

Draft Minutes Detroit Board of Police Commissioners
Date of Meeting: Thursday, November 5, 2020 – 3:00 PM
Location: Zoom Virtual Meeting Platform

BOPC Chairperson Willie Bell called the BOPC Board Meeting to order at 3:00 PM (November 5, 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	Yes	
Lisa Carter		Excused
William M. Davis	Yes	
Evette Griffie		Excused
Jesus Hernandez	Yes	
Jim Holley	Yes	
Martin Jones	Yes	
Quorum (Yes)	9	

The Board acting in accordance with its rules approved the Agenda for Thursday, November 5, 2020.

Chairperson Bell called the meeting to order and invited Chaplain Charles Bailey to provide the invocation.

INVOCATION: Chaplain Charles Bailey

I. The agenda was approved, noting two (2) oppositions and seven (7) in support of the meeting agenda.

Yes: Chairperson Bell, Vice-Chairperson Holt, Commissioner Brown, Commissioner Burch, Commissioner Hernandez, Commissioner Holley, and Commissioner Jones.

No: Commissioner Burton and Commissioner Davis.

VOTE: Yes = 7 No = 2 **Motion: PASSED**

II. **MOTION: To approve the October 29, 2020, Meeting Minutes with necessary corrections.**

Motion: Commissioner Jones **Second:** Commissioner Holley **Discussion:** **Commissioner Burch** expressed that she had previously mentioned having a rotating speed limit sign placed back into District 3 and did not observe the recommendation/inquiry reflected in the minutes. **Commissioner Brown** clarified that his correction on the vote concerning Commissioner Burton’s “gag order” at the previous meeting was not corrected in the minutes. **Commissioner Brown** expressed that the vote taken regarding Commissioner Burton’s “gag order” counted as a “no” vote, which would have resulted in a failed vote, which was not reflected in the Board’s minutes.

Yes: Chairperson Bell, Vice-Chairperson Holt, Commissioner Brown, Commissioner Burch, Commissioner Burton, Commissioner Davis, Commissioner Hernandez, Commissioner Holley, and Commissioner Jones.

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

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** expressed condolences and sympathy for Immediate Past Chairperson Lisa Carter on the passing of her father, Mr. Rensley Morrow, Sr., retired Wayne County Sheriff's Interim and requested cards, condolences, and sympathy. **Chairperson Bell** highlighted the Detroit Police Chaplain Corp and encouraged further dialogue with the Chaplain Corp. **Chairperson Bell** also highlighted the recent election, spotlighting democracy in America. **Chairperson Bell** also called for professionalism and decorum during the meeting. **Chairperson Bell** also discussed the recent staff meeting with the OCI Staff and commended their work and dedication in support of the Board.

III. MOTION: To approve the Board of Police Commissioners Standard Operation Procedures (SOP).

Motion: Vice-Chairperson Holt **Second:** Commissioner Hernandez **Discussion:** **Commissioner Davis** inquired whether the proposal was submitted so that people could view it on the Board's website or the Board's Facebook page so that the community is properly informed. **Chairperson Bell** stated after the Board approves it. Chairperson Bell also noted that the Board had not had an SOP prior to this draft SOP. **Commissioner Burton** asked when the Board's SOP distributed. **Interim Board Secretary White** indicated the draft SOP was sent out last Tuesday, for the Honorable Board review and also we requested for any feedback or recommendations or adjustments to the draft SOP as well. **Commissioner Burton** asked whether Corporation Counsel has reviewed the document given that the Board does not have a Board attorney at this time. **Chairperson Bell** indicated this is an internal document of the Board, the Board makes decisions on its operations, and the copy has been distributed to Corporation Counsel. **Commissioner Burton** expressed this was the first time that the Board had been operating without a legal attorney for the body for quite some time. **Commissioner Burton** expressed the recommendation for either Corporation Counsel or this Board to hire an attorney when making these types of decisions. **Commissioner Burton** also called for a legal opinion and requested to postpone the vote until next week.

