

Draft Minutes Detroit Board of Police Commissioners
Date of Meeting: Thursday, October 1, 2020 – 3:00 PM
Location: Zoom Virtual Meeting Platform

BOPC Chairperson Willie Bell called the BOPC Board Meeting to order at 3:00 PM (October 1, 2020)

Detroit Board of Police Commissioners' Membership / Attendance	Attend	Not-Attend
Willie E. Bell, Chairperson	Yes	
Annie Mae Holt, Vice-Chairperson	Yes	
Darryl D. Brown	Yes	
Shirley A. Burch	Yes	
Willie E. Burton (3:05 p.m.)	Yes	
Lisa Carter (3:16 p.m.)	Yes	
William M. Davis	Yes	
Evette Griffie (3:15 p.m.)	Yes	
Jesus Hernandez	Yes	
Jim Holley		Excused
Martin Jones	Yes	
Quorum (Yes)	10	

The Board acting in accordance with its rules approved the Agenda for Thursday, October 1, 2020.

Chairperson Bell called the meeting to order and invited Commander Chaplain Darren Penson to provide the invocation.

INVOCATION: Chairperson Willie Bell

I. MOTION: To approve the Agenda.

Motion: Commissioner Burch **Second:** Vice-Chairperson Holt **Discussion:** None.

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

II. MOTION: To approve the September 24, 2020, Meeting Minutes with necessary corrections.

Motion: Vice-Chairperson Holt **Second:** **Discussion:** **Commissioner Burch** noted as Commissioner of the 3rd District, she did not have the opportunity to vote on one of the recommendations during last week’s meeting. Commissioner Burch wanted to make sure it was on record because she did not see it. **Interim Board Secretary White** expressed to Honorable Commissioner Burch and the Honorable Board that the Board receives the weekly transcription report that includes the verbatim statements made during each weekly Board meeting. The information was included in the Board’s weekly packet. The summary Board minutes includes the actions and decisions only. The vote posed by Commissioner Burch was included in the respective motion that she requested it to be included in. The vote was accounted for and the specific verbatim statement made is included in the transcribed report. **Commissioner Burch** asked inquired about how her vote was counted if she was not present for the vote due to technical issues with her phone. **Chairperson Bell** stated the Commissioner’s vote was not counted, but the record indicated how she would have voted and that her concern was duly noted. **Commissioner Burch** further inquired whether her vote was included. **Chairperson Bell** discussed the standard procedure surrounding vote and the requirement of attendance; no proxy vote is permitted. **Commissioner Burton** indicated to Chairperson Bell he does not have the power or authority to count a vote as a yes vote, when the person was not there to give their vote on record. **Chairperson Bell** duly noted the Commissioner’s concern. **Interim Board Secretary White** indicated that staff will seek legal clarity surrounding this issue and discussed previous technicality difficulties and Commissioners’ votes. **Commissioner Brown** stated the rule is if the Commissioner does not vote it is as if they are only there as quorum, it cannot be counted as a yes or a no vote, which is different from the abstentions. **Chairperson Bell** confirmed and expressed the Board would seek clarity.

Yes: Chairperson Bell, Vice-Chairperson Holt, Commissioner Hernandez, and Commissioner Jones

No: Commissioner Brown, Commissioner Burch, Commissioner Burton, and Commissioner Davis

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

The Board considered the following Business Items:

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

Chairperson’s Report: **Chairperson Bell** provided remarks highlighting important topics including but not limited to civilian oversight of law enforcement, police reform initiatives including but not limited to the City Council’s recent vote in support of the Department’s Facial Recognition Technology Program, important DPD updates and invitations, news, and information for the Board and the community’s awareness. **Chairperson Bell** also discussed the importance of refraining from speaking negative regarding the Board’s vote, working together in harmony and in the spirit of cooperation, and the importance of building lasting meaningful working relationships amongst the Board, key stakeholders, and the community.

Resolution: **Vice-Chairperson Holt** read the resolution honoring retiring Sergeant Chimene B. Irvin.

