

Draft Minutes Detroit Board of Police Commissioners
Date of Meeting: Thursday, June 18, 2020 – 3:00 PM
Location: Zoom Virtual Meeting Platform

BOPC Vice-Chairperson Annie Holt called the BOPC Board Meeting to order at 3:00 PM (June 18, 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	
Jesus Hernandez	Yes	
Jim Holley	Yes	
Quorum (Yes)	10	

The Board acting in accordance with its rules approved the Agenda for Thursday, June 18, 2020.

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. 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 Imolyn Whitehill to provide the invocation.

INVOCATION: Chaplain Imolyn Whitehill

I. MOTION: To approve the agenda.

Motion: Commissioner Bell **Second:** Commissioner Holley **Discussion:** None

Yay: Commissioner Bell, Commissioner Brooks, Commissioner Burch, Commissioner Hernandez, and Commissioner Holley
Nay: Commissioner Brown and Commissioner Davis

II. MOTION: To Approve the June 11, 2020, Meeting Minutes:

Motion: Commissioner Bell **Second:** Commissioner Holley **Discussion:** **Commissioner Davis** raised concerns regarding the accuracy of the minutes based on the omitting of his concerns regarding violations of the Board’s Bylaws Section Article IV Section I, II, VI, VI (B), and City Charter Section 7-802, during the Board Elections held on June 11, 2020, which appears as if someone was trying to hide inappropriate action. **Commissioner Brown** also raised concerns regarding pertinent items being omitted from the meeting minutes, the fact that the Board has not received the transcribed report dialogue from the June 11, 2020, Board Meeting, and the timeline for receiving the transcribed report, with a preliminary understanding of receiving the items 5-6 days after the meeting. **Commissioner Davis** also raised concerns regarding the issue of the minutes not reflecting that Commissioner Burton requesting a legal opinion that was disregarded. Ms. White provided information that according to the Robert’s Rules of Order the minutes are to reflect the actual decisions made by the Board, not every statements made during the meeting. **Ms. White** also shared that the court reporter’s report captures all of the statements made during the meeting; and a request was submitted to Honorable Corporation Counsel Lawrence Garcia requesting a legal opinion on whether the position of Vice-Chairperson retained the same restrictions as the position of Chairperson based on City Charter and Board Bylaws. **Commissioner Brown** stated that based on Ms. White’s explanation, the minutes appeared to be derived based on someone’s interpretation or the court reporter’s transcription as previously shared. **Commissioner Brown** asked who was compiling the minutes and whether the minutes were captured based on the stenographer’s report and that this has been a concern

all along regarding the originality of the draft meeting minutes and his rationale for voting no on the minutes each meeting. **Chairperson Holt** asked whether the minutes reflect the action items made by the Board. **Ms. White** explained that according to Robert's Rules of Order, the minutes are to capture the decisions and actions made by the Board, while the transcribed report captures every statement, remark, or sound made during the meeting. **Point of Information raised by Commissioner Davis**, who requested an updated meeting minute package once we receive the transcribed minutes. **Commissioner Holley** raised concerns with passing minutes that were incomplete and suggested suspending the Board's vote on the minutes until the minutes and the record are complete. **Commissioner Bell** confirmed that Robert's Rules of Orders requires recording the action items and decisions made by the Board and the transcribed report reflecting the verbatim statements made during the meeting. He requested that the Board receive updates on the requirements of minutes. Commissioner Davis states that any time there is a violation of the Board's Bylaw or Robert's Rules of Order requires the reflection of the record. **Commissioner Brown** stated that Commissioner Burton's request for a legal opinion from Corporation Counsel Garcia. **Attorney Wyrick** clarified that the legal opinion was requested from Corporation Counsel and stated that a vote could be taken on the matter.