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

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

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

IV. MOTION: To accept the Board of Police Commissioners' Proposed Amended Bylaw provision which states: The Board may, by an affirmative vote of two-thirds (2/3) 8 members remove the Chairperson, Vice-Chairperson for cause. Prior to any such removal, at least three members of the Board shall have filed a request in writing that the Chairperson or when the proceedings involving the Chairperson, the Vice-Chairperson schedule such action at a regular or special Board meeting. The Chairperson or when the proceedings involve the Chairperson, the Vice-Chairperson may at his or her discretion, approve or reject the request. If the Chairperson or the Vice Chairperson approves the request, the person subject to removal shall be notified and shall be provided an opportunity to address the Board prior to the vote.

Motion: Vice-Chairperson Holt **Second:** Commissioner Jones **Discussion:** **Commissioner Burton** stated approximately one (1) month ago, he called for a legal opinion based on the fact that Vice-Chairperson Holt was not present to read her amendment recommendations to the Bylaws. **Commissioner Burton** stated that staff persons could not implement any changes to the Bylaws, which were to be raised by a Commissioner in a motion to amend. **Commissioner Burton** stated the activity was improper, and he called for a legal opinion, and the Board was still waiting on the legal opinion. **Commissioner Brown** made a motion to table.

V. MOTION: To table the motion to approve the Board of Police Commissioners' Amended Bylaws.

Motion: Commissioner Brown **Second:** Commissioner Davis **Discussion:** **Commissioner Davis** recommended that it was appropriate for the Board to wait given the recent election in District 2, with 34,000 people voting for a Police Commissioner for District 2. **Commissioner Davis** stated the newly-elected Commissioner should have the opportunity to vote. **Commissioner Brown** expressed his rationale for tabling the motion based on some inaccuracies included within the initial proposed bylaw amendment. **Commissioner Brown** also noted that it was improper to make adjustments while reading the motion, and noted that there was an inaccurate number reflecting the number of votes needed for a two-thirds vote for an 11-member board. **Commissioner Brown** also stated that he previously raised the question about whether a two-thirds vote of the members of the Board was needed, or whether it was two-thirds vote of the members present. **Commissioner Brown** also suggested to amend the proposed bylaw amendment by striking the part about the Vice-Chair or Chair making a decision to accept the motion from a Commissioner calling for position removal. **Commissioner Brown** stated that the proposed bylaw amendment regarding the Chair and Vice-Chair making a decision to accept the proposal would pose a conflict of interest of our Bylaws and would take the power

away from the Board itself. **Commissioner Brown** requested a legal opinion on both those items. **Chief Legal Counsel of Special Projects Megan Moslimani** repeated the requests for clarity regarding the proposed bylaw amendment. **Commissioner Brown** repeated his disagreement with the portion of the bylaw amendment that would allow the Chair or Vice-Chair the authority to accept or reject the proposal. He expressed his support of the portion that refers to supplying letters and written correspondence. **Commissioner Burton** reiterated that approximately one month ago, he requested a legal opinion. **Interim Board Secretary White** read a statement into the record on behalf of Vice-Chairperson Holt for proposed bylaw amendment when he was preparing to place a vote to call for the resignation of the Chair as Chair. **Commissioner Burton** expressed that a staff person could not amend the bylaws, and could not make the argument at the table, and that the proposed bylaw amendment was to be raised by a Commissioner in the form of a motion or an amendment change, not read or submitted by a staff person. Commissioner Burton stated given the foregoing, he requested a legal opinion. **Commissioner Burton** explained the bylaws required a 30-day review process, the proposed bylaw amendment was never raised by Vice-Chairperson Holt, it was raised by Interim Board Secretary White speaking for Vice-Chairperson Holt, and the Board does not acknowledge proxy votes or anything of that nature. **Chief Legal Counsel of Special Projects Megan Moslimani** apologized to Commissioner Burton if he asked for a legal opinion with regards that specific issue. **Chief Legal Counsel Moslimani** explained that requests for legal opinions should be made in writing to ensure all requests are accounted and also discussed that not every issue requires a written legal opinion. **Chief Legal Counsel Moslimani** further explained the law department's role as a neutral third party and discussed how the law department could help the Board facilitate its meeting activities in an efficient, professional manner. **Chief Legal Counsel Moslimani** confirmed that she had reviewed the process for proposing a bylaw amendment and requested confirmation that Vice-Chairperson Holt proposed the bylaw amendment. **Interim Board Secretary White** responded yes and shared the Board's Bylaw provision that discusses bylaw amendments: "An amendment to the Bylaws may be proposed by any Board member. The changes to the Bylaws will be handled via distribution of the proposed language change to all Board members." **Interim Board Secretary White** clarified that she read the proposed Bylaw amendment from Madam Vice-Chairperson into the record due to her having to leave the meeting due to an emergency, and did not propose the Bylaw amendment. Additionally, Interim Board Secretary White stated that she distributed the proposed Bylaw amendment as required by the Bylaws. **Chief Legal Counsel of Special Projects Megan Moslimani** requested information on whether the only issue would then be the count of the amount of days since Vice-Chairperson Holt read it today on the record. **Chairperson Bell** indicated that 30 days was needed and clarified that the initial date of proposal was October 1, 2020. **Chief Legal Counsel of Special Projects Megan Moslimani** confirmed that since it was initiated on October 1, 2020, it had been 30 days. She further discussed the items that Commissioner Brown raised, noting that those issues were properly raised, which the Board could properly discuss and debate the issues on the merits and decide how the Board would like to vote on the issue. **Chief Legal Counsel Moslimani** also provided her legal opinion regarding the issue of two thirds vote in the proposed bylaw amendment, stating that after reading the Open Meetings Act, the Bylaws for this organization, as well as the Attorney General's Opinion on the Open Meetings Act, it is was her legal opinion that two-thirds vote of the members present to pass this Bylaw amendment. **Vice-Chairperson Holt** reiterated the paraphrased Bylaw suggested amendment comes from the best practices of NACOLE. **Vice-Chairperson Holt** also discussed the comment objecting whether the Chair or Vice-Chair could remain objective in rendering a decision to accept the proposal, stating that the assumption was inaccurate. **Commissioner Davis** stated that under the Board's Bylaws Article 10, the last paragraph states "two-thirds of the Board is required," and requested for further legal research. **Chairperson Bell** indicated that more research could be conducted.

