## 11/03/2022

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9	CITY OF DETROIT
10	BOARD OF POLICE COMMISSIONERS
11	BOPC VIRTUAL MEETING
12	November 3, 2022 at 3:00 P.M.
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- 1 MS. WHITE: Good afternoon, honorable Board. Mr.
- 2 Chair, the time now is 2:59 PM. Good afternoon again, and
- 3 welcome to the Detroit Board of Police Commissioner's
- 4 meeting. Just a few reminders. If you would like to
- 5 submit public comments or submit your name for public
- 6 comments, please do so at this time or as soon as
- 7 possible. You may also use the Zoom features available.
- 8 Additionally, honorable Board, you have received various
- 9 correspondences in your emails, so please review your
- 10 emails for further updates. Thank you so much, Mr. Chair.
- 11 CHAIRPERSON FERGUSON: Good afternoon. My name is
- 12 Bryan Ferguson, Chairperson of the Board of Police
- 13 Commissioners. This meeting will now come to order. At
- 14 this time, I would like to have Chaplain Cassandra Ford
- 15 to give us our invocation.
- 16 CHAPLAIN FORD: Amen. Thank you all for allowing me
- 17 to be here today. May God continue to bless each and
- 18 every one of us. Shall we pray? Gracious God, we come
- 19 right now in the name of Jesus. First, we want to say
- 20 thank you. Thank you for life, health, and strengths. We
- 21 thank you for this day, for we know that this is the day
- 22 that you have made, and we shall be glad and rejoice in
- 23 it now. Now, oh, God, we come lifting up our Chief, Chief
- 24 White, Lord God. We thank you for him. We thank you for
- 25 the Chairman here, Ferguson, and the entire Board of



- 1 Commissioners. Lord God, we come asking just that you
- 2 reign down peace and understanding so we can be on one
- 3 accord. We pray that everyone who have concerns get
- 4 peace, Lord God. We thank you. We lift up your name. We
- 5 ask you to continue to bless our officers and everyone in
- 6 this room. We thank you and we praise your name in Jesus'
- 7 name we pray. Shall we say men?
- 8 COMMISSIONERS: Amen.
- 9 CHAIRPERSON FERGUSON: Thank you, Chaplain Ford.
- 10 Thank you so much. Madam Secretary, can we give a roll
- 11 call, please.
- 12 MS. WHITE: Through the Chair. Madam Vice-Chair,
- 13 Annie Holt Good afternoon, Vice-Chair, Annie Holt At-
- 14 Large.
- 15 MS. WHITE: Commissioner Linda D. Bernard -
- 16 MS. WHITE: Commissioner Cedric Banks Present.
- 17 MS. WHITE: Commissioner Willie E. Bell Present,
- 18 District 4.
- 19 MS. WHITE: Commissioner Willie E. Burton -
- 20 MS. WHITE: Commissioner Lisa Carter -
- 21 MS. WHITE: Commissioner Ricardo Moore -
- MS. WHITE: Commissioner Jesus Hernandez -
- MS. WHITE: Commissioner Reverend Jim Holley -
- 24 MS. WHITE: Commissioner QuanTez Pressley Here.
- MS. WHITE: Commissioner Willie E. Burton -



- 1 Commissioner Willie E. Burton is present.
- MS. WHITE: Mr. Chair, you do have a quorum.
- 3 CHAIRPERSON FERGUSON: Thank you. Now I'd like to
- 4 have a motion for the approval of the minutes. I'm sorry,
- 5 approval of the agenda for November the third, 2022.
- 6 CHAIRPERSON HOLT: So move.
- 7 CHAIRPERSON FERGUSON: Is there a second?
- 8 COMMISSIONER: Support.
- 9 CHAIRPERSON FERGUSON: Any discussion? All in favor?
- 10 CHAIRPERSON HOLT: Aye.
- 11 CHAIRPERSON FERGUSON: All opposed? All right. It's
- 12 passed. Now, approval of the minutes for October 27th,
- 13 2022.
- 14 CHAIRPERSON HOLT: So moved.
- 15 CHAIRPERSON FERGUSON: Second?
- 16 COMMISSIONER BELL: Second.
- 17 CHAIRPERSON FERGUSON: Do we have discussion. All in
- 18 favor?
- 19 COMMISSIONERS: Aye.
- 20 CHAIRPERSON FERGUSON: All opposed? All right, moving
- 21 pass. I'm going to have the Chief report. I see Chief
- 22 White is not here. Who we have there for Chief White?
- 23 ASSISTANT CHIEF LEVALLEY: Good afternoon, sir.
- 24 Assistant Chief David LeValley sitting in for Chief White
- 25 today.



- 1 CHAIRPERSON FERGUSON: All right, sir. You are up.
- 2 ASSISTANT CHIEF LEVALLEY: We'll report out. Okay.
- 3 CHAIRPERSON FERGUSON: Yes, sir.
- 4 ASSISTANT CHIEF LEVALLEY: All right. I'll start out
- 5 with an update on injured officers. We currently have 5
- 6 members of the department who are disabled and recovering
- 7 at home due to on-duty injuries. One sergeant from the
- 8 Second Precinct was involved in a vehicle accident. Two
- 9 officers from the Seventh Precinct that were both
- 10 involved in a vehicle accident. One officer from the
- 11 Ninth Precinct who injured himself during a motor vehicle
- 12 accident as well. Covid stats. We currently have 31
- 13 members of the department that are either quarantined or
- 14 isolated. Last week, that was 37, so down a little bit.
- 15 27 of those guarantined or isolated members are currently
- 16 positive. Last week it was 32. Crime stats 2022 year to
- 17 date, homicides we're at 261. Last year we were at 257.
- 18 That's an increase of 2%. Nonfatal shootings we're at
- 19 825. Last year we were at 937. That's 12% less. Robberies
- 20 we're at 1,192. Last year we were at 1,299. That's 8%
- 21 less. Our total part 1 violent crimes 2022, we're at
- 22 10,975.
- 23 ASSISTANT CHIEF LEVALLEY: Last year we were at
- 24 12,622. That's 13% less. An update on our drag racing and
- 25 drifting enforcement for the period of October 28th



- 1 through October 30th, last weekend. There were 6 stops
- 2 conducted and 1 citation, 1 vehicle was impounded, 1
- 3 stolen vehicle was recovered, officers made 4 felony
- 4 arrests. For the year for drag racing and drifting
- 5 enforcement, we've had 598 traffic stops, 373 citations
- 6 issued, 143 vehicles impounded, 12 stolen vehicles
- 7 recovered, 58 felony arrests, 11 misdemeanor arrests, and
- 8 35 weapons recovered. Some information about mental
- 9 health related calls for service. Our year-to-date grand
- 10 total for those types of calls is 19,707. Last year we
- 11 were at 17,898. Last week, officers responded to 463
- 12 mental health calls.
- ASSISTANT CHIEF LEVALLEY: A few significant
- incidents to report on. The first is a fatal shooting,
- 15 occurred on October 18th at approximately 2:20 PM.
- 16 Officers were called to the 11,500 block of Harper, a
- 17 local motel and a project Greenlight business partner.
- 18 Clerk at the motel went to a room to check on a male
- 19 security guard who resides at the location and did not
- 20 show up for his scheduled work shift. The clerk opened
- 21 the door, discovered, spent casings, and found a deceased
- 22 female on the bed. The clerk immediately left the room
- 23 and called 9 1 1. Responding officers investigated the
- 24 scene and discovered the female at the location. A
- 25 witness stated he heard some fighting in the room and a



- 1 gunshot earlier in the day. A green light video captured
- 2 the security guard leaving the location. The
- 3 investigation revealed the security guard as the suspect,
- 4 and officers actively pursued him. On November 2nd,
- 5 officers responded to the 11,000 block of Longview for a
- 6 person shot as a possible suicide.
- 7 ASSISTANT CHIEF LEVALLEY: Once at the scene,
- 8 homicide detectives were able to confirm that the
- 9 decedent was the suspect wanted for the murder of the
- 10 female victim at the motel. The second incident is a
- 11 ShotSpotter success regarding a fatal shooting. Officers
- 12 responded to a ShotSpotter alert near Boulder and Manning
- on October 27th at 12:30 PM. Upon their arrival, officers
- 14 found the suspect suffering from gunshot wounds and
- 15 medics pronounced him DOS. The witness returned to the
- 16 location once officers arrived, stating he was the
- 17 deceased's brother. He stated they were driving together
- 18 when the occupant of an orange vehicle began firing shots
- 19 at them and strike the victim. Officers were able to
- 20 obtain the offender's nickname and information indicating
- 21 an ongoing issue between the offender and the victim.
- 22 Officers located the offender's vehicle in the driveway
- of the offender's home and took him into custody without
- 24 incident.
- 25 ASSISTANT CHIEF LEVALLEY: Homicide executed a search



- 1 warrant at the residence, recovering evidence of the
- 2 offender's involvement in the crime. The offender
- 3 confessed to the murder and was charged with second
- 4 degree murder, assault with intent to do great bodily
- 5 harm and felony firearm three times. He was arraigned and
- 6 his bond was set at \$500,000. The third incident to
- 7 report on is an extortion arrest involving cybercrimes.
- 8 On October 7th, a juvenile victim who attends an area
- 9 high school outside of Detroit, reported that an unknown
- 10 male was extorting him. He reported that he had been
- 11 coaxed into sending nude photos to a female who then
- 12 posted them on social media. He was later contacted by an
- 13 unknown male, claiming he was friends with the female and
- offered to have her take down the photos for a sum of
- 15 cash. Through the investigation, Cyber Crimes detectives
- 16 were able to identify the male suspect, also a juvenile,
- 17 and discovered he was using a computer in Detroit to
- 18 catfish students by posing as a female.
- 19 ASSISTANT CHIEF LEVALLEY: He would contact males,
- 20 develop a relationship with them, convince them to send
- 21 nude photos of themselves. Evidence was obtained,
- 22 supporting the victim's claim, and finding up to 40 other
- 23 victims. The suspect was detained and charged with
- 24 soliciting child sexually abusive material, possession of
- 25 child, sexually abusive material, extortion toward



- 1 multiple victims, malicious use of a telecommunications
- 2 device, and tampering with evidence. Cyber Crimes
- 3 detectives are currently working to identify any other
- 4 victims. Some events to mention. We did host Trunk or
- 5 Treat Halloween, Halloween in the D that was hosted on
- 6 October 31st at all 11 of our police precincts. We had an
- 7 overwhelming turnout. Some of the precincts actually
- 8 ended up running out of candy.
- 9 ASSISTANT CHIEF LEVALLEY: We tried to avoid that
- 10 initially by purchasing large amounts of candy. But we
- 11 had a lot of people show up at all the precincts, which
- 12 is great. The plan next year is in the budget for
- 13 Halloween in the D. The Detroit PAL Championship football
- 14 game that took place on Tuesday, November 1st. I'm sorry,
- 15 they posted November 1st on their Facebook page about the
- 16 games that took place Saturday at Ford Field. We're happy
- 17 to report that there were no issues at those games. I
- 18 think that will conclude my report. Thank you.
- 19 CHAIRPERSON FERGUSON: Any commissioners have any
- 20 questions?
- 21 CHAIRPERSON HOLT: I do.
- 22 CHAIRPERSON FERGUSON: Yes Ma'am.
- 23 CHAIRPERSON HOLT: Thank you, Assistant Chief
- 24 LeValley. My concern has to do with the comments that
- 25 have been made by citizens at the previous two meetings



- 1 about the lack of safety regarding citizens running
- 2 through red lights. I did some research and there's a
- 3 Senate Bill857 that's in the Senate. The objective of
- 4 that bill is to ensure that cameras cannot be attached to
- 5 traffic lights. Then consequently, the person committing
- 6 the violation could receive a ticket. When we were in
- 7 discussion, you were part of the discussion with the
- 8 cameras being attached to the traffic lights here in the
- 9 city. Based on one of the comments that were made by the
- 10 director of the Department of Traffic and Safety, the
- 11 technology that's being placed on those traffic signals
- 12 are intended to collect data for the purpose of making
- intersections safer. Can you dab into how it's safer
- 14 today?
- ASSISTANT CHIEF LEVALLEY: Right. I can a little bit.
- 16 I don't have all the information, but I can tell you that
- 17 the way it stands currently I'm not sure why that senate
- 18 bill is necessary, because currently It's against the law
- in the state of Michigan to use cameras to send tickets.
- 20 CHAIRPERSON HOLT: Right. That's in essence of I know
- 21 they want to ensure.
- 22 ASSISTANT CHIEF LEVALLEY: Right. So we don't have
- 23 that now. We can't do that now. What we do have now are
- 24 vehicle recognition cameras at locations throughout the
- 25 city that capture license plates that are then used for



- 1 investigative purposes later on. If an individual's
- 2 involved in a crime and they're leaving the scene or
- 3 leaving the area, license plate cameras will pick up the
- 4 license plates and then tell us that the vehicle was at a
- 5 particular location or going through an intersection at a
- 6 particular time. We do not use those at all for issuing
- 7 tickets for any type of civil infraction enforcement. The
- 8 only type of civil infraction enforcement that we do is
- 9 officer observations. So we have recently increased our
- 10 traffic enforcement operations. I know Assistant Chief
- 11 Sheryl has operations that are running on the east and
- 12 west side of the city, and they're moving different areas
- 13 throughout the city.
- 14 ASSISTANT CHIEF LEVALLEY: We use information on
- 15 traffic crashes that tells us which intersections to go
- 16 to do traffic enforcement based on accidents that are
- 17 occurring at the intersections. So we have the ability to
- 18 access a database that tells us I could tell it to give
- 19 me the top 100 intersections in the city for accidents
- 20 with injuries, without injuries. It tells our traffic
- 21 enforcement officers where to go. The cameras that are
- used in intersections for traffic management they're
- 23 called Miovision cameras. So they have a camera that
- 24 captures a 360 degree around the intersections. Those
- 25 cameras, the resolution on them is not something that we



- 1 would be able to capture license plates or faces, but you
- 2 can see that a red car's going through.
- 3 ASSISTANT CHIEF LEVALLEY: They use those to make
- 4 assessments on changing light patterns for red, green,
- 5 yellow, how the lights are timed. When there's accidents,
- 6 our fatal squad team is able to access those cameras. So
- 7 for a critical or fatal traffic crash, they're able to
- 8 look at those cameras and you can make a determination as
- 9 to who's at fault a lot of times by viewing that footage
- 10 on the cameras. So that's how those cameras are used to
- 11 increase the safety at intersections.
- 12 CHAIRPERSON HOLT: Oh, okay.
- 13 ASSISTANT CHIEF LEVALLEY: It's not to issue tickets.
- 14 Certainly, we don't do that. All of our tickets that are
- 15 issued, an officer makes the observation themselves.
- 16 CHAIRPERSON HOLT: Right. I didn't mean to pose my
- 17 question as if I were suggesting the cameras were
- 18 attached to ticket issuing. But still, we have the
- 19 concern that citizens are blatantly running through red
- 20 traffic lights. What is our resolve as citizens who are
- 21 becoming increasingly afraid that we're going to be faced
- 22 with, unfortunately, a very, very serious accident if
- 23 something doesn't happen.
- 24 ASSISTANT CHIEF LEVALLEY: Yes. It boils down to us
- 25 increasing our level of traffic enforcement in our



- 1 presence. I mean, if you see a police officer, if you see
- 2 red and blue lights, it tends to make you slow down.
- 3 Eventually we do traffic stops for education purposes.
- 4 CHAIRPERSON HOLT: Okay.
- 5 ASSISTANT CHIEF LEVALLEY: Maybe there's some people
- 6 that think we do it for the revenue, but it's not a
- 7 revenue generating business for us. It's all about
- 8 education and causing people to make decisions on the
- 9 road that makes everybody safer. So our presence,
- 10 increasing the amount of traffic enforcement that we do
- 11 is how we get that message out.
- 12 CHAIRPERSON HOLT: I did speak to a state rep, a
- 13 commissioner, as well as someone with city council, and
- 14 they did. They flipped the responsibility back to DPD.
- 15 Your explanation is helping us, I guess, to expect more
- 16 surveillances at those various traffic locations that
- 17 apparently the data that you're collecting indicates
- 18 that's where we need to be in terms of folks violating
- 19 the law.
- 20 ASSISTANT CHIEF LEVALLEY: Definitely, based on the
- 21 staffing that we have available, we have to use that-
- 22 CHAIRPERSON HOLT: Right. Yeah. Right.
- 23 ASSISTANT CHIEF LEVALLEY: We're able to fill all of
- our vacancies, we can be in more spots.
- 25 CHAIRPERSON HOLT: Okay. Thank you, assistant. Thank



