

# Assessing *50 Years* of the Board of Police Commissioners and Civilian Oversight

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Board of  
Police Commissioners



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### About the Author

**Peter J. Hammer** is a legal scholar and economist who has observed and studied government and politics in Detroit, the State of Michigan, and the region. Over the past several decades, he has examined the Board of Police Commissioners, using insights from his civil rights expertise and countless conversations with community members, Police Commissioners, city leaders, and law enforcement experts. With the late Edward J. Littlejohn, a legal legend and member of the inaugural 1974 Board,

Hammer is the co-author of the 2022 biography *No Equal Justice: The Legacy of Civil Rights Icon George W. Crockett Jr.* He also co-authored the biography, *Crusader for Justice: Federal Judge Damon J. Keith*. Hammer is Director of the Damon J. Keith Center for Civil Rights and is the A. Alfred Taubman Professor of Law at Wayne State University School of Law.

## Assessing 50 Years of the Board of Police Commissioners and Civilian Oversight

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This essay celebrates the 50th anniversary of the Detroit Board of Police Commissioners (BOPC), whose first session ran from July 1974-June 1975 and began civilian oversight of the Detroit Police Department (DPD). It will tell the history of the Board's formation, and provide a realistic assessment of its current status and the many challenges ahead. Finally, the essay will look at some directions we as a community might go from here.

From the Detroit Police murder of Leon Mosely in 1948, to the murder of Cynthia Scott in 1963 to the 1992 murder of Malice Green, to the killing of Aiyana Jones in 2010, Detroit has often symbolized the racialized violence and police brutality that have been endemic across the nation throughout American history. The 2020 police murder of George Floyd in Minneapolis, and the many other instances of police brutality, galvanized public attention and raised new demands for action.

While police reform remains a critical priority in Detroit, the BOPC struggles to effectively exercise its Charter-mandated responsibilities, such as effective civilian oversight of police practices and the investigation of citizen complaints. But all blame cannot be laid at the feet of the BOPC.

A 50-year anniversary provides an opportunity to look at changes to civilian oversight since the creation of BOPC and to

answer three questions: where did we come from, where are we now, and where might we think about going from here? This essay looks at changes to structural issues within the BOPC's control, structural issues beyond BOPC's control and how the BOPC dealt with this shifting landscape.

In the journey from 1974 to today, particular attention will be paid to federal oversight of DPD by the U.S. Department of Justice (2003-14), the adoption of the 2012 City Charter, and the impact of Emergency Management (2013-2014).

**Author's Note:** This essay is dedicated to the life and legacy of my friend, colleague, co-author and founding member of the 1974 Board of Police Commissioners, Wayne State University School of Law Professor Emeritus Edward J. Littlejohn (1935-2023). Almost everything I know about the Board of Police Commissioners (BOPC), I learned during my conversations with Ed and from his writings. Ed deeply believed in civilian oversight, but also realized that its real promise has not yet been achieved in Detroit, or anywhere in the country. I also draw heavily on the Wayne Law Review article of my former student David Kinzer. See David Kinzer, "The Unfulfilled Promise of the Detroit Board of Police Commissioners," 69 Wayne Law Review 65 (2023).

## Where Did We Come From (the History of BOPC)

Detroit is the only city in America where federal forces were called in to quell racialized violence on four separate occasions – the Blackburn incident in 1833, the Civil War race riot in 1863, the World War II race riot of 1943, and the 1967 Rebellion.

Formal investigations were conducted and official reports issued after the 1943 race riot, the 1967 Rebellion, and even earlier, after the violent summer of 1925, in which white mobs attacked the homes of several black residents, including most famously the home of Dr. Ossian Sweet. Each of these reports identified police brutality as an underlying cause of the social unrest.

Before the 1967 Rebellion, the African American population in Detroit saw the police as an army of occupation. Four rogue cops, known as the “Big 4,” roamed the city and terrorized Black residents. After the Rebellion, informal methods of police oppression became institutionalized in the Detroit Police Department, most notably the 1971 creation of the “Stop the Robberies, Enjoy Safe Streets” (STRESS) decoy unit. There were 24 fatal shootings of alleged suspects; 22 were black. STRESS became a political flashpoint, triggering protests and stronger demands for reform.

By 1970, when a Charter Commission was formed to draft the first new City Charter since 1918, police-civilian relations were in crisis. The 1970 Charter Commission formed a Public Safety Subcommittee which draft-

ed a proposal for the 1972 general election that would, among other things, create a more independent structure for processing civilian complaints. Election politics were charged. Black community groups and civil rights organizations supported the measure. The Commissioner of Police, John Nichols, the police union, and the Chamber of Commerce opposed it. The revised Charter failed at the polls.