III. AMENDED MOTION: Commissioner Bell amended the motion to waive the approval of the minutes until the next meeting, June 18, 2020:

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

Nay: None

VOTE: Yes = 9 No = 0 **Motion: APPROVED**

The Board considered the following Business Items:

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

Chairperson Holt stated, "As a reminder, please adhere to the Board's policies and Zoom policies of using this forum appropriately. By attending the Board's Meeting and participating on the Zoom platform, you have agreed to uphold all policies and procedures with respect to decorum and professionalism. Under the Zoom terms of services, provision 3(d)(vi) cites that one is prohibited from using the service in a way that is harassing, libelous, threatening, obscene, indecent, or the like. Thus, no participant in a BOPC meeting will be allowed to harass or threaten any member of the Board, the Detroit Police Department, nor any person. Legally, the Board can impose content-neutral restrictions on speech based on case law cited in *Gault v. City of Battle Creek* and *Tracer v. City of Allen Park*. Thus, any remarks made in contradiction to the Board's Bylaws and guidelines runs afoul of the governmental purpose of the Board and will be resolved accordingly. We remind you to adhere to the BOPC Bylaws, Zooms Terms of Service, and all appropriate laws and ordinances to maintain a professional business meeting. Failure to adhere to the policies will result in dismissal from the Board's Meeting.

Juneteenth Recognition: On tomorrow, Friday, June 19th we celebrate Juneteenth, highlighting the end of slavery in the United States when the federal troops arrived in Galveston, Texas to ensure the end of slavery in 1865. While we have achieved significant milestones and accomplishments in this regard, and are still making critically important advancements today, we must keep forging ahead for the present and future generations.

BOPC's Oversight Authority: As an independent oversight agency, the Board has the broad responsibility to protect the citizens, their constitutional rights, and create policies that mandate fairness, procedural justice, and humane treatment for all. Most importantly, the Board works every single day to eliminate police misconduct, discriminatory police practices, and unnecessary and excessive use of force by police. The Board believes in transparency, community input, and accountability of the police department. And as a civilian oversight agency, we protect the rights of citizens, victims, and the community and we safeguard the City. Our objective is to ensure the safety and protection for everyone.

The Board is committed to working diligently to ensure justice, community trust within policing, and safety within our communities. 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. I invite you to revisit former President Barack Obama's President's Task Force on 21st Century Policing that says, "Trust between law enforcement agencies and the people they protect and serve is essential in a democracy. It is key to the stability of our communities, the integrity of our criminal justice system, and the safe and effective delivery of policing services." I would add to this, "The preservation of life and dignity in all police encounters is paramount."

The Board continues to promote the recommendations and pillars outlined within the Task Force Report: especially the following: Pillar One: Building Trust and Legitimacy; Pillar Two: Policy Oversight; Pillar Three: Social Media and Technology; Pillar Four: Community Policing & Crime Reduction; and Pillar Five: Training & Education; and all other best practices' recommendations. Please 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.

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 Elaine Bryant provide us with any updates during her report. 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 one (1) resolution: (1) Resolution for Retiring Senior Performance & Compliance Analyst Beatrice Barnes. I will ask for the resolution reading at the appropriate time. 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 and the community. I am also requesting updates on the following: critical incidents impacting the Department amid COVID-19, recent protests, and in general; update on investigation regarding the "Detroit police investigating Greektown arrest for use of excessive force"; update on the "Detroit Police investigating after video of violent police interaction goes viral"; updates regarding the Department's COVID-19 data; Arrest and Citation Data;

Presentations: Today, we will have (1) one presentations – City of Detroit Board of Ethics, presented by Executive Director Alicia Skillman. Commissioners, you received copies of presentation, questions that we submitted, and other relevant material in this week's packet. Interim Secretary to the Board's Report: Our Interim Board Secretary, Ms. White will also provide us with various policy updates and incoming weekly correspondence. We will take up any votes on any policies at the appropriate time. Under Unfinished Business: We will discuss the tow matters related to V & F Collision, Inc. and Red's Towing and the Applicant Appeal of Mr. Cecil Coston. We will take up any votes on these items at the appropriate time. Lastly, I want to announce a few reminders for today: Census Bureau Reminders: I would also like to remind everyone to complete the Census Bureau questionnaire if you have not already completed the form. Public Comments: Please note a few housekeeping rules. 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, images, or unprotected speech 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.