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

No: Chairperson Bell, Vice-Chairperson Holt, Commissioner Hernandez, and Commissioner Jones

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

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

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

		Comp Stat Data Provided: (See Full Report in Packet) as of October 29, 2020					
Part I Violent Crimes:	Criminal Homicides:	Sexual Assaults:	Aggravated Assaults	Non-Fatal Shootings:	Robbery:	Carjacking:	Total:
Totals:	+19%	-27%	+25%	+55%	-20%	-4%	14% Increase in Part I Violent Crimes
Property I Crimes:	Burglaries:	Larcenies	Motor Vehicle Thefts				

Totals:	-34%	-23%	-16%		-24% Decrease in Part I Property Crime
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Department's Average Response Time: 11 minutes and 53 seconds on average. **Recent Violent Crime Initiatives from Past Weekend: Protest Updates:** 80-100 people were at TCF Center during the recent election demanding to observe the ballot counting. Department members were also present. Additionally, inside of the counting room, there were approximately 400 persons inside who were certified to challenge the ballot counting, and there were numerous outside of the counting room expressing concern. During the transfer of personnel, some persons began a disruption chanting, "Stop the vote." Officers quelled the incident immediately. **Assistant Chief Levalley** also clarified that there was no extreme chaos at the TCF Center as mentioned during media coverage. Further, the Department will be on location at the TCF Center to monitor and take action during further protest activities. **COVID-19 Updates:** (52) members are currently quarantined, (40) sworn, (12) civilian, with the Eighth Precinct most heavily impacted with (7) members quarantined. **Officer-Involved Shooting Incidents:** Approximately (1) week ago, regarding the **barricaded gunman incident**, officers responded to the incident where an individual, armed with a weapon, had a mental episode. The individual took his girlfriend hostage inside of the house, and when officers approached, the individual had a firearm in his hand. After several hours, responding officers retreated and took cover, and later negotiations occurred. The individual arrived at the front door, while armed with a weapon, pointing a gun at his girlfriend making several threats to kill the girlfriend, and one of the snipers assigned to the scene ended the incident. **Off-Duty Police Lieutenant:** While in a 7-11 Convenient Store in the City of Dearborn Heights, the off-duty lieutenant made an observation of an individual who produced a handgun, and later committed an armed robbery, robbing two female clerks. After identifying himself as a police officer and attempting to make an arrest, the individual began to fire multiple shots, resulting in the police lieutenant returning fire, of which the individual survived and was later taken into custody. Professional Standards Bureau is currently investigating the matter to determine whether there were violations of Department policies and procedures. **Fourth Precinct Shooting Incident:** An individual who had previously fired shots into a house, had later returned and fired shots inside of the same resident on a separate occasion. After a lengthy police chase, later conducting a well-being check of the occupants, and a second police chase, the individual inside of the vehicle began firing shots at the officers inside of the vehicle. Officers returned fired, and the individual later succumbed to his injuries. The individual was suffering from a mental illness and had previously checked into the Detroit Receiving Hospital (DRH) Crisis Center seeking medical attention but was unable to receive it. **Sixth Precinct Shooting Incident: Off-Duty Incident** involved an off-duty detective who arrived home and was approached by three (3) individuals who announced a robbery. The detective announced himself, and produced a weapon, and later fired shots and shot one of the individuals. One of the offenders was taken into custody. The Department is still looking for the two remaining unknown offenders.