- 1 you, Assistant Chief David LeValley, and for having that
- 2 car removed as well.
- 3 CHAIRPERSON FERGUSON: Commissioner Pressley.
- 4 COMMISSIONER PRESSLEY: Thank you, through the Chair.
- 5 My question and follow up to that. What's the regularity
- of the reports that you all receive about what
- 7 intersections are problematic? How frequently are you all
- 8 updated on particular accidents or people running lights?
- 9 ASSISTANT CHIEF LEVALLEY: That's something our
- 10 Traffic Enforcement Unit uses every day.
- 11 COMMISSIONER PRESSLEY: Okay. Thank you.
- 12 CHAIRPERSON FERGUSON: Commissioner Banks.
- 13 COMMISSIONER BANKS: I'm all set.
- 14 CHAIRPERSON FERGUSON: Commissioner Bell.
- 15 COMMISSIONER BELL: Thank you, Mr. Chairman. I just
- 16 want to follow up on conversation about traffic safety.
- 17 We made a request to DC Bliss last week. I hope that we
- 18 receive a little bit more detailed report in reference to
- 19 patrolling traffic enforcement. I also want to mention
- 20 that just last night the captain talked about one of the
- 21 precincts talking about beat patrol, Walk the Beat. I
- 22 don't think we interested in walking beats for police
- 23 officer. What we are interested in is more patrol
- 24 officers, especially in traffic enforcement visibility.
- 25 Walking beat is great PR, but it served no purpose, with



- 1 all due respect. We need officers in patrol cars
- 2 responding to the needs of the community versus the PR,
- 3 in my opinion, in reference to walking the beat. It's
- 4 nice to see them walking the beat. I walked the beat, but
- 5 that was a different day. We just shook hands and that
- 6 was it far as for crime fighting very little.
- 7 COMMISSIONER BELL: So I would hope that you would
- 8 put it on the Chief's heart and we would perhaps have
- 9 that type of conversation. We need more traffic
- 10 enforcement versus the holiday visibility of office
- 11 walking the beat. That is my request in terms of this
- 12 issue that traffic form, is dear and seriously, it's just
- 13 not traffic lights if people just driving a reckless
- 14 throughout the city of Detroit. They have a understanding
- that there's no enforcement only on eight mile and macro
- on the suburb. But in the City of Detroit, we all in
- 17 danger each and every morning, each and every afternoon,
- 18 each and every eating in reference to folks just driving
- 19 recklessly. So I would hope that you take the strong
- 20 consideration in terms of getting more traffic
- 21 enforcement. Thank you, Mr. Chair.
- 22 CHAIRPERSON FERGUSON: Commissioner Burton.
- 23 COMMISSIONER BURTON: Yes, I have a couple questions
- 24 really quick. I'll be brief. Where is Detroit Police
- 25 Department right now when it comes to culture awareness



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- 1 with new officers that's on the force or will soon be
- 2 joining the force and where we are year to date when it
- 3 comes to racial complaints pertaining officers? As well
- 4 as I've been asking for a few years now about obtaining a
- 5 copy of the core report that was conducted several years
- 6 ago. I called for it again last week, and I'm calling for
- 7 it again this week. I believe it's a document that each
- 8 commissioner should have access to and should read
- 9 through. That concludes my questions at this time. But I
- 10 may have more later.
- 11 CHIEF WHITE: Good afternoon, honorable Board.
- 12 CHAIRPERSON HOLT: Good afternoon.
- 13 CHIEF WHITE: Through the Chair. With regards to the
- 14 core report. This is my first time hearing you ask for
- 15 that report, but I will see if we can identify a copy for
- 16 you. That report was not, I mean, it's not something that
- 17 I have as part of my records in my office. I don't know
- 18 what actually informed the report. I know what's in the
- 19 report and I have reviewed the report, but if you would
- 20 like a copy, I'll do everything I can to get you a copy.
- 21 COMMISSIONER BURTON: I'd like a full copy. Each
- 22 commissioner should have a full copy, an undecked copy,
- 23 something that's not decked or anything of that nature.
- 24 We need to know what's in the report and what is Detroit
- 25 Police Department doing to make some changes within the



- 1 department.
- CHIEF WHITE: Changes with regards to what's in the 2.
- core report if that's what you're asking. Our policies 3
- that we have in place regarding bias-based policing being 4
- prohibited are routinely inspected, enforce anyone who is 5
- engaged in any conduct that is contrary to our policy, as 6
- 7 this Board knows is taken very seriously. When I returned
- as Chief in June of 21, I brought with me my second in 8
- command at the Michigan Department of Civil Rights, a 9
- 10 lady by the name of Mary Engelman. I asked her to take a
- position of diversity, equity, and inclusion for the 11
- 12 Detroit Police Department, which she did. She has been in
- 13 place now about two months after I got here. Her job is
- 14 to go, actually, she's sitting in the same building with
- 15 the Office of Chief Investigator.
- 16 CHIEF WHITE: That was done intentionally as well to
- cause her to have those natural interactions and to 17
- establish a rapport with the Office of Chief 18
- 19 Investigators, and also to be mindful of the complaints
- 20 that were being generated with the Office of the Chief
- 21 investigator as it relates to race and bias and to make
- sure that we were proactively monitoring, managing those 2.2
- 2.3 issues. Also, she's required to train new officers. I
- 24 think you had a question about culture and new officers
- and that's part of her responsibility as a direct report 25



- 1 to the office professional standards and training. So we
- 2 are proactively looking at those issues. We continue to
- 3 and we investigate any complaints that's contrary to our
- 4 policy.
- 5 CHAIRPERSON FERGUSON: Fantastic. For the record,
- 6 Chief White has entered the building. Madame Interim
- 7 Secretary, Ms. White, let me introduce the staff, please.
- 8 MS. WHITE: Yes, sir. Through the Chair Sergeant
- 9 Quinn and DPD team and also Media Services, they are
- 10 handling the Board's audio and visual needs at this time.
- 11 Our court reporter is Mr. Don Handyside, and the
- 12 following Board staff members are in attendance. BOPC
- 13 Administrative Staff, Assistant Corporation Counsel,
- 14 Christopher excuse me, Adam Saxby, Ms. Theresa Blossom,
- 15 Community Relations Coordinator, Board parliamentarian,
- 16 Dr. Francis Jackson, Mr. Robert Brown, Administrative
- 17 Specialist, Ms. Jonya Underwood, Administrative
- 18 Assistant, Senior Investigator. Tiffany Stewart,
- 19 Director, Katrina Patillo, Director of police personnel
- 20 is attending via Zoom. Additionally, interim Chief
- 21 Investigator Lawrence Akbar, Supervising Investigator,
- 22 Ainsley Cromwell, Acting Supervising Investigator,
- 23 LiSonya Sloan, and Supervising Investigator Rosalia
- 24 Madrigal are in attendance. Additionally, our American
- 25 Sign Language interpreters are Ms. Yakata and Dr.



- 1 Stephanie Beatty. Thank you, sir.
- 2 CHAIRPERSON FERGUSON: Fantastic. Chief, who do you
- 3 have with you?
- 4 CHIEF WHITE: Assistant Chief, LeValley and everyone
- 5 else can introduce themselves. I see Second DC Kira Hope
- 6 and Captain Lever. Anyone I miss, I apologize. I do see
- 7 DPOA Vice President Ronald Thomas in the back. Is that
- 8 Raven? Raven, of course, I'm on camera and on the mic.
- 9 Can't remember your last name. But she works at Planning
- 10 and Professional Development.
- 11 CHAIRPERSON FERGUSON: Thank you.
- 12 CHIEF WHITE: Anyone else?
- 13 CHAIRPERSON FERGUSON: Madam Secretary, do we have
- 14 any special quests?
- MS. WHITE: Yes, sir. Through the Chair, Ms. Fredia
- 16 Butler of Second Precinct Police Community Relations
- 17 Council, former police Commissioner Darrell Brown, and
- 18 former police Commissioner William Davis. In Zoom, Ms.
- 19 Marie Overall of State Representative Tyrone Carter's
- 20 Office, and also Dez Squire of the Michigan Round Table
- 21 for Diversity and Inclusion. Thank you, sir.
- 22 CHAIRPERSON FERGUSON: Thank you. Again, thank you
- 23 for attending the board meeting today. Last week the
- 24 Board received correspondence from Deputy Corporation
- 25 Council, Charles Ramey regarding BOPC Board, Secretary



- 1 and Chief Investigative positions. As I previously stated
- 2 to Detroit News regarding their recent news article about
- 3 the reference letter, the letter is inaccurate and
- 4 misguided. The Board does not have a Board Secretary or
- 5 Chief Investigator. As anyone can see from our public
- 6 meetings, the Board has been working with City HR since
- 7 2020 to fill both positions, both faces. Until then, the
- 8 Boards had to have current staff members working on an
- 9 interim basis to do their jobs and additional duties, the
- 10 Board Secretary and Chief Investigator. Board meetings
- 11 are public. So the record is clear that the Board first
- 12 began working with HR to fill both vacancies in 2020.
- 13 Even with the pandemic, police commissioners started with
- 14 the Board Secretary who serves as Executive Director and
- 15 supervises all Board staff, including the Chief
- 16 Investigator. A posting error confused the Executive
- 17 Management duties with the Administrative Assistant
- 18 duties and forced a restart.
- 19 CHAIRPERSON FERGUSON: The Board went through the
- 20 entire process again in 2021. Police commissioners
- 21 reviewed resumes and interviewed candidates but did not
- 22 hire anyone. They did not hire anyone. The current Board
- 23 is now trying again, which makes the third time. No one
- 24 expected the process to take as long as it has but we are
- 25 optimistic. I am optimistic about hiring a Board



- 1 Secretary, then a Chief Investigator. Like I've been
- 2 saying for weeks, my goal, my personal goal is to have
- 3 those positions filled before or by Thanksgiving, or at
- 4 least a letter of intent. That's just my goal. The Board
- 5 has appreciated and continues to appreciate the quality
- 6 and tireless work by Interim Board Secretary, Melanie
- 7 White, and Interim Chief Investigator Lawrence Akbar, and
- 8 putting them in a tough spot. They were high performers
- 9 as a Board Senior Policy Manager and Supervisor
- 10 Investigator and have been doing an amazing job in
- 11 performing a very hard additional duties on an interim
- 12 basis.
- 13 COMMISSIONER BURTON: Point of order, Mr. Chairman.
- 14 It appears that you're reading from a script that's been
- 15 prepared for you by the Interim Secretary. That's really
- 16 biased for you to read that statement because it's not a
- 17 statement that's heartfelt or a statement that is
- 18 actually true.
- 19 PARLIAMENTARIAN DR. FRANCIS JACKSON: Chairman.
- 20 CHAIRPERSON FERGUSON: Your point. Yes.
- 21 PARLIAMENTARIAN DR. FRANCIS JACKSON: That is not an
- 22 appropriate point of order. Point of order has to be
- 23 about violation of the rules.
- 24 CHAIRPERSON FERGUSON: Commissioner, that's your one
- 25 warning.



- 1 COMMISSIONER BURTON: Point of order, because-
- 2 CHAIRPERSON FERGUSON: That's your one warning.
- 3 COMMISSIONER BURTON: You are reading something
- 4 that's not been prepared by yourself. It's something
- 5 that's been prepared for by a staff member.
- 6 CHAIRPERSON FERGUSON: Commissioner, your point is
- 7 well taken, but I'm not accepting it. So please-
- 8 COMMISSIONER BURTON: Point of order.
- 9 CHAIRPERSON FERGUSON: That's your one warning.
- 10 COMMISSIONER BURTON: Point of order.
- 11 CHAIRPERSON FERGUSON: Sorry for the interruptions.
- 12 Please don't interrupt the Chair again. Please don't. I'm
- 13 trying to get through this. Thank you. We're also in
- 14 process of confirming with Interim Board Secretary,
- 15 Melanie White and Interim Chief, Lawrence Akbar may
- 16 return to their duties when they were appointed or when
- 17 they took over for Interim Secretary and Interim Chief
- 18 Investigator, so they could be held in their positions
- 19 when they came on. So until we get those positions filled
- 20 so they can go back to where they previously were doing,
- 21 which is fair, right? I'm also sharing updates regarding
- 22 OCI process. I received these updates from Interim Chief
- 23 Investigator, Lawrence Akbar and Interim Board Secretary,
- 24 Melanie White, who are in process of completing another
- 25 process report regarding OCI backlog and caseload



- 1 progress. Earlier this year, we received a plan of action
- 2 from Interim Chief Investigator, Akbar and Interim Board
- 3 Secretary, Ms. White, regarding OCI strategies to address
- 4 the backlog.
- 5 CHAIRPERSON FERGUSON: As an update regarding one of
- 6 the most important components of the OCI complaints
- 7 process, the Complaint Triage Method. Inquiry of the OCI
- 8 complaints received and assigned to the investigative
- 9 staff since the enhanced OCI CCR database was launched in
- 10 mid-October, shows that 54 CCRs citizen complaint
- 11 reports, that's what it stands for is 44% of the 123
- 12 CCRs received in October were closed via the Triage
- 13 Method. This shows that 54 complaints would have been
- 14 distributed between 10 investigators. That's 5.4 more
- 15 each investigator would have gotten. However, due to the
- 16 new Complaint Triage Method implemented by our Interim
- 17 Board Secretary and Interim Chief Investigator and staff,
- 18 we are now able to immediately identify those complaints
- 19 that do not allege police misconduct and immediately
- 20 refer to DPD and or other appropriate views for further
- 21 resolution service and action. Additionally, in the
- 22 following months, staff completed this Triage Method
- 23 themselves prior to finalizing the electronic Triage
- 24 Method. May, 36 complaints of 114 received, that's 36%.
- 25 CHAIRPERSON FERGUSON: At 3.5, each investigator got



- 1 more. In June, 28 complaints of 112 received, that's 28%.
- 2 2.8 investigators got more. 22 complaints of 93 received
- 3 in July. That's 24%. That's 2.2 more complaints each
- 4 investigator has had to do. August, 40 complaints of 119
- 5 received. That's 34%. That's four more for each
- 6 investigator. In September, 25 of 112. That's 22%. That's
- 7 2.5 each investigator had to have. In October, just last
- 8 month, 54 of 123. That's 44%. That's 5.4 that each
- 9 investigator had to take on. That's a total of 205 cases.
- 10 That means that's 20 and a half cases for each
- 11 investigator. That's a lot. But they're doing a good job.
- 12 Fantastic job for what we have. Lastly, during the
- 13 earlier part of the year, we closed in January 23, in
- 14 February 32. In March 27, in April 19. That's a total of
- 15 101 cases.
- 16 CHAIRPERSON FERGUSON: So as of October, the 22nd,
- 17 I'm sorry, October, 2022, each investigator may have had
- 18 an additional 30 cases on their already loaded of cases.
- 19 That means they had 30 additional ones on the ones that's
- 20 already still coming in. Fathom that. Again, I want to
- 21 say personally, along with our Board, we thank the staff
- 22 for the continued hard and diligent work to solve not
- 23 only our backlog cases but ensure immediate service to
- 24 our community and investigate those complaints that truly
- 25 rise to police misconduct for further appropriate



- 1 corrective or disciplinary action. So we're working hard.
- 2 We're working really hard. I put a lot on the staff.
- 3 Trust me, I have. I put a lot on him. I want to say
- 4 personally, thank you Ms. White and thank you Mr. Akbar
- 5 for all your hard work and all the communications I've
- 6 been having with you guys the back-and-forth emails and
- 7 back and forth communications. That's something.
- 8 COMMISSIONER BELL: Mr. Chairman, I'd like to speak
- 9 to your report.
- 10 CHAIRPERSON FERGUSON: Yes, sir.
- MS. WHITE: Excuse me, through the Chair.
- 12 Commissioner Bell if you could please speak into the
- 13 microphone.
- 14 COMMISSIONER BELL: I'm sorry. I just want to say
- 15 that in reference to the interim terminology that this
- 16 Board approved, it's a long history or interim folks have
- 17 served for a length of the period of time. I do not have
- 18 a PhD in English. I do not have a law degree, but I think
- 19 the definitional interim is quite common in the business
- 20 world, even in the community world. So I feel as though
- 21 the Deputy Cooperation Council report was up front to
- 22 this Board in reference to this particular matter and to
- 23 implicate and imply that they held the authority to
- 24 terminate our employees. That is upfront to this Board. I
- 25 think we must challenge that. I would ask our attorney to



- 1 look in the legal definition of interim if there's such a
- 2 hang-up with the deputy corporation that we have been
- 3 using that term. I just heard that Michigan State has an
- 4 interim.
- 5 COMMISSIONER BELL: It's quite common in the real
- 6 world. So why are we so unique in terms of being the
- 7 focal point of that type of harassment that type of
- 8 retaliation in reference to an employee that had nothing
- 9 to do with... They volunteered and we pretty much
- 10 designate them in interim's terms. So I think we need to
- 11 clear this matter up. The public has been confused. The
- 12 media's been confused in reference to the interim term.
- 13 That's my statement I feel as though. I appreciate you
- 14 remarks, but we must fight for our staff. Thank you.
- 15 COMMISSIONER BURTON: I'd like to speak to your
- 16 report as well.
- 17 CHAIRPERSON FERGUSON: Go ahead, sir.
- 18 COMMISSIONER BURTON: I just like to say that
- 19 previously Commissioner Ricardo Moore and myself, he was
- 20 actually the Chair of the Citizen's Complaint Committee.
- 21 Both of us have been removed from the Citizen's Complaint
- 22 Committee.
- 23 CHAIRPERSON FERGUSON: Wait, I'm going to have to
- 24 stop you. That's untrue. I didn't remove you, sir.
- 25 COMMISSIONER BURTON: Yes, I'm-