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. Ms. Blossom 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."

Resolution: Commissioner Darryl Brown read the resolution honoring Retired Senior Performance & Compliance Analyst Beatrice Barnes.

**RESOLUTION HONORING RETIRED
SENIOR PERFORMANCE & COMPLIANCE ANALYST
BEATRICE BARNES**

WHEREAS Senior Performance & Compliance Analyst Beatrice Barnes was appointed to the Detroit Police Department on January 20, 2004, where she was assigned to Crime Scene Services. Her other assignment included the Civil Rights Division; and

WHEREAS After high school, Senior Performance & Compliance Analyst Beatrice Barnes went on to graduate from Spring Arbor College with a Bachelor of Business Administration and a Master of Science Administration from Central Michigan University. She also maintained annual training from the Institute of Internal Auditors; and

WHEREAS She was the 2018 Employee of the First Quarter and was recognized for her valuable service to the Department. She was instrumental in the Detroit Police Department achieving, and maintaining, compliance with the Department of Justice Consent Judgement; and

WHEREAS Senior Performance & Compliance Analyst Beatrice Barnes has served the Detroit Police Department with great commitment and dedication for over 16 years. Her professionalism, commitment and integrity have been assets to the Detroit Police Department. She is 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, award this resolution to Senior Performance & Compliance Analyst Beatrice Barnes for her 16-plus years of dedicated and diligent public service. Her professionalism, integrity, and standard of commitment to the city of Detroit and its citizens merit our highest regards and best wishes for continued success.

We salute and congratulate you, Senior Performance & Compliance Analyst Beatrice Barnes.

Commissioner Brown moved to adopt the resolution of Retired Senior Performance & Compliance Analyst Beatrice Barnes. **Commissioner Davis** seconded. Discussion.

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

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

Deputy Chief Bryant reported on the following items: Officers Critically Injured in the Line of Duty; CompStat Crime and Statistical Data for the reporting period ending June 9, 2020; Department Efforts to combat the spread of COVID-19, and recent critical incidents impacting the Detroit Police Department and the community, noting a 6% increase in Part I Violent Crimes, and a 15% decrease in Part I Property Crimes. **Deputy Chief Bryant** also discussed the ongoing protests that begin every day at 4 p.m. at DPSH, where no arrests or citations have been issued during this time and the upcoming protests and rallies scheduled for the upcoming Juneteenth Celebration. Deputy Chief Bryant also announced the DPD's Graduation scheduled tomorrow, Friday, June 12, 2020.

COVID-19 Department Statistics:

- 6 Members who have tested positive;
- 14 Members who are currently quarantined; and
- 324 members who have tested positive

Update on Recent Use of Force Incidents involving Department Members: Deputy Chief Bryant shared an update on the recent domestic dispute that occurred in Greektown officers were attacked and punches were made against the officers. A warrant was issued for the charges of Assault and Battery and Resisting and Obstructing, and a command-level review is occurring to determine whether there was an excessive use of force by the officers during the incident. **Director Graveline** reported that the Department immediately investigates any and all uses of force regarding the recent protest events.