The Public Safety Subcommittee went back to work and produced a substantially revised proposal. The initial outline of the proposal came from an unexpected source: former opponent, Police Commissioner Nichols. The revised Charter proposal was on the same ballot as the November 1973 mayoral election between Nichols and Coleman A. Young. In all likelihood, Nichols was trying to co-opt the issue of police reform for his upcoming mayoral campaign, or at least neutralize it from being a rallying point against him in the Black community.

The centerpiece of the 1973 Charter overhaul was the creation of a Board of Police Commissioners consisting of five members, appointed by the mayor and approved by the Common Council. The proposed BOPC had the power to appoint a chief investigator and other fact finders, subpoena witnesses and evidence, and take testimony on civilian complaints. This Charter version gave significant power over the Detroit Police Department to the BOPC authorizing it to review and approve promotions



of officers and final authority in imposing discipline.

The proposal also provided the BOPC a range of other significant powers. It would have a significant role in establishing police department rules and policies, and would review and approve the departmental budget. Finally, the BOPC would play a significant role in the selection of the police chief.

Ironically, both candidates, Nichols and Young, supported the BOPC. The candidates split sharply, however, in their positions on STRESS. Nichols doggedly supported STRESS. Young's top two campaign promises were to abolish STRESS and to implement an aggressive affirmative action plan to integrate the police force.

The Charter proposal passed; Young won the mayoral election, and as a result, Detroit had a new City Charter and the first Black mayor in the City's history. In another irony, the Charter established a strong mayoral form of government, giving the mayor substantially more power than before.

The charter took effect on July 1, 1974 to allow a period of transition. Mayor Young announced his five nominees, each to a different staggered term. The most notable appointee accepting the one-year term and serving as the BOPC Chair, was United Auto Workers Vice-President Douglas Fraser. The other four were the Rev. Charles Butler, pastor of New Calvary Baptist Church as Vice Chair, Edward J. Littlejohn, Professor at Wayne State University Law School, lawyer

Alexander B. Ritchie, and Susan Cooper (Mills-Peek), Director of Concerned Citizens. The five Police Commissioners were sworn in at the first meeting on July 22, 1974 at McGregor Center on the Wayne State campus, with the mayor present.

In ordinary times, founding a new police oversight board would be a daunting task. There was no staff and there were no past practices to draw upon in Detroit, or anywhere else in the nation. Just getting the organization up and running was a significant challenge. A substantially more arduous task would be wresting meaningful civilian oversight from law enforcement professionals accustomed to being the ones in charge and a police department that had a long history of defying outside efforts to establish accountability.

But these were not ordinary times. In announcing his BOPC appointments, Mayor Young observed that the new commissioners "come like new born babes moving in on one of the most arrogant, encrusted bureaucracies. When you move in on a bureaucracy with arms that can kill you, it's doubly hard."<sup>1</sup> Young had abolished STRESS, but the crisis in police-community relations still existed as he moved on to his other top campaign promise - implementing an aggressive affirmative action plan. The new BOPC had to take on all these enormous challenges at the same time.

Under the police union's collective bargaining agreement, promotions were based on seniority. But when you have a history of intense discrimination, protecting

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seniority simply perpetuates discrimination. The numbers did not look good, especially in what was becoming a majority Black city. Past practices had “resulted in the department having 61 black sergeants and 1,183 white . . . There are 11 black lieutenants, 230 white. There are six black inspectors out of a total of 73. The department has five black commanders and 16 white.”<sup>2</sup>

Affirmative action was the first item on the agenda at the BOPC’s first meeting, and it threw the Board into the center of the national maelstrom. By the mid-1970s, affirmative action had become a lightning rod in a growing backlash against the gains of the Civil Rights Movement. Commissioner Ed Littlejohn later wrote: “Placing a controversial affirmative action program on the BOPC’s first agenda immediately pitted it against the police union and the white officers. For the next five years the conflict over affirmative action for minority officers consumed much of the Board’s time and energies both within the department and in court.”<sup>3</sup>

The case was ultimately resolved in *Baker v. Detroit*, an opinion written by Federal Judge Damon J. Keith, who held that voluntary affirmative action programs were lawful when designed to remedy the effects of past discrimination. Judge Keith’s opinion documented the history of discrimination at DPD and its devastating implications on police-community relations.

