

**Draft Minutes Detroit Board of Police Commissioners**  
**Date of Meeting: Thursday, April 29, 2021 – 3:00 PM**  
**Location: Zoom Virtual Meeting Platform**

- I. **Chairperson Willie E. Bell called the BOPC Board Meeting to order at 3:00 p.m.**
- II. **Invocation.** Chaplain Noel Hall provided the invocation.
- III. **Introduction of Police Commissioners. A roll call was held, and a quorum was declared.**

Detroit Board of Police Commissioners' Membership / Attendance		
	Attend	Not-Attend
Willie E. Bell, Chairperson	Yes	
Annie Mae Holt, Vice-Chairperson	Yes	
Linda D. Bernard	Yes	
Darryl D. Brown	Yes	
Shirley A. Burch	Yes	
Willie E. Burton	Yes	
Lisa Carter (3:57 p.m.)	Yes	
William M. Davis	Yes	
Jesus Hernandez	Yes	
Jim Holley	Yes	
Martin Jones	Yes	
Quorum (Yes)	11	

- IV. **The Board approved the Agenda for Thursday, April 29, 2021.**

**Motion:** Commissioner Holley      **Second:** Commissioner Burch      **Discussion:** None.

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

- V. **Chairperson Bell called for any corrections to the Meeting Minutes for April 22, 2021. After no corrections were submitted, the minutes were approved.**

**Motion:** Commissioner Holley      **Second:** Commissioner Bernard      **Discussion:** None.

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

- VI. **Introductions of Board administrative and investigative staff, Chief of Police, Elected Officials or Representatives.**

- VII. **Chair's Report. Chairperson Bell** asked for continued prayers for the United States of America referencing President Joe Biden's Presidential Address. **Chairperson Bell** also called for peace stating that all lives matter.

**MOTION: To attach Thursday, July 1st to the July 4th celebration, and to resume our scheduled Board meeting time on July 8th.**

**Motion:** Vice-Chairperson Holt                      **Second:** Commissioner Jones                      **Discussion:** Discussion.

**VOTE:**                      Yes = 8                      No = 1                      **Motion: PASSED**

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

No: Commissioner Davis.

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

**Assistant Chief Todd Bettison** represented **Chief James E. Craig** and reported on officers injured in the line of duty; current CompStat Crime/Statistical Data for Violent Crime and Property; Protest Activities; COVID-19 impacts, and recent critical incidents impacting DPD and the community. **See attached Meeting Transcripts for more information.**

Category	Prior Day	Prior 7 Days	2021 YTD	2020 YTD	Change	% Change	
Criminal Homicides*	1	12	101	77	24	31%	▲
Sex Assaults*	1	7	230	218	12	6%	▲
Aggravated Assaults*	29	198	3,526	2,583	943	37%	▲
- Non-Fatal Shootings*	5	25	301	213	88	41%	▲
Robberies	3	20	422	620	-198	-32%	▼
- Carjackings	1	5	66	49	17	35%	▲
Part I Violent Crime	34	237	4,279	3,498	781	22%	▲
Category	Prior Day	Prior 7 Days	2021 YTD	2020 YTD	Change	% Change	
Burglaries	3	39	1,073	1,712	-639	-37%	▼
Larcenies	12	128	2,941	3,962	-1,021	-26%	▼
Motor Vehicle Thefts	2	52	1,735	1,969	-234	-12%	▼
Part I Property Crime	17	219	5,749	7,643	-1,894	-25%	▼
Total Part I Crime	51	456	10,028	11,141	-1,113	-10%	▼