Chairperson Holt recognized Commissioner Davis. **Commissioner Davis** asked for an update regarding the current number of officers who are not currently allowed to testify and their current status and whether they will be allowed to testify, and long term plans on whether officers will be allowed to testify in court. **Director Graveline** stated that he did not have the current numbers; however, he noted that there were officers who have been found to have made false statements in the past and have been disciplined. He also noted that a teletype to the force to inform officers that any such finding would be grounds for termination from the Department. Director Graveline reported that officers that have been found to have made false statements since the Chief of Police Craig's Teletype have either resigned, retired, or have had employment rescinded. **Director Graveline** explained the difficulty to impose discipline on officers who were previously issued disciplined prior to the Administrative Teletype based on discipline imposed and administrative duties that can be assigned. **Commissioner Davis** requested an updated number on Department members assigned to the status of not being allowed to testify. **Commissioner Brown** discussed the need for air support resources given the Detroit's location on an international border. Commissioner Brown asked about the status of case where the officer was accosted at the academy by the DPD officer; and the statutes of limitations involving investigations where officers have provided false statements and the disciplinary action imposed given the statutes of limitations. **Director Graveline** reported that the information has been forwarded to the Wayne County Prosecutor's Office, and discipline is not generally taken until a response is provided from the WCPO. **Commissioner Brown** inquired about the status of the offending officer. **Director Graveline** reported that the officer was on Administrative Status No Gun. **Commissioner Brown** also inquired about the Internal Affairs case involving an OCI Investigation Member assigned to the Michigan State Police. **Commissioner Burch** inquired about the Department's morale given this time; the incident that occurred in Atlanta and the Department's Training regarding female police officers. **Commissioner Burch** inquired about where a person could handle and process a restraining order (Personal Protection Order). **Commissioner Holley** inquired about Chief of Police James E. Craig's health, and he asked about any police reform projects or initiatives that the Honorable Board is engaged in. **Commissioner Holley** also requested an update on the Board's efforts to plan the Police Reform Project or Police Community Safety Summit given a previous request made and the current events. **Commissioner Griffie** also responded that the police directives are living breathing policies and should be changed based on necessary updates, and welcomed all Commissioners to make revisions and updates to the policies on an as needed basis and urged the Board to continue to update the Board make changes to the policies. She also indicated that the policies were shared online and with the Commissioners for review, inspection, and feedback. **Commissioner Griffie** requested whether the Department would be able to supply a written response on the Board's Use of Force recommendations and whether the Board's Recommendations are currently posted online for the public's inspection. **Commissioner Burton** also asked for a discussion on defending the police, prohibiting the Department from participating in the 1033 Program with the Department of Defense and requested for the discussion to be placed on the agenda and the Facial Recognition discussion.

V. MOTION: Commissioner Burton moved that there be a discussion with the Detroit Police Department during the next Board Meeting regarding the 1033 Program and to prohibit the Detroit Police Department from participating with the Department of Defense:

Motion: Commissioner Burton

Second: Commissioner Brown

Discussion. **Commissioner Griffie** requested that Commissioner Burton provide more information regarding the motion so that the Board could make an informed decision; she supported the Department discussing the 1033 Program at the Board Meeting, noting that the Board needed to spend more time on the subject before deciding to abolish a program. **Commissioner Burton** requested the Department share information on the Department's inventory of military-grade equipment, when the equipment is deployed on innocent civilians and whether the Department is receiving government equipment from the Department of Defense. **Commissioner Burton** also supported demilitarizing the police from participating in the program, stating that tear gas and flash bang grenades should not be used on innocent civilians. **Commissioner Griffie** requested that Commissioner Burton send a list of questions on the program for the Department to receive in advance to provide responses accordingly.

Yay: Chairperson Holt, Commissioner Brown, Commissioner Burch, Commissioner Burton, Commissioner Davis, Commissioner Griffie, and Commissioner Hernandez

Nay: Commissioner Bell, Commissioner Brooks, and Commissioner Holley

VOTE:

Yes = 7

No = 3

Motion: PASSED

PRESENTATION(S) TO THE BOARD: (A) Board of Ethics' Presentation, Executive Director Alicia Skillman, Esq.: PowerPoint Presentation / Report on file and posted to Board's Website.

- A. Board of Ethics Presentation: Executive Director Alicia Skillman reported on the following:** The Board of Ethics' Ordinance; Creation and History; the purpose of the Ethics Ordinance; Disclosure requirements; Standards of Conduct; Prohibitions on Gifts and Gratuities and Exceptions; One Year Post Employment Prohibition; Activities of the Board; Advisory Opinions; Complaints; Penalties for Ethics Violations; and the Board of Ethics Meeting Dates and Time.

