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CITY OF DETROIT
BOARD OF POLICE COMMISSIONERS
BOPC VIRTUAL MEETING
March 25, 2021@ 3:00: P.M.

1 MS. WHITE: Good afternoon again and welcome to the
2 Detroit Board of Police Commissioners Meeting. Today's
3 date I Thursday March, 25 2021 And please note the
4 following reminders for virtual meeting on Zoom.us. A
5 message regarding zoom policies: attendees do not need to
6 identify themselves unless they would like to make a
7 comment. Attendees can phone in to the meeting and phone
8 numbers will be masked by zoom.

9 If attendees join in by computer without a zoom
10 account, they may be prompted for a name and email. The
11 email is not visible to panelists or attendees. This is a
12 prompt from zoom, not the city of Detroit. And
13 additionally, the email address does not need to be your
14 true email address. It can be none@none.com or anything
15 similar will be fine for logging in.

16 **A reminder about the meeting forum. As a reminder,**
17 **please adhere to the Board's Bylaws and zoom's policies**
18 **of using this forum appropriately. Failure to adhere to**
19 **the policies will result in dismissal from the meeting.**
20 **Accessing zoom platforms requires adherence to all**
21 **policies.**

22 **Regarding BOPC contact information for**
23 **administration, for administration please dial (313) 596-**
24 **1830. Or you may email the board at bopc@DetroitMi.gov.**
25 **Regarding complaint investigations, please contact the**

1 office of the chief investigator to file a non-criminal
2 complaint. And the 24-hour complaint line is as follows,
3 (313) 596-2499. The fax number is (313) 596-2482. And
4 please visit the board's website at detroitmi.gov/BOPC.

5 Regarding BOPC information resources, please visit
6 the city's website at detroitmi.gov/BOPC to find the
7 meeting calendar minutes, reports, presentations, draft
8 policy directives, video links and much more. Also join
9 the email list for weekly agendas. And you may contact us
10 at BOPC@Detroitmi.gov, or you may call (313) 596-1830 and
11 provide your email address to get the draft agenda,
12 distributed each Tuesday to over 300 people. Please also
13 subscribe to GovDelivery where there are over 6,800
14 people now receive BOPC news alerts and draft agendas.
15 Please also sign up on the Detroitmi.gov homepage for
16 more information. And note the BOPC Zoom link and other
17 information is also available on the Facebook page.

18 Regarding public comments instructions, the virtual
19 meeting will use a forum for public comments and you can
20 sign up on Smartsheet without an email address. The board
21 of police commissioners allows one hour from 3:00 to 4:00
22 PM for the public to request to speak during public
23 comments or oral communications on the agenda. To make a
24 request without Smartsheet, meeting participants may use
25 the "raise hand" icon on the website, or they may press

1 star nine (*9) on the telephone.

2 Regarding important reminders for public comments.
3 Upon joining the meeting, participants will join the
4 meeting muted. Please do not start your video unless
5 invited to do so by the host. Video, images, or
6 unprotected speech deemed inappropriate by the Chair will
7 result in your dismissal from the meeting. Remember that
8 you may complete the Smartsheet form. You may use the
9 Zoom controls on your computer screen "raise hand," or
10 you may dial star nine (*9) from a mobile device. You may
11 use any one of these options by 4:00 PM to be
12 acknowledged for public comments.

13 And regarding public comment, each speaker will have
14 two minutes to speak. The BOPC staff will acknowledge
15 each speaker. We ask that you remain respectful and
16 professional and refrain from violating the Board's
17 Bylaws, zoom's terms of services, and other relevant laws
18 and ordinances, which are posted on all meeting access
19 forums.

20 At this time, please silence your phones and other
21 background sounds to prevent interrupting the meeting.
22 Honorable Board again note you have the capability to
23 enable or disable your microphone or video you're your
24 convenience during this meeting.

25 MRS. WHITE: Also Honorable Board and DPD executives

1 and attendees, please note that later on the agenda,
2 there is an item regarding the search warrant policy
3 where the

4 Chair will open up that portion for public comments
5 and further directions will be given at that time, but we
6 will utilize the same process as the public comments. If
7 you would like to be acknowledged to speak at that time,
8 please use the raise icon feature or to star 9 feature to
9 be acknowledged for public comments during the search
10 warrant policy. Thank you. And now Chairperson Holt.

11 CHAIRPERSON HOLT: Thank you, Ms. White. Yes, this is
12 Chairperson Holt and it's obvious that Chairperson Bell
13 will not be in attendance at this meeting. May we please
14 have an invocation from Commander Chaplain, Charles
15 Clark?

16 CHAPLAIN CLARK: Let us pray. Gracious and eternal
17 God, our father, we bless your name today. Thank you for
18 another day's journey. Thank you for the privilege of
19 serving this community. Father, I pray now in the name of
20 Jesus that you grant each one of the Commissioners the
21 wisdom that is required oh God to do the work that is set
22 before them. We pray Lord for the continued advancement
23 of our city and that you God will get the glory from all
24 of that is done. Be with us now and guide us in our
25 prayer in Jesus' name. Amen.

1 ALL: Amen.

2

3 CHAIRPERSON HOLT: Thank you. Thank you so much,
4 Chaplain Clark. And now we will have an introduction of
5 the Commissioners. District 1.

6 COMMISSIONER BROWN: Good afternoon, everyone. This
7 is your Commissioner in the D-1 area of the great
8 District 1, on the Northwest side of Detroit, Darryl
9 Brown.

10 CHAIRPERSON HOLT: Thank you. District 4.

11 COMMISSIONER DAVIS: No District 4.

12 COMMISSIONER BURCH: That's Mr. Bell.

13 CHAIRPERSON HOLT: I'm going to try and ask that we
14 proceed in an orderly way and that we avoid yelling out
15 when it's not appropriate. Thank you. District 7.

16 COMMISSIONER DAVIS: Police Commissioner William M.
17 Davis, the mighty District 7. Love where you work
18 officers.

19 CHAIRPERSON HOLT: Thank you. At large, Commissioner
20 Holley.

21 COMMISSIONER HOLLEY: Present. Thank you.

22 CHAIRPERSON HOLT: And you are welcome. District 3,
23 excuse me, District 2. I'm sorry, District 2. Okay.
24 District 3.

25 COMMISSIONER BURCH: Good afternoon, everyone. This

1 is Commissioner Shirley Burch of District 3. Respect and
2 love where you live.

3 CHAIRPERSON HOLT: Thank you, Commissioner Burch.
4 District 6.

5

6 COMMISSIONER CARTER: Good afternoon. Lisa Carter,
7 District 6.

8 CHAIRPERSON HOLT: Thank you. I believe we received a
9 notice earlier that Commissioner Hernandez will be coming
10 late. Is that correct?

11 MRS. WHITE: Yes, that's correct. Madam Chair.

12 CHAIRPERSON HOLT: Thank you for sharing. And
13 Commissioner At-large, Jones.

14 COMMISSIONER JONES: Good afternoon, everyone,
15 including the Detroit Police Department and the executive
16 staff and to our great community members. My name is
17 Martin Jones, Police Commissioner, At-Large.

18 CHAIRPERSON HOLT: Thank you. And yes, I am
19 Commissioner, At-large Annie Holt Vice-Chair today, but I
20 mean Vice-Chair serving in the place of Chair this
21 afternoon.

22 MRS. WHITE: Madam Chair, you do have a quorum.

23 CHAIRPERSON HOLT: Oh, thank you, Ms. White. All
24 right. So now the next item on the agenda is the approval
25 of the agenda. Is there a motion to approve the agenda?

1 COMMISSIONER HOLLEY: So moved.

2 COMMISSIONER JONES: I move to approve the agenda for
3 March 25th.

4 COMMISSIONER HOLLEY: Second.

5 CHAIRPERSON HOLT: Thank you so much for the approval
6 and the immediate second. Those in favor.

7 ALL: Aye.

8 CHAIRPERSON HOLT: Those opposed. Oh, right. That's
9 great. Now, we need a motion to approve the Minutes.

10 COMMISSIONER BROWN: So moved.

11 COMMISSIONER JONES: Second.

12 CHAIRPERSON HOLT: Great. Those who approved the
13 minutes.

14 ALL: Aye.

15 CHAIRPERSON HOLT: Any opposition? No. Okay, we have
16 the approval of the agenda and the Minutes. That's great.
17 We can move on. We can move on. Introduction of the BOPC
18 Staff, chief of police, and elected officials or
19 representatives.

20 MRS. WHITE: Yes. Through the Chair. Madam Chair, the
21 Department of Innovation and Technology is monitoring and
22 recording today's Board meeting. And our court reporter
23 is Mr. Don Handyside and the following Board staff
24 members are in attendance today. Mr. Robert Brown,
25 Administrative Specialist, Ms. Theresa Blossom, Community

1 Relations Coordinator, Ms. Jonya Underwood,
2 Administrative Assistant Investigator, Tiffany Stewart,
3 Director, Katrina Patillo of Police, HR Division, Interim
4 Chief Investigator Lawrence Akbar, Supervising
5 Investigator, Ainsley Cromwell, Supervising Investigator
6 LiSonya Sloan, Senior Investigator Rosalia Madrigal and
7 Assistant Corporation Counsel, Ericka Savage Whitley are
8 all present today, ma'am.

9

10 CHAIRPERSON HOLT: Okay. Thank you so much for that
11 introduction, Ms. White. Now at this point, we will
12 introduce Chief David LeValley, who is in the stay of
13 Chief Craig today and Assistant Chief LeValley would you
14 please identify your men and women in blue?

15 ASSISTANT CHIEF LeVALLEY: Good afternoon to the
16 Board. Assistant Chief David LeValley. Office of Support
17 Operations.

18 COMMISSIONER BURCH: Good afternoon.

19 ASSISTANT CHIEF LEVALLEY: Good afternoon. Also,
20 present today from the police department is Captain Eric
21 Tosqui, DPOA Vice-President, Ron Thomas, Sergeant Felicia
22 Jewel, Director Chris Graveline, Lieutenant McClure from
23 Chief's Neighborhood Liaison, Lieutenant Coles from
24 Recruiting Mark Young, President of the Lieutenants and
25 Sergeants Association, Lieutenant Mary Baritche, Director

1 Reid Branche-Wilson, Sergeant Glenn Anderson from
2 Recruiting. And that's all I see. I hope I didn't miss
3 anybody.

4 CHAIRPERSON HOLT: Thank you Assistant Chief
5 LeValley. Ms. White, do we have any elected officials or
6 representatives?

7 MRS. WHITE: Yes. Through the Chair, we have Ms.
8 Marie Overall of State Representative Tyrone Carter's
9 Office.

10 CHAIRPERSON HOLT: Thank you so much for that
11 introduction. Okay. Onto the Chairperson's report, key
12 points for consideration for today's Chairperson remarks.
13 Expiration of remote meetings for public bodies. The
14 Board received correspondence earlier this week from the
15 City Law Department, Assistant Corporation Counsel,
16 Ericka Savage- Whitley sharing updates regarding the
17 expiration of remote meetings on March 31st, 2021. As
18 stated beginning, April 1st, the Open Meetings Act will
19 provide a public body for meeting remotely unless
20 specific exceptions, such as military duty medical
21 condition or declaration of emergency or state of
22 disaster based on governing law to today. if no action is
23 taken by March 31st, the Board will return to the in-
24 person meetings at the Detroit Public Safety Headquarters
25 every Thursday, except the second Thursday and the

1 community locations on the second Thursday. More
2 important information will be shared.

3 CHAIRPERSON HOLT: Please monitor the Board's
4 website, emails, and public notices for more updates.
5 BOPC staff is working on the logistics of the Board's in-
6 person meetings and a bond at various city entities to
7 ensure we remain in compliance with all public safety
8 health requirements. We'll also on the subject of the
9 City Council Board budget hearings, City Council is still
10 holding budget hearings for city agencies. Therefore we
11 will receive further updates from City Council on the
12 next steps, based on the approval of an executive
13 session. We are currently in the process of answering
14 questions from the City Council, which has been shared
15 with the Board and responses will also be shared with the
16 Board upon the completion of research and analysis. The
17 third item. Current city human resources activity
18 regarding Board staff vacancy postings. The city's Human
19 Rights Department is currently in the process of
20 reviewing posting and screening information based on the
21 Board's current vacancy positions. Further dates are
22 coming from HR. The fourth item on the Chair's report,
23 the Board's annual training program. Lastly, planning is
24 underway for the Board's annual training program where
25 training courses will be presented to the Board in

1 alignment with Article 4, Section 8, Orientation and
2 Training of the Board's bylaws.

3 CHAIRPERSON HOLT: Please continue to monitor your
4 correspondence for more information. And at this point we
5 will have the Chief of Police report again, being given
6 by Assistant Chief LeValley.

7 COMMISSIONER BERNARD: Question.

8 CHAIRPERSON HOLT: Excuse me, Commissioner Bernard.
9 We need to acknowledge Ms. White that Commissioner
10 Bernard is here.

11 MRS. WHITE: Yes.

12 COMMISSIONER BERNARD: Yes. I'm on the telephone. I
13 just had a question about your report, Madam Chair. Are
14 we saying that unless - what is the Commission's position
15 regarding public meetings? Are we going to go public in
16 April or are we continuing the zoom meetings? I
17 understand that on March 31st, you don't have to be zoom
18 anymore, but I didn't know what our position was.

19 CHAIRPERSON HOLT: Ms. White, you want to expound on
20 that question?

21 MRS. WHITE: Yes. Through the Chair, Honorable Board,
22 you received legal correspondence from the City's Law
23 Department, updating hearing updates with respect to the
24 governor's orders and the State mandate that was imposed
25 until March 31st, 2021. So that mandate will expire on

1 that date and all public bodies will be required to
2 return to in-person meetings unless exceptions apply,
3 medical conditions, military duty, and other items. We
4 also have assistant attorney, excuse me, Assistant
5 Corporation Counsel, Ericka Savage Whitley on the line to
6 expound upon the correspondence that was sent to the
7 Board. So Madam Chair, if it is the Board's pleasure Mrs.
8 Savage-Whitley can speak to that issue as well.

9 CHAIRPERSON HOLT: Thank you, Ms. White. Please,
10 Attorney Whitley.

11 ASSISTANT CORPORATE COUNSEL WHITLEY: Good afternoon
12 to the Honorable Board.

13 CHAIRPERSON HOLT: Good afternoon.

14 ASSISTANT CORPORATE COUNSEL WHITLEY: I just wanted
15 you to know that I believe Secretary White covered it. I
16 just want us to include that we are still waiting. There
17 is still time. If anyone watched the Tuesday City Council
18 meeting Ms. Ferrer was present and she also gave some
19 input regarding her slight ability, it's possible that
20 she will declare a local State of Emergency. At this
21 time, it's my understanding that there is not much desire
22 there from the mayor to do it, but would still fall on
23 her and she would like to declare one. But I do not see
24 any legislation. I have been watching the State
25 Legislative Bill every day and I have not seen any

1 movement on it, so we're still watching. And as soon as
2 we receive an update, I will forward it to the Board.

3 CHAIRPERSON HOLT: Thank you, Corporation Counsel,
4 Whitley.

5 COMMISSIONER BERNARD: I want to wait, one minute
6 Madam Chair. So that would mean that our first meeting in
7 April would be at headquarters. Is that correct?

8 CHAIRPERSON HOLT: Correct.

9 COMMISSIONER BERNARD: At 3 o'clock?

10 CHAIRPERSON HOLT: Correct.

11 COMMISSIONER BERNARD: In the absence of an extension
12 by the city or us getting notice from the Office of
13 Corporation Counsel, we should plan to be present the
14 first week of April at the first meeting, correct?

15 CHAIRPERSON HOLT: That's my understanding,
16 Commissioner Bernard. I think Corporation Counsel,
17 Whitley indicated, I think she highlighted the fact that
18 Council wanted to have the term, in other words, it was
19 going to be us not returning to face-to-face would be a
20 citywide request, but I don't know if that's going to be
21 the progress that Council will take. Is that you
22 understanding Corporation Council Whitley about the city.

23 ASSISTANT CORPORATE COUNSEL WHITLEY: City Council
24 did adopt a resolution encouraging that the mayor or
25 health director declare a local State of Emergency.

1 However, they do not have any purview in the matter. The
2 Statute is clear that the mayor and our charter is clear
3 that the health director can make those decisions.

4 COMMISSIONER BERNARD: And then finally that means
5 our staff will be back Madam Chair, I wrote that date as
6 well.

7 CHAIRPERSON HOLT: Right. We will be business as
8 usual pre-COVID as I understand it. Okay.

9 COMMISSIONER BERNARD: Thank you.

10 CHAIRPERSON HOLT: Any other questions so that we can
11 move on?

12 COMMISSIONER BROWN: Madam Chair. This is
13 Commissioner Brown.

14 CHAIRPERSON HOLT: Yes, sir.

15 COMMISSIONER BROWN: I just want to, through you, to
16 the Board's attorney. Are we going to consider the fact
17 that - would we be able to do, I know that we would have
18 to return, but will we still offer some type of a zoom
19 meeting forum for those people that may not want to come
20 down to headquarters? Are we still going to do a dual
21 meeting to still do the zoom meetings in addition to our
22 regular meetings in-person? Have we considered that, is
23 that something we can do?

24 ASSISTANT CORPORATE COUNSEL WHITLEY: I believe it's
25 at the Board's discretion to allow remote participation

1 to continue with the public. That would be up to the
2 Board's discretion.

