

Draft Minutes Detroit Board of Police Commissioners
Date of Meeting: Thursday, October 29, 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 29, 2020)

Detroit Board of Police Commissioners' Membership / Attendance		
	Attend	Not-Attend
Willie E. Bell, Chairperson	Yes	
Annie Mae Holt, Vice-Chairperson		Excused
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)	8	

The Board acting in accordance with its rules approved the Agenda for Thursday, October 29, 2020.

Chairperson Bell called the meeting to order and invited Chaplain James Rogers to provide the invocation.

INVOCATION: Chaplain James Rogers

I. MOTION: To approve the Agenda.

Motion: Commissioner Brown **Second:** Commissioner Burch **Discussion:** **Commissioner Davis** indicated that he will continue to vote against the agenda, as long as it continues to not follow the Bylaws, noting the rationale for the Office of the Inspector General's investigation involving members of this Board. **Commissioner Brown** asked for the rationale to support the changes in the agenda. **Chairperson Bell** asked Commissioner Hernandez to repeat his statement from last week and for Ms. White to elaborate further. **Commissioner Hernandez** indicated very simply that Chairperson Bell articulated how the Board's agenda would still remain consistent with the content that is listed in the Bylaws and that the sequence of the content was being rearranged in an effort to make sure that the Board condenses its meetings. **Commissioner Brown** expressed the times taking place currently has nothing to do with the agenda and rearranging the agenda adds no value. **Commissioner Brown** also noted that there is a misrepresentation of the word "normally." **Deputy Board Secretary White** indicated she had recently transmitted a brief summary of the rationale of rearranging the agenda, noting that the rearrangement would move the Board business items first and move the resolutions and presentations toward the latter end of the agenda to allow for the Board to handle their business at the beginning of the meeting. Additionally, **Ms. White** also noted that based on meeting via COVID, meeting virtually and remotely, the Board is trying to ensure that the Board's business is handled in an efficient and effective manner to move to the Department's presentations. Ms. White also indicated that she would resend the summary rationale. **Commissioner Burton** expressed his view that the agenda rearrangement was a poor excuse when discussing efficiency. Commissioner Burton noted that the Board has a standard format that has been used since his arrival on the Board and to change the format now is preposterous. **Commissioner Burton** stated the community does not have a problem with coming on and plugging into our meetings and that they do not have a problem with the order of our agenda. Commissioner Burton noted to do this would compromise the Bylaws and compromise the Board's ethics. **Chairperson Bell** explained that the issue did not require further debate and that the agenda has always been flexible to account for the changing circumstances, specifically noting when Commissioner Rev. Edgar Vann requested to adjust the agenda. **Commissioner Davis** expressed his disagreement noting the Board had already been sued, stating that Chairperson Bell had already been sued for the leadership as well as the Board Secretary for making decisions without the Board's vote. **Commissioner Davis** expressed the Board was opening itself to more liability. **Chairperson Bell** stated that the previous speaker's

statements were not appropriate and that clarification will be shared with the public and the full Board regarding the Inspector General's current investigation.

Yes: Chairperson Bell, Commissioner Brown, Commissioner Burch, Commissioner Burton, Commissioner Hernandez, Commissioner Holley, and Commissioner Jones

No: Commissioner Davis.

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

II. MOTION: To approve the October 22, 2020, Meeting Minutes with necessary corrections.

Motion: Commissioner Jones **Second:** Commissioner Holley **Discussion:** Commissioner Davis stated the minutes are not correct, the minutes indicated that number 3, motion to silence Commissioner Burton for the remainder of the meeting passed. The vote actually failed. **Commissioner Burton** said you will be hearing from my attorneys real soon. Shutting down democracy and my free speech. **Commissioner Brown** reiterated he is correct, because this was the situation we had with the other votes with abstentions. The letters he has going back and forth from the Law Department indicate abstentions count. The motion did not pass.