- 1 CHAIRPERSON FERGUSON: For the record. Commissioner
- 2 Burton is not removed from the Citizen Complaint.
- 3 COMMISSIONER BURTON: I have been removed from the
- 4 Citizen's Complaint Committee along with Commissioner
- 5 Moore. We had received complaints in voters and now we no
- 6 longer receive any complaints. I have written notations
- 7 on each complaint that I sent back because I felt like
- 8 there was more information that was needed. Those cases
- 9 have been reassigned to other commissioners to rubber
- 10 stamp what we call the backlog of Citizens complaints. I
- 11 would like to say furthermore you know what this Board
- 12 has been doing is wrong. You also removed Commissioner
- 13 Linda Bernard, who's the Chair of the Policy Subcommittee
- 14 removed her when she was doing a good job on that
- 15 subcommittee. She no longer receives any complaints as
- 16 well when it comes to citizens' complaints. Her citizens
- 17 complaint, she used to send complaints back as well.
- 18 Guess what? Those complaints get reassigned to another
- 19 commissioner to sign off on. It is totally unacceptable
- 20 because citizens' voices are going unheard by this Board.
- 21 CHAIRPERSON FERGUSON: Okay. Thank you, sir.
- 22 COMMISSIONER BANKS: Mr. Chair.
- 23 CHAIRPERSON FERGUSON: No, wait.
- 24 COMMISSIONER BURTON: It's a continual problem.
- 25 CHAIRPERSON FERGUSON: Sir, you do not have the floor



- 1 any longer.
- 2 CHAIRPERSON FERGUSON: Yes, sir.
- 3 COMMISSIONER BANKS: Mr. Chair, we had a goal for the
- 4 backlog to be cleared up. Interim Chief, Akbar mentioned
- 5 the goal was to be cleared up with the backlog somewhere
- 6 around the first week of December or whatever. How many
- 7 are we in the backlog now? About how many cases need to
- 8 be cleared up? Because you didn't mention that when you
- 9 were giving your report. I need an update on that though.
- 10 How many are in the backlog?
- 11 CHAIRPERSON FERGUSON: There's steadily coming down,
- 12 but as of last week, we're at560.
- 13 COMMISSIONER BANKS: Okay.
- 14 CHAIRPERSON FERGUSON: We're at 560.
- 15 COMMISSIONER BANKS: Okay, that's improvement.
- 16 Because we were at 900 then, right?
- 17 CHAIRPERSON FERGUSON: You're right.
- 18 COMMISSIONER BANKS: That's great improvement. Okay.
- 19 Good job.
- MS. WHITE: Just a point of information. We were
- 21 never at 900 backlog cases. So wanted to make sure we are
- 22 providing accurate information. We can get you the
- 23 accurate numbers from Interim Chief Investigator and
- 24 staff and make sure that the honorable Board has the most
- 25 up to date numbers as of today's date. Additionally, the



- 1 staff did transmit several email correspondences to the
- 2 commissioner who referenced items in a citizen complaint
- 3 report that they had questions about. We did reach out to
- 4 that commissioner. We sent various emails on several
- 5 occasions. Staff waited at the Office of the Chief
- 6 Investigator for the commissioner to arrive for at least
- 7 two days in a row and that commissioner never responded.
- 8 So we still stand ready as a staff to provide any
- 9 information that the honorable Board is seeking or answer
- 10 any additional questions that the honorable Board has.
- 11 Thank you so much.
- 12 COMMISSIONER BANKS: I would like to question.
- 13 CHAIRPERSON FERGUSON: I have to move on, sir. I have
- 14 to move on.
- 15 COMMISSIONER BANKS: One quick one, please.
- 16 CHAIRPERSON FERGUSON: Yes, go ahead, sir.
- 17 COMMISSIONER BANKS: Now, if we weren't at 900, where
- 18 were we? Through the Chair. Where were we at back in
- 19 August?
- 20 MS. WHITE: Through the Chair. We can get you the
- 21 exact numbers, but we were never at 900 backlogs.
- 22 COMMISSIONER BANKS: Yes. Okay.
- 23 CHAIRPERSON FERGUSON: So the public can know, and
- 24 everybody in this room, those email correspondence when
- 25 they came out, I am copied on those. So Madam Secretary,



- 1 Interim Secretary White is correct. I am copied on
- 2 everything, so I know it. Right. Again, for the record,
- 3 yes, I did remove some people from some committees, but
- 4 that was my choice to do that. I wanted to move people
- 5 around. Right? Didn't want people to get stagnated. I
- 6 just wanted to move you around, get some ideas from
- 7 different people. That's what I wanted. So when
- 8 Commissioner Burton said that he's removed, that is
- 9 untrue. I did not remove him. When he said he doesn't get
- 10 cases. Yes, he does. He gets cases. Everybody gets cases.
- 11 That's the goal.
- 12 CHAIRPERSON FERGUSON: I would like for everybody to
- read cases, so they'll know what's going on, especially
- in their districts. So they'll know where the complaints
- 15 are coming from, right? So they can try to get the
- officers and the citizens some help. That's one of my
- 17 goals. That's what I wanted to happen, right? So that's
- 18 that. All right. So now we're going to move on to oral
- 19 communication, Mr. Brown.
- MR. BROWN: Good afternoon, Mr. Chair, and this
- 21 honorable Board. There are currently 8 speakers, and I'll
- 22 call those in attendance first. Former Commissioner,
- 23 Darrell Brown, followed by former Commissioner William
- 24 Davis, followed by Mr. Ben Lord.
- MR. DARRELL BROWN: Good afternoon this honorable



- 1 Board, Citizens of the City of Detroit, Detroit Police
- 2 Department. I stand before you today because I am
- 3 appalled and embarrassed of this Board to really see that
- 4 the same things that I've fought for two years ago, three
- 5 years ago, are still going on today and they're still
- 6 members of this Board that are complicit in the
- 7 involvement of their unwillingness to follow the charter
- 8 of the city of Detroit. It is clearly lined out in the
- 9 letter from the law department that they still asked you
- 10 in April to fill these positions. April, and you have
- 11 still not done it. What is the challenge? It's what I
- 12 asked before. What is the struggle? There's no slam on
- 13 Melanie White or Mr. Akbar. The problem is that we need
- 14 to hire these people, to put qualified people in these
- 15 positions, and you still have not done it. You've said
- 16 that we were the problem.
- MR. DARRELL BROWN: I'm gone and you still have the
- 18 same struggle. So the problem was not me, Commissioner
- 19 Davis or Commissioner Burton. It is some of the people
- 20 that are involved in cronyism and stealing and complicit
- 21 illegal behavior and their unwillingness to follow this
- 22 charter and to do the things they need to do so that the
- 23 citizens of the city of Detroit is served, the police
- 24 department is served. More time could be spent with
- 25 helping Chief White and the DPOA with really getting this



- 1 contract passed through City Council to increase the
- 2 salaries of our police officers so that they will stay
- 3 here. That's the work of this Board and answering these
- 4 complaints. I'm watching what's going on, what's in the
- 5 room. Commissioner Burton doesn't have a folder in front
- of him about a complaint, everybody else does.
- 7 MR. DARRELL BROWN: Where is his if he hasn't been
- 8 removed? I'm just saying, I'm watching. I've been out
- 9 here for two years, quiet, just watching what's going on
- 10 and the same behavior. The same behavior. But there's a
- 11 remedy for that. By you and your unwillingness to follow
- 12 the charter, which is the governing body... Because it
- 13 says in there the length of time, Melanie White and Chief
- 14 Akbar cannot get these positions permanently until they
- 15 have been separated from the city.
- 16 CHAIRPERSON FERGUSON: Okay. Sir your time Is up.
- 17 MR. DARRELL BROWN: Thank you.
- 18 MR. BROWN: Mr. Davis.
- MR. DAVIS: Good evening. I like to echo what former
- 20 Commissioner Brown was saying. For years we were telling
- 21 this Board, and you all was listening with deaf ears,
- 22 that you was violating the city charter. You all act like
- 23 you all can violate the city charter. You all had been
- 24 setting and continue to set a poor example for the
- 25 Detroit police officers. A poor example for the city of



- 1 Detroit. A poor example for the nation. How dare you all
- 2 say that you all don't see anything wrong with what you
- 3 all did. Nothing was wrong. The letter that the Deputy
- 4 Corporation Council sent was well timed. In fact, it's
- 5 delayed. It should have been sent. If you could hire a
- 6 Chief of Police in 90 days, it do not take...
- 7 Commissioners like Bell and others saying, well, we're
- 8 going to put this off for a year.
- 9 MR. DAVIS: We're going to put this off for two
- 10 years. That is just wrong. How dare some of you all say
- 11 you all preachers. How dare some of you all say, you all
- 12 work in corporation? How dare some of you all say that
- 13 you're upright citizens. You all cannot be, if you all
- 14 allow this to continue. I have no problem against Ms.
- 15 White or Mr. Akbar, but they are not qualified. They have
- 16 not been separated. Do your job. You all also should be
- 17 working for the public, not for special interest because
- 18 of Bell and other people that choose to act
- 19 inappropriate. I know some ethnic charges will be filed.
- 20 I know it's a suit already. A lawsuit's already been
- 21 filed. I wonder if all the Board members even know that a
- 22 lawsuit was filed. Because this Board has a history of
- 23 keeping information just for a few. All that information
- 24 comes in should go about through all of the Board
- 25 members, not just favorites. Do your job.



- 1 MR. BROWN: Mr. Lord.
- 2 COMMISSIONER BURTON: They're right, Mr. Chairman, we
- 3 have to do our job as commissioners.
- 4 CHAIRPERSON FERGUSON: Sir, please
- 5 COMMISSIONER BURTON: Agree with their statements.
- 6 CHAIRPERSON FERGUSON: That's your second warning,
- 7 sir.
- 8 MR. LORD: First of all, I'm a citizen here in
- 9 Detroit. This body and the young lady there mentioned
- 10 about the traffic problems that we're facing.
- 11 CHAIRPERSON HOLT: Sir, I'm sorry. Could you sort of
- 12 talk louder?
- MR. LORD: I'm sorry. Can you hear me better now?
- 14 CHAIRPERSON HOLT: Yes, sir.
- 15 MR. LORD: Okay, great. As I said before this body
- 16 did address a concern that I do have, and that's
- 17 regarding safety traffic. Thank you. Traffic safety here
- 18 in the city of Detroit. I've seen a lot of folks driving
- 19 through red lights. I've seen a lot of reckless driving
- 20 on the expressways. All of these things are adding up to
- 21 something very dangerous, and the health and the safety
- 22 of Detroiters. I'm not sure exactly what the police or
- 23 what this body can do. I heard one of the police Chief
- 24 here, Assistant, say that there was data, there's
- 25 information being looked at. It appears to me that that



- 1 information should be able to be tabulated so that you
- 2 can figure out where the problems are and why folks are
- 3 driving through these red lights. There's something very
- 4 dangerous that's happening in the city and probably
- 5 across the country for that matter, because we have a
- 6 disregard for law and order, and there needs to be
- 7 something to address that. Okay. I'm just an ordinary
- 8 citizen, to be quite honest with you. I was here by a
- 9 friend of mine about the name, by the name of James Ford
- 10 invited me to come. So here I am as a typical ordinary
- 11 citizen, really asking. You are the professionals. You
- 12 ought to take care of the people. Go about the people's
- 13 business. Thank you.
- 14 CHAIRPERSON FERGUSON: Thank you.
- 15 MR. BROWN: Mr. Chair, your next three speakers would
- 16 be Ms. Bernice Smith, followed by President D.
- 17 Buffington, followed by Minister. Eric Blount.
- 18 MS. SMITH: Go Bernice. Good afternoon,
- 19 commissioners.
- 20 CHAIRPERSON HOLT: Can you hear?
- 21 MS. SMITH: Good afternoon, Commissioner.
- 22 CHAIRPERSON FERGUSON: We can hear you.
- MS. SMITH: Hello?
- 24 CHAIRPERSON FERGUSON: Go right again.
- 25 CHAIRPERSON HOLT: They can hear you. Go right ahead.



- 1 MS. SMITH: My mother used to tell me when fools
- 2 talk, they show their ignorance. So you just got to
- 3 excuse some people. All right. I just got a call from my
- 4 Chicago folks. They keep me up to date on what them
- 5 Negros are doing over there and it's sad. It's really
- 6 sad. Look like they can't be stopped, but I'm not going
- 7 to talk about them because they're not worth it. Since I
- 8 heard the two former commissioners speak against what's
- 9 going on in our city, I think it's time for somebody to
- 10 let people know they don't know half of what they're
- 11 speaking about. If they do it in an intelligent way and
- 12 stop coming to the meetings, raising hell all the time,
- then we will get something done. You have all kinds of
- 14 things that have to be done and taken care of. You cannot
- 15 get it done when you're going to raise hell all the time,
- 16 and that's what they do.
- MS. SMITH: You have to stop and be intelligent and
- 18 talk in a decent kind of tone. I am so disgusted with the
- 19 way that they try and run our commission. I was a
- 20 commissioner years ago. I was on the commissioner under
- 21 Coleman Young, 73. We didn't do things like that. We were
- 22 intelligent. We respected each other and we knew how to
- 23 talk to each other. Ms. White's doing a hell of a job and
- 24 Akbar is too, so get them on there and let them stay. If
- 25 it's against the law, then make it so that it will be



- 1 intelligent for them to do. I'm so upset, I don't know
- 2 what to do. But in the meantime, take care, Commissioner,
- 3 and do your job and don't pay attention to these outside
- 4 folks that's been on and come in there and run the
- 5 meeting. They don't matter. They just want to talk and
- 6 raise hell all the time. So forget them. God bless
- 7 everybody and take care of yourself. I'm getting along
- 8 fine. They took my tooth out so I can't talk too good.
- 9 But anyway, I'm all right. I still got enough energy.
- 10 Obama was fine, everybody.
- 11 MR. BROWN: President Buffington.
- 12 CHAIRPERSON FERGUSON: President Buffington, going
- once. President Buffington, going twice. Who do we have
- 14 next, Mr. Brown?
- 15 MR. BROWN: Oh, there you go, there sir. He's on now.
- 16 CHAIRPERSON FERGUSON: Okay, go ahead, sir. We can't
- 17 hear you. Sir, we can't hear you. Mr. Brown, please go to
- 18 the next person.
- 19 MR. BROWN: Okay. Minister. Blount.
- 20 MINISTER BLOUNT: Can you hear me Board?
- 21 CHAIRPERSON FERGUSON: Yes, we can hear you go right
- 22 ahead.
- 23 MINISTER BLOUNT: Yes, I am here and have been here
- 24 living the words of the late great John Lewis to create
- 25 good trouble. So former Commissioner Brown and Davis keep



- on creating good trouble wherever you find evil,
- 2 corruption and anything that is not right. Commissioner
- 3 Reverend Pressley, we heard you last week at least trying
- 4 to move this Board toward more of a focus on police
- 5 misconduct. Please do not let Commissioner Bell talk you
- 6 out of your small turn toward doing what's right. But
- 7 your attempt was a small one due to you stating that you
- 8 want a more balanced activity away from cheerleading for
- 9 the Detroit Police Department. As Reverend Dr. Martin
- 10 Luther King famously spoke entitled, all here and now.
- 11 The Safety of the Public requires all commissioners to be
- 12 laser focused on police officer misconduct. We need this
- 13 focus here in this meeting and outside this meeting by
- 14 all commissioners, not on gun violence, not on drivers
- 15 running red lights or stop sign or contract negotiations
- 16 that are not related to police officer misconduct.
- 17 MINISTER BLOUNT: Even the public has been tricked to
- 18 come to these meetings to express their concerns of
- 19 crime. This is not the time. This is not the place. In
- 20 relation to citizens' complaints, the quality of the
- 21 review and finding of these complaints is the most
- 22 important task. The increases and decreases in the number
- of backlogs are only a symptom. My personal experience
- 24 with filing a complaint clearly showed me that complaints
- 25 are manipulated. I don't have time for my next few points