3 COMMISSIONER BROWN: Okay. Thank you.

4 ASSISTANT CORPORATE COUNSEL WHITLEY: Quite frankly,
5 with the staff as well. I'm sorry through the Chair, with
6 your staff as well. You know, there's nothing that this
7 OMA provision speaks directly to public bodies, so what I
8 would recommend is that you provide - if, we're still
9 holding out hope, but if there is no local declaration,
10 then I would possibly think of having something where
11 someone can comment in-person as well as remotely, but
12 that's totally up to the discretion of the Board of how
13 you want to govern your public comment.

14 COMMISSIONER BROWN: Thank you.

15 CHAIRPERSON HOLT: Thank you. Commissioner Brown and
16 Corporation Counsel Whitley.

17 ASSISTANT CORPORATE COUNSEL WHITLEY: Assistant
18 Corporation Counsel.

19 CHAIRPERSON HOLT: I'm sorry.

20 ASSISTANT CORPORATE COUNSEL WHITLEY: Corporation
21 Counsel is on the line today, and I did not want to

22 CHAIRPERSON HOLT: The attorney, okay. Thank you.
23 Thank you for that clarification too.

24 ASSISTANT CORPORATE COUNSEL WHITLEY: No problem,
25 ma'am.

1 CHAIRPERSON HOLT: Are there any other questions on
2 this matter so that we can move on to Assistant Chief
3 LeValley who's been very patient and we appreciate it.

4 COMMISSIONER BERNARD: I just have a quick question,
5 madam Chair. Did we already approve the Minutes because I
6 was trying to get on and couldn't I was muted, no not
7 muted?

8 CHAIRPERSON HOLT: Commissioner Bernard, yes we have.
9 And we're Introduce the fact that Commissioner Burton is
10 here and now we're going to go on to have the
11 presentation by Assistant Chief David LeValley.

12 COMMISSIONER BERNARD: Just two very quick things.
13 Number one, the minutes said that the Council that we had
14 last week online was General Council Johnson. And that
15 wasn't true with respect to the Corporation Counsel. And
16 then secondly, on the issue of evictions, I hadn't just
17 commented about the police. I had asked for a report on
18 police-assisted evictions in the city. So that's just a
19 comment and they're hearing me, so I'm sure that they
20 will respond. I just wanted to make that point. Thank
21 you.

22 CHAIRPERSON HOLT: Thank you, Commissioner Bernard.

23 COMMISSIONER BERNARD: Thank you.

24 MRS. WHITE: Madam Chair, if I may also mention and
25 thank you for acknowledging Commissioner Burton is also

1 on the line. I also wanted to indicate that Community
2 Advisory Council Scotty Bowman is also present. Thank
3 you.

4 CHAIRPERSON HOLT: Thank you. Now, may we please have
5 the Chief's report that will be delivered to by Assistant
6 Chief David LeValley and again, thank you for your
7 patience?

8 ASSISTANT CHIEF LeVALLEY: Yes, ma'am, thank you. So
9 I'm going to start off with the crime report for this
10 week. As of today, we have 63 homicides. That's 10 more
11 than we had last year on this day, 165 sexual assaults,
12 which is two less than last year, 2,373 aggravated
13 assaults, which is 527 more than last year, 182 non-fatal
14 shootings, which is 59 more than last year, 313
15 robberies, which is 173 fewer than last year. We are at
16 49 carjackings, which is 11 more than last year. Our part
17 one violent crime, 2,914, which is 362 more than last
18 year or 14%. For property crime burglaries we're at 787,
19 which is 467 less than last year at this point 2,068
20 larcenies, which is 946, less than last year. And 1,247
21 motor vehicle thefts, which is 214 less than last year.
22 Total property crimes, 4,102, which is 28% less than last
23 year or 1,627.

24 ASSISTANT CHIEF LeVALLEY: And total part one crime
25 right now is 15% less than last year. Our response time

1 for last week, priority one response time was 1331,
2 priority two response time was 3402 last week. Now I'll
3 move on to some of the questions that were presented. The
4 first was seeking an update from the Chief's press
5 conference on drag racing, donuts, and other street
6 enforcement activities. We did start a drag racing and
7 drifting detail two weekends ago that will run every
8 weekend, at least through Labor Day and beyond that if
9 necessary. The detail involves the assignment of
10 approximately 60 officers and it's a four-part program,
11 one of them includes intelligence gathering. We review
12 social media, identify priority offenders, and do custom
13 notifications on those offenders. The second part
14 involves enforcement. We have uniform officers assigned
15 to the detail undercover officers in plain vehicles.

16 ASSISTANT CHIEF LeVALLEY: Our Air Support Unit is
17 part of the program. We're utilizing cameras, license,
18 plate readers, and also a partnership with the Michigan
19 State Police and Wayne County Sheriff. The third part
20 involves prosecutions. So this part we're working with
21 both the Wayne County Prosecutor's Office and the City
22 Law Department for prosecutions, and also bringing a
23 civil action against individuals that are engaging in
24 drag racing and drifting to forfeit vehicles. And then
25 the last part involves proactive engagement. We are

1 reaching out to influencers in the drifting community to
2 get them to discourage individuals from engaging in that
3 activity illegally. They should find an inappropriate
4 location if that's the type of activity that they want to
5 engage in. And we're doing again, custom notifications
6 during off times. So we go during the week, identify
7 people who are engaging in that activity. And then we do
8 a custom notification where we approach them and have a
9 conversation about the activity.

10 ASSISTANT CHIEF LeVALLEY: Some of our enforcement
11 stats so far on that just during the first two weekends
12 is that we towed 38 vehicles. We are in the process of
13 forfeiting 10 of those vehicles and we made 12 felony
14 arrests at drifting and drag racing locations which
15 included six weapons offenses. We made one misdemeanor
16 arrest and we issued 155 tickets. Our ShotSpotter program
17 that's been active since last Monday. We have seen some
18 early successes with regard to that program about 24
19 hours after we went live with it. We did have a
20 ShotSpotter where we actually executed a search warrant
21 on a house and recovered a number of weapons and weapon
22 manufacturing equipment out of the house. Later on,
23 throughout that week, we had another incident where we
24 conducted a search warrant after a ShotSpotter alert
25 where we recovered weapons and made an arrest.

1 ASSISTANT CHIEF LeVALLEY: And then last Friday, we
2 had an additional incident where we conducted a search
3 warrant, made two arrests, and recovered a number of
4 weapons. I believe six from that house. Those are all in
5 the same neighborhood. We actually had another one last
6 night too, recovery. So early indication is that
7 everything is working quite well with ShotSpotter. Again,
8 it's only been active for about a week and a half now.
9 Nothing new to report on facial recognition this week.
10 The COVID-19 stats for the department right now, we have
11 24 members that are currently testing positive. That
12 includes 21 sworn and 3 non-sworn members. And we're at
13 44% of the department is vaccinated at this point.

14 ASSISTANT CHIEF LeVALLEY: Nothing new to report
15 about arrests or citations from protests. With regard to
16 updates from Professional Standards Bureau, Director
17 Chris Graveline is on the meeting and he will be
18 available to provide those updates. There was a question
19 about a recent news article involving Detroit police
20 involved in a crash after running a stop sign without
21 lights and siren that is the case. On March 22nd, at 7:19
22 pm at Burt Road and Trojan, officers were responding to
23 an accident and they disregarded a stop sign and struck a
24 citizen's vehicle. One officer and the citizen, both
25 received medical treatment at a hospital in temporary

1 serious condition. At the scene, the officer admitted
2 fault for the accident by running the stop sign. That
3 officer's driving privileges have been suspended for 90
4 days. And there's a report being completed right now, and
5 corrective action beyond that will be taken that could
6 include a reprimand or suspension.

7 ASSISTANT CHIEF LeVALLEY: Now some of the specific
8 questions that were brought up last week, Commissioner
9 Burch brought up the fact that more law enforcement needs
10 to monitor the streets regarding hit and runs and donuts
11 and drag racing. As I mentioned already, we have our drag
12 racing and drifting detail, that's going to run all
13 summer. In addition, we've authorized overtime for our
14 traffic enforcement units throughout the city. So that's
15 both our centralized traffic enforcement unit, as well as
16 the traffic enforcement officers within each of the
17 precincts. Commissioner Davis asked whether the Detroit
18 police department discovered other illegal gun
19 manufacturing, operations occurring in the city and if
20 the city will be part of an interagency task force to
21 pursue illegal criminal efforts. We have not uncovered
22 any other gun-manufacturing operations at this point. But
23 as part of our crime gun intelligence center program, we
24 do partner with ATF and US Attorney's Office to combat
25 gun crimes and gun possession and violence within the

1 city.

2 ASSISTANT CHIEF LeVALLEY: So we partnered with them
3 on Niven. We're using ShotSpotter to identify locations
4 where weapons are fired. We go out the next day to
5 conduct canvases. They've actually - ATF has provided two
6 firearms or explosives, detection dogs, which also have
7 the capability of detecting fired cartridge casings. So
8 we're partnering with them in that case. So we'd go out
9 the next day, we'd collect all the casings for many
10 ShotSpotter call from the night before when the officers
11 couldn't, you know, a lot of times at night it's dark,
12 they don't necessarily have the capability of finding
13 everything that's in the grass or wherever the casings
14 might be. So we'd go out the next day, collect that we
15 put that in the Niven, and then we're using all that
16 information by our firearms investigative team to then
17 identify repeat offenders, repeat locations, and identify
18 shooters so that we can go follow up on those cases with
19 them.

20 ASSISTANT CHIEF LeVALLEY: Commissioner Davis
21 inquired, whether the County, State, and Federal agencies
22 utilize ShotSpotter technology. Like I just mentioned, we
23 do partner with ATF, and part of that partnership
24 involves the use of ShotSpotter. So the ATF agents and
25 our task force officers assigned to that program are

1 being trained on the use of ShotSpotter. Commissioner
2 Brown inquired about the number of missing women in the
3 department strategy to address this ongoing issue. So
4 last year in 2020, we had 1,172 females that were
5 reported missing in the City of Detroit. One comment
6 about that number is that that represents the number of
7 reports that we received. It doesn't necessarily
8 represent the number of people that are missing because
9 we do receive a lot of reports for the same individual,
10 multiple times throughout the year. And that occurs if we
11 have a runaway who is repeatedly running away from home
12 and they're reported missing four or five times
13 throughout the year, that contributes to that. Also,
14 adult foster care homes have a requirement that when
15 somebody doesn't report back to the home by curfew time,
16 they have to call the police and make a missing person
17 report.

18 ASSISTANT CHIEF LeVALLEY: So we do get a lot of
19 repeat reports from that as well. A strategy to address
20 it is that each individual District or Precinct
21 investigative units follow up on those missing person
22 reports, so we can identify as many of them as we can and
23 get them returned. We do use social media as well. You'd
24 probably see if you follow our Facebook page or Twitter,
25 you see a lot of pictures that we put out to try to get

1 help from the public in order to identify the location of
2 missing individuals in the city so that we can recover
3 them. The next thing Commissioner, Holley had a question.
4 He requested a report regarding human trafficking. Right
5 now I can tell you that last year we investigated 197
6 cases of human trafficking. Our Vice Unit made 34
7 arrests, 29 placements, and seven recoveries.

8 ASSISTANT CHIEF LeVALLEY: We've also made
9 arrangements, I believe it is next week. If I'm wrong,
10 maybe Ms. White can correct me, but I believe it is next
11 week. We're going to have an actual lengthy, not lengthy,
12 but more in-depth presentation from our Vice Unit on how
13 they work human trafficking cases. Commissioner Bernard
14 inquired about how many evictions the police department
15 has been engaged in along with the rationale and whether
16 the department received any feedback. So the answer is
17 that we don't engage in evictions. I know that there have
18 been a few times where officers in the past have engaged
19 in evictions, but that is not taking place right now.
20 Evictions are scheduled through 36 District Court via
21 zoom. Evictions are civil matters that are not handled
22 within the police department. We do have a Squatter
23 Action Team and the department members assigned to that
24 team assist in the removals of illegal occupants.

25 ASSISTANT CHIEF LeVALLEY: But we don't do evictions

1 for the courts. That's done by the bailiffs. We do remove
2 occupants that reside inside a property without a lease,
3 rental, or authorization from the owner. That would
4 include evidence that the occupants forced entry onto the
5 property. If the findings show any holdover tenants or
6 any agreement with the previous owner, like a lease or a
7 rental agreement, then we refer the case to 36 District
8 Court via zoom appointment for an eviction. Commissioner
9 Davis asked about vehicle accidents and fatalities, and
10 whether they have increased in general within the City of
11 Detroit. Crashes for 2020, from January 1st to March
12 24th, were at 4,072. That included 35 fatal or critical
13 crashes. For 2021, we're at 3,747 which is about 8% less
14 crashes, but that includes 52 fatal or critical crashes,
15 which is actually 49% higher than it was last year.

16 ASSISTANT CHIEF LeVALLEY: So fatal and critical are
17 up, crashes overall are down and Commissioner Burton
18 discussed the ShotSpotter case in New York in relation to
19 the

20 incident at the 9th Precinct and had a question
21 about how long it takes to get a search warrant and
22 whether there were any prior calls made to the address
23 and how the SpotShotter technology works. It leads to an
24 arrest. So with regard to the search warrant in that
25 instance, it took approximately two hours to get a search

1 warrant. That's probably the standard amount of time that
2 it would take to get a search warrant because the process
3 there involves a detective typing and preparing a search
4 warrant while officers secure the location. And then we
5 have to contact a prosecutor and we have to get ahold of
6 an on-duty magistrate or judge to review the search
7 warrant and get it signed. So it is somewhat of a time-
8 consuming process. In this particular instance, there
9 were two calls for service to that location prior to the
10 date of this ShotSpotter call. One of them was in 2020
11 and one was in 2019. And then with how ShotSpotter
12 actually works, that leads to an arrest. ShotSpotter
13 receives information at their command center. They review
14 the sounds that the microphones pick up and when they
15 determined that it is actually a gunshot, then we receive
16 an alert through our ShotSpotter software that tells us
17 the exact location of where they detected the gunfire at.
18 So the officers respond to that location. And then one of
19 the values in the ShotSpotter information over-relying on
20 a 911 call is that it gives us the exact location. So a
21 lot of times when individuals call 911 because they heard
22 gunshots, they give a general intersection, you know, I
23 live near this area, I'm hearing gunfire, but they don't
24 know exactly where it's at. With the ShotSpotter alerts,
25 we get actual coordinates of exactly where the shot was

1 heard. So officers are able to respond directly to that
2 location. And then in these incidents that we've seen so
3 far last week, they've either found freshly fired
4 cartridge casings. So in the first instance officers
5 observed about 8 actually ended up being exactly 75 fired
6 cartridge casings in a vehicle that had been shot up in
7 the backyard of a house.

8 ASSISTANT CHIEF LeVALLEY: And so they're able to
9 look at the casings. You can see that they're not rusted,
10 they don't have dirt on them, and they're freshly sitting
11 on the grass, and then proceed with their investigation.
12 And so in this instance, they knock on the door, they
13 have communication with the individuals inside the house.
14 They asked them about the gunshots, ask about the safety
15 of everybody inside, and is anybody hurt? The individuals
16 declined to let the officers check to see if anybody's
17 hurt. So then the officers secure the location and they
18 go start preparing a search warrant and we get
19 authorization from a judge or a magistrate to go into the
20 house. So that's kind of a standard response. The one we
21 had later on in the week was very similar. They got to
22 the location, two individuals were standing out front
23 with guns in their hands.

24 ASSISTANT CHIEF LeVALLEY: They ran into the house,
25 the officer secured the house. We prepared a search

1 warrant. In that instance, they were actually able to
2 talk the individuals into coming back out. But we still
3 prepared the search warrant before we went in and
4 searched and recovered all the weapons. So that's kind of
5 the gist of how ShotSpotter works. We could, at some
6 point if Commissioners wanted to see it work in action,
7 we could make arrangements for that, but that probably
8 wouldn't be a zoom presentation. It would probably be
9 more of a need to see it live type of thing. So I think
10 that those were all the questions that were presented to
11 me. So I could take any new questions you might have.

12 COMMISSIONER BURCH: Madam Chair.

13 CHAIRPERSON HOLT: Okay. Okay. Okay. Thank you, AC
14 LeValley for attaching a name to the questions that were
15 presented by the Commissioners. And we really appreciate
16 the attention. I believe that you are giving to ensure
17 that our questions are being recognized. I believe
18 Commissioner Burch is next for questions.

19 COMMISSIONER BURCH: Yes, ma'am.

20 CHAIRPERSON HOLT: Is that for questions?

21 COMMISSIONER BURCH: Thank you so much, AC LeValley.

22 CHAIRPERSON HOLT: Excuse me. I'm sorry. Commissioner
23 Burch, ten seconds. The person who - I'm sorry. You can
24 go on Commissioner Burch.