Yes: Chairperson Bell, Commissioner Burch, Commissioner Hernandez, Commissioner Holley, and Commissioner Jones

No: Commissioner Brown and Commissioner Davis

Abstain: Commissioner Burton

VOTE: Yes = 5 No = 2 Abstain = 1 **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 in the passing of her father. Chairperson Bell also called for peace, order, and tranquility during the Board's business meeting. Chairperson Bell discussed the recent activity during the Board Meeting and noted that Commissioner Rev. Holley, Jr. has offered to conduct a mediation between Chairperson Bell, Commissioner Burton, and other Commissioners for having a healthy discussion toward holding peaceful, productive meetings toward continuing effective supervisory oversight. Chairperson Bell also discussed the scheduled protest to occur at the residence of Chairperson Bell each Thursday and emphasized that Commissioners would not want the type of activity at their residence. Chairperson Bell called for respectful meetings, noting the need for an approval of the agenda to move forward with any BOPC meeting, and discussed the flexibility of the meeting agenda to adjust to changing circumstances.

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

First Assistant Chief Lashinda Stair 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:	+20%	-27%	+25%	+54%	-20%	-7%	13% 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
----------------	------	------	------	--	--

Recent Violent Crime Initiatives from Past Weekend: The Department confiscated (70) illegal handguns, noting the Department members' efforts and impacts in this regard. **Protest Updates:** There were no major incidents regarding protests. **COVID-19 Updates:** (29) members are currently quarantined, (22) sworn, (17) civilian; (17) members who last tested positive for COVID-19; and no entity within the Department has more than (3) members quarantined. **Reminder regarding Halloween Activities:** Drive-up locations for the community to pick up items will be arranged, complying with health and safety standards.

Commissioner Jones thanked the Department noting its status of policing excellence, commending the Department members' work on the Joshua Lewis case and the prosecution of the offender. **Commissioner Davis** asked whether there will be a response team available with regards to persons reporting to the polls engaging in voter intimidation. **Deputy Chief Grant Ha, Legal Advisor,** advised that the Department is ready to respond to any voter intimidation. **Commissioner Brown** commended the Department on removing handguns from the streets and noted his observation of a dangerous intersection where multiple accidents occur in the area of Grand River, Meyers, and Fullerton. **Commissioner Brown** requested the name of the point of contact to adjust the traffic lights to avoid further accidents. **Commissioner Brown** also commended the Department on the Eighth Precinct Summit presented by Office of Internal and External Relations and complimented Commander Eric Ewing and Commander Darrell Patterson and recommended the initiative be reported on the national level. **Commissioner Brown** also inquired about the status of an OCI Investigation. **Commissioner Brown** also requested further information regarding a recent ruling prohibiting weapons within 150 feet of the schools, poll sites, etc. **Deputy Chief Ha** confirmed that there would be an overall general prohibition of firearms within 150 feet of boundaries of polling sites. Recently, the State of Michigan Court of Claims granted a preliminary injunction that struck down Secretary of State Jocelyn Benson's rule and Attorney General Dana Nessel prohibition, which is currently being appealed. **Director Christopher Graveline, Professional Standards Bureau,** reported that the OCI Investigation is ongoing, which was submitted to the Michigan State Police (MSP); however, the MSP has not shared any further information after repeated inquiries, and the case is still open. **Commissioner Burch** commended the Department's efforts in addressing the speeding and the drag racing activity in District Three and encouraged more police response in this regard. **Commissioner Burch** also requested information regarding the Department's plan to watch parking lots during the Halloween task force initiatives. Chairperson Bell requested information on the officers critically injured for the Board to express support. **Commissioner Holley** requested the status of the Department's proposed revised directive on "no-knock warrants." **Deputy Chief Ha** reported that Department Manual Directive 202.3 - 6 are consistent with state law, and the Department has enhanced the existing policy which is moving through channels for distribution to the Board for review. **Commissioner Burch** expressed that on behalf of the Board and Chairperson Bell, the Board expresses sympathy on the loss of Mr. William Cummings, former Commander of DPD, former Chief of Police Ella Bully-Cummings former husband. **Chairperson Bell** noted Commissioner Brown indicated that Commissioner Burton shared that his microphone was muted and he was requesting to ask questions. **Chairperson Bell** recognized Commissioner Burton. **Deputy Board Secretary White** noted that Staff had not silenced the microphones. **Commissioner Burton** requested police response times regarding priorities 1-3 and also noted the Chairperson was wrong for not calling on him referencing a note that he had displayed. **First Assistant Chief Stair** stated the Department would supply the requested numbers. **Commissioner Burton** asked for the explanation of the increase in shootings, and the Department's efforts to curb the violence. **First Assistant Chief Stair** noted that shootings have increased nationwide, and the Department was working hard to eliminate guns off the streets. **Commissioner Burton** requested whether there were any plans in place to utilize the Detroit Police Reserves Unit more.