**RESOLUTION HONORING
SERGEANT CHIMENE B. IRVIN**

WHEREAS Chimene Irvin was appointed to the Detroit Police Department on August 11, 1986. Upon graduating from the Detroit Metropolitan Police Academy, Officer Irvin began her career at the Twelfth Precinct; and

WHEREAS Officer Irvin’s assignments with the Detroit Police Department included the Twelfth Precinct and Court Section; and

WHEREAS Officer Irvin displayed tremendous knowledge and leadership skills, and was promoted to the rank of Sergeant on August 23, 1999. As Sergeant, she was assigned to the First Precinct, Central District, Third Precinct, Investigative Operations, and Commanding Officer of Third Precinct Detective Unit where she served until her retirement; and

WHEREAS Sergeant Irvin was the deserving recipient of the following awards: Officer of the Quarter, Female Officer of the Year, three Chief’s Citations, both Consent Judgment Awards, the Ford Fireworks Award, the Major League Baseball All-Star Recognition Award, the Rosa Parks Funeral Recognition Award, and the Super Bowl XL Recognition Award, as well as numerous letters of commendation from citizens and superiors; and

WHEREAS Sergeant Irvin has tirelessly served the Detroit Police Department, the citizens of Detroit and its neighboring communities for 34-plus years. She has served the Detroit Police Department and the citizens of the City of Detroit with loyalty, professionalism, integrity and dedication, and is widely respected throughout the law enforcement community as the consummate professional.

NOW THEREFORE BE IT RESOLVED

That the Detroit Board of Police Commissioners, speaking on behalf of the citizens of the great City of Detroit recognizes and honors the lifelong contributions and commitment to excellence in public service of Sergeant Chimene Irvin. Her display of courage and unwavering community spirit has improved the quality of life for the citizens of Detroit. We wish you all the best in your future endeavors.

We thank and congratulate you, Sergeant Chimene B. Irvin.

Vice-Chairperson Holt moved to adopt the resolution honoring retiring Sergeant Chimene Irving. **Commissioner Davis** seconded. Discussion.

III. VOTE: Yes = 10 No = 0 **Motion: PASSED**

Chief of Police Report: Chief of Police’s Summary of CompStat Data and other Crime Information/DPD Information:

Assistant Chief Todd Bettison representing Chief of Police James E. Craig reported on the following items: Officers Injured in the Line of Duty; Comp Stat Crime and Statistical Data for the reporting period; COVID-19 impacts, and recent critical incidents impacting the Detroit Police Department and the community including national tragic events. See attached Meeting Transcripts for more information.

Comp Stat Data Provided: (See Full Report in Packet) as of September 24, 2020							
Part I Violent Crimes:	Criminal Homicides:	Sexual Assaults:	Aggravated Assaults	Non-Fatal Shootings:	Robbery:	Carjacking:	Total:
Totals:	+22%	-29%	+22%	+51%	-19%	-9%	12% Increase in Part I Violent Crimes
Property I Crimes:	Burglaries:	Larcenies	Motor Vehicle Thefts				Total:
Totals:	-34%	-22%	-14%				-23% Decrease in Part I Property Crime

Assistant Chief reported the following regarding recent statistics: Social Media Post posted by a street reporter where an incident occurred within the Fourth Precinct regarding new story stating, “Man Punched by a Detroit Police Officer.” **Assistant Chief Bettison** explained the cell phone video footage captured by someone at the scene only showed a particular view of the incident. The Department’s review of the Body-Worn Camera footage showed that (25) individuals were at the scene, officers observed an individual with a liquor bottle in the hand and with a pistol with an extended clip in his shorts. During the investigation, the pistol fell to the ground and individuals within the crowd attempted to interfere with the arrest required officers to utilize force during the arrest and to contain the scene. **Director Christopher Graveline, Professional Standards Bureau: Director Graveline** reported the Department reviewed the BWC footage, conducted a CCW investigation, found a weapon on the offender and was able to secure the weapon. The subject refused to comply with the arrest, where the person refused to handcuffing which led to a Taser incident. Officers provided multiple commands to step back where at least two (2) offenders continued interfering with the officers’ arrest and investigation despite verbal warnings to refrain from interfering. The news reports did not capture any of the CCW arrest or events leading to the arrest. **Assistant Chief Bettison** also further discussed the Department’s enforcement efforts including but not limited to the recovery of (90) handguns, (10) long guns, (10) CCW arrests were made during the previous weekend.