25 COMMISSIONER BURCH: Okay. You sure?

1 CHAIRPERSON HOLT: Yes. Ma'am, I'm sure. I'm sure.

2 COMMISSIONER BURCH: I had my thought ready there.

3 CHAIRPERSON HOLT: Commissioner Burch, we couldn't
4 hear you.

5 COMMISSIONER BURCH: Can you hear me know.

6 CHAIRPERSON HOLT: I can hear you. Yes, ma'am, we can
7 hear you now.

8 COMMISSIONER BURCH: AC LeValley, thank you so very
9 much, but I appreciate just like the Chair said you
10 identified each Commissioner's concern. Sir, let me say
11 this to you regarding the concerns we're speaking about.
12 I'm speaking about with the donuts, the speeding, and the
13 lawlessness. I've mentioned before that has, you know,
14 summer is approaching soon. If you already have this
15 bombardment of just lawless people doing, seems to be
16 whatever they want to do. The police department is doing
17 what they can do, but they are limited, sir. And you know
18 that I'm just asking you when we had the round table
19 discussion and we had a Sheriff Raphael Washington on the
20 line, he mentioned that we would see the presence of
21 sheriff cars. Now I can say I haven't, my constituents
22 say they haven't. so I'm asking you, sir, really for you
23 to take it back to Chief Craig, why can't we call in the
24 arm guards, State police, post up the signs, AC, post the
25 signs that when you're entering Detroit, no matter from

1 where, it is 8-miles in Dequindre. If you enter here that
2 sign says, the law speeding laws are enforced and you
3 have underneath a fine. And I know you had to go through
4 Ms. Worthy for that, but you can do that. These people
5 have to know that when you come across 8-mile using that
6 for an example, you enter Detroit, you're going to meet
7 our police department. You're going to meet whoever and
8 you will be ticketed and that car will be taken. I'm just
9 asking you AC LeValley, you got to have a strategy to
10 stop it now, before it gets all out of hand. So please go
11 back and tell them what happened to the National Guard,
12 the Sheriff, we hear they're there, but the criminals are
13 still flying down Dequindre in their nice cars. They zoom
14 past another driver because they are too slow. So you
15 can't see all that, but we do. I hear it all over
16 District 3. How they disrespect you. Okay. That's why
17 it's so important about the sign that you see behind me.
18 You have to respect and you got to love where you live,
19 sir. And then it will be taken care of, but you can't do
20 it by yourself. Accept the help that's out there for us.
21 Thank you, Madam Chair. Thank you, AC LeValley.

22 CHAIRPERSON HOLT: Thank you, Commissioner Burch.
23 Well, do we expect a response AC LeValley?

24 COMMISSIONER BURCH: Yes. I would like one.

25 ASSISTANT CHIEF LeVALLEY: Yes. We actually have

1 already engaged outside agencies to assist us. So we've
2 spoken with the Michigan State Police. They are going to
3 have troopers assigned to the detail and they're
4 increasing their level of presence in the city. So I was
5 told that that's going to occur May 1st, so it'll be
6 another month, but they have a new trooper classes
7 graduating and they've committed a lot of those resources
8 to us. Also, we do have a commitment from the Wayne
9 County Sheriff's Department to participate. I don't know
10 what the level of that participation will be. Michigan
11 State Police are also going to be flying one of their
12 helicopters over Detroit to participate in this
13 initiative. We have not, and we won't be soliciting the
14 National Guard for help, but all these other law
15 enforcement agencies, yes, we are. The signs, I'll follow
16 up with the sign recommendation, definitely.

17 CHAIRPERSON HOLT: Thank you. AC LeValley.
18 Commissioners, I'd like to bring it to the attention of
19 the Commissioners and to the public that Commissioner
20 Hernandez has joined us as well. Now, may I have the next
21 person who --

22 COMMISSIONER DAVIS: Madam Chair, Madam Chair.

23 CHAIRPERSON HOLT: Yes, Commissioner Davis.

24 COMMISSIONER DAVIS: Yes. I have a couple of
25 questions. One, I note carjackings are up. Was any of the

1 carjackings at Greenlight locations and were you all able
2 to apprehend and closed any of those cases?

3 ASSISTANT CHIEF LeVALLEY: I don't know that off the
4 top of my head, but it can be a report follow-up for next
5 week, definitely.

6 COMMISSIONER DAVIS: Also as it relates to
7 SpotShotter, I know you have had a number of incidents
8 that have happened. Are all those incidents over on the
9 Eastside, in the 9th Precinct.

10 ASSISTANT CHIEF LeVALLEY: All of the incidents that
11 I mentioned today did occur in the 9th Precinct area. We
12 also have ShotSpotter in some areas in the 8th Precinct,
13 and they do have some successes there as well. The
14 activity so far is not as prevalent in that area, as it
15 has been in the 9th Precinct.

16 COMMISSIONER DAVIS: Also, do you anticipate perhaps
17 ultimate needing more than 60 officers dedicated to the
18 drag racing and donuts?

19 ASSISTANT CHIEF LeVALLEY: Right now the 60 that we
20 have seems to be adequate. We will continue to make an
21 assessment as the weather improves and we may have to add
22 more, but right now that that number seems to be what is
23 necessary to work the situation.

24 CHAIRPERSON HOLT: Thank you. Thank you Commissioner
25 Davis.

1 COMMISSIONER DAVIS: Also, as a side note, I did see
2 some Wayne County Sheriffs over here.

3 CHAIRPERSON HOLT: Commissioner Davis, may we allow
4 another Commissioner to pose his or her questions, and
5 then if there's time, you can come back, please. I think
6 you are into question number four. Are there any more
7 questions.

8 COMMISSIONER BROWN: Through the Chair.

9 CHAIRPERSON HOLT: Thank you, Commissioner Brown.

10 COMMISSIONER BROWN: AC Valley, thank you for the
11 report and answering those questions. I really appreciate
12 that, getting back to me. I did have a couple questions
13 and some kudos here. I really want to give kudos out to
14 the 8th Precinct area, on over 20 arrests made over the
15 weekend for OTE sting operation and it was a good job. It
16 was a lot of complaints over there. You know, it's a very
17 good job that we had over 20 arrests, and I know we
18 impounded a lot of cars. So that's a great job. Also, I'm
19 glad to hear that the officers are doing well with the
20 sign, but, and my other question was the weapons that you
21 had taken off the streets, are we tracking to see if
22 they're connected to these illegal shop area? That's my
23 main question.

24 ASSISTANT CHIEF LeVALLEY: Yes, every weapon that we
25 take, we do a trace through the ATF. And so the history

1 of the weapon is traced. And if it's purchased illegally
2 or at a gun shop, that doesn't have legitimate paperwork
3 or registration or anything like that, then we definitely
4 follow up on that. So that's not just the ShotSpotter
5 weapons, that's every weapon that comes into our custody.

6 COMMISSIONER BROWN: Okay. All right. Thank you.

7 CHAIRPERSON HOLT: Commissioner Jones.

8 CHAIRPERSON HOLT: Thank you. Also, thank you again
9 for your presentation AC LeValley. You did an excellent
10 job of explaining the benefits of ShotSpotter and how
11 ShotSpotter works. Our community has been demanding
12 answers of us for a long time. This seems to be one of
13 the most effective programs that DPD has put together to
14 be able to address that exact situation. And I know many
15 people are waiting for it to go citywide. So that way we
16 can try to limit the amount of these gunshots that are
17 taking place within the neighborhoods. So many people
18 have been living under siege for a long time with shots
19 being fired all around them. Also, right now, the
20 benefits seem to be an 8th and a 9th Precincts, but I
21 would like to definitely advocate that this become a
22 citywide, a referendum, so that, that way we can try to
23 curb some of the crime that's taking place in the
24 neighborhoods.

25 COMMISSIONER JONES: And that's what the community

1 has been screaming about for a long time. So I'm really
2 proud of how ShotSpotter is working. Additionally, and
3 all I can think about with everything that I heard about
4 and address being made for the drifting and the drag race
5 is Commissioner Shirley Burch. She's been advocating for
6 her community for a long, long time. Finally we got a
7 plan in place to try to address the speeding, the
8 drifting and all the other activities that are taking
9 place with those vehicles. And as I understand it, there
10 are a number of weapons that are being seized along with
11 the vehicles that are being seized also. So that again,
12 provides us with another opportunity, take illegal
13 weapons off the streets. So I thank you for your
14 presentation and I thank you for the efforts with DPD and
15 the community that's asking us for answers. Thank you.

16 CHAIRPERSON HOLT: Thank you, Commissioner Jones. I
17 think Commissioner Carter has her hand raised, Oh, I'm
18 sorry. AC LeValley.

19 ASSISTANT CHIEF LeVALLEY: Yes, ma'am, thank you. I
20 just wanted to make a comment about the ShotSpotter
21 program. So, we're only a week and a half into it, but
22 like I said, it does seem to have a lot of value so far.
23 And so ideally we would like to expand it to other areas
24 of the city. Once we have it in place long enough to make
25 sure that it's working properly, then we'll explore that.

1 But another comment that I wanted to make about it, is
2 that in that first instance where there were 75 shots
3 that were fired in the backyard, there were no 911 calls.
4 So I think that that also tells a story about what's
5 going on in that area, in that, not only would we have
6 not gone to the exact location, but we wouldn't even have
7 responded because I'm assuming that people that live
8 there are so conditioned to it, that they just, they
9 didn't even call 911.

10 COMMISSIONER BURCH: Correct.

11 ASSISTANT CHIEF LeVALLEY: So hopefully that with
12 this program in place, we'll be able to take a lot of
13 weapons and a lot of individuals that are out there
14 firing weapons illegally in the city, out of the
15 equation.

16 CHAIRPERSON HOLT: I'm sorry, Commissioner Carter, I
17 see your hand now.

18 COMMISSIONER CARTER: Okay. Oh.

19 CHAIRPERSON HOLT: You're muted.

20 COMMISSIONER JONES: Commissioner Carter, you're
21 muted.

22 COMMISSIONER CARTER: Okay. Good afternoon, Assistant
23 Chief LeValley. I have a question in regards to the drag
24 racing and the donuts and all of that. Will that be
25 extended to like the three wheelers and the mini bikes?

1 Because we had a problem last year on Fort Street where
2 they shut it down.

3 ASSISTANT CHIEF LeVALLEY: That will be a part of the
4 operation, yes.

5 COMMISSIONER CARTER: Okay. Thank you.

6 ASSISTANT CHIEF LeVALLEY: And we're actually our
7 media relations right now is preparing a one-page fact
8 sheet that we're going to distribute so that citizens
9 know when it's appropriate to drive a vehicle like that,
10 where you can drive it, what to do if you see them, just
11 for educational purposes. So we'll have that out soon.

12 CHAIRPERSON HOLT: Are there any more questions?
13 Thank you, Commissioner Carter and AC LeValley.

14 CHAIRPERSON HOLT: Commissioner Bernard.

15 COMMISSIONER BERNARD: Yes, Linda Bernard. Okay,
16 well, thank you. Let me catch up. Thank you, Chief a
17 couple of things. Number one. Can you give us a report, a
18 real report next week on the Squatter Action Team on how
19 many arrests they've made, how many calls they've had and
20 whether these were justified or unjustified.

21 ASSISTANT CHIEF LeVALLEY: Will do.

22 COMMISSIONER BERNARD: Okay. Secondly you mentioned
23 that in the second case you got a warrant and the people
24 told you there was no one hurt inside. And then you use
25 the warrant to enter their home. The warrant permitted

1 you to do that, just based on the fact that there were
2 shots fired exterior to the home?

3 ASSISTANT CHIEF LeVALLEY: Yes, the warrant
4 authorized us to enter the house.

5 COMMISSIONER BERNARD: That's troublesome to me,
6 because if someone tells you as a homeowner, that there
7 are no shots fired at their house, and there's no one
8 injured in their house, I'm not sure that is appropriate
9 for a warrant for you to go into and then search their
10 house, obviously you can see the human beings, but I
11 assume that the search went beyond just looking at people
12 and making sure they weren't hurt that you searched the
13 home, which is troublesome to me from a 4th Amendment
14 perspective, because I don't think that you can enter
15 someone's home and search their house as opposed to look
16 at people perhaps, and make sure that no one has a
17 gunshot wound to search and find weapons. That isn't the
18 purpose of the search warrant. The search warrant was to
19 ascertain whether or not someone was hurt. Thirdly,
20 regarding the forfeiture of automobiles, I think that
21 most of those automobiles that you may have forfeited may
22 belong to parents or aunts or uncles or grandparents or
23 something. And, I would appreciate if you would look at,
24 first of all, I totally agree with what Commissioner
25 Burch's thing about letting the community know with big

1 signs and all that stuff. That was really a very
2 proactive response, and it doesn't really result in
3 criminal charges against people, but in terms of the
4 forfeiture issue, I'd appreciate it. If the department
5 could look at that issue, if you will, with the ACO, you
6 and others, in order to try to address the problem
7 without making it worse for people who are already poor
8 and who are already paying for vehicles on time and
9 already paying all kinds of insurance, you know,
10 ridiculous insurance premiums, because I'm sure when you
11 guys forfeit the car, there's probably a notice generated
12 to the insurance company that grandma's Julie's car has
13 been forfeited. She didn't know her grandson was going to
14 race the car, and now she doesn't have a car and, or a
15 girlfriend or a wife or whatever. It could be a whole
16 family, a family's car. So I'm concerned about the
17 forfeiture issue, and I'm looking for you to perhaps
18 identify a lesser penalty than forfeiture of people's
19 vehicles for that, because the forfeitures are really
20 quite high it's based on the value of the car. And I had
21 a client like that.

22 CHAIRPERSON HOLT: Commissioner Bernard, I'm sorry.
23 We have two very, very lengthy presentation. So can you
24 bring your - and your suggestions are phenomenal,
25 obviously your questions are, very good. Can you bring

1 your discussion to a closure so we can move on, perhaps?

2 COMMISSIONER BERNARD: Yes, Madam Chair. I just would
3 appreciate you looking into that and talking to some
4 civil liberties groups concerning it. Thank you.

5 CHAIRPERSON HOLT: Thank you, Commissioner Bernard.
6 Any other questions from the Commissioners? I'm sorry.

7

8 ASSISTANT CHIEF LeVALLEY: Through the Chair.

9 CHAIRPERSON HOLT: AC LeValley, I'm sorry.

10 ASSISTANT CHIEF LeVALLEY: I'd like to respond,
11 please. So two issues there. One was the search warrant.
12 And so the initial contact with the individuals had to do
13 with whether or not somebody was shot. So the actual
14 content of the search warrant, I'm not really going to
15 discuss right here, but the search warrants reviewed by
16 the prosecutor by a judge. The judge authorizes us to
17 enter the location, and if there's a challenge to the
18 search warrant or what's in the affidavit, then I'm sure
19 that will be addressed in court. So you know, that's,

20 COMMISSIONER BERNARD: That's not our responsibility,
21 though. Your responsibility is to search for what you're
22 searching for.

23 CHAIRPERSON HOLT: Commissioner Bernard.

24 ASSISTANT CHIEF LeVALLEY: We did exactly that. We
25 searched what, what we were supposed to be searching for,

1 what the search warrant authorized us to search for. Now,
2 the second thing had to do with forfeitures is, we can't
3 forfeit a vehicle that belongs to an individual that's
4 not the driver. So all of the vehicles that we're
5 forfeiting are owned by the person who's driving, who's
6 committing these illegal acts that are a nuisance to the
7 community and put the safety of everybody who's around
8 there, whose out on the road in jeopardy. So those are
9 the individuals whose vehicles were seizing, and we're
10 not taking grandma's car.

11 COMMISSIONER BERNARD: You have, that is not true,
12 sir. And I'll prove it to you at the next meeting.

13 ASSISTANT CHIEF LeVALLEY: All right.

14 CHAIRPERSON HOLT: Excuse me. Thank you, Commissioner
15 Bernard and AC LeValley, for you're very thorough
16 responses.

17 COMMISSIONER BURTON: Through the Chair.

18 CHAIRPERSON HOLT: Commissioner Burton and then we
19 are going to move on after Commissioner Burton's
20 question.

21 COMMISSIONER BURTON: You know, I have many concerns
22 about the department is using racist technology in
23 America's black poorest city, like Detroit. You know,
24 ShotSpotter technology has had many failed false alerts
25 in the past in other States. I'd love to see the CEO from

1 ShotSpotter, Ralph Clark to come before this Board or a
2 member of ShotSpotter to come before this Board, along
3 with members from the ACLU and a panel discussion because
4 District 5 residents do not want to see this technology
5 come into our District, number one. Number two, there are
6 many privacy concerns because of the listening sensors
7 device or whatever that can actually pick up
8 conversations from the street level. And so I'd like to
9 ask the Chief that's sitting in today how many times have
10 you used ShotSpotter and how many false alerts have the
11 department received?

12

13 ASSISTANT CHIEF LeVALLEY: I don't have a number of
14 ShotSpotter alerts in front of me, but we've been using
15 it for about 10 days now. And so there are multiple
16 alerts that come in per day. So when you say a false
17 alert - the ShotSpotter command center, listen and make
18 the determination that this is actually a gunshot before
19 they send us the location. And so for us to go out to a
20 location and we find nobody, or we don't find any
21 casings, I guess it wouldn't indicate that it's a false
22 alert that just indicates that the officers didn't find
23 anything. So that's really not something that could be
24 measured. You wouldn't know it's a false alert just
25 because we didn't find a casing. I mean, if somebody

1 fired a revolver and we went out to a location, we
2 couldn't find a casing and if they were gone already,
3 it's not a false alert, it's just not a ShotSpotter
4 success.

5 CHAIRPERSON HOLT: Okay. Thank you, again, Chief
6 LeValley and Commissioner Burton, I'm sure Mrs. White
7 wrote down the two suggestions you requested and maybe we
8 can expound on those suggestions as it relates to having
9 - I guess what you want is a visual presentation of how
10 ShotSpotter is used. So thank you again, Commissioner
11 Burton.