**Response Time for the past week:** Approximately 13 minutes for Priority 1 Response Times. **Assistant Chief Bettison** also discussed Priority 3 Category Police Runs, stating they are less serious in nature where police assistance is needed. These calls may be redirected to the Telephone Crime Reporting Unit (TCRU) for report purposes and only when an incident is not in progress, the incident occurred more than 30 minutes from the time of the initial request, the likelihood of apprehension is low, or there are no exigent circumstances. The average response time for Priority 3 Police Runs was 43 minutes, with a total of 1,196 Priority 3 Police Runs that were serviced last week. **Enforcement Efforts:** The following enforcement activities occurred last week involving narcotics enforcement deterrence activities: 151 arrests around those locations with high narcotic and illegal marihuana activity; 74 of the arrests were for persons Carrying a Concealed Weapon (CCW); 51 Misdemeanor Arrests; Recovered 8 long guns, Recovered 88 handguns, and 1 facsimile firearm; 2,178 traffic stops were conducted; 195 vehicles impounded around those locations; 35 vehicles recovered; 2,485 citations were issued; 19.7 grams of cocaine was confiscated; 1,457 grams of marihuana; 1 gram of heroin; 7.4 grams of fentanyl; 254 pills were recovered; \$5,000 was confiscated; and 6 Search Warrants were executed due to illegal grow operation. **Drifting and Drag Racing Incidents:** DPD made 9 Arrests; Impounded 15 vehicles; and 4 weapons were recovered. Since the drifting and drag racing prevention initiative began, the Department has conducted over 831 traffic stops; forfeited 18 vehicles; recovered 6 stolen vehicles; impounded 89 vehicles; and recovered 40 weapons. **Impoundment Costs:** The associated costs are as follows: \$215 total cost for each tow, \$125 for the tow, \$75 Administration Fee, and \$15 per day. **Forfeited Vehicles** are subject to litigation, does not have a set price, and determinant based upon the facts and circumstances, redemption, and other factors. **Assistant Chief Bettison** answered questions from the Board based on inquiries made last week. **Assistant Chief Bettison** stated that an after-action report will be provided to the Board regarding the recent police-involved encounter with the individual who used a knife during a police-involved shooting incident. **Commander Kyra Joy Hope** will provide written information regarding the Neighborhood Policing Program for the Board's reference. The Community will be trained on Crisis Intervention Training (CIT) and Commander Kyra Hope and Captain Tonya Leonard-Gilbert will work with Commissioner Burton to develop forums and platforms for this type of training for the community. Based on Commissioner Holley's request for training information during Roll Calls regarding significant events occurring nationally regarding police-involved encounters resulting in fatalities or serious bodily injuries, Chief Craig conducts Roll Messaging by creating videos, citing specific ongoing training messages and shares various training updates via the Department's Administrative Messages.

**Commissioner Burton** asked whether DPD was updating the DPD Connect App and whether it was still being promoted to the Community. **Assistant Chief Bettison** discussed the "Citizens App" where individuals are able to learn crime updates within their community. **Commissioner Bernard** asked for the video link shown last week regarding the 2020 Police Protests, a copy of the After-Action Plan Report on all of the 2020 Police Protest Investigations; and a copy of the DPD's Training Manual. **Assistant Chief Bettison** noted the Department will provide completed investigations to the Board in its entirety with the exception of any ongoing

investigations or limitations set by the courts due to pending litigation. **Director Christopher Graveline, Professional Standards and Constitutional Policing**, provided the following updates:

- The DPD initiated 33 investigations into the 2020 police protests and 24 investigations have since been closed with the following findings:
- (4) Cases Sustained Misconduct;
- (1) case where the officer fired less-than-lethal rounds towards reporters, and she has been charged by the Wayne County Prosecutor's Office;
- (1) case where the member was found to have inappropriately used the Chemical Spray on a Protestor, and the officer received (3) days of suspension;
- (1) Malicious Destruction of Property (MDP) where a taillight was broken, and the offending officer was unidentified. However, the Department is working with the complainant regarding reimbursements.
- (1) MDP but the officer failed to activate the Body-Worn Camera (BWC), and the officer has received sustained misconduct for failure to activate the BWC.
- The remaining investigations' conclusion findings are as follows: 4 Not Sustained; 4 Exonerated; 4 Unfounded; and 8 Administrative Closures.

**Commissioner Burch** stated she will send a list of concerns for District 3. She also asked Assistant Chief Bettison to work with DPW Office regarding the speed cushions and frequent accidents occurring at the corner of State Fair, Dequindre, and Outer Drive areas. She also discussed that more training is needed for the community on the protocol when observing emergency vehicles traveling to emergencies. **Commissioner Davis** asked for the number of times mental health professionals have accompanied DPD members to police runs. **Commissioner Davis** inquired about the Department's updated Mobilization Plan. **Commissioner Brown** recognized Commander Darryl Patterson, Captain Michael Diccio, and Sergeant Johns regarding a recent precinct program implemented where officers are walking the beat accomplishing the following enforcement activities: 6 felony arrests, 198 ordinance violations and 4 firearms were seized. **Commissioner Hernandez** commended Assistant Chief Bettison's report. He also asked for more context regarding the Disciplinary Administration's findings and their meanings for the community's awareness. **Commissioner Holley** discussed the police-involved shooting incidents around the country and asked for more clarity regarding the law enforcement member's decision to employ use of force (i.e. determination of the number of shots) during these fatal encounters. **Commissioner Holley** requested whether the Board could advocate for the Department to ensure that persons who are identified with illegal guns be prosecuted accordingly.