Chairperson Holt recognized Commissioner Davis. **Commissioner Davis** inquired about the status of including the BOPC as public servants in the Board of Ethics' documentation. **Commissioner Davis** asked if one could file dual complaints with the Board of Ethics and the Inspector General's Office at the same time. **Commissioner Brown** thanked Ms. Skillman for the information presented.

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

1. DPD Facial Recognition Report #32
2. Community Letters Calling for Immediate Police Reform
3. Correspondence from Detroit Residents Advancing Civilian Oversight Organization
4. Listening Phase for Detroit Board of Police Commissioners – Saturday, June 27, 2020
5. Policy Division Report providing an update on (8) policies pending the Board's review and evaluation

Unfinished Business:

- I. V & F Collision Report Presented by Captain Michael Parish:** **Commissioner Brown** requested to hear witnesses on behalf of Mr. Spadafora, V & F Collision, Inc. **Commissioner Burch** requested clarification on the pending matter. **Commissioner Holley** requested the Department's recommendation on the V & F Collision, Inc. **Captain Parish** emphasized the Department's recommendation for the Board to terminate V & F Collision's permit to tow for the Detroit Police Department. **Attorney Wyrick** supported the Department's recommendation, noting the pattern of conduct that occurred for the past (3) years, where the involved officer was giving favorable treatment to V & F Towing in violation of the applicable City Ordinance and Board's Bylaws, failing to engage in equitable tows.

MOTION: To Terminate 2016 V & F Collision, Inc. License to Tow for the Detroit Police Department

Motion: Commissioner Bell **Second:** Commissioner Brooks **Discussion.** **Commissioner Holley** raised issues regarding the police officer not being suspended or terminated, and that the Board should refrain from renewing the license at his expiration date in 2020. Captain Parish noted that the officer was issued a suspension following an Internal Affairs' investigation and exhaustion of appeals. **Commissioner Davis** requested whether the officer was suspended with pay. **Captain Parish** stated the officer was suspended without pay. **Commissioner Davis** asked whether the matter came before the Board. **Deputy Chief Bryant** noted that a Disciplinary Hearing was conducted where he was found to be guilty of the offense and was issued a suspension without pay. **Commissioner Griffie** asked for clarification on when Suspension Without Pay items come before the Board. **Deputy Chief Bryant** clarified that the Department only brings Suspensions Without Pay prior to any disciplinary adjudication, however, it is not brought before the Board when the suspension is a result of the Department's Disciplinary Process and the exhaustion of the appeals.

AMENDED MOTION: To Suspend V & F Collision, Inc. License for 45 Days and impose a \$500.00 Fine Restitution to the City of Detroit:

Motion: Commissioner Brown **Second:** Commissioner Griffie **Discussion.** **Commissioner Brown** disagreed with completely suspending the company's tow permit, discussing the long-standing service of V & F Collision, Inc. as a tax payer and employing persons, the culpability of the officer involved in the case and the afforded protections of this contract, and urged the Board to offer mercy and consideration to the tow company and reconsider his permit during license permit expiration and the potential disparate impact that would occur to the tow company and the citizens of the City of Detroit if V & F Collision's Company permit is suspended. **Commissioner Griffie** supported Commissioner Holley and Brown's comments, citing the Board should hold officers more accountable than citizens, given the officers elevated authority, and that the Board should

give a proportional. **Commissioner Burch** supported Commissioner Griffie. **Point of Order. Commissioner Bell** discussed that the Board does not have the authority to levy any fine on any tow entity and requested legal research to levy fines. **Attorney Wyrick** stated there was no specific language within the Board's Bylaws and City Ordinance that mitigates wrongdoing and cited that the recommended termination would only hold until the tower's permit renewal in May and the towing company could reapply through the regular tow process. He also cited that although the tow rules does not specifically mention any penalties, he did not believe the Board was precluded from developing penalties. **Commissioner Griffie** called the question.