- 1 so thank you for listening to me.
- 2 MR. BROWN: Mr. Chair, your next two callers would be
- 3 caller with the last three numbers 315, and Mr. Scotty
- 4 Bowman.
- 5 CALLER 315: Hello?
- 6 CHAIRPERSON FERGUSON: Yes, go right ahead, 315. We
- 7 can hear you.
- 8 CALLER 315: All right. This is still Burton with
- 9 Hood Research. Last week someone on the commission stated
- 10 that there was only one person complaining about those
- 11 who drive through the red lights. I noticed that there is
- 12 a commissioner who has observed the same thing that
- 13 people are driving through red lights. There are other
- 14 members of this community who have noticed the same
- 15 thing. That person who made that statement last week,
- 16 perhaps could learn something from our Reverend Holley,
- it's called Representative Sampling. When one person
- 18 speaks, they represent for multiple people. Lastly, I
- 19 want to say once again, that when you talk about fighting
- 20 crime, the sight of our vehicles that we pay for by the
- 21 way, being within our community are a deterrent to crime.
- 22 There needs to be a pool for our vehicles to keep them in
- 23 the city. Because as you should know, those have a little
- 24 part going on with a free car, free insurance, free
- 25 repair, free gasoline. Now that's fair for the other



- 1 people who work for the police department and for the
- 2 residents in the city of Detroit. Our taxes need to go
- 3 for our safety. Our safety. Thank you.
- 4 CHAIRPERSON FERGUSON: Thank you.
- 5 MR. BROWN: Mr. Bowman.
- 6 CHAIRPERSON FERGUSON: Mr. Bowman, going once.
- 7 MR. BOWMAN: Okay. I'm unmuted. First of all, I don't
- 8 know how clear I can make this, how clear it should be to
- 9 everybody. The failure of this Board to select a
- 10 permanent or at least a regular hire, Chief Investigator
- 11 and Secretary, has absolutely nothing to do with the
- 12 quality of the applicants, has absolutely everything to
- do with some members, apparently a majority, wanting to
- 14 keep the two people illegally holding those positions in
- 15 those places. Keep in mind when I say illegally holding,
- 16 and some people got me wrong before, I'm not saying
- 17 they're committing the crime. I'm saying that it is
- 18 illegal for them to be in those positions. The crime was
- 19 committed and is being committed by the commissioners who
- 20 use every means possible to circumvent the charter and
- 21 keep them in those positions. That's who I'm talking
- 22 about. You've had excellent, you had Jermaine Wyrick,
- 23 definitely a better Chief Investigator would for sure -
- 24 and this is about the qualification of someone than
- 25 Lawrence Akbar, who has had huge numbers of resignations



- 1 of investigators.
- 2 MR. BOWMAN: There's been some scandals definitely.
- 3 Now nothing particularly against Ms. White, she just
- 4 isn't legally in that position. But again, we had an
- 5 excellent application for Secretary, Gedawell Paxton.
- 6 There were probably many other excellent applicants.
- 7 Those are just the ones I knew something about. Okay, so
- 8 stop playing. Stop delaying. Stop faking. Opening another
- 9 interview process is just a deliberate delay to
- 10 subterfuge the charter. Go ahead, elect some of the good
- 11 people that you already interviewed, if they're still
- 12 willing to do it. White. And Akbar.
- MR. BROWN: Mr. Chair, should I try to go back to
- 14 President Buffington?
- 15 CHAIRPERSON FERGUSON: Yes, go right here.
- 16 COMMISSIONER BURTON: Mr. Chairman, I think the
- 17 gentleman had a few more seconds. I think his call was
- 18 interrupted.
- 19 CHAIRPERSON FERGUSON: Sorry, he didn't. Go right
- 20 ahead, mister.
- 21 MR. BROWN: I'm trying to get him to unmute.
- 22 CHAIRPERSON FERGUSON: Please, sir, unmute. Going
- 23 once. Please, sir, unmute. Going twice. Please, sir
- 24 unmute.
- 25 PRESIDENT BUFFINGTON: Are you going back to



- 1 President Buffington?
- 2 MR. BROWN: Correct.
- 3 PRESIDENT BUFFINGTON: This is President Buffington.
- 4 I couldn't unmute previously. I thought you all were
- 5 speaking on matters of the commission. I see it's kind of
- 6 all over the place in the direction of talking about
- 7 seating. My only concern was in regard to the last
- 8 meeting. I didn't get to speak on the Detroit Detention
- 9 Center. There were issues that were brought up that were
- 10 untrue and were not documented correctly and I was just
- 11 wondering who the contact person would be to report some
- 12 issues that are internally incorrect that were indicated
- in the last meeting by your officials that are running
- 14 the facility.
- 15 CHAIRPERSON FERGUSON: You can call the Board's
- 16 office.
- 17 PRESIDENT BUFFINGTON: Okay. That was my only need
- 18 for this time right now. Thank you.
- MR. BROWN: Mr. Chair, that was your last speaker.
- 20 CHAIRPERSON FERGUSON: All right. For the record, I
- 21 would like to let the record reflect that Commissioner
- 22 Hernandez has entered the building. I want the public to
- 23 know, again, this is coming from me, the Chair. We have
- 24 been trying to hire qualified candidates for a while now.
- 25 In fact, our personnel and training meetings were just



- one Wednesday, the second Wednesday of each month. That
- 2 wasn't going to fly from me. So we've had two in one
- 3 week. Two, and it's open meetings time, so there's out
- 4 there for everybody. So for them that say that we're not
- 5 trying to find somebody. That is definitely just not
- 6 true. I am sitting in on every one of the interviews from
- 7 Interim Secretary, I mean, I'm sorry, from Secretary to
- 8 Chief Investigator to all the investigators and I'm
- 9 asking them the tough questions. I am.
- 10 CHAIRPERSON FERGUSON: I'm letting you know that I'm
- 11 asking the tough questions. Now, I told you again, my
- 12 goal, not the Board's goal. My goal was to have the
- 13 people in place by Thanksgiving, or at least a letter of
- 14 intent for all the positions. I wanted to hire 10
- 15 investigators, but our budget wouldn't let us. So that's
- 16 just not true. Now is that a lofty going? Absolutely. Can
- 17 we make it happen? We should. Why not? So to say we're
- 18 not trying to do something. Yes, we are. Yes, we are and
- 19 all the commissioners have the packets of every single
- 20 Chief Investigator that applied, and every single Board
- 21 Secretary that applied. You can go back on all the
- 22 transcripts and hear me say, please look over your
- 23 packets and the people that you like, you have three ways
- 24 to do it. You could turn it into the Board Secretary, the
- 25 personnel training, or me. That way when those people



- 1 come up, we know who to look out for and we can say, hey,
- 2 this person did really good, or, well, this person
- 3 didn't.
- 4 CHAIRPERSON FERGUSON: So when we make the
- 5 recommendations to the full Board, you will be well
- 6 informed on what's going on. So when I keep hearing that
- 7 it's disturbing and it's not fair for the rest of the
- 8 commissioners. It's just not fair. So I want the public
- 9 to know that this is what we are trying to do. Not
- 10 skating anything. Yes, they gave us a date of the 15th of
- 11 December, and I like it. I don't like it. But that's
- 12 where we at. I gave a date till Thanksgiving, just before
- 13 Thanksgiving. Wow. No one screamed about that. So that's
- 14 just my view. Interim Madame Secretary, presentation to
- 15 the Board. Who we have for Use of Force.
- MS. WHITE: Yes, sir. Through the Chair, we do have
- 17 Captain Dietrick Lever, who will be providing the Use of
- 18 Force presentation. This presentation comes at the
- 19 honorable Board's request to receive quarterly updates
- 20 regarding the department's use of force data and metrics.
- 21 The Board added this requirement as part of the use of
- 22 force policy in 2020 as a result of the George Floyd era
- 23 and the other excessive use of force incidents around the
- 24 country. Lastly, the Board of Police Commissioners
- 25 currently has the officer involved shooting investigation



- 1 policy directive, which also entails the use of force
- 2 directive along with other policies that are under the
- 3 Board's purview. At this time, we are still requesting
- 4 feedback from the public if you would like to have your
- 5 recommendations included in that policy directive. So
- 6 just wanted to share that reminder. Then if I can just
- 7 mention on the record, just to clarify the record the
- 8 honorable Board's recommendations for any personnel hires
- 9 would go to City HR. So I just wanted to clarify the
- 10 record so that the record is clear. Thank you so much.
- 11 CHAIRPERSON FERGUSON: Captain Lever. Sir, you are
- 12 up. It's always good to see you.
- 13 CAPTAIN LEVER: Good to see you, sir, too. To the
- 14 honorable Board, thank you today for the opportunity to
- 15 present to you. This is going to be the Civil Rights year
- 16 to-date Use Of Force. Do they have the slides up?
- 17 Perfect. So this is the Civil Rights Use Of Force Year
- 18 To-Date Report. Generally, it's a quarterly report, but
- 19 unfortunately this is going to be my last report in front
- 20 of you this year for anything from my command. So I went
- 21 ahead and I gave you a year to date report. I want to
- 22 talk to you about who we are, what we do some of our
- 23 responsibilities, give you some of the numbers and data
- that you're used to. I also want to go over some Use of
- 25 Force training with you as well. I'm not the expert, but



- 1 it's an overview. I talked to some of my colleagues of
- 2 mine to get some information to present to you today.
- 3 Thank you. So, next slide, please. This is the Civil
- 4 Rights Divisions. Our responsibilities is to review
- 5 policy and procedures, auditing the Use of Force
- 6 reporting to ensure policy compliance from the Detroit
- 7 Police Department, we collect statistical data. We
- 8 communicate that data with the parent command so they can
- 9 make the proper adjustments with their community
- 10 settings. We also recommend policy change.
- 11 CAPTAIN LEVER: Next slide, please. We do that with
- 12 10 people. Usually, I have a Lieutenant Campbell with me.
- 13 She's out ill and I wish her well and she's watching
- 14 today. But it's myself. I have Lieutenant Campbell. I
- 15 have a sergeant and a new compliance manager, Dr. Martin.
- 16 We have four sworn personnel and four non-sworn personnel
- 17 to get all of this information in for this Board. We also
- 18 report through a direct report to the Office of
- 19 Professional Development. Next slide, please. So some of
- 20 the numbers that you guys are used to I went ahead and
- 21 did that. I want to start by saying there's always a
- 22 concern when an officer has to use force in the city of
- 23 Detroit. If you look at the categories, one through four,
- 24 plus acquiring a target, and it'll go down to total,
- 25 they're in descending order. Meaning category one is the



- 1 highest level of Use of Force, category two is the next
- 2 highest, category three, and so on and so on. So if you
- 3 look at category one year to date I'm sorry, in 2021,
- 4 we have 41, year to date we have 32, which is minus nine,
- 5 which is a 22% decrease. I will talk to you more about
- 6 and give you some examples about the categories of Use of
- 7 Force as we go. I will also remind you about the
- 8 increases and decreases.
- 9 CAPTAIN LEVER: Go to category two. In 2021, we had
- 10 214. This year we had 268 to date. That's 54 additional
- 11 Use of Force incidents which is a 25% increase. Category
- three, we have 547. Today we have 450. That's minus 97,
- 13 which is an 18% decrease. Category four, our newest
- 14 category, we'll talk about. Again, remember, I will
- remind you of that. We had 8 in 2021. This year we have
- 16 89 to date. I'm sorry. This year we have 13, which is a 5
- increase, which is 63% increase in acquiring your target.
- 18 This is with a firearm, not with a taser or a CEW, also
- 19 known as a taser. This is with the firearm. Acquiring a
- 20 target, we have 110, 2022 we have 89, which is minus 21
- 21 as a negative I'm sorry decrease in 19%.
- 22 CAPTAIN LEVER: Overall, our total Uses of Force down
- 23 7%. Next slide, please. So if you look at this generally
- 24 when you talk about Uses of Forces, it's usually
- 25 concurrent with taking people into custody. But what I



- 1 did is I got a Use of Force to arrest ratio. So if you
- 2 look the hard working Detroit police officers in 2022 up
- 3 to September 30th, arrested 13,135 suspects. Of that, we
- 4 use force 763 times. So our Use of Force to our arrest
- 5 ratio would be 5.8%, which is less than 10%. Next slide,
- 6 please. Again, I said I remind you about the category
- 7 one. So category one Use of Force, it was a 22%
- 8 decreases. This is any Use of Force regarding a serious
- 9 injury or death. They're like discharges of firearms,
- 10 canine bytes, taser drive stun or drive stun to a
- 11 sensitive area. Category two. Again, as a reminder,
- 12 there's a 25% increase. You'd have to look at controls.
- 13 I'll tell you a little bit more about that later.
- 14 Officers used intermediate impact weapons, which would be
- 15 mostly nowadays our CEW or commonly known as a taser or
- 16 any injury that has a complaint any injury that's less
- 17 than that of category one. Again, category three, if you
- 18 remember back, that was our most used. There's an 18%
- 19 decrease. This is any Use of Force with or without, I'm
- 20 sorry, without an injury or either a complaint of injury
- 21 or a taser discharge.
- 22 CAPTAIN LEVER: It doesn't take effect. Excuse me for
- 23 that. Next slide, please. We'll go over to category four,
- 24 which is our newest one. That was when an EMS driver may
- 25 call an officer for assistance, or we just use forcible



- 1 handcuffing. So we take a suspect into custody, if he
- 2 doesn't want put his hands behind the back we just
- 3 forcibly put his hands behind his back to put him in
- 4 handcuffs. Him or her, excuse me. During a firearm and
- 5 acquiring a target, a 19% decrease. That said, by
- 6 removing my weapon acquire a target means physically
- 7 pointed somebody. We also have the destruction of
- 8 animals. That's a report that we've seen in the past that
- 9 we kind of took it off the chart so we can kind of fit
- 10 everything into 10 minutes. I know I went over last time.
- 11 So there's a 17% increase in the destruction of animals.
- 12 CAPTAIN LEVER: In 2021, we had 35, 2022, they were
- 13 41. They're all reported. I do want to say this. All Uses
- of Force are reported, and all Uses of Force are
- 15 investigated. Category one Use of Force are investigated
- 16 by our Force Investigation section and that's our highest
- 17 level of investigations for Use of Force. Excuse me. Next
- 18 slide please. So we have our conducted energy weapon, our
- 19 impact weapon. Thank you for approving. So, year to date,
- 20 it's a year-to-date report. In 2021, we use 103 times we
- 21 discharge. The difference between discharge and
- 22 deployment, discharge you actually deploy the trigger and
- 23 deploy the prong. So there were 103 discharges in 2021
- 24 versus 131 discharges in 2022. It's 28 more with a 27%
- 25 increase. Taser deployment, which is not a Use of Force,



- 1 I'm just simply removing it from my holster.
- 2 CAPTAIN LEVER: I may threaten to use it. I may arc
- 3 it. They will arc it meaning make the electrical contact
- 4 spark or spark it for layman's terms. There are 144
- 5 deployments in 21 versus 193 in 2022, which is 49 more
- 6 deployments. That's a 34% increase. I'm happy to report
- 7 there were no accidental discharges. Overall, our taser
- 8 use is of 31%. We used the axon taser to conduct the
- 9 energy weapon. It's rated at 50,000 volts. For, I think
- 10 it's Commissioner Banks, if I'm not mistaken. There were
- 11 zero taser related deaths in the Detroit Police
- 12 Department.
- 13 CHAIRPERSON FERGUSON: Wonderful.
- 14 CAPTAIN LEVER: Next slide please. So this is some of
- our subject controls, and this is what we use when we use
- 16 them for some of the tactics that we use. We have hard
- 17 hands which are maybe physical strikes. We have joint
- 18 locks, which is joint manipulation. Maybe bending a wrist
- 19 for compliance. Chemical spray, which we're kind of going
- 20 away from that a lot. Our PR-24, we don't use that as
- 21 much anymore in pressure points. So again, just reading
- over the chart. Hard hands, we reported 612 in 2021
- 23 versus 556 in 2022, which is a decrease of 56, 9%
- overall. Joint locks, we reported 61 in 2021 and 66 in
- 25 2022, which is an increase of five versus an increase of



- 1 8%. Chemical sprays we used six times. We reported six
- 2 uses in 2021, 5 in 2022, minus one, minus 17%. PR-24s,
- 3 there were no reported use in 2021, there was 1 in 2022.
- 4 Overall, get down to the bottom. Total subject control
- 5 incidents were 683 in 2021 versus 634 in 2022, minus 49
- 6 within 7% decrease.
- 7 CAPTAIN LEVER: So what I wanted to do was a little
- 8 bit different. I know some time I have charts and graphs,
- 9 but there's charts and graphs. I wanted to talk to you a
- 10 little bit about our Use of Force training. So when you
- 11 say, when we use of force reporting, I also want to give
- 12 you what you should expect or what we expect to see on
- 13 the other side from Detroit police officers. So speaking
- 14 with my colleague and I called. I asked the person in
- 15 charge of our training. I said, give me a succinct answer
- 16 about Use of Force. What do we do? What is our use of
- 17 force training? So he instinctively said Use of Force
- 18 training is a lecture based and follows the established
- 19 force continuum. Members are giving examples of how
- 20 tools, methods, and tactics they have line up with
- 21 several phases of non-compliance subjects.
- 22 CAPTAIN LEVER: The phase goes from passive
- 23 resistance to deadly force encounters. The training is
- 24 designed to help members understand each phase of a
- 25 subject resistance and respond with the appropriate



- 1 amount of force necessary. Keep in mind that the first
- 2 level of force is simply the officer's presence. That's
- 3 just us being here. Next slide please. So we talked about
- 4 training. We talk about training, the types of training
- 5 that we have when we train our officers, when we have
- 6 initial training, when you're in the academy. We also
- 7 have follow-up training as a veteran officer. So we use
- 8 things like hands on training. There's classroom training
- 9 and we are trained on our impact weapons. We are trained
- on our firearms semi-annually. There's role call
- 11 training. We have scenario-based training. We are testing
- 12 for proficiency. Our officers, they use visual aids to
- 13 assist the officers. They use training videos. We have
- 14 room clearing training and action shooting training.
- 15 CAPTAIN LEVER: Next slide please. Now, one time I
- 16 was here before you guys asked to see the force
- 17 continuum. This is how we teach our officers to respond
- 18 when they use force. I know you've heard me say, we
- 19 expect our officers to use the least amount of force
- 20 necessary to affect the arrest. Now I want to put some
- 21 substance to it today. So if you look at the force
- 22 continuum, this is how we literally teach our officers.
- 23 If you look at the top, that's going to be... Does
- 24 everybody have a copy?
- 25 CHAIRPERSON FERGUSON: Yes.