**IX. PRESENTATION(S) TO THE BOARD: A. Office of the Chief Investigator – Interim Chief Investigator Lawrence Akbar  
B. Detroit Towers Association – Mr. Bertram Johnson and Attorney Daniel McLean  
C. DPD Tow Updates – Captain Michael Parish and Deputy Corporation Counsel Charles Raimi, City Law Department**

**A. Interim Chief Investigator Lawrence Akbar, Office of the Chief Investigator**, provided the OCI's Citizen Complaint Report for March 2021 noting the following: The OCI received 126 complaints during March 2021, versus 82 complaints received in March 2020, which is a 54% increase. Regarding the units receiving citizen complaints, the Second Precinct and Internal Affairs were the units with the second highest complaint intake in comparison to the OCI receiving 68 complaints. The Board also received information regarding the number of Citizen Complaints Closed for the month, which totaled 90 Citizen Complaint Reports with 137 allegation findings. Citizen Complaints that included Body-Worn Camera and Scout Car Camera evidence totaled 90 CCRs closed for March 2021. The Closed Investigations for March 2021 were also categorized by DPD Members' rank and seniority, reflecting 90 CCRs closed and 118 DPD Members identified. DPD Calls for Service for the month of March 2021 showed the number of complaints during various shifts, and regarding the members' seniority. The community received information on how to file a Citizen Complaint, at the OCI Merrill Plaisance facility, via phone (313) 596-2499, online at [www.detroitmi.gov/bopc](http://www.detroitmi.gov/bopc), or at any DPD precinct. Lastly, OCI Staff Updates were provided regarding recent COVID-19 tests and safety protocols implemented by BOPC OCI Administration. The OCI's current caseload statistics encompasses 490 open cases, and 164 over 90 days as of today's date. Based on recent personnel changes, the status of pending cases within the OCI were discussed with the Board, as well as updated FOIA requests fulfilled over the past few years.

**Chairperson Bell** emphasized the importance of the Board regularly receiving the OCI Presentation Report and key information. **Commissioner Brown** asked for clarity regarding the time limit placed upon the OCI by DOJ Consent Decree. **Commissioner Brown** asked about the methods used to track the cases based on information/data he received from the office a couple of weeks ago. **Commissioner Brown** also requested to visit the OCI's Facility to review the methods and systems used to track the OCI Cases. **Commissioner Brown** asked about the arrangement of the OCI office spaces given on COVID-19. **Commissioner Jones** asked whether the OCI Presentation Reports impact and improves DPD training efforts of members. **Commissioner Davis** asked whether the Department had disciplined members for repeatedly failing to activate the BWCs during police-citizen encounters and whether

there were any repeat offenders. **Commissioner Burton** requested whether the OCI has made changes regarding the OCI's efforts to accommodate community members who may be vision or speech impaired, and/or have mobility challenges. **Commissioner Burton** asked for the number of investigators who have separated from the unit since last year and whether there have been any changes regarding members not wearing the BWCs. **Commissioner Hernandez** asked for a written response from the OCI Office regarding how the Department is measuring and tracking what success looks like regarding the complaints.

**B. Detroit Towers Association – Mr. Bertram Johnson and Attorney Daniel McLean** provided the history and overview based the Detroit Towers Association discussing strengths, training equipment, licensing and permits, customer service and implicit bias. The DTA discussed the demographics of the association, the DPD Agreement's not to exceed 25% of all tows, and other measures. Additionally, the areas of concern for the DTA are as follows: inequitable towing rotation, no dispatch software for coordination of tows, DPD is in direct competition with the DTA for business, and City Towing's replacement of the DTA. The DTA discussed the permits and accountability, various towing lots maintained by the DPD and the DTA respectively. The DTA asked the Board to engage in the following: (1) extend the current towing permits for a period of not less than 6 months; (2) conduct an independent study with independent legal counsel of the Request for Proposal (RFP) with DTA and BOPC input, (3) keep BOPC oversight and authority, and (4) stay with permits. Attorney McLean urged the Board that it has authority over towing based on City Charter, City ordinance provisions, and based on Federal Court Opinion issued by Honorable Linda Parker. The case of Bright Financial was also discussed during the presentation citing certain procedures that needed to be in place regarding the administration of tow procedures.