Unfinished Business.

New Business.

MOTION: Moved that the Board contract and hire a Parliamentarian to help facilitate our meetings.

Motion: Commissioner Brown **Second:** Commissioner Davis **Discussion:** **Chairperson Bell** noted the staffing and budget matter and would supply a reporting on the issue by next week. He also noted that if needed an executive session (closed session) could be held to discuss further.

Commissioner Davis requested more information regarding the Deputy positions, asking whether there was a budgeted amount the Deputy Staff Members were being compensated, whether there were Interim positions, and whether the Board would fill the permanent vacant positions. **Chairperson Bell** explained the process of finalizing the Deputy positions within the Board's

organizational structure which would entail review by the City Council, distributing compensation, and reporting the status to the Board. The Board approved the titles and further information would be shared accordingly.

Commissioner Burton stated that he had a few items but requested to return to an item discussed by the previous speaker regarding the parliamentarian. **Commissioner Burton** requested the Law Department's legal opinion on whether a parliamentarian can be sought to facilitate the Board's meetings. **Commissioner Burton** noted that Commissioner Brown made a motion that was properly seconded by Commissioner Davis and requested to call for a legal opinion immediately. **Chairperson Bell** indicated the Board would take up the matter and properly advise. **Commissioner Burch** indicated she shared recommendations with Deputy Secretary to the Board White regarding a Parliamentarian and noted that the matter was addressed by Chairperson Bell and should be reflected in the previous meeting minutes for the final decision. **Commissioner Burch** also requested to move the agenda along and recommended that if Commissioners had other concerns to address, it should be done privately, in a closed meeting to prevent internal discussion in the public. **Chairperson Bell** indicated the Board would look into the matter based on the Open Meetings Act requirement.

Commissioner Burton expressed he had a few items. **Chairperson Bell** indicated Commissioner Burton had one more opportunity, and the Board would proceed with the remainder of the business agenda. **Commissioner Burton** expressed he had two more items. **Chairperson Bell** reiterated that there was an impasse and requested to address the matter at the appropriate time. **Commissioner Burton** stated that he was duly elected and able to bring whatever motions he preferred to bring before the body, and continued expressing that he had two more items to bring to the Board. **Chairperson Bell** continued requesting Commissioner Burton's next item. **Commissioner Burton** stated that he had more than one item and further stated, "I am not going to allow you to abuse your power and authority on this Board by shutting down my constitutional rights. Silencing my voice and silencing 100,000 people who live in the 5th District, Mr. Chairman. I am going to bring this up and I am going to bring my second one up."

MOTION: Called for the removal of the Chair and Vice-Chair Positions.

Motion: Commissioner Burton **Second:** Commissioner Brown **Discussion:** **Chairperson Bell** indicated the motion is out of order because there is no power to casually remove someone from office and noted that an Executive Session should be requested because it is a personnel matter.

MOTION: Called for the removal of the Chairperson Bell of Chair of the Board.

Motion: Commissioner Burton **Second:** **Discussion:** **Chairperson Bell** indicated the motion is out of order. Commissioner Jones called point of order citing the Rules of Decorum. **Commissioner Burton** indicated his motion was properly seconded. **Chairperson Bell** indicated the Chair ruled and proceeded with the next agenda item.

**PRESENTATION(S) TO THE BOARD: A. Office of the Chief Investigator Presentation: Deputy Chief Investigator Lawrence Akbar
B. Detroit Police Reserves: Reserve Assistant Chief Stephen Lewis**