- 1 CAPTAIN LEVER: So if you look at the top, there's
- 2 going to be subject actions. It says inactive resistance,
- 3 passive resistance, active resistance, active
- 4 progression, and deadly force encounters. We also take
- 5 into effect, as you see the arrow pointing back and
- 6 forth, de-escalation techniques, the totality of the
- 7 circumstances, what's happening right now. We have
- 8 escalation techniques and it's on. This is a guideline.
- 9 There's no one right answer. This is a guideline. So in
- 10 officers response you'll see, and as well as officer
- 11 responds, you'll see the potential for injuries. So we
- 12 know this, we're telling our officers this. They're very
- 13 well trained. So we have officers present, just me being
- 14 here. We have verbal direction, compliance controls,
- 15 physical controls, intermediate controls, and deadly
- 16 force encounters. So to give you a couple examples of
- 17 those. When you look and you see inactive resistance,
- 18 that's the first subject to action. What we teach our
- 19 officers is we use the least amount of force necessary to
- 20 affect an arrest. So when you see an officer or a person
- 21 exhibiting inactive resistance, which means verbal
- 22 resistance, stares, jaw clenching, you should expect to
- 23 see our officers use any response officer's presence or
- 24 verbal commands.
- 25 CAPTAIN LEVER: Or they can go up one if they feel



- 1 they need to, which would put them into compliance
- 2 controls. So if you see a subject exhibiting passive
- 3 resistance, which would be standing motionless. So remain
- 4 seated as I'm giving you commands, you should see our
- 5 officers using, again, maybe officers presence, verbal
- 6 commands or compliance control. If need be, it can resort
- 7 to physical control. So if we have to, we can always go
- 8 one up to escalate if we have to. So if you see a subject
- 9 exhibiting active resistance, and that would be locking
- 10 arms, pulling back, pulling away, or backing away from
- 11 you when I'm giving you commands, you can see our
- 12 officers using basically it will be physical controls or
- 13 they may go up one to intermediate controls, which would
- 14 be our impact weapons. So if you see a subject exhibiting
- 15 active aggression, taking the fighting stance, advancing
- 16 to fight me, clenching his fist, verbally threaten me at
- 17 the same time, you could see me use intermediate
- 18 controls, which would be by impact weapon. Or if it's
- 19 imminent danger, I'll go into the next one, active
- 20 aggression. So that's when the subject is taken
- 21 assaultive actions to potentially oppose intimate danger
- or a serious death or injury. So that would be what we
- 23 consider a deadly force encounter. So that's when we
- 24 would be authorized to use our weapons.
- 25 CAPTAIN LEVER: So hopefully you all, just trying to



- 1 put some substance to our training. I know we talk about
- 2 it a lot. I'm proud of it. We do very good training in
- 3 the Detroit Police Department. I do want to leave with
- 4 you that sometimes the most appropriate answer, and they
- 5 know this too, the officers are taught this as well.
- 6 Sometimes the most appropriate response is to deescalate,
- 7 disengage, contain, wait for backup or specialized unit.
- 8 I think we're doing a good job of it. Next slide, please.
- 9 As always and I tell you when I come before you, I always
- 10 leave off with our primary concerns are the Department of
- 11 Community Safety and Welfare, as well as the department's
- 12 image, reputation, and liability. Next slide, please.
- 13 With that, I will take any questions that you have.
- 14 CHAIRPERSON FERGUSON: Wow, fantastic. Let the record
- 15 show that Commissioner Bernard and Commissioner Carter
- 16 has entered the building. Yes. Commissioner Banks.
- 17 COMMISSIONER BANKS: Thank you, Mr. Chair. Captain,
- 18 how long does a taser neutralize an individual when they
- 19 have been tased? How long? A minute, wo minutes, three
- 20 minutes?
- 21 CAPTAIN LEVER: I can't answer that because it
- 22 depends on the person. But I think, if I'm not mistaken,
- 23 our initial discharge, it's a eight second. Is it eight
- 24 seconds? I think it's eight seconds and then if you do it
- 25 again, it's five seconds. So it's hot or live for eight



- 1 seconds and then it shuts off. If I do it again, I think
- 2 it's five seconds. I believe I'm correct. I can get back
- 3 with you with the actual answer, but I think that's
- 4 pretty accurate. But I don't know how long it
- 5 incapacitates you. It depends on who you are.
- 6 COMMISSIONER BANKS: I'm all set.
- 7 CHAIRPERSON FERGUSON: Commissioner Pressley.
- 8 COMMISSIONER PRESSLEY: Thank you. Two questions,
- 9 Chair. Through the Chair. The first one is reference to
- 10 the discharge and deployment of tasers. It's showing a
- 11 31% increase. Just for my clarity, what category is that
- 12 under again?
- 13 CAPTAIN LEVER: That would be the discharge?
- 14 COMMISSIONER PRESSLEY: Yep. So the use of tasers
- 15 whether discharge or deployment, where would that be
- 16 captured in the categories?
- 17 CAPTAIN LEVER: So it's by itself, but it's category
- 18 two. It's broken out, but it's category two if I
- 19 discharge and it affects you. If it doesn't, it's a
- 20 category three.
- 21 COMMISSIONER PRESSLEY: Okay. Thank you. Then my
- 22 second question is relative to the Use of Force
- 23 continuum. Just for a point of clarity, I see the graphic
- 24 that has been used and I'm looking at the copyright and
- 25 it says 1997. Now that's been updated since, right? It's



- 1 just the graphic that has been used is 97. Has there been
- 2 a conversation about the Use of Force continuum since
- 3 then?
- 4 CAPTAIN LEVER: Well, we still train from this. It
- 5 can be updated. I don't know that we have an update. This
- 6 is still our policy now.
- 7 ASSISTANT CHIEF LEVALLEY: Through the Chair.
- 8 CAPTAIN LEVER: Oh, I'm sorry.
- 9 ASSISTANT CHIEF LEVALLEY: Through the Chair. I'm
- 10 Assistant Chief LeValley. I just wanted to comment that
- 11 on this force continuum that this is a statewide standard
- 12 that's established by the Michigan Commission on Law
- 13 Enforcement Standards, and they're the governing body for
- 14 training and licensing for police officers across the
- 15 entire state. This is the same force continuum that's
- 16 been in place since 1997. They continually do review for
- 17 the need to update the force continuum. But this has been
- 18 consistent for at least 1997, actually, I think. I joined
- 19 the department in 1995. It was the same force continuum
- 20 then at that time that an officer's action is based on a
- 21 subject's action and that it should match on the
- 22 continuum. So it has not been updated.
- 23 COMMISSIONER PRESSLEY: Fascinating.
- 24 ASSISTANT CHIEF LEVALLEY: I do also want to add one
- 25 thing with regard to the force continuum. When officers



- 1 are using force, they could immediately jump from no
- 2 force to the highest point on the continuum. There's no
- 3 requirement to gradually climb up the continuum. It's
- 4 based on the subject's actions. So if the subject
- 5 immediately goes to a deadly force encounter, the officer
- 6 can immediately go to a deadly force encounter. They
- 7 don't have to try step one, step two, step three, step
- 8 four, they base it on the subject's actions. We have a
- 9 policy that says that we will give warnings whenever it's
- 10 feasible, but sometimes time doesn't allow for that if
- 11 it's a split-second decision. So I just wanted to clarify
- 12 that because it wasn't part of the presentation.
- 13 CHAIRPERSON FERGUSON: Fantastic.
- 14 COMMISSIONER PRESSLEY: Thank you. That was very
- 15 clarifying. So to my question, relative to that Use of
- 16 Force continuum, you mentioned that an officer, according
- 17 to a person's action can either be at that level or go up
- 18 one.
- 19 CAPTAIN LEVER: Yes, sir.
- 20 COMMISSIONER PRESSLEY: Is there a policy that
- 21 suggests they can go down one though?
- 22 CAPTAIN LEVER: Again, well, when I ended off, you
- 23 can always disengage, deescalate, wait, call backup. So
- 24 yeah.
- 25 COMMISSIONER PRESSLEY: That's the point of the



- 1 question, because I'm concerned that by that policy, it
- 2 would seem that officers are escalating, or will have the
- 3 potential to escalate the situation as opposed to
- 4 deescalate. So if I'm at a past resistance and then an
- officer goes to physical control, it's the officers'
- 6 actions that is actually escalating the situation versus
- 7 deescalating. So just clarifying that.
- 8 CAPTAIN LEVER: Well, that's a good point and thank
- 9 you for that. So if that happens, then there's an
- 10 investigation at all force. All Use of Force is
- 11 investigated. If that happens, then we see that happen,
- 12 then he or she'll be held accountable if he or she is
- 13 incorrect.
- 14 COMMISSIONER PRESSLEY: Thank you.
- ASSISTANT CHIEF LEVALLEY: Through the Chair. I just
- 16 want add something to that question. So there isn't a
- 17 hard line on this chart as to when you transition from
- 18 one point to the next.
- 19 COMMISSIONER PRESSLEY: Like a spectrum.
- 20 ASSISTANT CHIEF LEVALLEY: Correct. Right. So active
- 21 aggression on the part of a subject could be minimally
- 22 active aggression, or it could be very active aggression.
- 23 Right. So then that kind of dictates where the officer
- 24 responds on the chart. So an active aggression could be,
- 25 I'm going to take a fighting stance with the officer. So



- 1 I'm now actively aggressive with the officer. I'd clench
- 2 up my fist, I'm ready to fight. Active aggression could
- 3 also be, I'm going to punch officer in the face
- 4 repeatedly. Those are both active aggression under the
- 5 definition. But there are different levels of active
- 6 aggression. So the first example that I gave would
- 7 warrant one type of response from the officers.
- 8 ASSISTANT CHIEF LEVALLEY: It might be on the lower
- 9 end of my eyes aren't as good as it used to be but -
- 10 intermediate controls versus if it's the second
- 11 description of active aggression, it might be a higher
- 12 level of intermediate controls that the officer uses. So
- 13 that's why if an officer was the definition of the
- 14 subject action is passive aggression, the officer may end
- 15 up one spot higher on the chart because of the level of
- 16 aggression within that range. If that makes sense.
- 17 COMMISSIONER PRESSLEY: No, it does. Thank you.
- 18 CHAIRPERSON FERGUSON: Commissioner Burton. Yes.
- 19 COMMISSIONER BURTON: Question. Provide us a scenario
- 20 where hard hands is acceptable by the Detroit police
- 21 department, as well as give us a scenario where hard
- 22 hands is not acceptable. As well as you mentioned
- 23 something earlier where officers really don't use their
- 24 PR-24 anymore. Give us a scenario where the PR-24 is
- 25 acceptable and not acceptable as well and why officers



- 1 are no longer using their PR 24?
- 2 CAPTAIN LEVER: Through the Chair.
- 3 COMMISSIONER BURTON: That question is for both of
- 4 you.
- 5 CHAIRPERSON FERGUSON: He's getting ready to answer
- 6 it, sir.
- 7 ASSISTANT CHIEF LEVALLEY: So the PR-24 was an
- 8 intermediate weapon that the department issued many years
- 9 ago. If you go all the way back to a point in time where
- 10 the officers had no intermediate weapons, all the way
- 11 back to Malice Green incident. At that point, there was
- 12 no intermediate weapon. Officers were using whatever they
- 13 may have had available. Then the department made a
- 14 decision back then to issue pepper spray. That was the
- 15 first intermediate weapon that we had. When the
- 16 department then went into consent judgment period, one of
- 17 the requirements then was that officers needed to be
- 18 provided with more intermediate weapons, more options to
- 19 use outside of deadly force.
- 20 ASSISTANT CHIEF LEVALLEY: Because at that point, if
- 21 the spray didn't work, the next option you had available
- 22 was either fight or use your gun. So the department then
- 23 issued PR-24s which is a collapsible baton. Back then we
- 24 were not able to get electronic weapons CEWs, which is
- our taser. We were not able to purchase those. There was



- 1 attempts made at the time. The funding was not approved
- 2 back then years ago. Now we're at a point where we do
- 3 have the taser, the CEW, which is a very effective
- 4 weapon. As you heard the captain say there were zero
- 5 deaths related to it. Sometimes it doesn't work, but for
- 6 the most part, it is a very effective weapon that is less
- 7 lethal, that doesn't cause death and allows the officers
- 8 to not have to engage in physical altercations in order
- 9 to handcuff somebody.
- 10 ASSISTANT CHIEF LEVALLEY: So we transition to that.
- 11 Now, officers are still issued the pepper spray and
- 12 they're still issued the PR-24, but because of the
- 13 effectiveness of the electronic weapon causes them to use
- 14 those other weapons less. Because the PR-24 being a
- 15 collapsible baton and officers are trained to strike with
- 16 it and strike certain areas, certain joints it does cause
- injury. So we've just culturally shied away from using
- 18 that weapon. But it was still available. When we had
- 19 situations where we were dealing with crowd control,
- 20 you'll see it deployed more often in that type of
- 21 instance. It is an effective weapon for passive
- 22 resistance. If somebody lays down and doesn't want to
- 23 move that weapon is a good weapon at being able to cause
- 24 somebody to put their arm behind their back with joint
- 25 controls. That weapon has a handle that sticks out the



- 1 side and officers are trained on how to use it in order
- 2 to gain compliance in those types of situations.
- 3 ASSISTANT CHIEF LEVALLEY: So that's why you don't
- 4 see it used. I think there was only one last year, and I
- 5 don't know the details of that one. Then the pepper
- 6 spray, I think it was only used five or six times because
- 7 the CEW is just such a much more effective weapon. The
- 8 examples of situations where hard hands would be
- 9 acceptable. Hard hands would be acceptable if there was
- 10 active aggression. If somebody swings at an officer, an
- 11 officer can strike the individual. I mean, that's a hard
- 12 hand. It wouldn't be acceptable if an officer were to ask
- 13 somebody for their identification and the person says, I
- 14 don't want to give it to you, we don't teach the officer
- in that instance that it's appropriate response to then
- 16 strike the individual. That's not appropriate. So there's
- 17 an example of when it's not appropriate. Example of when
- 18 it is, is when the officer is facing some sort of a
- 19 physical assault.
- 20 CHAIRPERSON FERGUSON: Fantastic. Commissioner
- 21 Hernandez.
- 22 COMMISSIONER BURTON: Mr. Chairman.
- 23 CHAIRPERSON FERGUSON: We're going to move on.
- 24 Commissioner Hernandez.
- 25 COMMISSIONER HERNANDEZ: Thank you. Through the



- 1 Chair. Excellent report as always. A very quick question.
- 2 Does deployment mean usage? I'm specifically thinking
- 3 about the PR-24 and even the sprays. I know that on slide
- 4 eight we're capturing and there's a difference between
- 5 discharge and deployment.
- 6 CAPTAIN LEVER: Yes, sir.
- 7 COMMISSIONER HERNANDEZ: But for the other
- 8 intermediate weapons.
- 9 CAPTAIN LEVER: Deployment is not tracked for PR-24.
- 10 So when I say deployment, I'm specifically talking about
- 11 the CEW.
- 12 COMMISSIONER HERNANDEZ: Okay. So if there is a crowd
- 13 control incident where the PR-24 is, and I don't know
- 14 what the correct term is, but -
- 15 CAPTAIN LEVER: Removed.
- 16 COMMISSIONER HERNANDEZ: Right, Okay. We don't in
- 17 brandish, we don't technically track that.
- 18 CAPTAIN LEVER: No, sir.
- 19 COMMISSIONER HERNANDEZ: I'm asking this with the
- 20 lens of perception for both the resident and also for the
- 21 officer. That seems like it could be an opportunity that
- 22 we're not tracking, and yet it could escalate based on
- 23 perception for the citizen. If I'm engaging, and again,
- 24 it's a crowd control incident, say it's the fireworks and
- 25 I'm there, body language is huge. If I see that officers,



