Office will be closed. Please enjoy your holiday as you honor those who have made the supreme sacrifice while serving in the military, and remember to stay safe and well.

Again, if participants 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's number 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."

Motion: To approve Chief of Police James E. Craig's Recommendation to promote to the Ranks of Lieutenant (9).

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

Amended Motion: To approve Chief of Police James E. Craig's Recommendation to promote to the Ranks of Lieutenant Individually

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

Yes: Commissioner Bell, Commissioner Brooks, Commissioner Brown, Commissioner Burch, Commissioner Burton, Commissioner Davis, and Commissioner Holley

Nay: None

VOTE: Yes = 7 No = 0 **Motion: APPROVED**

Motion to Promote Sergeant Amber S. Roberson to the Rank of Lieutenant

Yes: Commissioner Bell, Commissioner Brooks, Commissioner Brown, Commissioner Burch, Commissioner Davis, and Commissioner Holley

Present (Abstention): Commissioner Burton

Nay: None

VOTE: Yes = 6 Present: = 1 No = 0 **Motion: APPROVED**

Motion to Promote Sergeant Jason R. Adams to the Rank of Lieutenant

Yes: Vice Chairperson Holt, Commissioner Bell, Commissioner Brooks, Commissioner Brown, Commissioner Burch, Commissioner Davis, and Commissioner Holley

Present (Abstention): Commissioner Burton

Nay: None

VOTE: Yes = 7 Present: = 1 No = 0 **Motion: APPROVED**

Motion to Promote Sergeant Scott E. Hall to the Rank of Lieutenant

Yes: Vice-Chairperson Holt, Commissioner Bell, Commissioner Brooks, Commissioner Brown, Commissioner Burch, Commissioner Burton, and Commissioner Holley

Nay: Commissioner Davis

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

Motion to Promote Sergeant Shelley L. Holderbaum to the Rank of Lieutenant

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

Nay: None

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

Motion to Promote Sergeant Velma J. Hampton to the Rank of Lieutenant

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

Nay: None

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

Motion to Promote Sergeant Shadana M. Bullock to the Rank of Lieutenant

Yes: Vice-Chairperson Holt, Commissioner Bell, Commissioner Brooks, Commissioner Brown, Commissioner Burch, Commissioner Davis, and Commissioner Holley

Present (Abstention): Commissioner Burton

Nay: None

VOTE: Yes = 7 Present: = 1 No = 0 **Motion: APPROVED**

Motion to Promote Sergeant William A. Diccio to the Rank of Lieutenant

Yes: None

Present: Commissioner Burton

Nay: Vice-Chairperson Holt, Commissioner Bell, Commissioner Brooks, Commissioner Brown, Commissioner Burch, Commissioner Davis, and Commissioner Holley

VOTE: Yes = 0 Present: = 1 No = 7 **Motion: FAILED**

Motion to Promote Sergeant Shannon A. Hampton to the Rank of Lieutenant

Yes: Vice-Chairperson Holt, Commissioner Bell, Commissioner Brooks, Commissioner Brown, Commissioner Burch, Commissioner Davis, and Commissioner Holley

Present (Abstention): Commissioner Burton

Nay:

VOTE: Yes = 7 Present: = 1 No = 0 **Motion: APPROVED**

Motion to Promote Sergeant David A. Patterson to the Rank of Lieutenant

Yes: Commissioner Bell and Commissioner Brooks

Present (Abstention): Commissioner Burton

Nay: Vice-Chairperson Holt, Commissioner Brown, Commissioner Burch, Commissioner Davis, Commissioner Holley

VOTE: Yes = 2 Present: = 1 No = 5 **Motion: FAILED**

Motion: To Table Chief of Police James E. Craig's Recommendation to promote to the Ranks Sergeant (20)

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

Yes: Vice-Chairperson Holt, Commissioner Bell, Commissioner Brooks, Commissioner Brown, Commissioner Burch, Commissioner Davis, and Commissioner Holley

Present (Abstention): Commissioner Burton

Nay: None

VOTE: Yes = 7 Present: = 1 No = 0 **Motion: APPROVED**

Motion: To Table Chief of Police James E. Craig's Recommendation to promote to the Ranks of Detective (22)

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

Yes: Vice-Chairperson Holt, Commissioner Bell, Commissioner Brooks, Commissioner Brown, Commissioner Burch, Commissioner Davis, and Commissioner Holley

Present (Abstention): Commissioner Burton

Nay: None

VOTE: Yes = 7 Present: = 1 No = 0 **Motion: APPROVED**

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

Deputy Chief Wilson reported on the following items: 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, and recent critical incidents impacting the Detroit Police Department and the community. **Deputy Chief Wilson** also provided updates regarding (2) two shooting incidents where a 3-year old victim and a 4-year old victim were shot in two (2) separate shooting incidents.

CompStat Data Provided: (See Full Report in Packet) as of May 19, 2020							
Part I Violent Crimes:	Criminal Homicides:	Sexual Assaults:	Aggravated Assaults	Non-Fatal Shootings:	Robbery:	Carjacking:	Total:
Totals:	23% Increase	26% Decrease	4% Increase	31% Increase	2% Decrease	5% Increase	1% Increase in Part I Violent Crimes
Part I Property Crimes	Burglary	Larceny	Auto-Theft				Total:
Totals:	23% Decrease	12% Decrease	1% Increase				12% Decrease

Updates Regarding Department Efforts to Combat COVID-19:

- (2) Members currently hospitalized as a result of the COVID-19
- (35) Department Members (26 sworn and 9 civilians) are currently quarantined
- 1,127 Department Members have been returned to full duty;
- **Citation Data:** As of May 21, 2020, the Department has issued 2,551 citations and 6,048 Warnings

Deputy Chief Grant Ha provided an update on the Marvin Seales's case. He explained the lawsuit stemmed from an incident that occurred in January 2012. Mr. Seales was arrested as part of a Joint Federal Taskforce Initiative, and the defendant Officer Thomas Zberkot was responsible for booking Mr. Seales only. Later, a trial occurred in 2018, and the jury awarded Mr. Seales \$3.5M based on imposing responsibility on Officer Zberkot. However, Officer Zberkot appealed the matter, and the Court of Appeals ruled that he was not grossly negligent and he did not engage in misconduct.