**Vice-Chairperson Holt** asked for the demographics regarding the DTA's membership, specifically the percentage of men and women, and ethnicities. **Commissioner Bernard** discussed that Corporation Counsel has a conflict of interest based on their multiple positions on both sides of the issues opining the permits the Board issued were contrary to state law, City Charter, and that the City of Detroit should issue a contract versus a permit. **Commissioner Bernard** stated the Corporation Counsel does not represent the Board on this issue and represents an ethical violation of the Michigan Rules of Professional Conduct. **Commissioner Bernard** referenced the June 2017 Board Meeting Minutes noting there was a resolution proposed by former Corporation Counsel Melvin Butch Hollowell proposing the Board transfer its tow responsibility to the Office of the Chief Procurement (OCP), and stated there was no discussion. She also stated all of the illegality issues presented to the Board derived from the Department, citing the issue before the Board today of MARS involved a department member, the one tower that was indicted was not indicted based on violations committed within the City of Detroit, but in Macomb County, and the former employee indicted was assigned to the Department not the Board. **Deputy Corporation Counsel Charles Raimi, City Law Department**, stated the Board had received presentations from high-priced lobbyists with special interests who were not interested in the impacts to the public. **Deputy Corporation Counsel Raimi** confirmed his legal opinion of the 2016 permits issued by the Board being invalid and stated at this time, the Corporation Counsel is the Board's legal counsel, and represents every Board and agency within the City of Detroit. **Deputy Corporation Counsel Raimi** also stated the legal opinions issued by the Corporation Counsel are legally binding. **Deputy Corporation Counsel Raimi** stated the Board has no resources to engage in RFPs, and never had the resources to do so. **Deputy Corporation Counsel Raimi** discussed the facts and circumstances surrounding Gasper Fiore and Nationwide Towing committing illegal acts relating to tow matters such as charging excessive tow fees and other issues. **Deputy Corporation Counsel Raimi** discussed the contract process is best practices to ensure proper legal controls of the towers, and the concerns for redressing should be routed to City Council. The Board is responsible for developing rules for equitable tows and overall tow rules. Deputy Corporation Counsel Raimi stated that what the DTA was asking the Board to do was destructive with respect to the public and the Charter, noting the sole purpose of the contracts was to align with best practices and the Board's resolution in 2017. **Chairperson Bell** asked for Corporation Counsel's consideration to allow reasonable time for the Board to review the matter independently.

**MOTION: To extend the existing permits and postpone any RFPs for at least 120 days in order for the Board of Police Commissioners to review the issue.**

**Motion:** Commissioner Bernard

**Second:** Vice-Chairperson Holt

**Discussion:** Discussion.

**VOTE:**

**Yes = 10**

**No = 0**

**Motion: PASSED**

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

**No:**

**Captain Michael Parish, DPD Tow Monitor**, explained his disagreement with the recent decision by the Board to extend tow permits and clarified various items that Mr. Bertram Johnson, Detroit Towers Association, mentioned during his presentation, noting the following: In discussing the historical timeframe of the DPD entering towing, Captain Parish emphasized the former pending

legislation and the Department's efforts to remedy this process. Captain Parish addressed the DTA's failure to report to the Board about the pending litigation in Lansing that would have prohibited police agencies and municipalities from engaging in towing operations and cited the various efforts the DTA and other towers implemented to lobby to divest the Board, City Council, and every comparable body within the state of Michigan from making policy decisions on whether it was appropriate for the municipality or that police agency to tow and store vehicles. The Department was proactive in identifying the legislation and was forced to delay certain measures at towing lots to allow sufficient time to become "grandfathered in" the new legislation. The Department worked extensively with the DTA, to which the DTA acknowledged the Department's extensive attempts to work with the DTA to seek their feedback and concerns with the RFP, proposed ordinance, and other related tow matters. Captain Parish provided updates and rationales on the Department's various tow lots citing that delays occurred given the Department having to reestablish its status regarding the tow activities. Captain Parish discussed the various correspondences between the Department, the DTA, and the City Council in efforts to finalize procedures for the revised proposed tow ordinance. Also, discussed were the Department's efforts to keep the Board informed regarding tow violations involving towers and other related tow matters in contrast to the DTA. Captain Parish also discussed the Department's position to move forward with the OCP Process was based on the Board's 2017 decision to transfer the tow awarding authority to the OCP. Also discussed were the various administrative tow initiatives and measures the Department implemented such as the kiosk system for handling administrative fees, developing a separate rotation for forfeiture and evidence vehicles, and other measures the Department implemented to improve and enhance tow operations. **Commissioner Bernard** requested the Board receive independent legal counsel on this issue.