- 1 especially multiple, are brandishing essentially that PR-
- 2 24, it's fight or flight independent of my engagement or
- 3 of my guilt or cause for guilt or any of that. I feel
- 4 like that on its own, if we're not tracking, and it might
- 5 even be beyond the PR-24 in general, if we're not
- 6 tracking that body language, which is hard to do I feel
- 7 like it just opens the door for more aggressive reaction,
- 8 potentially.
- 9 CAPTAIN LEVER: Understood.
- 10 COMMISSIONER HERNANDEZ: Am I making sense?
- 11 CAPTAIN LEVER: Yes, sir. But while it's not
- 12 individually tracked, if it's used again, it's
- investigated. That's probably the best course of accident
- 14 at this time. Because really if I just take it out, it's
- 15 not a use of force. Right. It's not a use of force. But
- if I use it, it's a use of force and it's going to be
- 17 reported and it's going to be investigated.
- 18 COMMISSIONER HERNANDEZ: Okay. Thank you.
- 19 CAPTAIN LEVER: I hear you a hundred percent.
- 20 CHAIRPERSON FERGUSON: Commissioner Bell.
- 21 COMMISSIONER BELL: Great report. No questions.
- 22 CHAIRPERSON FERGUSON: Commission Carter.
- 23 COMMISSIONER CARTER: Thank you, Mr. Chair. Excellent
- 24 report. Thank you for providing the Use of Force
- 25 continuum. Thank you for the explanation of the Use of



- 1 Force continuum because I think it's important for the
- 2 commissioners to understand the whole process. My
- 3 question is, is the continuum or is it a part of the Use
- 4 of Force Policy? I believe that it is.
- 5 CAPTAIN LEVER: Yes, ma'am.
- 6 COMMISSIONER CARTER: Yeah, just to let everybody
- 7 know that it's a part of the Use of Force Policy as well.
- 8 CAPTAIN LEVER: Yes, ma'am.
- 9 COMMISSIONER CARTER: It is?
- 10 CAPTAIN LEVER: Yes ma'am. It is. I'm sorry. Yes,
- 11 ma'am, it is. Thank you for that. I will say I only
- 12 provided a partial part of the response. The Assistant
- 13 Chief provided the rest.
- 14 COMMISSIONER CARTER: Thank you.
- 15 CHAIRPERSON FERGUSON: Commissioner Bernard.
- 16 COMMISSIONER BERNARD: Very good report. Thank you. I
- 17 apologize for these glasses. I have a horrible eye
- 18 infection and headache as a result. I have two questions
- 19 quickly. The first is, well, one is a comment. Next time
- 20 you give this report, can you also include the statistics
- 21 on the number of people requiring medical attention as a
- 22 result, particularly of tasers and everything else or
- 23 Uses of Force? Because that's the community side of this
- 24 and I think it would be relevant. But secondly, I want to
- 25 ask you a question about policy. In the city of Detroit,



- 1 when a person is stopped on a traffic violation, even if
- 2 it's say five younger guys, is it your policy to have
- 3 everybody get out of the car, search everyone in the car
- 4 and have everybody stand there? For example, if I was the
- 5 guy and I was the driver, so I'm the person that you're
- 6 going to ticket. Why don't you, or do you just deal with
- 7 me?
- 8 CAPTAIN LEVER: Two things though. For number one,
- 9 for the taser, anybody who's affected by a taser, it
- 10 would be a hundred percent received medical attention
- 11 because you have to have medical personnel remove the
- 12 prongs. So it's a hundred percent. If you're affected by-
- 13 COMMISSIONER BERNARD: So all of the Uses of Force,
- 14 then you probably get medical attention? That might be
- 15 the answer.
- 16 CAPTAIN LEVER: Not all of them. Because some of them
- 17 are like category four is very minimal. I'm just
- 18 literally putting my hands in your pants behind your
- 19 back. Right. So no. But if you require medical attention,
- 20 you get it. So I don't have the answer for that, but I
- 21 can tell you for CEW, it's a hundred percent if you're
- 22 affected. That is not policy from what you just-
- COMMISSIONER BERNARD: Sorry, I didn't understand
- 24 what you said.
- 25 CAPTAIN LEVER: So for the use of CEW, if I discharge



- 1 it and it affects you, if I miss you, you don't get
- 2 medical attention. If it affects you, a hundred percent
- 3 of the people that it affects gets medical attention
- 4 because it takes medics to evaluate you and to remove the
- 5 prongs.
- 6 COMMISSIONER BERNARD: Okay.
- 7 CAPTAIN LEVER: So it would be a hundred percent if
- 8 it affects you.
- 9 COMMISSIONER BERNARD: Deputy Chief, maybe you can
- 10 answer the other question.
- 11 ASSISTANT CHIEF LEVALLEY: Yeah, I can answer the
- 12 other question. So each individual, stop the officer-
- 13 COMMISSIONER BERNARD: The car is stopped. One person
- 14 is driving.
- 15 ASSISTANT CHIEF LEVALLEY: Yeah. On each individual
- 16 stop. Right. The officers have to establish their
- 17 reasonable suspicion or their cause for having an
- 18 individual out of the vehicle. So it is not our policy
- 19 that every stop they take somebody out. It's our policy
- 20 that on a stop, officers can have people removed from a
- 21 vehicle or ask everybody to be removed from a vehicle.
- 22 They can search vehicles, but that has to be based on
- 23 individual reasonable suspicion for that particular stop.
- 24 So I can't say blanketly that we don't do it or that we
- 25 do it all the time. It's each individual stop and then



- 1 the officers have to record that information on their
- 2 daily activity and their-
- 3 COMMISSIONER BERNARD: But it's my understanding that
- 4 that happens routinely when there are African American
- 5 people in the car, especially males.
- 6 ASSISTANT CHIEF LEVALLEY: Yeah. Without having all
- 7 of the data to show every time that it happens, I can't
- 8 tell you that. I can tell you what the policy is though.
- 9 COMMISSIONER BERNARD: It'd be interesting to keep
- 10 that data though, so that we could analyze that
- 11 corollary.
- 12 CHAIRPERSON FERGUSON: Thank you.
- 13 COMMISSIONER BERNARD: On the race of the people in
- 14 the car and their gender.
- 15 CHAIRPERSON FERGUSON: Commissioner VC.
- 16 CHAIRPERSON HOLT: No thank you. Through the Chair.
- 17 Again, very graphic, excellent presentation and with the
- 18 Assistant Chief LeValley being here. He enlightens a lot
- 19 of, for me that even though you were clear his comments
- 20 would bring it home for me. Through the Chair, a number
- 21 of us commissioners participated in a simulated arrest. I
- 22 wish you had been there. What's the term for that
- 23 training? Do you know to what I'm referring? The Marlin
- 24 or-
- 25 ASSISTANT CHIEF LEVALLEY: MILO.



- 1 CHAIRPERSON HOLT: MILO. Very intense education, even
- 2 from a citizen who never would think about taking on a
- 3 gun or behaving in a way much like a law enforcement
- 4 member. My point here is it would be interesting if that
- 5 training will often say at the citizen Academy or
- 6 someplace of that situation whereby citizens would gain
- 7 some insight as to the probable encounters between law
- 8 enforcement members and a perpetrator and how you're just
- 9 not prepared as a citizen that law enforcement members
- 10 are trained and supported by policy or should be in terms
- 11 of their behavior.
- 12 CHAIRPERSON FERGUSON: Thank you, Captain.
- CAPTAIN LEVER: Okay. I'm sorry. I didn't know how to
- 14 respond to that.
- 15 CHAIRPERSON FERGUSON: No, I mean, she was just
- 16 basically making a statement, saying that she was
- impressed by that. Everybody should have come to that.
- 18 That would have been beautiful. All right. Thank you,
- 19 sir.
- 20 CAPTAIN LEVER: All right. See you next year.
- 21 CHAIRPERSON FERGUSON: Thank you. All right. Interim
- 22 Board Secretary, Madame Ms. White.
- MS. WHITE: Yes, sir. Through the Chair. Honorable
- 24 Board, the incoming correspondence is noted on the
- 25 agenda, and they are as follows. The correspondence from



- 1 Chief of Police, James E. White, regarding the
- 2 administrative leave without pay, but with medical
- 3 benefits for Corporal Sean Bell, badge 2003, assigned to
- 4 the 12th Precinct, correspondence from Chief of Police,
- 5 James E. White, regarding the administrative leave
- 6 without pay, but with medical benefits for police officer
- 7 Michael Franks, badge 2379, assigned to the 12th
- 8 Precinct. You also receive correspondence from Chief of
- 9 Police, James E. White, regarding the BOPC request for
- 10 reports of the disciplinary outcomes for sustained cases.
- 11 Also, the weekly electronic technology reports consisting
- of the Facial Recognition Technology Report, ShotSpotter,
- and also Staff Reports, including but not limited to OCI
- 14 Staff Reports, which includes the year-to-date numbers
- 15 and also the current backlog numbers, which are as
- 16 follows.
- 17 MS. WHITE: Current OCI CCRs as far as the cases over
- 18 90 days totals 549 with a total caseload for the office
- of 740 cases, but only 549 cases are over 90. A question
- 20 was raised earlier in regard to the number of cases
- 21 backlog in August of this year. That total number is 688
- or was 688 as far as the total backlog cases, not 900.
- 23 That concludes my report. Thank you so much.
- 24 CHAIRPERSON FERGUSON: Thank you. Announcements. Mr.
- 25 Brown?



- 1 MR. BROWN: Yeah. Good afternoon, Mr. Chair, this
- 2 honorable Board, and citizen of Detroit. The next BOPC
- 3 meeting will be Thursday of November 10th, 2022, at 6:30
- 4 with the Sixth Precinct hosting at Citadel of Praise,
- 5 located at 20280 Lyndon Street. The next December
- 6 community meeting will be Thursday, December the 8th,
- 7 2022 at 6:30 with the Third Precinct hosting, and the
- 8 location is forthcoming. Mr. Chair for the monthly
- 9 community meeting scheduled for November 2022, which
- 10 meets every second Wednesday. The budget committee
- 11 meeting is on November 9th at 2:00 PM, Personnel and
- 12 Training at 2:30 PM, Citizens Complaint Committee meeting
- 3:00 PM, Policy Committee meeting is at 3:30 PM and all
- 14 those take place at headquarters and also can be viewed
- on Zoom. Mr. Chair, the announcement. Thank you.
- 16 CHAIRPERSON FERGUSON: Now, unfinished business. We
- 17 had a motion to rescind and expunde from the minutes
- 18 specific words from the Chair's report from minutes
- 19 adopted on September 22nd, 2022. Commissioner Barnard,
- 20 that is your motion.
- 21 COMMISSIONER BERNARD: Yes, it is.
- 22 CHAIRPERSON FERGUSON: Would you like to make that
- 23 motion?
- 24 COMMISSIONER BERNARD: Yes, I would. Mr. Chairman, it
- 25 is inappropriate, in my opinion, to have in the minutes



- 1 commentary related to incidents that frankly have nothing
- 2 to speak-
- 3 CHAIRPERSON FERGUSON: Commissioner. Commissioner,
- 4 you're just supposed to state the motion. Correct?
- 5 PARLIAMENTARIAN DR. FRANCIS JACKSON: The motion has
- 6 to be made and seconded before debate.
- 7 CHAIRPERSON FERGUSON: Absolutely. So you have to
- 8 make your motion and it has to be seconded.
- 9 COMMISSIONER BERNARD: The motion is that the
- 10 language in the minutes related to the NACOLE conference
- 11 be stricken as it relates to the acting Board Secretary,
- 12 PARLIAMENTARIAN DR. FRANCIS JACKSON: Mr. Chairman.
- 13 CHAIRPERSON FERGUSON: Yes.
- 14 PARLIAMENTARIAN DR. FRANCIS JACKSON: The exact words
- 15 to be expunded must be stated.
- 16 COMMISSIONER BERNARD: Thank you.
- 17 PARLIAMENTARIAN DR. FRANCIS JACKSON: So the motion
- 18 must say to expunge and rescind the following words.
- 19 CHAIRPERSON FERGUSON: Right.
- 20 PARLIAMENTARIAN DR. FRANCIS JACKSON: Those words
- 21 must be identified.
- 22 CHAIRPERSON FERGUSON: Commissioner, you have to
- 23 identify the exact words.
- 24 COMMISSIONER BERNARD: Okay.
- 25 CHAIRPERSON FERGUSON: We asked you to identify those



- 1 words in the email, and I didn't get any response.
- 2 COMMISSIONER BERNARD: I don't recall the email, Mr.
- 3 Chairman. I've been both out of the city and Ill, so I
- 4 apologize for that. Where is it?
- 5 COMMISSIONER: Tab two.
- 6 COMMISSIONER BERNARD: Tab two.
- 7 COMMISSIONER BERNARD: Thank you.
- 8 COMMISSIONER: Before tab two.
- 9 COMMISSIONER BERNARD: Thank you, commissioner. I
- 10 appreciate that. Mr. Chairman, please don't talk to me
- 11 like I'm a child. The emphasis in your voice is
- 12 disrespectful. No offense, but.
- 13 COMMISSIONER BURTON: Okay. I agree with-
- 14 CHAIRPERSON FERGUSON: Please.
- 15 COMMISSIONER BURTON: I agree with Commissioner
- 16 Bernard, because you treat me the same way, which is
- 17 totally unacceptable.
- 18 CHAIRPERSON FERGUSON: Both are out of order. That is
- 19 your third warning.
- 20 COMMISSIONER BURTON: Mr. Chairman, that's-
- 21 CHAIRPERSON FERGUSON: Please. I would like to
- 22 entertain a motion to silence the commissioner.
- 23 COMMISSIONER: So move.
- 24 CHAIRPERSON FERGUSON: Second?
- 25 CHAIRPERSON HOLT: Second.



- 1 CHAIRPERSON FERGUSON: All in favor? Any discussion?
- 2 COMMISSIONER BURTON: Discussion.
- 3 CHAIRPERSON FERGUSON: Yes.
- 4 COMMISSIONER BURTON: Mr. Chairman, your behavior is
- 5 the one that comes off through this microphone here and
- 6 the manner that the fact that commissioners are speaking
- 7 the truth you want to censor certain commissioners like
- 8 Commissioner Bernard and myself. I basically just stating
- 9 that Commissioner Bernard is actually right because prior
- 10 to her joining the meeting today-
- 11 CHAIRPERSON FERGUSON: But you were not called on,
- 12 sir.
- COMMISSIONER BURTON: Several people at the table
- 14 were not called on.
- 15 CHAIRPERSON FERGUSON: No one has done that.
- 16 COMMISSIONER BURTON: I did say through the Chair.
- 17 CHAIRPERSON FERGUSON: No one said that today. So are
- 18 there any discussion?
- 19 COMMISSIONER BURTON: Other commissioners that we-
- 20 CHAIRPERSON FERGUSON: Any further discussion?
- 21 CHAIRPERSON HOLT: Yes. Let my colleague go first.
- 22 CHAIRPERSON FERGUSON: He has the floor.
- COMMISSIONER HERNANDEZ: Thank you so much. Through
- 24 the Chair. Can we get clarity on his censorship includes
- or does the censorship still allow voting?