While the BOPC was fighting to defend affirmative action, it also had to get itself up and running as an institution. According to Littlejohn, “The first year of the BOPC’s

existence was characterized by general disorientation caused by the absence of staff and established procedures and goals, and a failure of BOPC members to develop a common perspective on its role.”<sup>4</sup> Things started to improve in Year Two, when “the Commission was able to formally define its authority to approve departmental general orders, rules and regulations.”<sup>5</sup>

But what about oversight on citizen complaints? This proved a much more difficult task. Meaningful oversight was impossible the first year, given the absence of any administrative infrastructure. Out of necessity, the BOPC allowed the police department to continue conducting its own investigations but under a new set of procedures. When the BOPC was in a position to exercise its Charter-mandated responsibilities, the police department was anything but cooperative. As Littlejohn noted, “Almost five years elapsed before the BOPC could wrest from the police department full operational authority over citizen complaints.”<sup>6</sup>

If DPD leadership proved difficult, the police unions proved unyielding. This was due both to the union’s resistance, and because Michigan courts held that police unions are recognized by the state Public Employment Relations Act (PERA), which allows public employees to bargain over “wages, hours, and other terms and conditions of employment,” including employee discipline.<sup>7</sup> Therefore, local Charter-mandated civilian oversight over the police was trumped by state law authorizing collective bargaining and by unions using collective bargaining to shield police misconduct. Outranked by state law, Detroiters still did



not have the protections envisioned by the new Charter.

In theory, the police union collective bargaining agreement could be written in a manner that allowed the BOPC to fulfill its Charter mandate. In fact, the BOPC initially made heroic efforts to work with the union on this issue.<sup>8</sup> In practice, however, it is virtually impossible for the collective bargaining agreement to afford the level of oversight and discipline provided in the Charter. The interests of the general public are diffuse and widespread, while the interests of the police union are strong and concentrated. Unlike the Charter, the collective bargaining agreement is renegotiated regularly, requiring constant vigilance. The BOPC, despite being a key player in police accountability, has no direct role and little direct say in the process.

The sad reality is that while the people of Detroit voted to establish meaningful civilian oversight over the police, that power has been dramatically weakened with respect to disciplinary matters by police unions. Even on occasions when the BOPC has voted to suspend officers for misconduct or to deny their promotions, union contracts allow private arbitrators to reinstate the officers, their pay, and their promotions. Most Detroiters are unaware of this, or the dire implications of police unions undercutting the BOPC's powers.

Mayor Coleman A. Young served 20 years in office, 1974 to 1994. Sadly, by the time he left, the mayor who had dismantled STRESS and implemented affirmative action in his first term, was presiding over a police department that was widely viewed as

corrupt and violent. Nothing typified this better than the 1992 embezzlement conviction of long-standing Police Chief William Hart.

In 1994, Mayor Dennis Archer assumed office. Policing was in a state of disarray and things seemed only to get worse. By 1999, the Detroit Free Press reported that Detroit police killed more civilians than any other police force in the country.<sup>9</sup> All this time, the BOPC was largely missing in action. Why?

The BOPC has continuously gotten resistance rather than support from the core stakeholders who are essential to ensuring effective oversight – the mayor, DPD leadership, and police unions.

Effective civilian police oversight is extremely difficult to create and even more difficult to maintain. What is necessary for effective civilian oversight? To begin with, there needs to be a competent and committed group of commissioners and staff, with adequate resources. In addition, strong mayoral support is essential. Effective oversight is ultimately about the exercise of power. In Detroit, power rests ultimately with the mayor. In addition, there has to be a collaborative partnership with top DPD leadership. Moreover, to have meaningful control over police conduct, BOPC's oversight cannot be thwarted by police unions and collective bargaining agreements. Finally, the failsafe for effective civilian oversight is active civic engagement and support from the general public. Democracy provides the last great measure of police accountability.

## THREE IMPORTANT MILESTONES: DEPARTMENT OF JUSTICE OVERSIGHT, THE 2012 CHARTER, AND EMERGENCY MANAGEMENT

### Department of Justice Oversight

Under community pressure, Mayor Archer bypassed the BOPC and sought intervention by the U.S. Department of Justice (DOJ). Ed Littlejohn observed: “If they had been a strong commission, none of this would have happened.”<sup>10</sup>

The DOJ commenced a two-and-a-half-year investigation leading to a consent judgment in 2003, requiring comprehensive

reforms to remedy the department’s patterns and practices of using excessive force and unlawful detentions and arrests. Detroit operated under the consent judgment for more than a decade, until the DOJ ended it in 2014. Coincidentally, Federal Judge Avern Cohn, who had served on the BOPC from 1975-79, presided over the court proceedings that ended the consent decree.