12 COMMISSIONER BURTON: I'm going to protect the
13 citizens of Detroit from racist technology.

14 CHAIRPERSON HOLT: The next item on the agenda is
15 DPD.

16 ASSISTANT CHIEF LeVALLEY: Through the Chair.

17 CHAIRPERSON HOLT: AC LeValley, we're going to move
18 on, but thank you so much for your responses. They are
19 very detailed, they're very to the point, but we're going
20 to move on to the next item on the agenda, which is the
21 DPD lawsuits and settlements that will be conducted by
22 the Corporation Counsel Lawrence Garcia. Again, thank
23 you, AC LeValley.

24 CORPORATE COUNSEL GARCIA: Thank you, Madam Chair.

25 CHAIRPERSON HOLT: Yes, sir.

1 CORPORATE COUNSEL GARCIA: I am sorry not to be with
2 you in person. I always prefer it when we are there at
3 the Michigan Room at Public Safety Headquarters. And I
4 apologize that I'm going to try and switch to sharing
5 screen rather than just talking to you face-to-face this
6 way so that we can go through the graphs that we have. So
7 with your permission, I will share now and start the
8 slideshow. Okay. This year's presentation is something
9 that we've been doing for a while. The first slide shows
10 the sort of relative division of payouts by departments.
11 **A lot of attention is given to the Detroit Police**
12 **Department and the lawsuits against the DPD, just by**
13 **their nature. They're a little bit more interesting in**
14 **the media, but as you can see, it's really city vehicles**
15 **through the department of transportation that produced**
16 **the greatest amount of legal liability for the city.**

17

18 CORPORATE COUNSEL GARCIA: Tort reform about auto
19 negligence may improve that for us over time. It may
20 reduce the amount paid out on each case because to give
21 you an example, if someone claims that they hurt their
22 back in a bus accident they could go get a chiropractor
23 and a massage therapist and replacement services in their
24 house and run up a bill of tens of thousands of dollars
25 for what might be a pretty minor incident. And the new

1 reform should hold that down by capping some of the
2 amounts that can be paid for some of those services,
3 things like MRIs. So you might see the [24:54 inaudible]
4 numbers go down and DPD go up as a result. But I think
5 DPD has always been in the 10 to 15% range as long as
6 I've been Corp Counsel, and I think even for years
7 before. This one's a little hard to read because there
8 are so many years involved, but when you try to figure
9 out where the claims are coming from if you start on the
10 far left column, the claims filed in the year 2015 were
11 largely from cases pretty remote to 2015, and the same
12 holds true for each year that you step from the left of
13 this green to the right.

14 CORPORATE COUNSEL GARCIA: The more recent case, the
15 more recent years of activity tend to produce more
16 claims. But the further in time we get away from the year
17 that the claim occurred, the longer that stack gets, and
18 2015 does seem to be a bit of a watershed moment. It
19 corresponds to the bankruptcy, but it also is a good
20 place where you can sort of assess maybe what we would
21 consider the old regime DPD, and then you get a chance to
22 look at what is, I would say, more recent DPD culture and
23 activity. And this slide illustrates that really most
24 payments on DPD cases in the last six years are from
25 older incidents, incidents prior to 2015. We had that

1 big, big, big column on the far left through the
2 bankruptcy that caught up a lot of stuff. But if you
3 ignore that aberration in 2015, and look at subsequent
4 years, you see that it's not so much the most recent
5 police work that has caused the big payouts as it is
6 older cases predating 2015.

7 CORPORATE COUNSEL GARCIA: And then this is a really
8 interesting slide, and in many ways, my favorite, because
9 you want to get a sense of whether we're doing better or
10 we're doing worse. This is probably the best illustration
11 to see what the trend is. I would say this slide in my
12 estimation reveals that DPD is about the same, not any
13 big swings up or down if you allow for the fact that in
14 2019, we paid out the Ayana Stanley Jones case at eight
15 and a quarter dollars. And of course, that case the
16 events that gave rise to that case occurred in 2011. So
17 it's a lot older than the column that it shows up in. But
18 if you take that one out you see DPD bouncing around
19 below \$6 million in annual payouts pretty consistently
20 for the last six years.

21 CORPORATE COUNSEL GARCIA: Yeah. And then finally,
22 this is a good illustration of how that breakdown pre-
23 2015 and post-2015 goes. You can see it's really the
24 older cases that are producing almost \$21 million of
25 liability. And the more recent five years in comparison

1 is \$7.7 million of liability, much less, despite the fact
2 that the second slide showed most of the claims we're
3 catching nowadays are from more recent years of events.
4 So more claims coming in, but the more expensive claims
5 tend to be the older claims, and maybe that's cause for
6 optimism, depending on your point of view. And with that,
7 I'll stop the share so we can see each other again. And I
8 did get some written questions before today's meeting and
9 Madam Chair, if you like, I can run through those with
10 the responses I have prepared or field questions at your
11 pleasure.

12 CHAIRPERSON HOLT: Please, Corporation Counsel, or
13 I'll go through the questions that were presented
14 previously, and I'm sure the Commissioners will come up
15 with questions that are not covered and the ones that
16 you're going to share today.

17 CORPORATE COUNSEL GARCIA: Will do. Well, these are
18 pretty quick. The first question, what trends do you see
19 in DPD lawsuits that have been filed in the past year?
20 And here, I would say the most alarming thing is the
21 thing that I raised alarm about last year, that the
22 wrongful incarceration Compensation Act cases. I want to
23 give you guys a sense of scope here in scale. The Wayne
24 County Prosecutor's Office has a Conviction Integrity
25 Unit that has reversed the conviction of 27 individuals

1 since the unit were formed in 2018 and of those 27
2 individuals who've gotten out of prison through the work
3 of the CIU, 16 have sued, two have settled and 14 cases
4 remain with 262 years of incarceration at issue. So you
5 know, a trend is, I think we're seeing more and more
6 wrongful incarceration cases in the last year, and we're
7 likely to see more in the years to come. The exposure to
8 the City of Detroit is millions, hundreds of millions of
9 dollars potentially given the number of years of
10 incarceration that are at issue.

11 CORPORATE COUNSEL GARCIA: The second question is
12 what risk mitigation measures should the BOPC see as
13 civilian oversight take with respect to DPD lawsuits?
14 Here, I would say that I think you should continue your
15 work monitoring for patterns and repeat offenders in the
16 department. I think the review of cases filed that you
17 guys conduct routinely is an excellent way of serving as
18 a watchdog and kind of looking out for potential repeat
19 sources of liability for the city. You might also explore
20 the means of working with the department around dog
21 shootings and car crashes. We see a number of cases, it's
22 just the same sorts of facts over and over again. And
23 it's anybody's guess whether there's anything that can be
24 done about it, but if new practices, policies, new habits
25 could diminish the number of police car crashes and the

1 number of dog shootings during police searches, that
2 would really help out in reducing the amount of
3 liability, What risk mitigation measures has the city
4 taken to address police lawsuits?

5
6 CORPORATE COUNSEL GARCIA: You know, I know that the
7 Chief has put increased attention on the areas that we've
8 raised alarm about. And when I say we, I mean, both the
9 Law Department and the Board, that is I think, officer
10 discipline and the professional standards work of
11 Director, Christopher Graveline is pretty robust and
12 getting more robust all the time. I think both the Police
13 Department and the Law Department are doing a better job
14 of scrutinizing requests for representation and
15 indemnification to reduce the number of cases in which we
16 actually, pay for the acts of officers. As you may know,
17 the standard is that an officer is entitled to legal
18 defense and indemnity that is to have all the expenses
19 associated with the lawsuit paid where he or she
20 encountered the claim because of the good faith
21 performance of official duties.

22 CORPORATE COUNSEL GARCIA: And I think in the past
23 both departments, the Law Department and the police
24 department have had a pretty loose understanding of what
25 good faith performance is as well as official duties are.

1 But in recent years, I think we've been more deliberate
2 in really reviewing those standards and asking ourselves,
3 was this police work, or was this off the books, off the
4 job activity? And was it good faith, or was it in
5 violation of department procedure? And I think that could
6 help mitigate risk for the city, and it might also help
7 reform the culture within the police department. Number
8 four, is there a concern regarding whether there will be
9 an increase in the amounts paid in DPD lawsuits because
10 of wrongful convictions? My answer would be, yes, there
11 is a concern that wrongful incarceration case numbers
12 will go up and payouts associated with those cases will
13 go up, very concerned about that.

14 CORPORATE COUNSEL GARCIA: And I appreciate your
15 being concerned about it too. The last question, please
16 provide a breakdown for the categories of the violations
17 of constitutional rights, specifying which constitutional
18 violations have been violated? We don't really track the
19 information that way. I think we have a pretty good
20 tracking system for claims to handle by the Law
21 Department, but it doesn't get down to that sort of
22 granular detail. I want to just give you examples of
23 cases that would qualify in the code, what we call
24 constitutional violation. So the following types of cases
25 would all fall into the same category and be tracked the

1 same way by my office. They would be section 1983 civil
2 rights violations. An example would be a plaintiff shot
3 while fleeing from an officer that person made it a 1983
4 allegation, beatings or police brutality would be another
5 example of 1983.

6 CORPORATE COUNSEL GARCIA: You could have prisoner
7 claims, folks would allege cruel and unusual punishment,
8 constitutional violations a lot of raids, and cases
9 involving searches for drugs. Those can precipitate 4th
10 Amendment search and seizure constitutional violation
11 claims and 14th Amendment due to process types of claims
12 come up all the time too, where people say that the
13 police didn't go through the proper procedures before
14 pulling them over, or searching them or making them the
15 targets of the investigation. Those are the kinds of
16 cases that fall into the constitutional violation
17 category for us. But then within that category, we don't
18 break down into subsets. It would just be too hard. Most
19 cases that we get from plaintiffs, aren't just I got shot
20 and therefore, I think it was police brutality. They'll
21 say I got shot. And therefore, I think it was 14th
22 Amendment, 4th Amendment police brutality, 1983. They
23 kind of throw the kitchen sink at us so that they have
24 all their bases covered as well. So in those cases, it's
25 hard for us to pick one flavor of claim and typify the

1 entire action under that heading Those are the questions
2 and the answers Madam Chair.

3 CHAIRPERSON HOLT: Oh, thank you. Corporation Counsel
4 Garcia. Commissioners, do you have questions?

5 COMMISSIONER DAVIS: Madam Chair.

6 CHAIRPERSON HOLT: Yes. Commissioner Davis.

7 CHAIRPERSON HOLT: Sir, I was wondering, you didn't
8 mention the fact of falsifying or lying under oath. I
9 would think there should be severe consequences for
10 officers that lie, falsify reports because an officer
11 misrepresents the facts, and have somebody innocent go to
12 jail. So do you still try to identify or call that good-
13 faith effort if you find out for certain that they lied?

14 CORPORATE COUNSEL GARCIA: Certainly, if we know for
15 certain that an officer has violated any department
16 policy, as I said, we're being more aggressive about
17 denying representation and indemnification. In other
18 words, if an officer breaks the rules, he or she -
19 they're on their own, but that's more and more, I think,
20 clear in the way that the lawsuits against officers are
21 handled. However what about cases where the plaintiff
22 says the officer lied on me and the officer says, no, I
23 didn't, and there's no evidence, there's no videotape or
24 smoking gun or something that proves it one way or the
25 other, in those cases, the tie goes to the runner and we

1 continue to representation and indemnification with the
2 officer until we're convinced that we shouldn't be. And
3 unfortunately for everybody, it's often hard to tell
4 who's telling the truth, but the officers have a right to
5 presume that the city will stand behind them unless there
6 is compelling evidence that they broke the rules and in
7 those situations they are on their own.

8 COMMISSIONER JONES: Through the Chair.

9 CHAIRPERSON HOLT: Commissioner Jones.

10 COMMISSIONER JONES: Yes. So good afternoon, Mr.
11 Garcia, just a quick question, does the officers that
12 find themselves on that Brady Giglio list, does that tie
13 your hands with cases where a person may be seeking
14 exoneration from charges as you had mentioned, and how it
15 relates to the kind of monies that may have to be paid
16 out, and if that person is exonerated of all charges,
17 because, you know, there would be an issue, I guess,
18 bringing an officer back to the investigation and in
19 questioning them when they're, when their name appears on
20 the list. Doesn't that tie your hands up somewhat?

21 CORPORATE COUNSEL GARCIA: I would say it complicates
22 matters. I wouldn't use your phrase ties our hands
23 because I always can move my hands around, no matter how
24 much people try to tie them, but you've got a good point.
25 When officers have been recorded and there's a documented

1 history of dishonesty through Brady or Giglio case type
2 proceedings that do make it very difficult to then
3 present the officer as the source of evidence that makes
4 the case against a criminal defendant or makes the case
5 in favor in defense of the officer, him or herself. So
6 yes, that is a complicating part of the job, but it is
7 not overwhelming us at present gratefully, the list of
8 officers is limited, and the list of cases where those
9 officers are sued or are the subjects of scrutiny is
10 limited as well.

11 CHAIRPERSON HOLT: Thank you for your question,
12 Commissioner Jones, and your response Corporation Counsel
13 Garcia. Commissioner Bernard, your hand is raised.
14 Commissioner.

15 COMMISSIONER BERNARD: Yes. Hi, Corporation Counsel
16 Garcia. How are you?

17 CORPORATE COUNSEL GARCIA: Good afternoon.

18 COMMISSIONER BERNARD: And thank you very much. I
19 just have two really quick questions. Number one. How
20 many officers have you advised that you would not
21 represent them that you found their defense to not be
22 credible?

23 CORPORATE COUNSEL GARCIA: We don't try to make it a
24 test of credibility, but cases where we have videotaped
25 evidence, for example, of an officer performing acts that

1 are in violation of department procedures.

2 COMMISSIONER BERNARD: That's what I mean.

3 CORPORATE COUNSEL GARCIA: I couldn't give you an
4 exact number. I'd say it's between 5 and 15 over the last
5 three years.

6 COMMISSIONER BERNARD: And how many cases are you
7 currently defending the police department?

8 CORPORATE COUNSEL GARCIA: Average about 90 a year,
9 and it takes two or three years to close out the cases.
10 So that's probably 250-300.

11 COMMISSIONER BERNARD: Okay. So 300 cases. And
12 there's a special unit that does police litigation, is
13 that correct?

14 CORPORATE COUNSEL GARCIA: No. We have lawyers who
15 are experts in handling those kinds of cases and they
16 tend to focus their docket on cases involving police
17 liability issues governmental immunity type stuff, but
18 they don't have their own unit. They're just specialists.
19 I would call them.

20 COMMISSIONER BERNARD: About how many?

21 CORPORATE COUNSEL GARCIA: 5 or 6.

22 COMMISSIONER BERNARD: Okay, thank you.

23 CHAIRPERSON HOLT: Thank you, Commissioner Bernard.
24 Commissioners, I must admit, I'm most impressed with the
25 quality of your questions. Are there any other questions

1 from other Commissioners?

2 COMMISSIONER BROWN: Madam Chair.

3 CHAIRPERSON HOLT: Commissioner Brown.

4 COMMISSIONER BROWN: Turn his camera back on. Good
5 afternoon Corporation Counsel. Good to see you again.
6 It's always a pleasure to be in your company.

7 Of the number of cases that you have that I didn't
8 see, are these cases settlements or did these cases
9 actually go to trial?

10 CORPORATE COUNSEL GARCIA: Well, the payouts figures
11 that the dollars that I reported today could come in
12 either flavor. We have not lost a police case on my
13 watch, so they would all be settlements. We've tried only
14 three or four, maybe since I've been Corporation Counsel,
15 cases that involved officer activity. One of them was a
16 loss, but then we won it on appeal and overturn the loss.
17 That was the Bercot case. It was a million, three to the
18 Fieger firm, but a classic of Fieger victories, it melted
19 in the sun of the appellate process. So that money came
20 back - we never paid it out. We had to pay a bond, but
21 then when we won the appeal that all went away.

22 COMMISSIONER BROWN: And I noticed in the City
23 Council report that we had a large settlement due to some
24 of the protests, do we actually know how many litigants
25 were in that lawsuit or that settlement?

1 CORPORATE COUNSEL GARCIA: If you're referring to
2 the Detroit Will Breathe case, filed last August, there
3 is one organization, that's a plaintiff in that case. The
4 organization is Detroit Will Breathe, and then there are
5 14 individual persons, you know, human beings who are
6 also plaintiffs in that case. It is 15 plaintiffs'
7 altogether, one organization, and 14 individuals.

8 COMMISSIONER BROWN: In the end, it was the total
9 settlement for all of them?

10 CORPORATE COUNSEL GARCIA: No, we have not settled
11 that case is open. There's no settlement reached in that
12 case.

13 COMMISSIONER BROWN: Okay, because I thought I saw
14 something in the City Council's paperwork that there was
15 a settlement therefor.

16 CORPORATE COUNSEL GARCIA: I'm sure I would know
17 about that one. It's early days, it may sound strange to
18 say that six months after the complaint was filed, but
19 with COVID and a case of that magnitude in Federal Court,
20 the wheels of justice grind very slowly. And so we are
21 still in the discovery phase, we're talking back and
22 forth the plaintiffs and the defendants and anything
23 could happen.

24 COMMISSIONER BROWN: And do we know if that was the
25 only lawsuit that was filed against the city for police

1 misconduct with the entire protest?