Director Christopher Graveline, Professional Standards Bureau and Constitutional Policing provided an update regarding the status of the Operation Clean Sweep Initiative. The Department has been focusing on the years of 2017-2019 concentrating on search warrants, time slips, and all other practices of the Major Violators Section. The Department identified the following: found multiple search warrants that were false and either bolstering history of the confidential informants. The Department is investigating dozens of problematic and/or false search warrants. The Department also observed a number of the arrest rates decrease during 2017-2019, noting the potential of false arrests. Director Graveline also further described the "Flipping Activity" citing greed as the leading motivator, leading to more court time, more compensation, which led to overtime fraud. Director Graveline discussed that the investigation uncovered where one crew stole over 200 hours of overtime during Spring 2019, which was verified through cellphone data obtained through a search warrant, and cited other cases involving criminality. The various cases have been submitted to the Wayne County Prosecutor's Office for their review and consideration. The Department is currently working with the FBI, WCPO, and the U.S. Attorney General's Office toward a final resolution. To date, 12 individuals have left the Department previously assigned to Major Violators, (1) terminated, (11) others have retired/resigned pending administrative. The Department has also taken a number of remedial measures to address the issue: 1. Every search warrant must be submitted through channels to the Deputy Chief for final approval; 2. There must be at least a lieutenant on the scene for every narcotics search warrant conducted, if not a Captain, in lieu of a sergeant and the crew solely; 3. Anyone assigned to the Major Violators Unit for more than 5 years have been re-assigned; current maximum length of stay within the unit is now (3) years. Lastly, Chief of Police Craig is currently evaluating other structural reforms for improvement.

Commissioner Burch asked whether there was a mental health illness and marijuana nexus in any of the recent police-involved shooting incidents. **Commissioner Burch** also asked whether former Assistant Chief James White would be assisting the Department regarding the mental health initiatives to address the recent spike in police-involved shooting incidents. **Commissioner Burch** also discussed and asked whether the Department identified the protesters as out-of-town protesters. **Commissioner Holley** asked whether the Department receives preliminary information before responding to the emergency call or after responding regarding whether the incident involves a mental health illness component. **Commissioner Holley** also asked

about Chief of Police Craig's instruction and information shared during police recruit academy classes given the recent tragic incidents that have occurred around the country; Commissioner Holley requested an upcoming presentation on this item. **Commissioner Davis** asked whether there are many officers remaining on the force that have falsified warrants, payroll, or court documents. **Commissioner Davis** asked whether persons are being picked up with guns and weapons and asked whether they are released without posting bail. **Commissioner Brown** thanked the Department for their service and extended sympathy on the recent police-involved shooting incidents. **Commissioner Brown** also discussed and requested the status on the initiative to equip all patrol vehicles with blue lights as previously shared by former Assistant Chief James White.

Unfinished Business. None.

New Business.

Commissioner Holley inquired about obtaining a special item to offer the Board's condolences to Commissioner Carter during this time. **Chairperson Bell** affirmed and requested Commissioners to follow up with Interim Board Secretary White for further processing.

MOTION: Moved to have a Parliamentarian.

Motion: Commissioner Burton **Second:** None. **Discussion:** **Chairperson Bell** indicated that the Board is currently conducting research on the item based on staffing and budget, and hopes to report back soon on that particular matter.