Commissioner Burch discussed the issues within the 11th Precinct and commended the Department’s Narcotics Unit thanking Sergeant Austin, Sergeant Mohammad, and Lieutenant Cole and their work. **Commissioner Burch** also discussed the recent shooting incident that occurred at 7 Mile near the fenced in church. **Commissioner Davis** inquired about the drag racing and drifting incidents. **Commissioner Davis** also inquired whether the Department has developed plans to stop voter intimidation during the upcoming election. **Commissioner Brown** inquired about the Department’s social work program for officers to partner with social workers when responding to specific patrol runs. **Assistant Chief Bettison** discussed the Department’s work toward expanding the Pilot Program to apply for more grant funds where officers will respond to police runs with behavioral specialists. **Commissioner Brown** also discussed a recent inquiry eastside regarding the gentleman’s club advertising lewd billboards. **Commissioner Jones** discussed the recent protests and applauded the Department’s efforts to manage the protests. **Commissioner Burton** requested information on the Department’s police response time, specifically regarding priority one and priority two calls. **Commissioner Burton** discussed the City’s upcoming installation of 4500 speedbumps, asking whether the installation will have any effect on police response time. **Chairperson Bell** commended the Department for having 100 Chaplains, the largest delegation of Chaplain Corp in the country. **Assistant Chief Bettison** discussed the Department’s recent initiative involving the Chaplain Community regarding Aftercare where they respond to critical scenes where individuals have been involved in assaults, injuries or if community members need support from the Detroit Police Chaplain. **Commissioner Burch** requested to be a part of the phone call involving social worker. **Assistant Chief Bettison**, on behalf of Chief of Police James E. Craig, invited Commissioner Burton to participate in the Department’s initiative to develop mental health programs based on his advocacy .

- PRESENTATION(S) TO THE BOARD:**
- A. Detective Bureau Presentation: Commander Eric Decker, Major Crimes, Captain Eric Tosqui, and Investigator Laura Manzella PowerPoint Presentation available online**
 - B. Civil Rights Integrity Bureau: Lieutenant Richard Firsdon, Civil Rights Bureau, PowerPoint Presentation available online**

- A. DETECTIVE BUREAU PRESENTATION: Commander Decker** discussed the Department’s Detective Bureau: various specialized entities included within the Detective Bureau, major crime statistics, noting the high percentage of homicide