2 CORPORATE COUNSEL GARCIA: That's an excellent
3 question. There's one other, the second case involved a
4 lady struck, she believes by a baton round or a rubber
5 bullet. There are some questions as to whether that's
6 what struck her and whether it was fired by the officer
7 that she's identified as the shooter. But that case is
8 still ongoing, and those are the only two lawsuits that
9 have been brought out of last summer's protest activity,
10 which I think is a pretty good testament to the Detroit
11 Police Department and this Board. We had a lot of protest
12 activity in this city, but we had very little lasting
13 injury or problem because of it.

14 COMMISSIONER BROWN: Yes, I know. I was down there
15 several times, but okay. Thank you very much, sir. Good,
16 good report though. I appreciate it.

17 CORPORATE COUNSEL GARCIA: You're welcome.

18 CHAIRPERSON HOLT: Thank you, Commissioner Brown. Are
19 there any more questions from the Commissioners?

20 COMMISSIONER BURCH: Yes, ma'am. Madam Chair, it's
21 not a question.

22 CHAIRPERSON HOLT: Yes, Commissioner Burch.

23 COMMISSIONER BURCH: I just want some clarity if I'm,
24 sir, misquoting the question, helped me to get it
25 straight if you can get what I'm saying. In many cases

1 involving the police, the police have unions, just like
2 with the big four, you know, the Chrysler Corporation and
3 those kinds of people, and it helped me to understand how
4 does that work with unions that are protecting the
5 officers and it's, how do you if that's your position,
6 how do you make sure they're not covered up by that
7 opinion of the union, and sometimes that officer may get
8 off. Is that what you do to make sure that also is judged
9 correctly, not because of the union's protection? Did I
10 say that right?

11 CORPORATE COUNSEL GARCIA: Well, Commissioner Burch,
12 you're opening a lot of cans of worms. I think I can try
13 and help you with that, but there's a whole lot to that
14 question. There are three police unions in Detroit, and
15 they each have negotiated for the right to receive
16 representation and indemnification in lawsuits made
17 against officers where the officer was engaged in the
18 good faith performance of official duties and where
19 there's a dispute about the determination on that
20 question. Let's say, for example, my office believes that
21 the officer was not engaged in the good faith performance
22 of official duties when he did the thing that got him
23 sued. I would make that recommendation to Council. City
24 Council would then vote up or down on the recommendation,
25 and let's say they took my advice. And so they denied the

1 officer the representation indemnification. Even in the
2 face of that decision, the city would continue to support
3 the officer and the defense through the appeals process,
4 which is a part of a grievance procedure that the union
5 would appear with. The officer, the union would sort of
6 act as the officer's representative or attorney or buddy
7 and help the officer through the appeals process saying
8 you denied the officer a benefit of the collective
9 bargaining agreement, and you did it wrong. Now,
10 sometimes the union wins out in those appeals, which we
11 call grievance hearings, but it appeals by any other
12 name. And when they do, you know, who's to say that that
13 the union was the bad actor in that story, they were
14 standing up for the rights of the officer who a union
15 member. And if they win the decision, then I think it's
16 fair to say that they were on the right side. Sometimes
17 they lose the appeal and the officer is still denied
18 representation, indemnification, notwithstanding the
19 unions coming into the case on the officer's side. Now
20 outside of the individual case brought against an
21 officer, unions, I think bargain for a lot of rights for
22 their members, for the police officers.

23 CORPORATE COUNSEL GARCIA: And they do a pretty good
24 job of making sure that the police officers get a fair
25 treatment in the way, all kinds of questions are handled,

1 including those that involve whether an officer should be
2 defended by the city. The last point is that my role is
3 to represent the City Capitol "C." I don't try to
4 represent the department against the officer, I don't try
5 to represent City Council against the officer. I don't
6 try to represent the officer against the BOPC. I really
7 try to make sure that I'm just calling balls and strikes
8 on the rules that have been created by the government so
9 that everybody is treated the way that we drew it up on
10 the chalkboard when we came up with those rules years
11 before the particular officer got sued. And where my
12 office is defending the officer outside of the question
13 of whether there's going to be representation
14 indemnification, we do our best for that officer, he or
15 she is the only client, sorry. You may say, how can you
16 do that if you're representing the city and determining
17 whether the officer gets representation indemnification?
18 And the answer to that question is simple. All of those
19 cases that involve those tough calls, we send them to
20 outside counsel. So we will pay an attorney external to
21 my office who does not answer to me, we will pay that
22 person outside of the City's Law Department to represent
23 the officer, just to make sure that officer gets a fair
24 shake if it turns out we're wrong in thinking that the
25 officer was not engaged in the good faith performance of

1 official duties.

2 COMMISSIONER BURCH: I appreciate that. You have a
3 huge responsibility. It's almost going to the Supreme
4 Court. I'm just saying.

5 CORPORATE COUNSEL GARCIA: I love my job.

6 COMMISSIONER BURCH: It's another level. Thank you so
7 much. Thank you, Ms. Chair.

8 COMMISSIONER BURTON: Through the Chair.

9 MRS. WHITE: Madam Chair.

10 CHAIRPERSON HOLT: Thank you, Commissioner Burch and
11 Corporation Counsel Garcia. Commissionaires, we have two
12 very detailed.

13 COMMISSIONER BURTON: Point of order Ms. Chair.

14 CHAIRPERSON HOLT: Excuse me, Commissioner Burton.
15 May I please share my words at this point?

16 COMMISSIONER BURTON: I had my hand up to speak to
17 Corporation Counsel, Madam Chair. You failed to recognize
18 me, Madam Chair.

19 CHAIRPERSON HOLT: Okay. Commissioner Burton, I'm not
20 ignoring you. Okay. Commissioners, we have two more
21 presentations that are very important, I'm sure. But the
22 knowledge it will offer Commissioners, as well as our
23 public audience, I'm going to ask that Commissioners pose
24 only two questions during the next two presentations
25 because you can always share your questions with Ms.

1 White and she will share those questions with the various
2 presenters who come to the meeting. Okay, so I'm going to
3 ask the Commissioners to share two questions. I see
4 Commissioner Burton and I see Commissioner Bernard. We're
5 going to take those two Commissioners two questions, and
6 then we're going to have to move on because when it comes
7 to the search warrant and execution, I really believe the
8 public would like to have the opportunity to weigh in on
9 that discussion. So Commissioner Burton.

10 COMMISSIONER BURTON: Thank you. My question is to
11 Corporation Counsel. With the misidentification of facial
12 recognition in the City of Detroit, how much has this
13 cost the city in litigation, in addition to that the
14 Board of Police Commissioners found out that DPD was
15 using facial recognition for nearly two years, and it had
16 not come before the Board according to the City of
17 Detroit's charter that reflects on the Board of Police
18 Commissioners should this have come before the BOPC in a
19 form of a recommendation or a discussion, public
20 discussion.

21 CHAIRPERSON HOLT: Thank you, Commissioner Burton,
22 for your two questions. Our Corporation Counsel.

23 CORPORATE COUNSEL GARCIA: I'll try and answer them
24 quickly and in order. I'm only aware of one lawsuit
25 brought against the city involving allegations of

1 improper identification through facial recognition
2 technology. And I don't know how that case turned out. I
3 don't know if we paid money on that or not. I'm sorry. I
4 could look it up, but I don't know off the top of my head
5 and there may be other cases, Commissioner Burton, but
6 that's the only one that I'm aware of. The second
7 question about when the technology or issues should be
8 brought to the attention of the Board, it's my
9 understanding that the charter requires you all to be
10 consulted for the creation of policy. And it's also my
11 understanding that the department, the police department
12 often will undertake to use new technologies or study new
13 methods of police work in a pilot or limited capacity
14 before they will try to make policy.

15 CORPORATE COUNSEL GARCIA: And I think that's what
16 happened in the case of facial recognition is they were
17 trying to figure out what the software did and how it
18 would work before they drew up a proposed policy that
19 would govern how that technology was used. I don't have
20 any written opinion or position that I've expressed on
21 that question. So I really couldn't just answer you off
22 the cuff of who's right and who's wrong. I think that's
23 just the way it has happened historically, and I'm not
24 aware of there being any pending legal question about
25 that.

1 CHAIRPERSON HOLT: Thank you. Commissioner Bernard.

2 COMMISSIONER BERNARD: Very quickly, Madam Chair,
3 just two questions, and you can answer them in writing
4 back to Melanie, if you like. The first is the amount of
5 legal fees that we've paid for police litigation and the
6 years that you demonstrated on your chart. And the second
7 is the amount of legal fees that we've paid for union
8 litigation during that period for the police unions for
9 outside legal counsel, that's it. Thank you.

10 CORPORATE COUNSEL GARCIA: I'll send that information
11 to Ms. White.

12 COMMISSIONER BERNARD: And also the answer to
13 Commissioner Burton's question about what's been paid
14 regarding facial recognition. Thank you.

15 CHAIRPERSON HOLT: Thank you, Commissioner Bernard,
16 and thank you Corporation Counsel, the Corporation
17 Counsel Garcia. Commissioners, we are going to go on to
18 the next item on the agenda, which is a Use of Force
19 quarterly report. And it will be given by the Director
20 Reid Branche-Wilson.

21 DIRECTOR BRANCHE-WILSON: Through the Chair, yes, my
22 name is Reid Branche-Wilson. Nice to be with you all
23 again today. I'm going to share screens if that's all
24 right. So I can just walk through the year to date, Use
25 of Force report, which as it turns out since it was

1 quarter four, it will just be a comparison of 2020 to
2 2019 in some cases. Can you all see the screen?

3 DIRECTOR BRANCHE-WILSON: Yes. Yes. Perfect. Okay. So
4 looking at each category, you can see this chart right
5 here and we'll walk through what each category means in a
6 little bit but you do see across the board increase in
7 use of force when comparing 2020 to 2019. I think there
8 are some really important contextual factors that we need
9 to consider when we see these across the board increases,
10 namely, we had 4,000 more priority one 911 calls in 2020
11 than in 2019, we had more arrests and double the number
12 of gun arrests in 2020 compared to 2019.

13 DIRECTOR BRANCHE-WILSON: And so all of these factors
14 mean, and in essence, DPD was responding to more high-
15 risk incidents. And so I just think, again, that's very
16 important contextual information to better understand
17 these increases comparing the years. And then now I'm
18 going to struggle to do pages for some reason - there we
19 go. Okay. Category one, Use of Force. So this is any
20 discharge of a firearm except firearms ranger or at an
21 animal, a death that results from a discharge of a
22 firearm, use of chemical spray against a restrained
23 person. Any use of force resulting in broken bones or
24 loss of consciousness or any other injury that resulted
25 in hospitalization. Any incident involving the Taser

1 drives stun or a probe, strike to a person's head face,
2 or genitals, any Taser discharged against a member of a
3 special population, the department canine bites, and any
4 allegations of a use of force that are category one by
5 type. And you can see in this chart, we go through each
6 unit and compare it from 2020 to 2019. And then there's
7 actually a breakdown here of what each category one use
8 of force is. Moving on to category two. So category two,
9 use of force are physical controls or takedowns that
10 result in injury or a complaint of an injury, but it
11 doesn't rise to that threshold of a category one,
12 intermediate controls, which again are, you know, use of
13 intermediate weapons that don't meet that criteria or a
14 level of injury as described in category one. A Taser
15 discharge that impacts the subject's body on someone
16 who's not a special population. And then any injury or
17 complaint of injury that occurs in the course of taking
18 or after an individual was taken into custody that does
19 not require hospitalization. And the use of chemical
20 spray where the subject complains of or suffers adverse
21 effects from the chemical spray after the subject has
22 been decontaminated. And again, you can see across the
23 board the comparison of 2020 to 2019 with the various
24 commands.

25 DIRECTOR BRANCHE-WILSON: So category three broadly

1 means that the following stipulations will apply that
2 there is no visible injury or complaint of injury, that
3 the subject does not suffer any adverse effects from the
4 use of chemical spray, or does not need any medical
5 attention from the use of force. And this is the most
6 common use of force across the department which is this
7 lowest threshold, of course. And so you can see here
8 again, across the units how they compare in 2020 compared
9 to 2019. Category four is an essence, a category three
10 incident that is specific for when a member at the
11 request of EMS physically assist in putting the member
12 into an ambulance where there is no visible injury. So
13 it's exactly what category three is, but just in that
14 specific incident. That is something that was actually
15 launched last year. So there were no instances in 2019,
16 just for the simple reason that we had no category four.
17 And then the last piece as it relates to use of force is
18 we wanted to discuss acquire a target which is in essence
19 where a member draws a firearm and acquires a target, a
20 person, and there are no further uses of force. And
21 again, so you can see the breakdown across each year and
22 unit.

23 DIRECTOR BRANCHE-WILSON: This breaks it down from
24 2020, the various types of force that were used, the most
25 common was hard hands followed by joint locks and then

1 pressure points. And this is the same in essence chart,
2 but for 2019. So you can see a comparison, in reality,
3 it's very similar and the breakdowns just, of course,
4 2020 had more than 2019. And finally, we were asked to
5 also include dangerous animals were a member discharges,
6 a firearm at an animal with the attempt to destroy that
7 animal, whether the animal is hit or missed. The
8 supervisor shall have to prepare a destruction of animal
9 report, which is a DPD form. And you can see here the
10 breakdown across units and by year and actually that is
11 the end of the report. So I just thank you so much for
12 giving me the opportunity to present.

13 CHAIRPERSON HOLT: Thank you, Director Branche-
14 Wilson. Commissioners, we're going to honor the two-
15 question rule so that as many Commissioners as need be
16 will have the time to pose their questions and to get a
17 quality response. Commissioners, are there any questions
18 to Director Branche-Wilson? Okay. Thank you, Director
19 Branche-Wilson. Our next presentation will be Interim
20 Chief Investigator Lawrence Akbar, Office of the Chief
21 Investigator.

22 INTERIM CHIEF INVESTERGATOR AKBAR: How's everybody
23 doing?

24 CHAIRPERSON HOLT: We're doing great.

25 INTERIM CHIEF INVESTERGATOR AKBAR: I'm glad

1 everybody's doing great. We're going to start in a couple
2 of seconds. My assistant is going to put my PowerPoint up
3 for you guys? All right, we're ready to go. Good
4 afternoon Honorable Board and the listening audience. I
5 am Lawrence Akbar, the Interim Chief Investigator of the
6 Office of the Chief Investigator. Commissioners, in your
7 package you have the Office of the Chief Investigators,
8 January, and February 2021 citizen complaint report. The
9 following is an overview of the past two months.

10 INTERIM CHIEF INVESTERGATOR AKBAR: Okay. We're
11 starting off with this first slide. It's showing you that
12 we had 110 complaints received in January, 94 were
13 received in February, which is a total of 204 complaints.
14 27, more compared to the same timeframe in 2020. These
15 charts show how and where citizen complaints were filed.
16 OCI received the most. We took in the most complaints, we
17 received them by telephone. We had 44 in January, 47 in
18 February. These charts show the number of complaints
19 filed against commands. OCI did not receive any
20 complaints regarding landlord or tenant, civil disputes
21 during January or February. OCI is continuing to monitor
22 this concern to ensure members understand department
23 policy and the assigned role during civil disputes. We
24 closed 61 complaints in January involving 88 allegations.
25 70 complaints were closed in February involving 111

1 allegations.

2 INTERIM CHIEF INVESTERGATOR AKBAR: This chart shows
3 us 31 incidents closed in January involving a DPD member
4 equipped with a body-worn camera. 28 were captured by the
5 body-worn camera system. 42 incidents were closed in
6 February involving DPD members equipped with body-worn
7 cameras. 37 were captured with body-worn cameras.
8 Violation of DPD policy relating to the body-worn
9 cameras. Members do not turn on their body-worn cameras
10 during the investigations members turn their body-worn
11 cameras on late. What I mean by that is that they turn it
12 on halfway with the investigation being over with.
13 Members fail to report the malfunction of their body-worn
14 cameras to their supervisors. Members failed to document
15 the malfunction on their activity, log sheets, and also
16 members failing to get a functioning body-worn camera
17 system after they discover that their cameras was not
18 working correctly. If any officer violates department
19 body-worn camera policy, they will be subject to
20 disciplinary action, including, but not limited to
21 termination.

22 INTERIM CHIEF INVESTERGATOR AKBAR: Next slide
23 please. 90 DPD members identified in 61 complaints closed
24 in January. Now the first chart pie chart I'm going to
25 talk about is the one with rank. You see the largest

1 group there is 61 police officers. And then following
2 that as 14 sergeants. When we look at it by seniority,
3 we've got 16 police officers with less than two years. I
4 mean, they just were newly hired on finished their
5 Academy training and out working in the street less than
6 two years. 19 members, three to four years: 21 members,
7 five to nine years: 22 officers from 20 to 29 years.

8 INTERIM CHIEF INVESTERGATOR AKBAR: Next slide. 97
9 DPD members identified in 70 complainants closed in
10 February. Going by rank on the prior chart, you got 73
11 police officers, 14 sergeants. And when we look at the
12 seniority for February, we're showing 15 police officers
13 with less than two years, 22 members with three to four
14 years of experience, 23 members from five to nine years
15 of experience, 22 officers with 20 to 29 years of
16 experience.