### 2012 Charter Reform

The method for selecting BOPC members has been debated over the years. In 1993, a proposal was made to have commissioners directly elected, rather than appointed by the mayor. This proposal was opposed by former Commissioners Avern Cohn and Ed Littlejohn. Cohn, a lawyer who volunteered to represent accused looters during the 1967 uprising, was appointed by Mayor Young to replace the UAW’s Doug Fraser on the BOPC. Cohn later served 40 years as a federal judge. As past commissioners, Cohn and Littlejohn thought that direct elections would further politicize the police department and make power too diffuse. They also advocated that the City Council could create greater accountability by having the BOPC Chair appear regularly before the Council with updates.<sup>11</sup>

The method of BOPC selection came up again in 2010, as Detroiters sought major city government reforms by further revising the Charter. It worked. The voter-approved 2012 City Charter changed the number and method for selection of commissioners. The number grew from five to eleven. Four would still be appointed by the mayor with City Council confirmation. The remaining seven became elected positions in districts corresponding to new City Council districts. The implications of these changes will be examined more closely when asking where are we now, and where might we want to go.





## Emergency Management

Detroit took many economic and financial hits both before and after Mayor Young's terms. On March 1, 2013, Michigan Governor Rick Snyder declared a financial emergency in Detroit. Snyder appointed outsider Kevin Orr as Emergency Manager, putting an end to democracy and civilian control in the city.

Orr had a particularly hostile relationship with the Board of Police Commissioners. The most extreme example was Orr's complete sidelining of the Board from 2013-2015.

Early in his appointment, Orr approved a contract for a search firm to help identify police chief candidates. It was termed his first act in violation of democracy, because he was usurping a function the new charter gave to the BOPC.<sup>12</sup> In August 2013, Orr refused to appoint anyone to fill a vacant BOPC seat. Filling the seat was necessary to permit the BOPC to have a quorum. This was essentially a no-cost decision,

because commissioners do not receive a salary. More significantly, Orr's Emergency Order 11 permitted newly appointed Police Chief James Craig to engage in massive restructuring of the department without any civilian oversight. On its 40th Anniversary in July 2014, the BOPC had absolutely no authority.

Even more disturbing was Orr's effort to destroy civilian oversight of the police long after his control ended. In defiance of the City Charter, Orr issued Emergency Order 42 and transitioned all power over the police department from the office of the Emergency Manager to newly elected Mayor Mike Duggan. The order was effective for one year, ultimately empowering the City Council to rescind it, which it did the following year.<sup>13</sup> The BOPC powers were restored and civilian oversight reinstated in Detroit on December 11, 2015.

## What Has Changed in 50 Years?

One of the most significant differences in the past 50 years has been a fundamental change in what role we expect government to play in our lives, particularly in urban areas. The Detroit BOPC was founded at a time when we had come to expect government to play an important role in shaping society and providing equality of opportunity. Since then, we have experienced more than four decades of fiscal cutbacks, where many essential social

services have been abandoned, city services have shrunk and people have been told to look to the private sector in a competitive and often unfair battle for opportunity (and resources).

The only aspect of the state that has not shrunk in the past 50 years is policing and prisons. From the war on crime, to the war on drugs, to the war on terror, tremendous resources have been poured into an



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increasingly militarized police force and a system of mass incarceration.

The BOPC was formed seven years after the Kerner Commission Report gave a persuasive diagnosis of the challenges facing a city like Detroit. The report which grew out of the 1967 Rebellion, also outlined an aggressive urban agenda, addressing issues from education, to jobs, to policing, to the media. That agenda, however, was never implemented. Shortly after the BOPC was launched, federal policy towards cities changed to one of substantially less federal engagement and substantially less federal funding than seen during the Great Society era. Furthermore, from President Ronald Reagan's first administration onward, dictates of fiscal austerity have dominated federal policy across almost all basic government services. The only exception has been substantial increases in federal support for policing and for using the criminal justice system as a means of societal control.

While investments in social services have decreased and we are taught to no longer believe that the government can play an important role in helping shape people's lives, investments in policing have increased, based on a language of wars and predicated on deep and unquenchable fears. We are taught the real sources of public safety are the police and that our increasing fears can only be addressed by more policing. The result is often unjust and brutal policing of people of color. This is rooted in social control and spatial racism.