rate, fatal squad, special victims' unit, auto theft, public order crimes, and cyber-crimes; Special Victims Unit Stats 2020 Compared to 2019 YTD. **Captain Tosqui, Crime Intelligence Unit**, discussed the composition of the Crime Intelligence Unit highlighting the Real Time Crime Center, Project Greenlight Team, Counterterrorism Threat Analysis, and Audio Video Extraction Response Team (AVERT) (noting the highly trained professionals who are trained to extract video evidence from PGL and other locations). **Captain Tosqui** also discussed the weekly Facial Recognition Technology Report submitted to the Board, highlighting that 106 uses of FRT, (64) led to a match (which would proceed to the investigator for further investigation to corroborate match was legitimate and that the suspect would be identified, and (42) did not lead to the match). **Captain Tosqui** also discussed other key elements of the weekly report, noting the demographics and source of probe photos for the FRT search, noting that PGL is only the third highest regarding source of probe photos. **Captain Tosqui** also discussed recent crimes involving the use of FRT and the associated impact of violent serious crimes where FRT was utilized. Also, the video played during the Detroit City Council at the Public Health and Safety Committee was shown during the Board's Meeting discussing victims' families support of the FRT Program given the advanced technology used to help bring closure to a violent criminal case. **Commander Decker** further discussed the FRT Program and thanked the Board for its support in developing sound FRT policy where FRT is used only in violent crimes, Major Crimes component of the Department. **Detective Laura Manzella** shared a homicide investigation process utilizing FRT. case perspective where the defendant in the case plead guilty and two victims. **Detective Manzella** explained that after obtaining grainy video footage from a non-PGL location, she submitted a FRT to Crime Intelligence from a news release. After receiving information from the Crime Intelligence Bureau, she continued her investigation by meeting with witnesses, photo lineups were shown where the defendant was identified, and other investigative efforts including but not limited to DNA results, continued to prepare for a warrant submission. **Commissioner Davis** inquired about the Department's success rate involving missing persons and whether some have been found to be involved in human trafficking. **Assistant Chief Bettison** discussed the Department's participation with the Michigan State Police (MSP) Task Force regarding missing persons and the Department's COPS Grant and the multijurisdictional efforts. **Commissioner Burch** congratulated **Commander Decker** in his new position. **Commissioner Burch** also asked why there is so much division and differing opinions regarding the PGL Program and Facial Recognition Technology. **Assistant Chief Bettison** discussed the historical development of the PGL Program, the community's effort to increase PGL within the neighborhoods, the partnership between the Board and the Department regarding the development of model policy to ensure protections and safeguard. **Commissioner Burton** discussed the recent incident in New York where an 18-year-old in New York was misidentified by FRT and was suing Apple and noted other incidents involving misidentifications.

- B. CIVIL RIGHTS INTEGRITY BUREAU by Lieutenant Richard Firsdon:** **Lieutenant Firsdon** discussed the Civil Rights Division's responsibilities and noted the following information: Civil Rights Division Personnel, Methods of Compliance, Risk Management (discussing the Department's monitoring and evaluating the Management Awareness System(MAS)), Civil Rights Division Audits (discussing body-worn camera, environmental, specialty, and compliance audit), the purpose of Department audits, and Environmental Audit Partners. **Commissioner Brown** commended the Department on both presentations, citing the potential of reconsidering certain aspects. **Commissioner Brown** also inquired about how the Department's Environmental Audits are initiated or prompted, and whether the audit initiation leads to the investigation of emails and text messages concerning City property. **Commissioner Davis** asked whether the Civil Rights Division was involved within the Department's Sixth Precinct Environmental Audit and whether the Department has a schedule to conduct Environmental Audits of all precincts. **Commissioner Jones** asked for further explanation of Buccal swab and the audit process. **Commissioner Jones** also acknowledged **Commander Decker** for the presentation on PGL and FRT. **Lieutenant Firsdon** also discussed the Department's BWC audit statistics, citing that 26,512 events were reviewed of Department members' videos, leading to a 97% in compliance with the use of BWCs.

Chairperson Bell called for a brief recess, and the meeting was resumed immediately.

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

1. Weekly DPD Facial Recognition Report 9/21/20 - 9/27/20
2. Manual Directive 401.3 Promotional Process
3. DataWorks Plus Update from Honorable Council President Brenda Jones
4. Community Letters

5. Voting Abstentions
6. Detroit News Article “ Detroit council Oks controversial contract for facial recognition software” dated 9/29/20
7. Taser X2 Conducted Energy Weapon (CEW) Department Directive 304.7 policy that allows for Tasers during Secondary Employment to allow less lethal options during employment.

Unfinished Business.

New Business.

IV. Motion: Call for Chairperson Willie Bell's Resignation for Abuse of Chairmanship.

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

Announcements: Chairperson Bell announced the following:

- A. **Next Meeting:** Thursday, October 8, 2020, at 3:00 p.m., BOPC Virtual Meeting
- B. **Next Community Meeting:** Thursday, November 12, 2020, at 3:00 p.m., BOPC Virtual Meeting

Oral Communications/Public Comments – 11 Speakers.

Chairperson Bell moved for adjournment.

Chairperson Bell adjourned the meeting at 5:18 p.m.