- 1 CHAIRPERSON FERGUSON: Wait, Commissioner, we have a
- 2 motion on the floor to silence. That's your question?
- 3 COMMISSIONER HERNANDEZ: That's my question.
- 4 CHAIRPERSON FERGUSON: Go ahead. Say it again.
- 5 COMMISSIONER HERNANDEZ: Does the censorship mean
- 6 that a commissioner still has the ability to vote. What
- 7 is censorship? That's my question.
- 8 PARLIAMENTARIAN DR. FRANCIS JACKSON: Mr. Chairman. I
- 9 have the rules of the Board of Police Commissioners in
- 10 front of me. It does not specifically address a person
- 11 being silenced. It does address that a non-compliant
- 12 Board member can be asked to leave for the remainder of
- 13 the meeting. What Roberts provides is that for an
- infraction that occurs during a meeting, the assembly,
- 15 which would be the Board, can impose a motion to ask that
- 16 person to leave. It does not address the issue of
- 17 silencing someone.
- 18 PARLIAMENTARIAN DR. FRANCIS JACKSON: So from a
- 19 parliamentary point of view, this parliamentarian cannot
- 20 speak to a motion to silence. But the Board can adopt a
- 21 motion that a commissioner who has been called to order
- 22 several times and has refused to comply by majority vote
- 23 can be asked to leave the meeting.
- 24 CHAIRPERSON FERGUSON: Yes. But commissioner, I do
- 25 not want you to leave the meeting, but I can't have you



- 1 interrupting the Chair. Everything comes through the
- 2 Chair. I'm trying to conduct a meeting. This is a
- 3 business meeting.
- 4 COMMISSIONER BURTON: Mr. Chair-
- 5 CHAIRPERSON FERGUSON: You constantly keep like
- 6 you're just doing right now. That's what I'm saying.
- 7 You're doing that right now. You're still doing it, sir.
- 8 You never said through the Chair.
- 9 COMMISSIONER BURTON: Children when we are duly
- 10 elected by the citizens of each and we speaking on the
- 11 behalf of constituent.
- 12 CHAIRPERSON FERGUSON: No. So now, any more further
- 13 discussion before we have the commissioner removed. I did
- 14 not want to do, but if that's the rules under Article 11
- in open Meetings Act, I'm going to have to follow the
- 16 rules.
- 17 COMMISSIONER PRESSLEY: Point of order. So do we have
- 18 to restate the motion?
- 19 PARLIAMENTARIAN DR. FRANCIS JACKSON: Yes, Mr.
- 20 Chairman. Because the motion was to silence. So the
- 21 motion would have to be that the commissioner be removed
- 22 from the meeting.
- 23 COMMISSIONER BERNARD: The motion was to silence was
- 24 that he couldn't comment on this topic.
- 25 CHAIRPERSON FERGUSON: That's what we're still



- 1 talking. The same thing. Not even through the Chair.
- 2 COMMISSIONER BERNARD: Oh, Lord.
- 3 CHAIRPERSON FERGUSON: Okay. So will I have to have
- 4 that motion distinct? The main motion was to have him
- 5 silenced.
- 6 PARLIAMENTARIAN DR. FRANCIS JACKSON: What the
- 7 parliamentarian is stating is that there's nothing in the
- 8 rules of the bylaws of the Board of Police Commissioners
- 9 that speaks to a motion to silence. What your standing
- 10 rules said is that you can require a non-compliant board
- 11 member to leave for the remainder of the meeting. So the
- 12 appropriate motion would be that Commissioner Burton
- would be removed for the remainder of the meeting.
- MS. WHITE: Mr. Chair?
- 15 CHAIRPERSON FERGUSON: Yes.
- MS. WHITE: I may just also indicate that the city's
- 17 law department is here and can speak to the legal
- 18 consequences of silencing the microphone and removing a
- 19 Board member. They are two different things so I think
- 20 that the law department should be able to weigh in on
- 21 that. Also, the honorable Board has previously received
- 22 clarification from the law department that silencing a
- 23 microphone would not require the Board member to actually
- leave the meeting room, but they would not be able to
- 25 speak for the remainder of that meeting.



- 1 CHAIRPERSON FERGUSON: Correct.
- MS. WHITE: Thank you so much.
- 3 CHAIRPERSON FERGUSON: Correct. Yes.
- 4 ATTORNEY ADAM SAXBY: Through the Chair. Adam Saxby,
- 5 Law Department. I would recommend that if it is this
- 6 honorable body's will and the chair would like to silence
- 7 a commissioner that they do so while still allowing that
- 8 commissioner to vote.
- 9 CHAIRPERSON FERGUSON: Absolutely.
- 10 ATTORNEY ADAM SAXBY: If this honorable body would
- 11 like to sanction a commissioner within the realm of the
- 12 rules that they do so by following the parliamentarian's
- 13 quidance which is to remove the commissioner. Those are
- 14 the two options available. If this Board would like to
- 15 silence commissioner, I would not recommend that they
- 16 disallow the commissioner from voting.
- 17 CHAIRPERSON FERGUSON: Okay. All right. So I'd like
- 18 to entertain a motion to silence a commissioner, but he
- 19 could stay in and vote.
- 20 COMMISSIONER BELL: Mr. Chairman, I so move that the
- 21 commission can be silenced, that he can stay and
- 22 participate in the voting.
- 23 CHAIRPERSON HOLT: Second.
- 24 CHAIRPERSON FERGUSON: Second. Any further
- 25 discussion?



- 1 COMMISSIONER BURTON: Discussion.
- 2 CHAIRPERSON FERGUSON: Go right ahead, sir.
- 3 COMMISSIONER BURTON: Mr. Chairman, what you are
- 4 doing is you are disenfranchising the hundred thousand
- 5 people that live in the Fifth District because you have
- 6 commissioners that disagree with you. But you also have
- 7 commissioners that also spoke out of turn, out of order,
- 8 as well as the Interim Secretary that spoke out of turn
- 9 during today's meeting and you did not move to silence
- 10 them. You did not move the call of vote to silence those
- 11 individuals. But just because you have two commissioners
- 12 that's present today at this table that totally disagree
- 13 with you because of how you are treating those two
- 14 individuals, which myself is included along with
- 15 Commissioner Linda Bernard. Therefore, you want to move a
- 16 censorship or silence. It's totally unacceptable, Mr.
- 17 Chairman. It's really abuse of power of the Chairmanship.
- 18 We are commissioners to actually have experience of being
- 19 elected by the citizens of Detroit attends these
- 20 meetings, and that's been elected and I've been on this
- 21 Board for practically a decade.
- 22 CHAIRPERSON FERGUSON: You're right. Okay. So we're
- 23 taking a vote. We're going to take a vote. Can we have a
- 24 roll call? Can we take a?
- MS. WHITE: Yes sir. Through the Chair. Commissioner



- 1 QuanTez Pressley No.
- MS. WHITE: Madam Vice-Chair, Annie Holt Yes.
- 3 MS. WHITE: Commissioner Jesus Hernandez No.
- 4 MS. WHITE: Commissioner Linda Bernard No.
- 5 MS. WHITE: Commissioner Cedric Banks No.
- 6 MS. WHITE: Commissioner Willie E. Bell Yes.
- 7 MS. WHITE: Commissioner Willie E. Burton No.
- 8 MS. WHITE: Commissioner Lisa Carter Yes.
- 9 CHAIRPERSON FERGUSON: Commissioner. Excuse me, Mr.
- 10 Chair No.
- 11 MS. WHITE: There were 3 = Yes votes and 6 = No
- 12 votes.
- 13 CHAIRPERSON FERGUSON: Thank you. So the motion
- 14 fails.
- 15 PARLIAMENTARIAN DR. FRANCIS JACKSON: You must say
- 16 that the motion failed, Mr. Chairman.
- 17 CHAIRPERSON FERGUSON: The motion has failed to
- 18 silence the commissioner. Now, I wish I would have no
- 19 further interruptions. I'm trying to conduct a meeting.
- 20 Thank you. So now we're still into the motion to rescind
- 21 and expunge. Commissioner Bernard, do you have the words
- 22 that you would like to have expunded so the commissioners
- 23 would know what you're expunging?
- COMMISSIONER BERNARD: Yes, I do, and I'd like to
- 25 thank the parliamentarian for instructing me properly



- 1 about how to do this. The words that need to be removed
- 2 are I was right here.
- 3 CHAIRPERSON HOLT: By which one?
- 4 COMMISSIONER BERNARD: Yeah. Many of the ability to
- 5 handle and resolve our case backlog. Okay, here we go.
- 6 Their high regard it's kind of difficult for you don't
- 7 understand the previous sentence, but the previous
- 8 sentence was not objectionable. Their high regard for the
- 9 city and this Board was, however, not without unfair and
- 10 inappropriate challenges from within our organization
- 11 presented during the conference to make the city and the
- 12 Board look less than. Regarding NACLOE's recent election,
- 13 we thank the Board who, by a majority vote of the Board
- 14 voted to support Melanie White, our Interim Secretary, to
- 15 the Board for the NACLOE Board. I'll have more to say
- 16 about what happened in Texas. To that end, we have just
- 17 approved. So that's the phrase what we're talking about,
- 18 the inappropriate challenges from within our organization
- 19 presented during the conference. That was a matter of
- 20 opinion. That's not a matter of law or fact.
- 21 CHAIRPERSON FERGUSON: Is there a second? Hearing no
- 22 second.
- 23 COMMISSIONER BURTON: Second.
- 24 CHAIRPERSON FERGUSON: Any further discussion?
- 25 PARLIAMENTARIAN DR. FRANCIS JACKSON: Mr. Chairman?



- 1 CHAIRPERSON FERGUSON: Yes.
- 2 PARLIAMENTARIAN DR. FRANCIS JACKSON: If I could
- 3 please remind the Board that Roberts requires six votes
- 4 in order, not just the majority, but a majority of the
- 5 entire membership of the Board. So you must have six
- 6 votes in order for this motion to be adopted.
- 7 CHAIRPERSON FERGUSON: Thank you. So the motion.
- 8 We're getting ready to take a vote. So the motion is to
- 9 rescind and expunge the minutes specific words that
- 10 Commissioner Bernard just read from the Chair's reports
- 11 from the minutes adopted on September 22nd, 2022. Madame
- 12 Secretary, roll call, please.
- MS. WHITE: Yes, sir. Through the Chair. Commissioner
- 14 QuanTez Pressley No.
- 15 MS. WHITE: Commissioner Jesus Hernandez No.
- 16 MS. WHITE: Madame Vice-Chair, Annie Holt No.
- 17 MS. WHITE: Commissioner Linda D. Bernard Yes.
- 18 MS. WHITE: Commissioner Cedric Banks No.
- 19 MS. WHITE: Commissioner Willie E. Bell No.
- 20 MS. WHITE: Commissioner Willie E. Burton Yes.
- 21 MS. WHITE: Commissioner Lisa Carter No.
- 22 MS. WHITE: Mr. Chair No.
- MS. WHITE: There were 2 = Yes votes and 7 = No
- 24 votes. The motion failed, Mr. Chair.
- 25 CHAIRPERSON FERGUSON: The motion fails. 7 = No votes



- 1 and 2 = Yes votes. That motion fails. New business.
- 2 COMMISSIONER BANKS: Yeah. I got new business, Mr.
- 3 Chair.
- 4 CHAIRPERSON FERGUSON: Yes.
- 5 COMMISSIONER BANKS: Madame Secretary, you gave the
- 6 update on the backlog for August. Can you give me some
- 7 stats for May and June, and if you can, do you know when
- 8 you can have those for me?
- 9 MS. WHITE: Yes, sir. Through the Chair. I provided
- 10 backlog numbers for year-to-date as of today and also for
- 11 the month of August. But yes, we can get you those
- 12 numbers immediately soon after the meeting. Thank you so
- 13 much.
- 14 COMMISSIONER BANKS: I appreciate it. Mr. Chair, I
- 15 got one more too.
- 16 CHAIRPERSON FERGUSON: Yes.
- 17 COMMISSIONER BANKS: I've just been sitting listening
- 18 and we got a lot of leadership on this Board. Before we
- 19 censor a person, we should be able to call a recess and
- 20 take a break for a minute. Because this is a voice that
- 21 this individual has with their community. With all these
- 22 strong, great leaders on this Board we take the brother
- 23 or somebody, because we are a very competitive bunch,
- 24 very tenacious, competitive bunch, and that's normal in
- 25 the political arena. So we could take the brother,



- 1 whoever and take him out, talk for a minute, get him to
- 2 regroup, cool. Off. But we don't want to take a man voice
- 3 though if we don't have to. We want to extremely work as
- 4 hard as we can with that individual.
- 5 CHAIRPERSON FERGUSON: You are absolutely right. You
- 6 noticed I voted no. Right?
- 7 COMMISSIONER BANKS: Right. I see that. That's good.
- 8 CHAIRPERSON FERGUSON: It's not to do that.
- 9 COMMISSIONER BANKS: I see that. It was good.
- 10 CHAIRPERSON FERGUSON: It's not to interrupt.
- 11 COMMISSIONER BANKS: I see that.
- 12 CHAIRPERSON FERGUSON: I'm trying to get something. I
- 13 am trying to do oversight here.
- 14 COMMISSIONER BANKS: You're doing a good job.
- 15 CHAIRPERSON FERGUSON: Thank you.
- 16 COMMISSIONER BANKS: I see that.
- 17 CHAIRPERSON FERGUSON: BOPC Personnel and Training
- 18 Committee report.
- 19 COMMISSIONER BELL: Mr. Chairman, the Personnel and
- 20 Training Committee recommendation regarding investigator
- 21 candidates. In the last few weeks, the Personnel
- 22 Committee has conducted interviews in connection with
- 23 City HR, the field of several investigative vacancies
- 24 that we have at OCI. Based on the committee review,
- 25 evaluation and scores of the candidates who interview the



- 1 committee will recommend for hire the following
- 2 Investigator candidate for the Board for final action.
- 3 Number one, Aaron Crane. Number two, Amanda Kebnickki,
- 4 that's K E B N I C K K I. I pronounced it correctly.
- 5 Number three, Sanford Kelly. Number four, Vanessa Lawton.
- 6 Number five, Henry Ellis. Number six, Robin McKants.
- 7 Number seven, Joseph Mosley. Number eight, Sherry Harmer.
- 8 That is the recommendation of Personnel and Training
- 9 Committee to hire these individuals as property name.
- 10 CHAIRPERSON FERGUSON: Okay.
- 11 PARLIAMENTARIAN DR. FRANCIS JACKSON: Mr. Chairman.
- 12 CHAIRPERSON FERGUSON: Yes.
- 13 PARLIAMENTARIAN DR. FRANCIS JACKSON: The
- 14 commissioner committed that motion on behalf of the
- 15 committee. Because it's the committee more than one
- 16 person, no second is required.
- 17 CHAIRPERSON FERGUSON: Got you.
- 18 PARLIAMENTARIAN DR. FRANCIS JACKSON: So Chairman,
- 19 Bell, if he desires on behalf of the committee, can move
- 20 that the following people be hired. Because it's the
- 21 committee of more than one person, no second is required.
- COMMISSIONER BELL: Yes, ma'am. On behalf of the
- 23 committee, I move that we hire these individuals just
- 24 named.
- 25 CHAIRPERSON FERGUSON: Is there a second?



- 1 PARLIAMENTARIAN DR. FRANCIS JACKSON: You don't a
- 2 second Mr. Chairman.
- 3 CHAIRPERSON FERGUSON: Wait. Oh, that's right. You
- 4 don't need a second. Right. Any discussion? I'm sorry.
- 5 COMMISSIONER BERNARD: Yes, Mr. Chairman.
- 6 CHAIRPERSON FERGUSON: Yes.
- 7 COMMISSIONER BERNARD: First of all, to my knowledge,
- 8 not within my material, was there any material explaining
- 9 anything about any of these eight individuals? We have
- 10 never moved to hire eight people at one time. The
- 11 questions that I would have prior, number one, are they
- 12 former police officers? That's question number one.
- 13 Number two, what was their disciplinary record as police
- 14 officers? Just basic, there should be a summary sheet on
- 15 these individuals presented to the Board if you want to
- 16 present them in mass, which I think is inappropriate
- 17 since we don't make promotions within the police
- 18 department in mass. We take them by individual and we
- 19 have information on them, and then we vote on them. These
- 20 are our employees. They are just as important as police
- 21 officers or as the promotion of a police officer.
- 22 COMMISSIONER BERNARD: So why would we have a process
- 23 that is different for our employees than we have for the
- 24 police department? Furthermore, I think the Chair should
- 25 also announce who are the members of the Personnel



- 1 Committee when you're talking about it. But I would say
- 2 that we are unready to move on this matter in the absence
- 3 of some sort of summary, at least covering those clear
- 4 key points. These are our people. We require that much
- 5 from police officers.
- 6 CHAIRPERSON FERGUSON: You're right. Okay.
- 7 COMMISSIONER BURTON: Mr. Chair.
- 8 CHAIRPERSON FERGUSON: Wait one second. The
- 9 commissioners have had all of the resumes for the people
- 10 that's just been named. Every resume you have it. You
- 11 have it in email form and in hard copy. You do. You have
- 12 the packet. You have all the packets of every one of
- 13 those people just named. It was up to the commissioners
- 14 to look at those packets and take this hiring seriously.
- 15 That's what you were supposed to do. So when those names
- 16 popped up and came through, you guys would know. I've
- 17 asked on the record multiple times, please, if there's
- 18 somebody you would like to see, make sure you tell the
- 19 Interim Board Secretary, the Personnel and Training
- 20 Committee Chairperson, or myself. That way when they come
- 21 up, we can take a hard look at them. Once again, I was on
- 22 that. Now, Commissioner, you did raise something that was
- 23 pretty interesting, and I take that. Yes. Maybe there
- 24 should be something in writing that we should take a hard
- 25 look at and that way everybody knows, and that way



- 1 they'll go back and look at them. Because right now
- 2 that's what they should do. But okay. Go ahead. VC Holt.
- 3 CHAIRPERSON HOLT: Thank you, Chair. These interviews
- 4 were for the public and given commissioners had the time.
- 5 They could have been a part of the interview process via
- 6 Zoom. So what's being proposed that we go through another
- 7 ritual in terms of validating whether or not these
- 8 candidates met the standards as OCI investigators, it's
- 9 going to add to the process when we say we need these
- 10 individuals and we need them now. The candidates that
- 11 have been named we were not necessarily in unison on each
- 12 and every item, but obviously their scores at the
- 13 totality indicated to HR that they met the standards that
- 14 are being set by this Board and OCI, this was a public
- 15 interview process.
- 16 COMMISSIONER BANKS: Mr. Chair.
- 17 CHAIRPERSON FERGUSON: Wait, hang on. Hang on. Go
- 18 ahead, Commissioner Burton.
- 19 COMMISSIONER BURTON: Thank you. I feel that for the
- 20 behalf of the citizens of Detroit we have a lot of
- 21 concerns about the process here on the Board of Police
- 22 Commissioners. Commissioners were not aware what was
- 23 going into committee. We don't get a breakdown of what's
- 24 going into each and every committee or when something is
- 25 passed out of a committee. Even with the Personnel



- 1 Training subcommittee, which I believe met yesterday,
- 2 something should have been voted out of that committee,
- 3 sent to the full Board to have time to do its due
- 4 diligence to look at not only the names... Remind you, we
- 5 get a packet of a whole bunch of people that may be
- 6 applying. But to cross reference those names from the
- 7 list of those that applied, as well as looking at their
- 8 resumes, allow commissioners to raise questions or
- 9 concerns. We have not been able to do that and even if we
- 10 would have received a, say yes Tuesday, we wouldn't be
- 11 ready to make a pre decision like this at a Thursday
- 12 meeting.
- COMMISSIONER BURTON: Okay. Sir, we got it.
- 14 Commissioner Banks.
- 15 COMMISSIONER BANKS: Good point, Commissioner Burton.
- 16 Good job. You're making great, great progress, man. Great
- 17 progress. What I wanted to say was, I've seen on Zoom
- 18 last week. I saw you, Lisa Carter, Bell. Now, you are the
- 19 leadership team, right?
- 20 CHAIRPERSON FERGUSON: No.
- 21 COMMISSIONER BANKS: Well, who was the leadership
- 22 team?
- 23 COMMISSIONER BERNARD: The commissioner and Vice-
- 24 Chair.
- 25 CHAIRPERSON FERGUSON: Well, I'm just an ex officico.