**X. Report from Interim Board Secretary Melanie White Regarding Communications Submitted to BOPC as incoming information:**

1. Weekly DPD Facial Recognition Technology Report 4/19/21 - 4/25/21
2. National Urban League Unveils "21 Pillars," A Comprehensive Framework for Redefining Public Safety
3. Supplemental Memorandum to BOPC Re: Towing RFR - Response to Mr. McLean's Letter
4. Staff Reports (Policy Division Reports) -

**XI. Unfinished Business.**

- A. Michigan Auto Recovery Service Inc. Represented by Attorney Jermaine Wyrick, Captain Michael Parish, DPD, Assistant Corporation Counsel Ericka Savage Whitley**

**Motion to Accept Assistant Corporation Counsel Erica Savage Whitley's Recommendation that Michigan Auto Recovery Services (MARS) be Suspended for the Remainder of the Term of Tow Permit Which is 32 Days.**

<b>Motion:</b> Vice-Chairperson Holt	<b>Second:</b> Commissioner Bernard	<b>Discussion:</b> Discussion.
<b>VOTE:</b> Yes = 6	<b>No = 2</b> <b>Abstain: = 3</b>	<b>Motion: PASSED</b>

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

**No:** Commissioner Burch and Commissioner Davis.

**Abstain:** Commissioner Bernard, Commissioner Brown, and Commissioner Burton.

**XII. New Business.**

**Commissioner Davis** asked for information about the training program scheduled for Board Leadership and Staff Administrators that purportedly totaled \$10K and stated the Board should vote on this matter.

**MOTION: The Board of Police Commissioners receive the weekly information package on Friday so Commissioners will have more time to prepare.**

<b>Motion:</b> Commissioner Burton	<b>Second:</b> Commissioner Davis	<b>Discussion:</b> Discussion.
<b>VOTE:</b> Yes = 3	<b>No = 8</b>	<b>Motion: FAILED</b>

**Yes:** Commissioner Brown, Commissioner Burton, and Commissioner Davis.

**No:** Chairperson Bell, Vice-Chairperson Holt, Commissioner Bernard, Commissioner Burch, Commissioner Carter, Commissioner Hernandez, Commissioner Holley and Commissioner Jones.

**MOTION: To rescind the 2017 Resolution that empowered the Office of Chief Procurement (OCP) and eliminated the authority of the Board of Police Commissioners.**

**Motion:** Commissioner Burton

**Second:** Commissioner Bernard

**Discussion:** Discussion.

**MOTION: To Table the motion to rescind the 2017 Resolution that empowered the Office of Chief Procurement (OCP) and eliminated the authority of the Board of Police Commissioners.**

**Motion:** Commissioner Jones

**Second:** Commissioner Hernandez

**Discussion:** Discussion.

**VOTE:**

**Yes = 6**

**No = 4**

**Abstain: = 1**

**Motion: PASSED**

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

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

**Abstain:** Commissioner Bernard.

### **XIII. Announcements:**

**Mr. Robert Brown** announced the following:

1. **Next Meeting:** Thursday, May 6, 2021, at 3:00 p.m., BOPC Meeting
2. **Next Meeting:** Thursday, May 13, 2021, at 3:00 p.m., BOPC Meeting

### **XIV. Oral Communications/Public Comments:**

District 4 CAC Scotty Boman, Ms. Bernice Smith, Minister Eric Blount, 402 is Ms. Joy, 915 is Ms. Yolanda McCant, Ms. Brenda Hill and Ms. Michelle George offered public comments.

### **XV. Closed Session – Personnel Items**

**MOTION: The Board of Police Commissioners to go into Closed Session.**

**Motion:** Commissioner Holley

**Second:** Commissioner Bernard

**Discussion:** Discussion.

**VOTE:**

**Yes = 11**

**No = 0**

**Motion: PASSED**

### **XVI. Reconvene Public Meeting at 6:21 p.m.**

**MOTION: The Board of Police Commissioners to Reconvene Public Meeting.**

**Motion:** Vice-Chairperson Holt

**Second:** Commissioner Davis

**Discussion: None:** Motion Adopted.

### **XVII. Vote on Matters from Closed Session.**

**MOTION: The Board of Police Commissioners Interview Candidates I and H for the Position of Chief Investigator on Thursday, May 6, 2021, at the next Board Meeting.**

**Motion:** Vice-Chairperson Holt

**Second:** Commissioner Brown

**Discussion: None:** Motion Adopted.

**MOTION: The Board of Police Commissioners Interview Candidates for the Parliamentarian Contract Position two weeks from today.**

**Motion:** Commissioner Davis

**Second:** Vice-Chairperson Holt

**Discussion: None:** Motion Adopted.

**Chairperson Bell adjourned the meeting at 6:23 p.m.**

**Motion:** Commissioner Brown

**Second:** Commissioner Carter

**Discussion. None:** Motion Adopted.