1. **Office of the Chief Investigator, Deputy Chief Investigator Lawrence Akbar** presented on Office of the Chief Investigator Presentation. Deputy Chief Akbar reported on the following: Citizen Complaints Received September 2019 versus September 2020 noting a 8% decrease; Unit Receiving Citizen Complaints noting Office of the Chief Investigator as the unit receiving the highest number of complaints totaling 38 complaints; Citizen Complaints Received January to September 2019 versus January to September 2020, noting an 8% decrease; Citizen Complaints Alleged Commands Involved; Citizen Complaints Closed during September noting the importance of Detroit Police Members to engage in fair and constitutional policing; Citizen Complaints Body-Worn Cameras (BWC) & Scout Car Camera noting that of the 107 CCRs closed during September 2020, 48 complaint incidents were captured by BWC; the reasons for BWC malfunctions; Closed Investigations September 2020, DPD Members by Rank & Seniority emphasizing supervisory monitoring and evaluating through the Department's Management Awareness System (MAS); DPD Calls for Service 107 CCRs closed September 2020 noting the busiest times of the shifts (afternoon and power shifts); and How to File A Citizen Complaint. Currently, Chairperson Bell, Vice-Chairperson Holt, and Commissioner Martin Jones are reviewing and approving the citizen complaint investigations. Commissioner Jesus Hernandez will be trained on citizen complaint investigations in the near future and will be reviewing and approving case immediately thereafter. **Deputy Chief Investigator Akbar** noted the process for the Board's review and approval of police misconduct investigations and the associated impacts. **Deputy Chief Akbar** also thanked Commander Eric Ewing on the development of bringing complainants and Department members based on the citizen complaint investigations to mediate and resolve communications. **Deputy Chief Akbar** also commended Chief of Police Craig on the recent creation of the Office of Internal and External Relations to expand the work city-wide and noted that all of these initiatives were possible based

on the creation of the Board of Police Commissioners. **Commissioner Burch** thanked Deputy Chief Akbar on the thorough report and asked for clarity on the BWC malfunctions and the system that notifies the member the BWC is not operated. **Commissioner Burton** asked whether Deputy Chief Akbar believes in fair processes and asked whether other employees should have been able to apply for the deputy positions. **Chairperson Bell** noted that Commissioner Burton was out of line in asking that question. **Commissioner Davis** asked how many Commissioners read and approved cases during the month of September.

2. **Detroit Police Reserves, Assistant Chief Stephen Lewis** presented on the following: Description of the Detroit Police Reserve Corps; Detroit Police Reserve Executive Team; New Detroit Police Reserve Manual; Highlights of the New Police Reserve Manual noting the following: New manual was thoroughly researched and drafted over a two-year period from 2017 to 2019. Policies and procedures contained in the new manual were derived from extensive consultation with various commanding officers across the police department, including Civil Rights, Training, Professional Standards, and Neighborhood Policing; The format of the new manual matches DPD Manual; Policies in the new manual are clear and unambiguous; New manual contains clear and operational procedures for reserve officers to follow; and the New manual is currently in the formal review process by the Planning and Development group, where approval is expected by year end. Reserve Assistant Chief Stephen Lewis also shared additional highlights of the Police Reserve Manual noting three major areas: Police Powers; Duties and Responsibilities; and Organization and Management.

Chairperson Bell commended the presentation, the DPR and their service to the community. **Commissioner Burch** commended the DPR unit in their activities, and requested to know whether the Department is compensated for their service, recommending that they are placed on the payroll and whether the Chaplain Corp and Detroit Police Reserves Unit can work together on various events and opportunities. **Commissioner Davis** thanked the DPR for their service and volunteer efforts. **Commissioner Davis** asked how many of the DPR membership of 100 members reside in the city of Detroit and the oldest of the DPR officers. **Commissioner Jones** commended the DPR presentation and noted his question was asked earlier. After observing repeated notes displayed throughout the Board Meeting, the Chairperson called for the removal of Commissioner Burton's video from the meeting given the disrupting and distracting notes displayed throughout the meeting.

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

1. Weekly DPD Facial Recognition Technology Report 10/19/20 – 10/25/20
2. Letter from citizen dated October 23, 2020
3. Letter from Detroit Disability Power Re: Police Policies
4. Duty to Intervene Manual Directive and Transmittal Sheet 102.12
5. Bomb Threats and Explosives Manual Directive and Transmittal Sheet 205.5
6. WSU Webinar Event "Understanding Police Reform" November 4, 2020 at 5:00 p.m.
7. ILEAA Training "Accountability and Transparency in Law Enforcement" November 12, 2020
8. Staff Reports

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

1. **Next Meeting:** Thursday, November 5, 2020, at 3:00 p.m., BOPC Virtual Meeting
2. **Next Community Meeting:** Thursday, November 12, 2020, at 3:00 p.m., BOPC Virtual Meeting

Oral Communications/Public Comments – 11 Speakers.

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

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

VOTE: **Motion: PASSED**

Chairperson Bell adjourned the meeting at 5:03 p.m.