Vice-Chairperson Holt recognized Commissioner Brown. **Commissioner Brown** inquired about the status of benefits for Department Members who have recently passed in the line of duty in light of the recent Congressional Act regarding Coronavirus impacts and death benefits for members and families of first responders. **Commissioner Davis** inquired about the data surrounding Domestic Violence cases. **Commissioner Burch** inquired about the barricaded gunman incident in the Eleventh Precinct.

PRESENTATIONS TO THE BOARD: (A) Professional Standards Bureau, Director Chris Graveline and Captain Lena Purifoy (PowerPoint Presentation Posted on Board's Website)

- A. Professional Standards Bureau (PSB), Director Chris Graveline and Captain Lena Liddell:** Director Graveline and Captain Liddell presented on the Professional Standards Bureau policies and procedures as well as the following items: Organizational Chart and Command Structure, Case Assignment Process, Case Due Dates Procedures, Current Duty Status Modifications, Internal Affairs Cases (4 Year Comparison), Preliminary Investigations (4 Year Comparison), Cases Investigated by Force Investigation (4 Year Comparison), 4 Year Comparison of Firearm Discharges, 3 Year Comparison of Firearms Discharges, 4 Year Comparison of Critical & Fatal Pursuits, 3 Year Comparison of Fatal & Critical Pursuits, 2020 Case Closures, and 2017-2019 Closure Findings. **Commissioner Davis** inquired about whether the Department tracks other law enforcement use-of-force activities inside the City of Detroit. **Commissioner Burch** discussed the Department's police pursuits and preventative measures. **Commissioner Brown** clarified and emphasized that strategies, policy updates, and protective measures are needed regarding traffic-stop offenders who disregard lawful orders to stop during traffic stop investigations. **Vice-Chairperson Holt** discussed the Department's practices when stopping vehicles.

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

1. DPD Facial Recognition Report #28
2. Correspondence from Mr. Duane Williams dated 3/19/20 Re: Officer Complaint
3. Correspondence from Ms. Janet Smith dated 3/19/20 Re: Officer Complaint

4. Promotional Packet provided the Detroit Police Department
5. Anonymous Complaint

Unfinished Business. None

New Business:

Motion that the Board of Police Commissioners' Staff not be allowed to take vehicles home during the COVID-19.

Motion: Commissioner Burton **Second:** Commissioner Brown Discussion.

Yes: Commissioner Brown, Commissioner Burton, and Commissioner Davis

Nay: Vice-Chairperson Holt, Commissioner Bell, Commissioner Brooks, and Commissioner Holley

Abstain: Commissioner Burch

VOTE: Yes = 4 Abstain: = 1 No = 3 **Motion: FAILED**

Motion that the Board of Police Commissioners Quarterly Mailing be tailored to each Commissioner's District:

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

Yes: Commissioner Burton

Nay: Vice-Chairperson Holt, Commissioner Bell, Commissioner Brooks, Commissioner Brown, Commissioner Burch, Commissioner Davis, Commissioner Holley

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

Announcements: Vice Chairperson Holt announced the following:

- A. **Next Meeting:** Thursday, May 28, 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:

Mr. Eric Blount recognized the Board of Police Commissioners for voting on the promotions individually and taking the disciplinary history into consideration. Also, Mr. Blount expressed his concern with the reversal of the settlement, requesting that the Board remain neutral. **Mr. Rhuben Crowley** expressed that DPD should not have to request permission from DMC for investigations and indicated a Lieutenant from the Third Precinct has interfered with an investigation. **Ms. Ashley Smith** inquired about Sergeant Dewayne Jones and the official documentation of his promotion. **Ms. Kathy Montgomery** thanked the Board of Police Commissioners for voting to promote individually and reviewing the disciplinary actions. Ms. Montgomery requested the status on the promotion of Sergeant Dewayne Jones. **Ms. Michele George** expressed condolences to the family of Captain Jonathan Parnell and Emergency Services Dispatch Operator Shawn Pride. She also indicated the police are not visible in certain areas of the city. **Commissioner Burch** echoed the possibility of having decoy cars to discourage speeding. **Vice-Chairperson Holt** recognized Attorney to the Board Jermaine Wyrick to address Mr. Blount's concerns regarding the legal action involving Sergeant Dewayne Jones's promotion. **Attorney to the Board Wyrick** indicated that correspondence has been sent to Corporation Counsel Lawrence Garcia expressing the Board's concern regarding this matter. **Commissioner Bell** shared the current status of Sergeant Dewayne Jones's classification based on the Arbitrator's ruling. **Commissioner Burch** indicated that the Board of Police Commissioners recognized and congratulated former Police Commissioner Judge Conrad Mallet for his appointment to Deputy Mayor of the City of Detroit.

Adjournment:

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

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

Vice-Chairperson Holt adjourned the meeting at 5:04 pm.