Policing is just one means of social control. Abandonment and spatial racism are others. Spatial racism is the hyper segregation of race, wealth and opportunity. National trends are playing out in a Detroit that is now characterized by a 75-year period of regional resegregation and the increasing abandonment of peoples and places in urban areas. While a century ago, racialized spaces existed inside the city of Detroit, defining particular neighborhoods, today, entire cities like Detroit and Pontiac serve as racialized spaces in a predominately white region. In the last 20 years, Black flight has followed White flight, but mainly to the inner ring suburbs. This has resulted in economic as well as geographic stratification of the Black population and the near disappearance of the Black middle class in the City of Detroit. Even as recent gentrification has brought more whites back into the city, it has also helped to maintain racially identifiable areas by allowing outlandish housing costs that have forced many in the remaining Black middle class, as well as economically distressed residents to flee.

Abandonment - physical, social and economic - is a means of social control. But, for abandonment to maximize its potential for social control, it must be combined with various forms of surveillance. That puts Detroit programs like Project Green Light, ShotSpotter, and other emerging surveillance technology used by the police, in a wholly different light. These considerations should shape how the BOPC of the future addresses these issues. The BOPC must seek to exercise its authority



today in a very different world than that of the first BOPC in 1974, and should take the lead in framing and analyzing policing policy over the next 50 years of its history.

## Where are we now?

If we are being honest with ourselves, the state of the BOPC on the event of its 50th anniversary is not good. The BOPC is too large. The hybrid selection process – elected and appointed – embeds division. The BOPC has failed to create a culture of dialogue and deliberation that is necessary to make such a large body work effectively. The meetings are too long and lack focus. The agendas do not prioritize or reflect the concerns of Detroit citizens. The body lacks cohesion and a common vision.

These problems are not new, and these comments are not intended to be unduly critical of the commissioners who all volunteer their time. And that is one of the problems. Most people would list police accountability as one of the most important issues facing the country. Yet, BOPC members receive no compensation. This structure is not conducive to attracting the best candidates, nor in getting the Commissioners to serve at their full capacity.

Any criticism of the BOPC has to acknowledge that the Board is just one piece of a larger puzzle of effective civilian oversight. Politics is about power and given Detroit's current structure, the most power rests with the mayor. The BOPC cannot function

without the mayor having the Board's back and demanding that the Police Chief, other DPD leadership, as well as the rank-and-file, work under the BOPC's direction. The City Council has its own oversight function, keeping a closer eye on whether the BOPC's directives are implemented and followed. Similar demands of responsibility need to be extended to DPD leadership and police officers. Every aspect of the system needs to be acculturated to an effective system of civilian oversight if the system is to work as intended.

Finally, Detroit residents have unmet responsibilities. In approving the current Charter, voters felt strongly enough about the BOPC to continue the mandate for weekly meetings and to ensure residents get to pick Police Commissioners every four years. Yet there is a general lack of awareness and interest in the work of the BOPC, both in terms of people willing to run for commissioners and in an informed electorate. After the murder of George Floyd, Detroiters took to the streets and Detroit Will Breathe, a youth-led anti-police brutality group, channeled that energy into a series of collective demands. Where is that energy now? Some in the movement may have principled reasons or lingering frustra-

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tions for not wanting to engage the BOPC, but this may be short sighted. Residents of other cities can only dream of the civilian oversight system in Detroit. We cannot take the BOPC for granted by failing to engage with it regularly. Becoming commissioners, attending or watching meetings, making demands – these may be the most effective means of getting real change, by inches with policy changes or by leaps with gains in forthright, meaningful disclosures from police.

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As the BOPC is preparing to mark its 50th anniversary, many people would concede that the BOPC has never met its full potential in any year of its operation. Engagement of residents and stakeholders can bring the BOPC closer to doing so.

### Where might we go?

We are living in a historic moment concerning the future of policing in America and the prison state. Fundamental questions are being asked about the real sources of public safety and what implications the answers to these questions have for the future of policing. Increasing spending on police does not make us safer. Improving social services and access to meaningful opportunity does. Calls to divest-invest are not only calls to be willing to think differently about how we want to structure ourselves as a community; they are also calls for a fundamental change in a 50-year-trend to dismantle the role of government in providing essential social services, while pumping additional public resources into policing and mass incarceration.