Yes: Commissioner Brown, Commissioner Burton, Commissioner Davis, Commissioner Griffie, Commissioner Hernandez, and Commissioner Holley

Nay: Chairperson Holt, Commissioner Bell, and Commissioner Brooks

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

- II. **Attorney Wyrick** provided an update on the applicant appeal of Mr. Cecil Coston and recommended the applicant appeal be granted, only affording him the ability to reapply as oppose to the applicant being permanently disqualified. **Attorney Wyrick** also summarized information provided from the Department regarding the lack of supplying information about a prior conviction.

MOTION: To Accept Attorney Wyrick Recommendation to Grant Applicant Appeal of Mr. Cecil Coston to Re-Apply to the Detroit Police Department:

Motion: Commissioner Bell **Second:** Commissioner Brown **Discussion.** **Deputy Chief Grant Ha** provided the rationale as to why the Department supported disapproving the applicant appeal, citing the purpose of truthfulness is the core principle of the Detroit Police Department, which Chief of Police James E. Craig requires as a standard for all Department members including those applicants applying to the Department. **Deputy Chief Ha** also cited various questions asking about prior arrests, detained, convicted, pled guilty, or paid a fine in any criminal cases in which the applicant answered no in both applications. **Commissioner Griffie** asked for clarification on how long ago was the application completed and the actual conviction. **Deputy Chief Ha** provided information on the 2006 conviction and the application was completed in 2017. Commissioner Griffie expressed that considerations should be made for persons who have made mistakes in the past and requested the Board consider the length of time since the infraction and the severity of the infraction. **Deputy Chief Ha** emphasized the truthfulness requirement for law enforcement officers and stated the application was completed in 2017. **Commissioner Bell** called for the Order of the day, noting that the discussion portion is for the Board Members to discuss the matters.

Yes: Commissioner Bell, Commissioner Brown, Commissioner Burch, Commissioner Burton, Commissioner Davis, Commissioner Griffie, Commissioner Hernandez, and Commissioner Holley

Nay: Chairperson Holt

VOTE: Yes = 8 No = 1 **Motion: PASSED**

- III. **Chairperson Holt** recognized Commissioner Burton. **Commissioner Burton** stated that the current Zoom Meeting platform was in violation of the Open Meetings Act (OMA) by requesting attendees to identify themselves to attend a public meeting. **Commissioner Burton** noted that members of the public are being required to provide email addresses to participate in the meeting in violation of the OMA. **Commissioner Burton** also expressed that Attorney to the Board was blocking persons from participating in the public comments without approval and noted the webinar removes transparency so that the public cannot see other participants or statements of protests on their image placards.

MOTION: To Immediately Recess the Board of Police Commissioners' Meeting and Return to the Original Format to Preserve Transparency with the Option of Private Participation by the Public:

Motion: Commissioner Burton **Second:** Commissioner Brown

Discussion. **Commissioner Griffie** requested a legal opinion on the matter, and noted Zoom's policies and procedures. **Attorney Wyrick** reemphasized the logistical standpoint so that persons can participate and also noted the letter sent to a public participant

was based on the violation of Zoom’s Standards, policies, and procedures. **Commissioner Burton** noted challenges with accessing the meeting today, and muting and unmuting microphones. **Ms. White** reiterated the consultation with the Department of Innovation and Technology, and research of the Zoom Policies and Procedures, and the Open Meeting Act (OMA) requirements. **Commissioner Griffie** made a point of order and called for the question. **Commissioner Brown** noted the accuracy of Commissioner Burton and of Interim Board Secretary Ms. White, noting the change of the webinar platform requires email addresses to access the meeting, however, the process was unknown to Staff and that it was unintentional. **Commissioner Burton** stated that the webinar platform was not voted on and was intended to prevent accessing the meeting. **Chairperson Holt** emphasized Zoom’s policies to provide information to access virtual meetings. **Commissioner Bell** called for the question. **Commissioner Griffie** requested a legal opinion from Corporation Counsel Lawrence Garcia on the matter and noted that adherence to all of the rules are in order. **Commissioner Griffie** asked Commissioner Burton to adhere to the rules to seek permission from the Chairperson before speaking and to censure himself.

