



May 13, 2021

Board of Police Commissioners

**SUBJECT: DISCIPLINARY ADMINISTRATION QUESTIONS FOR MAY 6, 2021
BOPC BOARD MEETING**

Provided below are answers to the questions posed by your Honorable Body that was for the May 6, 2021 Board Meeting:

1. Please explain the Detroit Police Department's Disciplinary Matrix System and how it is applied?

Misconduct can fall into one of four categories (A through D) depending on the egregiousness of the conduct. Once a category is assigned, Disciplinary Administration reviews the presumptive penalty assigned to the misconduct per the matrix, and determines whether the penalty should be mitigated or aggravated depending on the member's disciplinary history and the particular facts and circumstances of the incident.

2. What is the process for investigations to proceed to Disciplinary?

Disciplinary Administration receives misconduct investigations that have been sustained by one of four investigating entities: OCI, Internal Affairs, Force Investigations, and Department Commands.

3. Please explain how cases are assigned, and who is responsible for ensuring they are processed timely and appropriately? What is the average time associated with any disciplinary investigation?

Incoming misconduct investigations are first assigned Disciplinary Administration case numbers and case file folders are prepared. The folders are placed in a file basket in chronological order, where members of the Disciplinary Administration Unit pull the folder out for review and preparation of Notice(s) of Discipline, if applicable. When a member pulls a case file, she/he initial the case log spreadsheet, which indicates who has a particular numbered case. Lieutenant Robert Torres and Sergeant Thomas Denmark monitor the cases to ensure that they are processed in a timely manner. The average time it takes to process an investigation is between 45 and 60 days.

4. What is the total current caseload for Disciplinary Section? In 2020? In 2019?

The current caseload for 2021 is 276 case as of May 10, 2021. For 2020, the caseload for the entire year was 549 cases; and for 2019, the caseload for the entire year was 670 cases.



5. **In 2020, what was the total number of cases that were overturned by Arbitration proceedings? Please explain general reasons and provide a written list of the same within 30 days.**

In 2020, there was one command investigation that was overturned by an arbitrator from 2019. The arbitrator found that the department lacked just cause for the discipline imposed.

6. **In 2020, were there any Sustained citizen complaints that were overturned by Disciplinary Section outside of special category of cases related to COVID-19? Please explain general reasons, and criteria used to evaluate Findings.**

In 2020, there were five sustained citizen complaints that were overturned by Disciplinary Administration. Disciplinary Administration evaluates findings by reviewing the misconduct investigation and comparing the findings to the applicable policy and/or law to determine if the charge is appropriate.

7. **Describe the training requirements for Disciplinary Administration Section Members?**

Newly assigned members are provided in-house training. New members will shadow senior members of Disciplinary Administration, and are further instructed by supervision and other senior members of Disciplinary Administration. Members assigned to Disciplinary Administration are also provided with a manual containing a description of the Disciplinary Process, Standard Operating Procedures, the Disciplinary Matrix, the Code of Conduct, instructions on a variety of functions, and important phone numbers.

8. **Under Disciplinary Section's process, what is the total number of citizen complaints alleging Sustained force that remain open within the past 90 days?**

One case involving a sustained force finding remains open pending an appeal hearing tentatively scheduled for May 18, 2021.

9. **Of the cases that result in Disciplinary Charges, how many lead to criminal prosecution, civil litigation, etc.?**



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Disciplinary Administration does not track any information concerning either criminal prosecutions or civil litigation related to investigations that have been forwarded to it for adjudication. Criminal charging decisions are normally made while an investigation is still pending in Internal Affairs (prior to the case being forwarded to Disciplinary Administration) and civil litigation can happen months or years after the Department has adjudged discipline.

- 10. Is the Department identifying members who are habitual parties to civil litigations, criminal prosecutions, etc.? How is the Department tracking those offending members, commands, and supervisors? What type of action is taken involving these matters?**

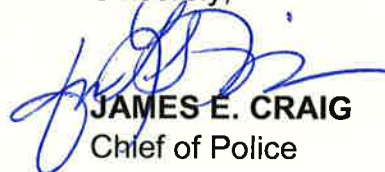
The Department utilizes the Management Awareness System (MAS) to identify concerning trends in a member's actions. Detroit Police Department Directive 401.13 (Management Awareness System) explains the Department's process in identifying patterns of potentially risky behavior and intervention steps once such a pattern is identified.

- 11. Regarding the 2020 Protests After-Action Reports, Chief of Police Craig, the Department, and Director Graveline have frequently provided updates to the Board regarding all of the 2020 Protests Investigations conducted by the Department. As a follow up to those extensive reports, the Board is also requesting the After-Action Reports from those investigations. Please share a status update in this regard.**

The Department is preparing the reports for distribution to the Board. Certain information (CJIS and PII) need to be redacted from the final internal investigation reports prior to distribution. Copies of the finalized reports should be ready for distribution prior to the end of May.

Should you have any additional questions or concerns please feel free to contact Director Christopher Graveline of the Disciplinary Administration, at (313) 596-2010, Monday through Friday, 9:00 a.m. until 5:00 p.m.

Sincerely,


JAMES E. CRAIG
Chief of Police