17 INTERIM CHIEF INVESTERGATOR AKBAR: DPD call for
18 service calls in January 44, DPD members working
19 afternoon shift during the time of their incident, three
20 to four years involved 10 officers, less than two years
21 of seniority 11 officers. DPD calls for service closed in
22 February 52 DPD members were working the afternoon shift
23 during the time of their incidents. We look at three to
24 four years, 11 officers, less than two years, 10
25 officers,

1 INTERIM CHIEF INVESTERGATOR AKBAR: In closing, OCI
2 investigates, all citizens' complaint thoroughly, and our
3 office takes them very, very seriously. The following is
4 a brief summary of the OCI's recent work complaints
5 regarding use of force and search warrants. Join 20
6 during 2019 OCI investigated 102 allegations of force
7 complaints of which 12 were transferred to Professional
8 Standards as required due to the level of force involved.
9 During the 2020 OCI investigated 127 allegations of force
10 complaints, which included 36 protest complaints, 36
11 protest-related complaints, as well as 7 other forced
12 complaints that were transferred to Professional
13 Standards as required due to the level of force that was
14 involved. OCI investigated 60 allegations of improper
15 search complaints in 2019 and 50 in 2020. Most search
16 allegations involved vehicle searches. Only one complaint
17 in each year results in a sustained fine. In both
18 investigations, the officers did not have consent to
19 search the complainants' vehicle. OCI received one
20 complaint during 2019 regarding a dangerous dog where a
21 dog was actually tased by an unknown officer. That
22 investigation did not reveal the identity of the DPD
23 member. There were no dangerous animal complaints filed
24 in 2020.

25 INTERIM CHIEF INVESTERGATOR AKBAR: I'm going to give

1 you an update on our staff. The Office of the Chief
2 Investigator has experienced challenges during this
3 pandemic period. However, I continue to take proactive
4 measures to identify solutions to those challenges. I am
5 planning for a safe return to work when it's restored by
6 ensuring safety protocols are in place including, but not
7 limited to six feet distance within the workplace and
8 working with the Interim Board's Secretary to identify
9 key training initiatives through Nacoales, the city, and
10 other outlets to ensure staff comports with the best
11 practices regarding oversight initiatives. Currently, OCI
12 has two investigators on FMLA. One investigator on EPS
13 LA, one investigator on restricted duty. One investigator
14 resigned. We have no members that are quarantined
15 regarding COVID-19. And 90% of our staff have taken the
16 vaccine. It was offered to everybody, but 90% have taken
17 it. Cases originally assigned to the staff of the people
18 who I mentioned are on special duty status have been
19 reassigned to all OCI investigative staff.

20 INTERIM CHIEF INVESTERGATOR AKBAR: I want to thank
21 the OCI staff for working diligently during this
22 pandemic, which really is was, a difficult time. It takes
23 a highly disciplined person to be able to work even
24 remotely from home. I also want to thank all the past and
25 present Police Commissioners, who during the pandemic had

1 read and approved and returned all OCI closed
2 investigations in a timely manner without their
3 cooperation, citizens would not receive their finding
4 letters. And my office would not be able to forward
5 sustain findings to the disciplinary administration. I
6 also want to thank the General Services Department for
7 maintaining and cleaning our facility during the
8 pandemic. This announcement is for the general public and
9 pays strict attention to it. I'm going to give you some
10 numbers of information so you can, if you have a
11 complaint, you can file. Citizens may file a citizen
12 complaint in the following ways. They can call OCI at
13 (313) 596-2499 from 8:00 am to 4:00 pm Monday through
14 Friday. You will get a live person to answer the phone at
15 that time. After hours, citizens can leave a message.
16 They can leave their name and leave your phone number,
17 and my investigators will get back to you on the next
18 business day. You can also find file complaints online on
19 the City of Detroit website, detroitami.gov/bopc. And you
20 can also file a complaint at any DPD police Precinct,
21 Bureau, or section. Make sure that when you call, you
22 asked to speak to a supervisor for they're the only ones
23 that are authorized to take citizens' complaints. At this
24 time Honorable Board, I can take your questions. I thank
25 you for your time and patience. I know it's been a long

1 meeting, but if you have any questions, I'll be happy to
2 answer them.

3 CHAIRPERSON HOLT: Thank you, Interim Chief
4 Investigator Akbar. Yes, it's a long meeting, but we
5 covered a lot of information.

6 INTERIM CHIEF INVESTERGATOR AKBAR: Yes, we did.

7 CHAIRPERSON HOLT: Commissioner Bernard, your hand is
8 raised?

9 COMMISSIONER BERNARD: Yes. Ma'am.

10 CHAIRPERSON HOLT: All this time, I'm sorry.

11 COMMISSIONER BERNARD: That's okay. I just want to
12 congratulate you Akbar on an excellent report. And also
13 if you don't mind expounding just for a minute or two to
14 the Commissioners on why you keep stating how long the
15 officers have been sworn officers, you communicated it to
16 me when I visited with you, but I think the whole Board
17 would be interested in knowing why we have so many
18 complaints and what you view as one of the major causes.

19 INTERIM CHIEF INVESTERGATOR AKBAR: Well, the ones
20 that really concern me are on both ends of the spectrum.
21 One, the new officers that we have. You think about it,
22 it takes six months to be in the Academy. We put them on
23 the streets, putting them in situations where they really
24 don't have the experience to deal with certain
25 situations. That's why it's important that frontline

1 supervision, which I'm talking about, the patrol
2 lieutenants and sergeants, when they have their runs,
3 that they respond to those scenes to assist them. And you
4 assist them by watching what they do. And sometimes you
5 may have to interject from time to time in terms of being
6 able to give the citizen, the proper information and the
7 proper service. But you also take time afterward to let
8 the officer know what he did, right, and what he can
9 improve on and not to knock down his confidence. But it's
10 very important that younger police officers, which - and
11 the assignment part is critical too. Most of your serious
12 crimes happen on the afternoon shift, okay. We assign a
13 lot of police officers with two years or less working
14 afternoons, and that is a high pace shift where you have
15 your part, one crime, carjackings homicides serious
16 assaults, you name it, carjackings, you name it. And it
17 takes experienced people to be able to negotiate and
18 especially in a domestic violence situation. Just imagine
19 we're sending people in to handle situations and they're
20 never been married, they're 20 years old, they're 21 and
21 22. So it takes experience to be able to handle those
22 things. And that's where I say that frontline supervision
23 is important in terms of them responding to those runs
24 and on the opposite end, and I'll be done with that
25 question. The opposite end, I'm looking at, and that's

1 troubling to me too that you have officers that have the
2 experience gaining a lot of citizen complaints. Maybe
3 we're reaching a point with them that other things are
4 going on within their family or in their career, and time
5 needs to be taken out and maybe pull them off of that
6 frontline status of working and finding other areas where
7 they can work at. There is such a thing as burnout.
8 Burnout is real.

9 COMMISSIONER BERNARD: Thank you. And also the fact
10 that you said that the two-year officers need, a more
11 experienced person in the car with them, and that's
12 something that we need to address as Board members at the
13 next collective bargaining agreement because we let
14 people choose their shifts. So the rookies are the ones
15 that get the 12, whatever it is, 12 to midnight shift
16 that you're talking about, but we get all the complaints
17 and were a lot of the litigation's springs from. So we
18 have a look at that as a Board.

19 CHAIRPERSON HOLT: Thank you, Commissioner Bernard.
20 Commissioner Davis, I'm going to address Commissioner
21 Holley. And again, I hate to dangle this before us
22 commissioners, but we are waiting, I believe in
23 anticipation about the search warrant and execution
24 policy and the questions that our public audience would
25 bring to that discussion. So, Commissioner Holley.

1

2 COMMISSIONER HOLLEY: Well, I'll yield to
3 Commissioner Davis since you really want to move on.

4 CHAIRPERSON HOLT: Commissioner Davis.

5 COMMISSIONER DAVIS: Yes. I have two quick questions.
6 One, I see complaints against myself a Police
7 Commissioner, and against OCI staff. So under those
8 investigations, do somebody else do the investigation
9 other than OCR staff?

10 INTERIM CHIEF INVESTERGATOR AKBAR: Well, if I have
11 to recuse myself if it's on me and I think the one that
12 you're speaking about is the complaints that Ruben
13 Crawley, the person who you talked to, they were.

14 COMMISSIONER DAVIS: No, I was just talking in
15 general.

16 INTERIM CHIEF INVESTERGATOR AKBAR: Oh, no, I'm just
17 telling. Ruben Crawley has listed probably every
18 department executive, everybody that's in management over
19 in my shop and across the city in terms of complaints and
20 basically it's the same thing.

21 COMMISSIONER DAVIS: And my second question is this,
22 the out of class assignments, do you adhere to the UAW
23 union contract?

24 INTERIM CHIEF INVESTERGATOR AKBAR: Yes, I do.

25 COMMISSIONER DAVIS: Okay.

1 CHAIRPERSON HOLT: Any other questions from the
2 Commissioners?

3 COMMISSIONER BURCH: Real quick, Ms. Annie, I'm
4 sorry.

5 COMMISSIONER BROWN: Through the Chair, after
6 Commissioner Burch.

7 COMMISSIONER BURCH: Commissioner Brown, wait, one
8 second. I'll go fast. I agree with Mr. Akbar when he was
9 saying about rotating hours. We've said that in the
10 beginning, when I first became a Commissioner that you
11 have to let the more experience be in the afternoon where
12 everything seems to happen in the afternoon. And so when
13 you put the younger people out there that don't have the
14 experience, this is why you have so many problems. So,
15 Mr. Akbar, I appreciate you saying that maybe one day
16 somebody will listen, put the seniors out there. Ms.
17 Commissioner Annie. Thank you.

18 CHAIRPERSON HOLT: Thank you, Commissioner
19 Burch. Commissioner Brown.

20 COMMISSIONER BROWN: Yes. I just have two questions
21 Interim Chief Investigator Akbar. Looking at your
22 numbers, I received an email of your numbers of
23 complaints and everything that was assigned and it
24 appears to me that a total of 674 CCRS are past 90 days
25 due. With this and the complaints that I get personal

1 with people calling saying that the issues with police
2 misconduct are not being addressed. How do you explain
3 that these numbers are over 90 days late and past due?
4 And is this a concern that we may be in a charter
5 violation or a violation of the consent agreement?

6 INTERIM CHIEF INVESTERGATOR AKBAR: Well, first of
7 all, we don't have 690 cases that are over 90.

8 COMMISSIONER BROWN: 674.

9 INTERIM CHIEF INVESTERGATOR AKBAR: We have, right
10 now currently 102. During this pandemic, as I stated
11 earlier in terms of the discipline, in terms of what it
12 takes, in terms of doing these investigations and stuff.
13 We have been successful in keeping this Office running
14 smoothly as the best we can. We're down to working four
15 days a week. During the pandemic, we had to make several
16 adjustments with respect to how we do investigations to
17 ensure that we still do a quality investigation. And we
18 are doing that. A lot of it has to do too with - I have
19 an excellent supervisory staff and they read, and they
20 look at just about each and every one of those videos.
21 And if it doesn't purport to what is being written, we
22 send those cases back. I'd rather have a million cases
23 overdue than sending something through to you that's not
24 correct.

25 COMMISSIONER BROWN: Well I will definitely forward

1 you the information I have that I received from your
2 office, with the numbers from your January date of
3 January, 2021, that you have approximately 674 CCIs that
4 have not been closed - that's past 90 days late. My
5 second question was, in light of the people that you have
6 off, and the one resignation. And then I see that there
7 have been some people that have been shifted around
8 working out of class. How did you go about, is there any
9 correspondence that you sent out selecting these people?
10 Because it looks like to me, with the people that you
11 have in these positions, it could be a possibility of the
12 collective bargaining agreement. How did you select these
13 people?

14 INTERIM CHIEF INVESTERGATOR AKBAR: First of all, I
15 reviewed the collective bargaining agreement. Just
16 because a person has higher seniority, I still have to
17 put people in place that have the skillset to do those
18 jobs. So if I have somebody that's higher in seniority
19 and doesn't have the skillset, I have to go to the people
20 who have the skillset to get the job done. I've sent you
21 information, which you should have read in the past how,
22 with respect to how we have to reorganize the office, not
23 only because of the pandemic but just for organizational
24 purposes. I've instituted having a person who is
25 responsible for all our electronic evidence and storage,

1 which is very important because as you are well aware we
2 received for your request from the Law Department, I
3 received for your requests from news agencies from across
4 the country. Now, it does not make sense to me that if I
5 have to go look up electronic evidence and I look it up
6 and it's not there, or it takes us four or five days or a
7 week or longer to complete their requests. You had a
8 recently I believe the Law. I don't know if it was the
9 Law Department. I forgot. No, I think you had training,
10 but it was telling you that we have to fulfill those
11 things, those FOIA requests within five days. Well, if I
12 didn't reorganize the office, especially under the old
13 system, okay - the old system, we would constantly be in
14 violation.

15 COMMISSIONER BROWN: So you're saying that you just,
16 you chose these people.

17 CHAIRPERSON HOLT: Commissioner Brown.

18 COMMISSIONER BROWN: Commissioner Holt, I just want
19 to get this clear on the record. So you're saying that
20 you didn't send out any correspondence to select these
21 people. You selected these people personally based on the
22 skillsets that you assume that they had.

23 INTERIM CHIEF INVESTER GATOR AKBAR: No, I know that
24 they have, remember I've been working here. I've been
25 working here.

1 COMMISSIONER BROWN: Okay.

2 CHAIRPERSON HOLT: Okay. Wait, one second. I see -
3 thank you, Commissioner Brown and sure you can engage in
4 emails between yourself. Yes. Thank you so much. Ms.
5 White.

6 MRS. WHITE: Yes.

7 CHAIRPERSON HOLT: Commissioner Burton is leaning in,
8 could we allow him and then, okay. Yes. Commissioner
9 Burton.

10 COMMISSIONER BURTON: I'm going to - thank you, Madam
11 Chair. I'm going to pass my questions and concerns. My
12 time for this segment over back to the Honorable
13 Commissioner, Darryl Brown out of District 1. He can have
14 my time at this point.

15 CHAIRPERSON HOLT: Okay. And Commissioner Burton
16 thank you for being so generous with your time, but if
17 you don't want to take advantage of it, we're going to
18 move on because,

19 COMMISSIONER BROWN: I think you should ask your
20 question, sir.

21 CHAIRPERSON HOLT: We have a very urgent presentation
22 on a search warrant and execution policy. We want the
23 public to be able to weigh in on this issue. So as it has
24 already been stated, we been in this meeting a long time,
25 even though I don't apologize because I promise you, I

1 believe we covered a lot of information and the responses
2 that we received from DPD were very thorough and worth
3 our attention.

4 COMMISSIONER BURTON: Madam Chair.

5 CHAIRPERSON HOLT: So we are going to move on.

6 COMMISSIONER BURTON: I was going to pass my time
7 over the Commissioner, Darryl Brown, but since he doesn't
8 want to use it, then I want to use my own time for my own
9 questioning.

10 CHAIRPERSON HOLT: Commissioner Burton, we're going
11 to move on.

12 COMMISSIONER BURTON: Point of order Mr. Chairman. I
13 was recognized. I passed my time to Commissioner Darryl
14 Brown. He didn't want to use it.

15 CHAIRPERSON HOLT: Ms. White. Ms. White.

16 COMMISSIONER BURTON: So I prefer to use my own time.

17 CHAIRPERSON HOLT: Ms. White, would you please -
18 Commissioner Burton, we are trying to.

19 COMMISSIONER BURTON: Point of order Mr. Chairman,
20 Ms. Chairwoman, can we call for Corporation Counsel.

21 CHAIRPERSON HOLT: Commissioner Burton, Commissioner
22 Burton. We are trying to.

23 COMMISSIONER BURTON: I was called on. I didn't get a
24 chance to post my question. I wanted to have respect by
25 passing my time to ---

1 CHAIRPERSON HOLT: Okay. All of that rhetoric, what's
2 your point?

3 COMMISSIONER BURTON: It's not rhetoric. The point
4 is, I'm a Commissioner and I'd like for you to treat me
5 accordingly. One commissioner was speaking but for some
6 reason.

7 CHAIRPERSON HOLT: Commissioner Burton, I live in
8 District 1 and I have a contingency too, and oftentimes
9 the folks who live in my District 1, leave these
10 meetings. So you have a question you want to pose, or do
11 you want to take up time with your stand about whatever
12 it is you haven't even stated?

13 COMMISSIONER BURTON: I have a question, but also
14 before I go into my question, Madam Chair, this time to
15 the public.

16 CHAIRPERSON HOLT: Commissioner Burton, I think when
17 you open up your - I think when you get the attention of
18 the Commissioners.

19 COMMISSIONER BURTON: My question would be, how many
20 investigators do we have currently working in OCI in
21 addition to that, how many complaints do we have over in
22 OCI?

23 CHAIRPERSON HOLT: Thank you, Commissioner Burton.
24 Interim Chief Akbar, could you answer those questions in
25 some kind of succinct way.

1 INTERIM CHIEF INVESTERGATOR AKBAR: Right. Currently,
2 right now we have 452 complaints, open investigations.

3 CHAIRPERSON HOLT: Thank you. And Commissioners, if
4 you have other questions again, would you please send
5 them.

6 COMMISSIONER BURTON: He didn't really answer my
7 question. I did ask how many investigators that we
8 currently have working over in OCI?

9 INTERIM CHIEF INVESTERGATOR AKBAR: Well, we have -
10 let's see, we have 15 working. Now, some of my people who
11 I had out of class that I mentioned, are back in the
12 rotation and investigating cases also too.

13 MRS. WHITE: Through the Chair, Madam Chair, we can
14 also recirculate that information that lists each
15 investigator and each staff member that's assigned to the
16 Office of the Chief Investigator. We had previously
17 circulated that, but we will recirculate that information
18 for your reference, Honorable Board.