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

Nay: Chairperson Holt, Commissioner Bell, Commissioner Griffie, Commissioner Hernandez, and Commissioner Holley

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

IV. Motion To Ban the Detroit Police Department from Using the Facial Recognition Technology and Support a One-Year Moratorium:

MOTION: To Ban the Detroit Police Department from Using the Facial Recognition Technology and Support a One-Year Moratorium:

Motion: Commissioner Burton **Second:** Commissioner Davis **Discussion.** Commissioner Brown stated he was in support of the officers using it in a virtual lineup and asked what manner Commissioner Burton was suggesting discontinued use.

AMENDED MOTION: To Suspend Commissioner Burton’s Motion Indefinitely to Ban Facial Recognition for One Year:

Motion: Commissioner Griffie **Second:** Commissioner Bell

Discussion. **Commissioner Brown** requested that Commissioner Burton answer the previous question. **Chairperson Holt** ruled to move on to the Roll Call Vote.

Yes: Chairperson Holt, Commissioner Griffie, Commissioner Bell, Commissioner Hernandez, Commissioner Holley

Nay: Commissioner Brown, Commissioner Burton, Commissioner Davis, Commissioner Burch

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

Commissioner Burton requested a legal opinion on the matter from the Board’s Attorney.

V. Red’s Towing: Captain Michael Parish presented information on the Red’s Towing matter requesting continuance of the two-week suspension of Red’s Towing.

MOTION: To Accept Captain Parish’s Recommendation to Suspend Red’s Towing for the Detroit Police Department for Two Weeks:

Motion: Commissioner Griffie **Second:** Commissioner Burch

Discussion. **Chairperson Holt** recognized Attorney Stidham. **Attorney Stidham** discussed Red’s Towing operations and the facts and circumstances surrounding Red’s Towing position and alleged violation of Commercial Code and reconsider issuing a suspension based on proportionality and whether the punishment comports with the alleged violations. **Captain Parish** discussed the towing company remaining active while under a closure order by the City of Detroit and emphasized the Department’s recommendation pending additional review by the City.

Yes: Chairperson Holt, Commissioner Bell, Commissioner Brown, Commissioner Burch, Commissioner Burton, Commissioner Davis, Commissioner Griffie, Commissioner Hernandez, and Commissioner Holley

Nay: None

VOTE: Yes = 9 No = 0 **Motion: PASSED**

New Business:

Announcements: **Vice Chairperson Holt** announced the following:

- A. Next Meeting:** Thursday, June 25, 2020, at 3:00 p.m., BOPC Virtual Meeting
- B. Next Community Meeting:** Thursday, July 9, 2020, at 3:00 p.m., BOPC Virtual Meeting

Oral Communications/Public Comments:

Ms. Megan Shanklin urged the Board to advise City Council not to approve the Facial Recognition Technology contract. **Minster Eric Blount** commented on officer discipline. **Ms. Madeline Ringwald** requested ending the 1033 Program, defunding, and demilitarizing the police. **Mr. Anthony Dellicolli** discussed ending police use of tear gas and to ban the use of facial recognition. **Ms. Ashley Smith** requested documentation of Sergeant Dewayne Jones's status. **Mr. Gavin Buckley** urged conclusion of the Project Green Light Program, and requesting transparency in the purchase of military equipment by the DPD. **Ms. Danielle Aubert** spoke out against the militarization of the police force. **Ms. Brenda** demanded ceasing the use of the Facial Recognition Technology. **Ms. Liza Bielby** discussed the study of DPD policies and spending acquisition of equipment. **Ms. J. W.** spoke about abuse at Detroit Detention Center (DDC). **Ms. Susan Steigerwalt** urged defunding the police and the need for officers to be peace officers. **Ms. Morgan Fett** discussed prohibiting the Detroit Police Department from participating in 1033 Program in the future. **Ms. Gabriela Alcarzar** spoke about the need for transparency and requested defunding the police.

Adjournment:

Chairperson Holt recognized Commissioner Bell. **Commissioner Bell** moved for adjournment.

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

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

Chairperson Holt adjourned the meeting at 6:39 pm.