Commissioner Brown requested an update on the Board's current Budget given the vacancies. **Chairperson Bell** explained the Budget is underway now, and an update would be shared by Agency CFO Mr. James George. Commissioner Brown also requested an update on the status of the applications received for the position of Human Resource Director.

PRESENTATION(S) TO THE BOARD: A. CompStat Presentation: Lieutenant Laurie Kozloff

1. **Lieutenant Laurie Kozloff presented on the CompStat.**: Lieutenant Kozloff reported on the following: Compstat Staffing, Compstat Origin, Compstat DPD functions and activity, Compstat Focus, YTD Citywide Robberies September 17th – October 15, 2020, Crime Intelligence #20-30 Robbery/Burglary, and discussed samples provided of Greenlight Stats and Special Attention areas. **Commissioner Brown** asked for clarification on the Compstat meeting schedule. **Vice-Chairperson Holt** asked for clarification between the Department's Internal Compstat Meetings versus the Precinct Community Compstat Meetings. **Commissioner Burch** discussed the precinct Compstat Meetings and its scheduling.

Resolution: **Commissioner Burch** read the Resolution Honoring Retired Police Photographer Martha Goldman.

**RESOLUTION HONORING RETIRED
POLICE PHOTOGRAPHER
MARTHA GOLDMAN**

WHEREAS Photographer Martha Goldman was appointed to the Detroit Police Department on October 22, 1987, where she was assigned to the Graphics Arts/ Central Photo Unit; and

WHEREAS Police Photographer Martha Goldman was one of only two civilian females hired by the Detroit Police Department at that time. Police Photographer Goldman withstood the challenges and difficulties of later being the only woman remaining in that dynamic work environment at that time; and

WHEREAS Police Photographer Martha Goldman is known for her charismatic and creative personality, which translates into the beautiful photographs that she captures of the Board of Police Commissioners, the Detroit Police Department, and the community alike during special, momentous occasions, providing exceptional service to the department and the community; and

WHEREAS Police Photographer Martha Goldman was given a Civilian of the Quarter Award and Chief's Unit Award in 2018, while assigned to the Central Photo Unit. Further, she was able to develop a photo database that retains key historic photos of our fallen officers. Ms. Goldman was the go-to person for any photo assignment; and

WHEREAS Police Photographer Martha Goldman has served the Detroit Police Department with great dedication for 33 years. Her commitment and integrity have been tremendous assets to the Detroit Police Department where she is highly respected by all 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 Police Photographer Martha Goldman for her 33 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. We send best wishes for continued success.

We salute and congratulate you, Police Photographer Martha Goldman.

Commissioner Burch moved to adopt the resolution of Retired Police Photographer Martha Goldman. **Commissioner Davis** seconded. Discussion. **Chairperson Bell** stated he and Interim Board Secretary White had the opportunity to present the resolution to Ms. Goldman in person at her Coffee and Cake celebration. Chairperson Bell commended Ms. Goldman's well-earned retirement, particularly based on her work with the Board in different activities, community meetings, and graduations. **Commissioner Burch** expressed how helpful she was and how friendly she was to assist the Board. **Commissioner Burch** recommended that in the future the Board should dedicate a room dedicated in her honor, with as many photos displaying her work with the Board and the Department. **Chairperson Bell** stated the Board could not dedicate a room, but that the recommendation would be taken under advisement. **Chairperson Bell** stated that Ms. Goldman's work and contributions in the form of the photos could be displayed within the Board's Conference Room.

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

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

1. Weekly DPD Facial Recognition Technology Report 10/26/20 - 11/1/20
2. 2020 Citizens Budget Priorities Survey
3. Correspondence from citizen Re: DPD Policy dated 11/4/20
4. Staff Reports

Announcements: **Chairperson Bell** announced the following:

1. **Next Meeting:** Thursday, November 12, 2020, at 3:00 p.m., BOPC Virtual Meeting
2. **Next Community Meeting:** Thursday, December 10, 2020, at 3:00 p.m., BOPC Virtual Meeting

Oral Communications/Public Comments – 4 Speakers.

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

Motion: Commissioner Davis **Second:** Commissioner Jones **Discussion.** None.

VOTE: **Motion: PASSED**

Chairperson Bell adjourned the meeting at 4:34 p.m.