19 CHAIRPERSON HOLT: Thank you, Ms. White. Now we're
20 going to move on and thank you, Commissioners, again for
21 your high level of questions and the responses that those
22 questions received. We're going to move on and Mrs.
23 White, you're going to give your report.

24 MRS. WHITE: Yes very quickly, through the Chair,
25 Honorable Board, please refer to the agenda for the

1 incoming correspondence for this week and they are as
2 follows. Number one, weekly DPD facial recognition
3 technology report for the week of March 15th through
4 March 21st, 2021. Number two, 2021/2022 fiscal year
5 budget analysis questions from Honorable Councilman James
6 Tate. Number three, the letter of resignation submitted
7 by investigator Makeeba James, which was referenced
8 earlier. Number four, the communication from Assistant
9 Corporation Counsel Whitley regarding remote meetings
10 after March 31st. Number five and six Chief of Police
11 James E. Craig's letter of recommendation to promote to
12 the rank of Lieutenant for Sergeant 22 and rank of
13 detective 20 and also Honorable Board, you've received
14 various staff reports, including, but not limited to the
15 HR correspondence regarding restoring the workshare or
16 ending the workshare program with an effective date of
17 April 12, 202. you will receive additional correspondence
18 from the HR Department after the meeting is held, and
19 I'll make sure to share that information with you. And
20 that concludes the incoming correspondence for this week.

21 CHAIRPERSON HOLT: Thank you, Ms. White. Okay. I'd
22 like to say to the public audience if you came to the
23 meeting after 4 o'clock, and I know you're accustomed to
24 not being able to pose a question, we are asking that if
25 you are interested in posing a question after the

1 presentation that you raise your hand sign now, so that
2 when the presenter has come to a close, you will be
3 recognized as the individual who was interested to have
4 his or her comments or questions answered.

5 COMMISSIONER HOLLEY: Chairperson.

6 CHAIRPERSON HOLT: Yes. Commissioner Holley, I'm
7 sorry.

8 COMMISSIONER HOLLEY: Just a point of order. Are you
9 telling us we are going to have two sessions of public
10 comment?

11 MRS. WHITE: Yes.

12 CHAIRPERSON HOLT: This is a new strategy that we're
13 trying because we want to especially get the comments
14 that the public has as it relates to the search and
15 warrant execution.

16 COMMISSIONER HOLLEY: Why can't we do that when we do
17 public comment, they can do that too, but let's get rid
18 of the agenda now and get to public comment. That is a
19 suggestion.

20 CHAIRPERSON HOLT: Okay. I understand Commissioner
21 Holley., There is a presentation that we need.

22 COMMISSIONER: HOLLEY: That's right.

23 CHAIRPERSON HOLT: Okay. Commissioner Holley is
24 suggesting we just treat it as one opportunity for folks
25 to speak, but the point here Commissioner Holley and I

1 thank you, was that sometimes people come to the meeting
2 after 4 o'clock and they understand the rule is that they
3 can't ask any questions.

4 COMMISSIONER HOLLEY: It's okay.

5 CHAIRPERSON HOLT: But they can today, they can
6 today.

7 COMMISSIONER HOLLEY: Okay.

8 CHAIRPERSON HOLT: Thank you, Commissioner Holley.

9 COMMISSIONER BROWN: Through the Chair. I just have
10 one comment, through the Chair, just to the Interim Board
11 Secretary. Can we come up with a way to have the caption
12 in the meeting for those, the hearing impaired, and those
13 people that have those types of handicaps? I've been on
14 several to zoom meetings with other entities and they
15 have the captions at the bottom of the page, so they can
16 at least read what's going on and they can respond in a
17 chat to meetings. Can we at least flip that switch in
18 zoom?

19 MRS. WHITE: Yes, sir. We are currently working with
20 the Department of Innovation to implement that feature.
21 We receive that notice from Commissioner Holley, but we
22 will make sure to go back and make sure it's enabled.
23 Thank you.

24 COMMISSIONER BROWN: Thank you.

25 CHAIRPERSON HOLT: Thank you, Commissioner Harley and

1 Commissioner Brown. So Ms. White we, aren't going to help
2 this presentation.

3 MRS. WHITE: And it's just a very brief presentation,
4 Honorable Board, through the Chair. Just giving an update
5 as it relates to the search warrant policy and moving as
6 the Commissioners as indicated to allow public comments
7 all in one setting. In December 2020, the Chief sent a
8 revised search warrant policy to the Board for review and
9 consideration. The search warrant, policy outlines,
10 rules, regulations, and parameters for conducting valid
11 legal search and seizures and warrants based on 4th
12 Amendment protections and constitutional guidelines. We
13 have reviewed it during this time to ensure best
14 practices and constitutional protections. And we have
15 found, and when I say we, I'm referring to the Board of
16 Police Commissioners staff, we have found the revised
17 policy greatly enhanced procedures and practices as
18 highlighted again in the Department's PowerPoint that was
19 provided back in February of 2021. All of the changes are
20 best practices and protect the public's rights. The
21 Board's staff recommendation at this time is for the
22 approval of the revised policy. And please keep in mind
23 Honorable Board, you are not scheduled to approve the
24 policy today, but we are simply providing our
25 recommendation on the record. For the Board's

1 information, I want to note that there were no public
2 comments on the policy after the Department's February
3 presentation. Also over 5,600 people received a news
4 alert on January 13, 2021, about the opportunity to
5 review and comment on the policy changes. About 800
6 people looked at the alert that day and 30 use the link
7 that day to look at the policies on the Board's website.
8 Again, that is just a one-day snapshot since December
9 when the revised policy was posted, and since January 13,
10 2021 mass alert, the BOPC has not received any public
11 comments for revisions or changes to what DPD submitted.
12 On behalf of the Board, our staff is presenting just a
13 few questions to DPD related to the body-worn cameras and
14 other requirements for obtaining warrants for future
15 consideration. Again, the revised policy has best
16 practices and constitutional protections. The board has
17 not received any suggestions for changes from the public
18 as of this time in advance of the hearing today.
19 Therefore, our recommendation is for the approval of the
20 department search warrant policy as presented in February
21 of 2021. And the transmittal of the BOPC recommendations
22 to the Department for his review and consideration. The
23 Board has received all of the relevant material in your
24 weekly packet for the last three or so weeks. And that
25 concludes the presentation at this time, Madam Chair.

1 CHAIRPERSON HOLT: Oh, really? Okay. Thank you. So
2 next on the agenda is new business.

3 COMMISSIONER BROWN: Madam Chair.

4 CHAIRPERSON HOLT: Yes, Commissioner Brown.

5 COMMISSIONER BROWN: That's right. I tried to get
6 this thing, we're talking to AC LeValley, but you were
7 moving so fast. DPD Shield, they have a program out there
8 that's dealing with, in light of all of the active
9 shooter response is going on at the company. They have a
10 program that offers civilian responses to active attacks.
11 And I was just wondering, maybe we can talk to AC
12 LeValley and see if we can have - before we get out of
13 this virtual thing just so we can have a lot of people.
14 If they could come and do a presentation? And I would ask
15 that we just that time for that day for their
16 presentation, for the public to see this and if they
17 could come before us and do a presentation on the active
18 shooter training that they have, I hear through DPD
19 Shield. Is that possible?

20 CHAIRPERSON HOLT: I imagine AC LeValley,
21 Commissioner Brown is asking.

22 ASSISTANT CHIEF LeVALLEY: Yes. Through the Chair,
23 Yes, we can schedule it, not a problem.

24 COMMISSIONER BROWN: I think that'd be great too with
25 everything that's going on with the active shooter thing

1 that's going on in the nation. And since we're having
2 these events, I think people should be trained and be
3 well aware of what they need to do in case of these
4 situations. I think it would be a good tool and good
5 information that goes out to the public. Thank you.

6 CHAIRPERSON HOLT: Okay. Thank you again,
7 Commissioner Brown.

8 COMMISSIONER BURTON: Through the Chair, Through the
9 Chair.

10 CHAIRPERSON HOLT: So, Ms. White, we are into
11 unfinished? No, we're into new business, correct?

12 MRS. WHITE: Yes, through the Chair.

13 COMMISSIONER BURTON: Through the Chair.

14 CHAIRPERSON HOLT: Okay. All right. So we need a
15 motion to accept Makeeba's letter of resignation.

16 COMMISSIONER BERNARD: So moved.

17 COMMISSIONER HOLLEY: Second.

18 CHAIRPERSON HOLT: It's been moved and second. Any
19 opposition - all in favor.

20 COMMISSIONER DAVIS: Discussion.

21 COMMISSIONER BROWN: Discussion.

22 CHAIRPERSON HOLT: Discussion.

23 COMMISSIONER BROWN: Through the Chair.

24 CHAIRPERSON HOLT: You have a comment, Commissioner
25 Brown and I'm not going fast. I think we have had a very

1 quality filled meeting. Now, do you have some discussion?

2 COMMISSIONER BROWN: Yes.

3 COMMISSIONER DAVIS: Yes.

4 COMMISSIONER BROWN: Yes. Okay. So what I would like
5 to ask when we voted on this that the Board be a part her
6 the exit review so that we can list the things and
7 reasons why, how we can improve what we're doing and why
8 she's actually leaving the Board of Police Commissioners
9 and make sure her exit review is done properly. And that
10 she walks away from here with dignity and no hard
11 feelings. I would just like to make sure that we have an
12 exit review and if the Board is not available, I would
13 like to be a part of that exit review.

14 COMMISSIONER BERNARD: Madam Chair, I strenuously
15 object as a labor lawyer and a person who's won three
16 labor cases in the Michigan Supreme Court. The Board has
17 absolutely no business in the day-to-day operations of
18 the organization. First of all, we shouldn't even be
19 accepting her resignation. Her resignation is of her own
20 free will and doing. If she had something that she wanted
21 to say to the Board, she has a collective bargaining
22 agreement and a grievance procedure. We would establish
23 terrible precedent as a Commission and as a Board, if we
24 are participating in exit interviews or otherwise
25 meddling in the day-to-day operations of the Department.

1 This individual has a right to work for us, and she has a
2 right to resign from us at her discretion. She has not
3 been terminated and she has not utilized the collective
4 bargaining procedure. Under no circumstances should Board
5 members be involved in exit interviews when we have not
6 been requested to do so, and when there's no formal
7 complaint before us. And I apologize to you Commissioner
8 Brown, but I feel very strongly about this. I don't
9 believe in inter-meddling in inter-office affairs. That
10 is not what the Board of DTE does and that is not what
11 this Board of Commission should do.

12 CHAIRPERSON HOLT: Thank you so very much,
13 Commissioner Bernard. I really appreciate your comment. I
14 really do. Okay, now discussion.

15

16 COMMISSIONER DAVIS: Yes, I'm still waiting.

17 COMMISSIONER HOLLEY: You are going to do what she
18 said you're not going to do?

19 CHAIRPERSON HOLT: Well, we have to dissolve it. We
20 have to dissolve the vote.

21 COMMISSIONER DAVIS: We are still at discussion. I'm
22 still waiting to be called on.

23 CHAIRPERSON HOLT: Excuse me. So now we saying we
24 want to table the motion?

25 COMMISSIONER HOLLEY: But we're saying it, Madam

1 Chairperson.

2 COMMISSIONER BERNARD: So moved.

3 CHAIRPERSON HOLT: Let me say this Commissioner
4 Holley. I believe I understood Commissioner Bernard very
5 well. I believe.

6 COMMISSIONER BERNARD: So moved.

7 CHAIRPERSON HOLT: Ms. White, you have some input on
8 this.

9 MRS. WHITE: Through the Chair. If I just may add
10 Honorable Board, if there can only be one speaker at a
11 time so that we can hear the motions on the table. At
12 this time, the motion was to accept the letter of
13 resignation, and then there was a second then we're now
14 on discussion.

15 CHAIRPERSON HOLT: Correct. So, Commissioner Davis,
16 you have a comment so that we can move on.

17 COMMISSIONER DAVIS: I think, in general, we should
18 review all the exit interviews, just as a matter of
19 policy. We did that in the water department. We should do
20 that here so we could evaluate what we're doing, our
21 strengths, and our weaknesses.

22 CHAIRPERSON HOLT: Okay. Thank you, Commissioner
23 Davis. I believe the motion is to vote to accept Makeeba
24 James' letter of resignation.

25 COMMISSIONER BURCH: I second.

1 CHAIRPERSON HOLT: Correct. Now those in favor.

2 ALL: Aye.

3 CHAIRPERSON HOLT: Those opposed.

4 COMMISSIONER BURCH: Ayes got it.

5 COMMISSIONER BROWN: I abstain.

6 CHAIRPERSON HOLT: Thank you.

7 COMMISSIONER BURTON: Madam Chair. Can you call a
8 roll call, vote on that, please?

9 CHAIRPERSON HOLT: Roll call vote. Commissioner
10 Burton.

11 COMMISSIONER HOLLEY: There's no need for a roll call
12 vote.

13 CHAIRPERSON HOLT: Commissioner Holley, we're going
14 to go through this.

15 COMMISSIONER BURCH: Commissioner Burton [02:21:57
16 inaudible].

17 CHAIRPERSON HOLT: Okay. We have some real serious
18 concerns after this, please that involves the public
19 comments. Commissioner Burton. Yes or no.

20 COMMISSIONER BURTON: I'm going to vote, no, I don't
21 think we should be voting on these types of matters.

22 CHAIRPERSON HOLT: Commissioner Brown.

23 COMMISSIONER BROWN: Abstain.

24 CHAIRPERSON HOLT: Commissioner Jones.

25 COMMISSIONER JONES: Yes.

1 CHAIRPERSON HOLT: Commissioner Davis.

2 COMMISSIONER DAVIS: Yes.

3 CHAIRPERSON HOLT: Thank you. Commissioner Burch.

4 COMMISSIONER BURCH: Yes, we are accepting. Is that
5 right?

6 CHAIRPERSON HOLT: Right, accept her letter of
7 resignation?

8 COMMISSIONER BURCH: Yes, I say yes.

9 CHAIR. That's all this is. Commissioner Holley.

10 COMMISSIONER HOLLEY: Yes.

11 CHAIRPERSON HOLT: Thank you. Who did I miss? Oh,
12 Commissioner Bernard.

13 COMMISSIONER BERNARD: Yes, Ma'am.

14 CHAIRPERSON HOLT: Commissioner Carter.

15 COMMISSIONER CARTER: Yes.

16 CHAIRPERSON HOLT: Is Commissioner Hernandez still
17 on.

18 COMMISSIONER BURCH: Yes, I think. No.

19 CHAIRPERSON HOLT: Yes, and I vote yes to accept her
20 letter of resignation. So where are we? Ms. White?

21 MRS. WHITE: Yes. Through the Chair. There were 7
22 yes, votes, 1 no vote, and one abstention. The motion
23 passed.

24 CHAIRPERSON HOLT: Okay. Thank you. So we're at
25 announcements.

1 COMMISSIONER BURTON: Madam Chair. I had my hand up a
2 while back. And you fail to announce me for unfinished
3 business, which was new business. And I would still like
4 to be called upon and my colleagues, our colleagues can
5 attest to that.

6 CHAIRPERSON HOLT: Commissioner Burton, what is your
7 comment or your question?

8 COMMISSIONER BURTON: I wanted to place a motion
9 under unfinished business. I did have my hand up
10 previously. You failed to acknowledge me.

11 CHAIRPERSON HOLT: Commissioner Burton, what is your
12 motion, please?

13 COMMISSIONER BURTON: First of all, I want to say you
14 did fail to announce me a couple of attempts today here
15 in today's meeting. And our means are being televised and
16 watched by the public. My motion - to state my motion.
17 Look like somebody is trying to mute me here, but anyway,
18 my motion is I call that the Office of the Board of
19 Police Commissioners posts the Board attorney's position.

20 COMMISSIONER DAVIS: Support.

21 COMMISSIONER HOLLEY: Davis, what's wrong with you?

22 CHAIRPERSON HOLT: Okay. Questions. Okay, let's vote
23 on Commissioner Burton's motion. So, Commissioner Carter.

24 COMMISSIONER CARTER: No.

25 CHAIRPERSON HOLT: Commissioner Brown. Commissioner

1 Hernandez. Commissioner Jones.

2 COMMISSIONER JONES: Yes.

3 CHAIRPERSON HOLT: Commissioner you're voting yes to
4 post?

5 COMMISSIONER JONES. I'm sorry, no to post.

6 COMMISSIONER BURCH: He got mixed up too.

7 COMMISSIONER BURTON: Madam Chair. You're not using
8 your position to shape the vote.

9 CHAIRPERSON HOLT: Commissioner Davis.

10 COMMISSIONER DAVIS: I'm voting yes, that we should
11 post.

12 CHAIRPERSON HOLT: Okay. Commissioner Burch.

13 COMMISSIONER BURCH: I already voted last week. Why
14 do we keep doing the same thing?

15 CHAIRPERSON HOLT: Commissioner Burch, can we please
16 have your vote?

17 COMMISSIONER BURCH: I'm not going to vote, whatever
18 abstain is.

19 CHAIRPERSON HOLT: you're going to abstain?

20 COMMISSIONER BURCH: Yes. Okay, thank you.

21 CHAIRPERSON HOLT: Commissioner Holley.

22 COMMISSIONER HOLLEY: Vote not to post, whatever
23 that is.

24 CHAIRPERSON HOLT: Thank you, sir. And I vote not to
25 post as well. Ms. White were we able to receive responses

1 from all the Commissioners?