A reinvigorated BOPC could be a central forum to help shape this debate and fash-

ion policies that redefine our sense of community and our sources of public safety. For that to be even remotely possible, there must be a number of important reforms. To begin with, changes need to be made in the number and selection process for commissioners. A Board of eleven is just too large and unwieldy. We should return to a more manageable Board of five commissioners. Although I respect historic Commissioners Ed Littlejohn and Avern Cohn, who argued in favor of continued mayoral appointment, I respectfully disagree. The mayor in Detroit already has too much structural power. Moreover, we need to build healthier democratic practices in Detroit. Discussions about the real sources of public safety and its implication for the future of policing should be centered as close to the community as possible. Commissioners should be elected



police in a post-George Floyd world cannot be a voluntary, part-time job. A newly elected five-member board should be meaningfully compensated, full-time positions. Only such a dedicated and adequately resourced BOPC can fully implement its original Charter mandates and take on new ones.

The first and foremost BOPC mandate is effective oversight and investigation of citizen complaints, with appropriate disciplinary consequences. In our discussions, Ed Littlejohn would always stress this function as the top priority. Effectively addressing police misconduct is an essential element for maintaining public legitimacy, which is central for the democratic process to function.

Second, a dedicated and adequately resourced BOPC could finally take on tasks it has never fully performed: budgetary oversight, policy formation, data analysis, and oversight of personnel from the Chief of Police to the rank-and-file. Control over the budget is control over an organization. This BOPC power has seldom been meaningfully exercised in ways other than rubberstamping business as usual. There is no better, citizen-led forum for discussions of divesting and investing than a democratically reconstituted BOPC.

Similarly, the BOPC has seldom been a real leader on police policy issues like surveillance and Project Greenlight. A newly reconstituted BOPC should exhibit leadership on these and other fronts, with meaningful resident input, and acknowledgment of the abandonment and spatial-structural

racism that defines our region. Finally, the BOPC should play a more complete role in police personnel issues, from input on selecting the police chief and subsequent performance evaluations, to discipline and promotion of the rank and file, to ensure DPD personnel reflect the values and needs of Detroit residents.

Little of this will be possible without reform of state laws governing collective bargaining for police unions. It is unconscionable that issues of police brutality, misconduct and discipline should be matters determined by collective bargaining, when there is a mechanism of civilian oversight to make these decisions. State laws need to be changed to reflect the importance of civilian oversight of police.

If state laws cannot be changed, Detroiters need to demand that those public officials responsible for collective bargaining do their jobs and ensure that no collective bargaining agreement is entered into that is inconsistent with Charter-mandated obligations for civilian oversight and control.

There are ways in which 2024 is like 1974. The BOPC was formed at a time of crisis in police- community relations. Effective civilian oversight was thought to be part of the solution. Sadly, crises in police- community relations never seem to go away. The 50th anniversary of the BOPC provides an opportunity for reassessment and change. The basic structures that could afford effective police oversight are in place, and most have been since 1974. We just have to commit ourselves to seeing that they reach their full, democratic potential.





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<sup>1</sup> “Police, 5-Member Commission Locked in Bitter Struggle,” Detroit Free Press, April 27, 1975 at 3A.

<sup>2</sup> “Opening Up Police Ranks,” Detroit Free Press, August 4, 1974 at 43.

<sup>3</sup> Edward J. Littlejohn, “The Civilian Police Commission: A Deterrent of Police Misconduct,” 59 University of Detroit Journal of Urban Law 5 (1981) at 37-38.

<sup>4</sup> Id. at 38.

<sup>5</sup> Id.

<sup>6</sup> Id. at 42.

<sup>7</sup> Pontiac Police Officers Asso. v. Pontiac, 397 Mich. 674 (1976).

<sup>8</sup> Littlejohn, *supra* note 3 at 52-56.

<sup>9</sup> David Ashenfelter & Joe Swickard, “Detroit Cops Are Deadliest in U.S., Shooting Figures Need Context, Officials Say,” Detroit Free Press, Nov. 3, 1999, at 1A.

<sup>10</sup> David Ashenfelter & Joe Swickard, “Watchdogs Decline to Watch Cops Panel has Shied from Big Issues Like Brutality,” Detroit Free Press, Dec. 30, 2000, at A1.

<sup>11</sup> Avern Cohn and Edward J. Littlejohn, “Charter Mistake,” Detroit Free Press, February 2, 1993 at 6A.

<sup>12</sup> “EM OKs contract to hire firm seeking police chief,” Detroit News, April 4, 2013 at A4.

<sup>13</sup> “Panel vies to regain police role,” Detroit News, November 18, 2014, at A1.



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