2 MRS. WHITE: No. Commissioner Bernard.

3 COMMISSIONER BERNARD: No.

4 CHAIRPERSON HOLT: No, no to the post.

5 COMMISSIONER HOLLEY: 2 - 5.

6 MRS. WHITE: And Commissioner Burton, what was - you
7 didn't call Commissioner Burton, but I can put his.

8 CHAIRPERSON HOLT: Oh, Commissioner Burton. I'm
9 sorry. So what's your vote?

10 COMMISSIONER BURTON: I vote to post the position
11 because it's the right thing to do.

12 CHAIRPERSON HOLT: Okay.

13 COMMISSIONER HOLLEY: We voted recently.

14 COMMISSIONER BURTON: I'll bring it back again next
15 week.

16 MRS. WHITE: Through the Chair: There was 1 yes
17 vote. Excuse me. 2 yes votes and 4 no votes and one
18 abstention. Motion failed.

19 CHAIRPERSON HOLT: Okay. Thank you. Thank you,
20 Commissioners. Again, a very high-quality meeting and Mr.
21 Brown, you're going to give the announcements.

22 MR. ROB BROWN: Yes, Ma'am.

23 CHAIRPERSON HOLT: Oh, Commissioners, are there any
24 announcements? My sorority is doing an expungement. If
25 you really want to get in on it go to the Delta Sigma

1 website and you can share that information. Any other
2 announcements - and it's today?

3 COMMISSIONER JONES: I've got an announcement.

4 CHAIRPERSON HOLT: Yes, sir.

5 COMMISSIONER JONES: Next, not this coming Saturday,
6 but the Saturday after that, April 3rd Justice for Nathan
7 Ringle there's going to be a March for the mothers,
8 fathers, family members of those persons who have lost
9 their lives to gun violence in the City of Detroit. It's
10 going to take place at Hart Plaza at 9:00 am. 9:00 am.
11 I'll be a speaker at this particular rally. This is being
12 sponsored by Ms. Ringle, Ms. Tammy Ringle. Her son lost
13 his life to gun violence. And I was actually in the city
14 of Highland Park, but she wanted to do something to bring
15 people together. So that way she can help to bring about
16 some understanding. As I've indicated before that I speak
17 with these mothers on a weekly basis, and they just want
18 to do something they want to collect, they want to talk
19 to each other. We want to walk for justice. I'm hoping
20 that we can have investigators from homicide there to be
21 able to assist those families who are probably not heard
22 anything in the event their cases had not been solved or
23 had not been given any additional attention since they
24 lost their loved one to gun violence. So I want to
25 encourage everyone to be able to come out. Again, that's

1 April 3rd, Saturday at 9:00 am and we're going to meet by
2 the Carousel at the reservoir.

3 COMMISSIONER BERNARD: Can you send a notice to us?

4 COMMISSIONER JONES: I most certainly can.

5 COMMISSIONER BERNARD: Thank you. Let Melanie send
6 it.

7 COMMISSIONER CARTER: Through the Chair.

8 COMMISSIONER BURCH: Okay. After you, Lisa, go
9 ahead?

10 COMMISSIONER CARTER: Is she gone. Where is she?

11 MRS. WHITE: Excuse me. Madam Chair. Excuse me,
12 Commissioner Carter. Madam Chair had to leave. I do not
13 see her on the call at this time, so yes. Thank you.
14 Thank you, Commissioner Carter. Yes ma'am.

15 COMMISSIONER CARTER: Okay. I just had an
16 announcement about Forefield. I just got information that
17 they have too many shots this evening and they are
18 willing to give anyone who needs the vaccination, the
19 COVID-19 vaccination. They have to get there before 7:30
20 and they have to bring an ID.

21 MRS. WHITE: Excuse me, Commissioner Carter, please
22 accept the Chair. Madam Chairperson Holt had to leave the
23 meeting. Thank you.

24 CHAIRPERSON CARTER: Alright. No problem. Any other
25 announcements?

1 COMMISSIONER BURCH: Announcement.

2 CHAIRPERSON CARTER: Yes, ma'am, Commissioner Burch.

3 COMMISSIONER BURCH: Who am I doing that to - you
4 Commissioner Lisa?

5 CHAIRPERSON CARTER: Yes.

6 COMMISSIONER BURCH: Okay. I just want to announce
7 that the 11th Precinct is collecting individually wrapped
8 candy for Easter, for our children. So if you would like
9 to drop it off at the 11th Precinct on Nevada, please
10 donate Easter candy for our children. Thank you.

11 CHAIRPERSON CARTER: Anyone else? Thank you,
12 Commissioners. We can go to Mr. Brown now with
13 announcements.

14 MR. ROB BROWN: Good afternoon, Madam Chair and this
15 Honorable Board. The BOPC upcoming meetings, April 1st,
16 2021 at 3:00 pm and April 8th, 2021 at 6:30, which is a
17 community meeting, but the location is forthcoming. And
18 now the public comments. Madam Chair, before we did the
19 raising of hands at 4 o'clock, I had 7 members and 3 of
20 the members who wanted to speak on the search warrant,
21 two of them already had their hand raised. So currently I
22 have 8 members for public comments, and I'll list them
23 three at a time.

24 CHAIRPERSON CARTER: Okay. Thank you.

25 MR. ROB BROWN: The first three would be Ms. Bernie

1 Smith followed by a District 4 Community Advisory
2 Council, Scotty Bowman. And your third would be Minister
3 Eric Blunt.

4 CHAIRPERSON CARTER: Thank you. Ms. Smith?

5 MR. ROB BROWN: Ms. Smith?

6 MS. SMITH: Good afternoon Commissioners. I am tired,
7 so I'm going to be very brief. I just want you to
8 remember Parnell's brother tomorrow, Thomas Parnell. The
9 viewing rather will be at Fisher on five-mile and
10 Telegraph from 1 to 4. So please acknowledge Parnell and
11 let her know what you think about her because she is a
12 good worker and she's been in the police activity for so
13 long. So I just want you to remember that she has a
14 brother that's gone on to glory and it would be nice if
15 we would let her know what we, how we appreciate her and
16 to the Commissioners, it was horrible today. I'm going to
17 pray for all of you guys because I cannot believe -
18 you're supposed to be intelligent people, but yet you act
19 like street every week and it's sad. It's sad. I just
20 want to know when the election is because I might do the
21 thing that we all should do. Clean house. We need people
22 up there. That's going to clean house and Valley. I'm
23 going to get in touch with you because I want to know
24 more about the shot because I got it, a friend of mine
25 got it in her car. So I'll get in touch with you. God

1 bless all of you because you need blessings down there at
2 that Board. It's sad. It's very sad. Take care. Her last
3 name is Parnell.

4 MR. ROB BROWN: Mr. Bowman.

5 MR. BOWMAN: Hi. First of all, thank you for the
6 acknowledgment. I was pleased to be at a meeting where I
7 didn't see a single commissioner. All other disagreements
8 aside. Thank you very much Annie Holt for at least not
9 muting one of your colleagues. And also, by the way, Ms.
10 Smith may wish to know that the election is August 3rd,
11 which will be our primary, and the Community Advisory
12 Council, by the way, you can get information about at
13 D4cac.org. As far as the issue regarding civil
14 forfeitures and warrants and all that, let me be clear
15 about this. There's nothing civil about civil forfeiture.
16 It is legalized burglary and I have to go, I have an
17 incoming call. Thank you.

18 MR. ROB BROWN: Minister Eric Blunt.

19 MINISTER BLUNT: Yes. Can you hear me, Board?

20 COMMISSIONER JONES: Yes, we can hear you.

21 MINISTER BLUNT: Yes, this is Minister Eric Blunt
22 from Sacred Heart Church. Why is it so hard for this
23 Board to focus on the purpose and the reason for this
24 Board's existence, which is police officer's misconduct?
25 Our community has been demanding for a long time for this

1 Board to direct its resources to police officer's
2 misconduct? Routinely, at least the first hour of this
3 meeting is dedicated to details about crime and crime
4 prevention. At least the ShotSpotter discussion did
5 finally get around to addressing troubling practices by
6 DPD officers. The request and the use of the search
7 warrant do not add up. It looks walks and smells like a
8 pretext stop devious method used by many in law
9 enforcement to get some other piece of evidence not on
10 the search warrant request. Please look at the Washtenaw
11 County Law Enforcement Agency. They have decided to stop
12 using pretext stops as documented in this week's news
13 media report. The ShotSpotter incident adheres to this
14 new search warrant policy. As many Commissioners
15 expressed these ShotSpotter incidents raise more, very
16 serious concerns than it answers. Back to the mayor's
17 appointment of Corporate Counsel. Their statements and
18 presentations should never be assumed to be objective to
19 this Board. This Board is required to be independent of
20 the mayor's appointee.

21 MR. ROB BROWN: Madam Chair, your next three speakers
22 would be with Antoinette Ivy followed by Josh followed by
23 Overwhip. Ms. Ivey.

24 MR. CROWLEY: Attorney Garcia, can you please tell
25 the Board the legal definition of this before you leave

1 this meeting today.

2 [Telephone recording by Mr. Crowley. Yes.

3 This is Reubin Crawley calling you. Lawrence Akbar
4 is trying to reach you to determine whether or not he can
5 accept some complaints from me over the OCI. I kind of
6 informed him that he doesn't have an option on whether or
7 not to take a complaint, but he feels as though he needs
8 to get approval from his bosses over the - Sir, we are
9 not about to take complaints from you and that's period -
10 Why not. Is there a reason? Yes, sir. There are no other
11 complaints we can take from you - But I have three other
12 complaints that are separate and aside side from my other
13 complaints - I just indicated we are not going to take
14 any more complaints from you. These complaints are
15 separately, aside from the complaints that I previously
16 filed - Thank you, thank you. You can't just do this Will
17 Bell, who do you think you're dealing with, man? I ain't
18 no joke, Jack. I'm the real deal, man. I don't know
19 what's wrong with you.

20 MR. CROWLEY: You Keep trying to do this, man. You
21 going to have a - hey man, come on. you ain't got to do
22 this. Thank you - Hey look, man, this is serious, man.
23 Why don't you just, Hey, look, Commissioner Bell with all
24 due respect, sir, I'm going to ask you to stand down and
25 move out the way. Kenesha Coleman's murder is going to be

1 addressed, sir. I don't know what you guys think you are
2 going to do, but I'm not, sir. I'm different. I have
3 means resources or ways of dealing with situations like
4 this. And while all I'm saying is, Hey, let the OCI do
5 its mandated charter jobs. There is nothing else I can
6 say to you, so I'm going to end this call. Thank you. -
7 you can say a lot. You can say the truth.]

8 MR. ROB BROWN: Madam Chair, Your next speaker will
9 be Josh. Justin not Josh?

10 JUSTIN: Yes, I'm here. I just wanted to talk about
11 the speeding and the task force that are being put
12 together for that. It's not necessarily, in my opinion, a
13 task force for speeding or donuts and drag racing. That's
14 the thing because when those happen, they're pretty much
15 shutting down the street. At that point, it's the person
16 going from their house to the corner store at 150 miles
17 an hour. That is my main concern. And I really don't
18 think that what we have as far as people knowing that
19 they aren't going to get pursued if they just take off at
20 some magic number that being 150 or 145 or whatever it
21 is. It is good for the populace.

22 JUSTIN: The idea is that when a cop pursues somebody
23 that it's going to injure someone seems faulty with the
24 stats that are saying that all the accidents are causing
25 50% more fatalities right now. I would like to say that

1 I'm for all these different ideas and for anything that
2 they can think of, but anytime you get someone that isn't
3 going to be pursued and the only way they can be taken
4 down is by the air from a helicopter what's going to
5 happen is no one's going to use a license plate - it's
6 pretty simple. So I don't know. I'm kind of mystified by
7 that. I don't know exactly what we can do, but we have to
8 do something. And I think there's a [02:40:38 inaudible]
9 and I'm not certain it's saving lives. So I think we
10 should be pursuing people.

11 MR. ROB BROWN: Madam Chair, your next speaker will
12 be Overwhip.

13 MR. CROWLEY: To the Chair, attorney Lawrence Garcia.

14 MR. ROB BROWN: Madam Chair, that was Mr. Crowley
15 again, he spoke already, so we'll go to the next speaker.

16 CHAIRPERSON CARTER: Okay.

17 MR. ROB BROWN: Your next two speakers would be Ms.
18 Michelle George followed by Ms. Lory Parks. Ms. George.

19 MS. GEORGE: Yes, sir. Hi, Mr. Brown.

20

21 MR. ROB BROWN: Hi.

22 MS. GEORGE: So, in the absence of Chair Holt, I
23 guess Chair Carter in replace the Honorable Board. I just
24 want to - AC LeValley, how are you? Can you let Chief
25 Craig know, I don't know if Chief Investigator Akbar

1 shared what's going on. I don't know anything about
2 policing, I do nursing, but I'm just concerned when he
3 was talking about the afternoon shift because there is a
4 lot of crime. I have my, news-breaking story shot with
5 the two-year rookies and the afternoon shift. So I'm kind
6 of concerned about that. I'll reach out to Chief Craig
7 with that situation. Also Commissioner Burton, I
8 understand about the ShotSpotter, but the issue is, if
9 you live in an area where there is shooting all night,
10 that's not normal.

11 MS. GEORGE: So maybe some people need to get the
12 breaking news story on their phone app that you could see
13 all the shootings that are occurring. So I'm glad the
14 ShotSpotter went over into the Eastside and caught the
15 assailants and to Corporate Counsel, I'm not sure how
16 many minutes I have before Mr. Brown cut me off but
17 Corporate Counsel Garcia \$200,000 went wasted. If he's
18 present, I have a letter for the City Council. I was in a
19 meeting with them. \$200,000 went wasted for that. Go out
20 to the people, not the movement of Detroit. We will
21 Breathe. That was a political move, and I won't go there
22 anymore with why it was a political move. So that
23 \$200,000 could have gone into the pockets of the police
24 officers. Another young lady was missing today, snatch,
25 but guess what? The news went to CNN and MSNBC. Until the

1 administration does something with these missing girls. I
2 just want to say that the story, breaking news is coming,
3 but that news story went to MSNBC and CNN. Thank you very
4 much.

5 MR. ROB BROWN: Madam Chair, the next speaker will be
6 Ms. Lory Parks, and that will be your last speaker.

7 CHAIRPERSON CARTER: Thank you.

8 MR. ROB BROWN: Ms. Parks.

9 MS. PARKS: Yes. Good evening. Listen, Commissioner
10 Holley, please don't ask what's wrong with someone. Do
11 you and let them do them. Commissioner Annie Holt, it
12 seems to me that you are a little annoyed by some of the
13 Commissioners when they ask certain questions and all
14 that Thanks to me seems very, very fake. So, and this is
15 my next comment. I can't stand this BS about Districts.
16 You all live in the City of Detroit and we all love the
17 City of Detroit. So don't give me that bull crap about
18 what District you live in, it does not matter. It matters
19 that you live in the City of Detroit and we want the same
20 for all the people in the city, not just certain
21 Districts. And we want our Board of Police Commissioners
22 meetings not to be held at the headquarters anymore.

23 MS. PARKS: We want all the Police Commissioners
24 Board meetings to be held in the city. You can hold them
25 outside in the park right now, and you do not have to be

1 cooped up - and who wants to go to the police
2 headquarters and tell on the police? That's not how it
3 works. That's not how Coleman Young had this Board of
4 Police Commissioners seated and Garcia the body-cams, I
5 think that every one of those body-cams should be on at
6 all times. And I would like to know the breakdown of the
7 race of the officers who have been violated the body- cam
8 protocol and what you are doing with the information from
9 that. We need to know all of that. All the body- cams
10 should be on at all times. If not, I want to see
11 reprimands by all of those offices. Thank you for taking
12 my call.

13 MR. ROB BROWN: Madam Chair that was your last call.

14 COMMISSIONER BURCH: Can you call me back, I hear
15 you.

16 COMMISSIONER JONES: Motion to adjourn the meeting.

17 COMMISSIONER BERNARD: So moved.

18 COMMISSIONER HOLLEY: So moved.

19 COMMISSIONER BURCH: So moved.

20 COMMISSIONER HOLLEY: Second.

21 MRS. WHITE: Madam Chair you're muted.

22 COMMISSIONER JONES: Commissioner Carter, your mic is
23 muted.

24 CHAIRPERSON CARTER: I got it. Now it's been moved
25 and supported that we adjourned the meeting. Those in

1 favor.

2 ALL: Aye.

3 (Meeting Adjourned 4:46p.m.)

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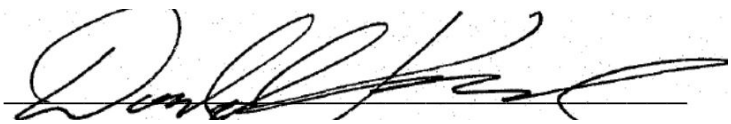
25

1 STATE OF MICHIGAN)
)
2 COUNTY OF WAYNE)

3 RECORDER'S CERTIFICATE AND NOTARIZATION

4 I, Donald Handyside, Court Recorder, do
5 hereby certify that on March 25, 2021, at 3:00 p.m.,
6 I did record the Detroit BOPC meeting, the same
7 being later reduced to typewriting and that the
8 foregoing is a true and accurate transcription of
9 said electronic recording taken at such time and
10 place.

11 I further certify that I am not related to
12 or employed by any party of this cause or their
13 respective counsel.

14 

15 DONALD HANDYSIDE (CER 1464)

16 Notary Public

17 My Commission Expires: 5/6/2020

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