- 1 I just want to make sure everything was running.
- 2 COMMISSIONER BANKS: Right.
- 3 CHAIRPERSON FERGUSON: That's why I was there. I just
- 4 want to make... I'm the ex officio. That's why I was
- 5 there.
- 6 COMMISSIONER BANKS: Okay. I do know that. I hear you
- 7 talking about the leadership. Who's the leadership team?
- 8 CHAIRPERSON FERGUSON: The Personnel and Trainee
- 9 committee Chairperson is Commissioner Bell.
- 10 COMMISSIONER BANKS: We do have a leadership team on
- 11 the Board. Right?
- 12 COMMISSIONER: Chair and Vice- Chair.
- 13 CHAIRPERSON FERGUSON: The Chair and Vice-Chair are
- 14 here.
- 15 COMMISSIONER BANKS: Okay.
- 16 CHAIRPERSON FERGUSON: Absolutely.
- 17 COMMISSIONER BANKS: All right.
- 18 CHAIRPERSON FERGUSON: I asked her to join in and she
- 19 did.
- 20 COMMISSIONER BANKS: Okay, great. Now, I heard you
- 21 saying that commissioners could have joined in. Right?
- 22 CHAIRPERSON FERGUSON: Yep. Commissioner, Vice-Chair
- 23 Holt said that. It's open to the public. It was an Open
- 24 Meetings Act. Yes. It was well documented and well
- 25 publicized. We actually had a lot of people in there



- 1 looking at it. So, I mean they...
- 2 COMMISSIONER BANKS: Right. I'm talking about joining
- 3 in to interview people. Could we join an interview?
- 4 CHAIRPERSON FERGUSON: No. You were asked to pose
- 5 your questions that you wanted to ask-
- 6 COMMISSIONER BANKS: But the commissioner Holt said
- 7 we one of you all said we could have joined in.
- 8 CHAIRPERSON FERGUSON: You could have joined in on
- 9 Zoom. Correct.
- 10 COMMISSIONER BANKS: So we could we interview people?
- 11 CHAIRPERSON FERGUSON: No. That's up to the personnel
- 12 and training committee. But you were asked weeks ago,
- every week, to pose the questions that you want asked to
- 14 the investigators, because when you do it, you got to ask
- 15 every single investigator.
- 16 COMMISSIONER BANKS: Right.
- 17 CHAIRPERSON FERGUSON: From this date, I don't know
- 18 how many questions came through. But trust me, we asked
- 19 some tough questions. It is on the record.
- 20 COMMISSIONER BANKS: I saw it.
- 21 CHAIRPERSON FERGUSON: We didn't sugar coat anything.
- 22 You saw it, you know I asked-
- COMMISSIONER BANKS: Right, right, right. So I got
- one more thing too. Well, no, that'll cover it.
- 25 COMMISSIONER HERNANDEZ: Mr. Chairman.



- 1 CHAIRPERSON FERGUSON: Yes, sir.
- 2 COMMISSIONER HERNANDEZ: I have a very important
- 3 discussion item.
- 4 CHAIRPERSON FERGUSON: Absolutely.
- 5 COMMISSIONER HERNANDEZ: Could we move to a vote?
- 6 CHAIRPERSON FERGUSON: Yes, we sure can. Let's move
- 7 to a vote. Roll call. Wait. Nope. The motion. No, we
- 8 don't have to.
- 9 PARLIAMENTARIAN DR. FRANCIS JACKSON: Excuse me.
- 10 CHAIRPERSON FERGUSON: Yes.
- 11 PARLIAMENTARIAN DR. FRANCIS JACKSON: If the
- 12 commissioner is calling the previous question, that's a
- 13 motion. It must be seconded. It's non debatable. One
- 14 person can't stop the whole group from debating.
- 15 CHAIRPERSON FERGUSON: Right. Got you.
- 16 PARLIAMENTARIAN DR. FRANCIS JACKSON: So Commissioner
- 17 Jesus would have, I'm sorry, Commissioner Hernandez my
- 18 apologies would have to move the call, the previous
- 19 question that would have to be seconded. It's non
- 20 debatable, non-amendable, and requires two-thirds to be
- 21 adopted.
- 22 CHAIRPERSON FERGUSON: Okay. Go ahead, sir.
- 23 COMMISSIONER BERNARD: He can do that in the middle
- of a debate, in the middle of a discussion?
- 25 CHAIRPERSON FERGUSON: Absolutely he can.



- 1 PARLIAMENTARIAN DR. FRANCIS JACKSON: If he's
- 2 recognized by the Chair, then he's recognized for all
- 3 purposes that are legitimate.
- 4 CHAIRPERSON FERGUSON: He still has the floor. Go
- 5 right ahead, sir.
- 6 COMMISSIONER HERNANDEZ: All set.
- 7 CHAIRPERSON FERGUSON: All set. Okay, so we have the
- 8 vote now.
- 9 COMMISSIONER BERNARD: I wanted to speak to this.
- 10 CHAIRPERSON FERGUSON: We already had discussion. Go
- 11 right ahead. Going for the vote.
- 12 MS. WHITE: Commissioner QuanTez Pressley Yes.
- 13 MS. WHITE: Commissioner Jesus Hernandez Yes.
- 14 MS. WHITE: Commissioner Linda Bernard No.
- MS. WHITE: Commissioner Cedric Banks Yes.
- 16 MS. WHITE: Commissioner Willie E. Bell Yes.
- 17 MS. WHITE: Commissioner Willie E. Burton No.
- 18 MS. WHITE: Commissioner Lisa Carter Yes.
- 19 MS. WHITE: Mr. Chair Yes.
- 20 MS. WHITE: There were 6 = Yes votes and 2 = No
- 21 votes.
- 22 CHAIRPERSON FERGUSON: So it has passed. So what will
- 23 be... All right. They have passed. So we'll be sending a
- 24 letter of intent to them. Correct.
- 25 COMMISSIONER BELL: Mr. Chairman.



- 1 CHAIRPERSON FERGUSON: Yes.
- 2 COMMISSIONER BELL: That would be the task of the HR
- 3 director.
- 4 CHAIRPERSON FERGUSON: Got you.
- 5 COMMISSIONER BELL: I just want to commend this
- 6 Board. This has been a drawn out process for quite some
- 7 time.
- 8 CHAIRPERSON FERGUSON: Yes.
- 9 COMMISSIONER BELL: HR vetted these individuals very
- 10 thoroughly before we end up with these candidates, and
- 11 therefore we conduct the interview for over four or five
- 12 weeks in terms of in depth. So we went through the
- 13 process that this Board bylaw required. So I'm pleased
- 14 that we now have 8 investigators and looking forward to
- 15 them hiring and looking forward for their training and
- 16 looking forward to their service to this Board. We will
- 17 closely monitor that whole process. Thank you, Board.
- 18 CHAIRPERSON FERGUSON: Because you guys know on
- 19 public comment. We listen to you on public comment.
- 20 That's what you wanted. You wanted us to hire these
- 21 people. So when we do it in a timely manner, this is what
- 22 we're supposed to end up with.
- 23 COMMISSIONER BERNARD: Mr. Chair.
- 24 CHAIRPERSON FERGUSON: We hear you. We're going to
- 25 move on. We're going to go.



- 1 COMMISSIONER BURTON: I have something for new
- 2 business.
- 3 COMMISSIONER BERNARD: May I request my colleague,
- 4 Commissioner Bell to simply provide us. There was no
- 5 written committee report. Can you simply provide us a
- 6 list of your recommendations with the information,
- 7 whether or not these people are former police officers
- 8 and what their disciplinary record was with the
- 9 department.
- 10 COMMISSIONER BELL: As the Chairman, that would be
- 11 inappropriate, but we will-
- 12 COMMISSIONER BERNARD: Why would it be inappropriate?
- 13 COMMISSIONER BERNARD: I'm responding to your
- 14 question.
- 15 COMMISSIONER BERNARD: Okay. Thank you.
- 16 COMMISSIONER BELL: We respond to a written report in
- 17 terms of name individuals, but you already have
- 18 documentation. We would check with HR but the other
- 19 concern about the people you already have the animation
- 20 far as their profile, part of their resume already. You
- 21 should look that up yourself.
- 22 COMMISSIONER BERNARD: Are all of these people,
- 23 police officers?
- 24 CHAIRPERSON FERGUSON: Hang on. Wait, he's going to
- 25 provide that with you. He's going to provide that.



- 1 Provide that in the email to her please.
- 2 COMMISSIONER BELL: The answer is no.
- 3 CHAIRPERSON FERGUSON: Thank you.
- 4 COMMISSIONER BURTON: Through the Chair, I had
- 5 something for new business.
- 6 CHAIRPERSON FERGUSON: Yes, sir.
- 7 COMMISSIONER BURTON: Under new business. I just want
- 8 my colleagues on the Detroit Board of Police
- 9 Commissioners to know as this Board to my understanding
- 10 is in the process of hiring a Secretary to the Board, as
- 11 well as the Chief Investigator, as well as a Board
- 12 Attorney and other several positions that we are short
- 13 that the previous Interim Secretary as well as the
- 14 current Interim Secretary and the current Interim Chief
- 15 Investigator. My recommendation is that they return back
- 16 to their previous post whether it is Senior Investigator
- 17 to go back over to help investigate these civilian
- 18 complaints, citizens' complaints, as well as the backlog.
- 19 As well as the interim chief investigator go back to
- 20 Supervising Investigator, Also, my recommendation is that
- 21 the Board should do this sooner than later.
- 22 CHAIRPERSON FERGUSON: Your point is well taken. We
- 23 would like to have-
- 24 COMMISSIONER BURTON: So we can be in compliance of
- 25 the charter. Thank you, sir.



- 1 CHAIRPERSON FERGUSON: It's my hoping that once we do
- 2 hire the Chief Investigator and the Board Secretary, that
- 3 the Interim Chief and the Interim Secretary will help
- 4 onboard them. Once they get onboard, then they will go
- 5 back to their record positions. That's my hoping, and I'm
- 6 pretty sure that's what's going to happen. All right. So
- 7 now we're going to move to closed session. Closed Session
- 8 pursuant to Section 8(a) of the Open Meetings Act, MCL
- 9 15.268 (a) the Department's request for the Board to
- 10 consider Administrative Leave Without Pay but with
- 11 Medical Benefits for Corporal Sean Bell, badge number
- 12 2003, assigned to the Twelfth Precinct. Two-thirds roll
- 13 call vote required. Can I do all of them or...
- 14 PARLIAMENTARIAN DR. FRANCIS JACKSON: No. Individual
- 15 hearings.
- 16 CHAIRPERSON FERGUSON: No.
- 17 PARLIAMENTARIAN DR. FRANCIS JACKSON: Individual
- 18 hearing. The motion is for the closed session. It's not
- 19 for the individuals.
- 20 CHAIRPERSON FERGUSON: Right. Okay. But do I have to
- 21 do each closed session? Okay.
- 22 PARLIAMENTARIAN DR. FRANCIS JACKSON: Doing one
- 23 closed session and all those individuals will be
- 24 considered in the same-
- 25 CHAIRPERSON FERGUSON: Okay. So that one closed



- 1 session. We're going to go on the closed session for Sean
- 2 Bell as I just previously stated, and Officer Bryan
- 3 Perkins, badge number 2732, and Officer Michael Franks,
- 4 badge number 2379. Can we have a...
- 5 COMMISSIONER: I'll make a motion to that effect
- 6 through the Chair.
- 7 COMMISSIONER BELL: Second.
- 8 CHAIRPERSON FERGUSON: All in favor?
- 9 COMMISSIONERS: Aye.
- 10 CHAIRPERSON FERGUSON: I'm sorry. Discussion. All in
- 11 favor?
- 12 MS. WHITE: Commissioner Linda Bernard. Roll call
- 13 vote.
- 14 CHAIRPERSON FERGUSON: Roll call vote.
- 15 COMMISSIONER BERNARD: Yes.
- MS. WHITE: Commissioner Cedric Banks. Excuse me.
- 17 Commissioner Willie Bell Yes.
- 18 MS. WHITE: Commissioner Willie Burton -
- 19 MS. WHITE: Commissioner Lisa Carter -
- 20 MS. WHITE: Commissioner Jesus Hernandez Yes.
- 21 MS. WHITE: Commissioner QuanTez Pressley Yes.
- 22 MS. WHITE: Mr. Chair Yes.
- MS. WHITE: There were 6 = Yes votes. The motion
- 24 passed.
- 25 CHAIRPERSON FERGUSON: The motion has passed. We're



- 1 going to take five minutes...
- 2 Closed Session
- 3 CHAIRPERSON FERGUSON: Yes. We're now going to
- 4 reconvene the closed session into open session.
- 5 MS. WHITE: Reconvene.
- 6 CHAIRPERSON FERGUSON: Reconvene.
- 7 MS. WHITE: The meeting.
- 8 CHAIRPERSON FERGUSON: The meeting to an open
- 9 session.
- 10 COMMISSIONER: Can't even believe they're gone.
- 11 CHAIRPERSON FERGUSON: All right. We need a motion.
- 12 COMMISSIONER: So move. I mean, I move that we go
- 13 back in.
- 14 COMMISSIONER: Second.
- 15 CHAIRPERSON FERGUSON: Any discussion? Roll call.
- 16 MS. WHITE: A roll call is not needed.
- 17 CHAIRPERSON FERGUSON: Not needed. All in favor?
- 18 COMMISSIONERS: Aye.
- 19 CHAIRPERSON FERGUSON: All opposed. All right. The
- 20 meeting is now reconvened. So now we're going to vote on
- 21 the matters in the closed session pursuant to Section
- 22 8(a) of the Open Meetings Act, MCL 15.268 (a) the
- 23 Department's request for the Board to consider
- 24 Administrative Leave Without Pay but with Medical
- 25 Benefits for Corporal Sean Bell, badge number-



- 1 COMMISSIONER: Remember.
- 2 CHAIRPERSON FERGUSON: Wait, we took that out. Do
- 3 they have to-
- 4 MS. WHITE: That was withdrawn.
- 5 MS. WHITE: That's withdrawn for them.
- 6 MS. WHITE: Yes.
- 7 CHAIRPERSON FERGUSON: Would that have to be on the
- 8 record?
- 9 MS. WHITE: No, sir. You're just taking up the
- 10 matters. The other two remaining closed session items.
- 11 CHAIRPERSON FERGUSON: Okay. All right. So the Closed
- 12 Session pursuant to Section 8(a) of the Open Meetings
- 13 Act, MCL 15.268 (a) the Department's request for the
- 14 Board to consider Administrative Leave Without Pay but
- 15 with Medical Benefits for Police Officer Bryan Perkins,
- 16 badge number 2732, assigned to the Eighth Precinct.
- 17 COMMISSIONER PRESSLEY: Mr. Chair, I move that we
- 18 accept the Police Chief's recommendation to place Police
- 19 Officer Bryan Perkins, badge number 2732 on
- 20 administrative leave without pay.
- 21 COMMISSIONERS: Second.
- 22 COMMISSIONER: But with medical benefits.
- 23 COMMISSIONER PRESSLEY: Oh, with medical benefits.
- 24 COMMISSIONER: Second.
- 25 CHAIRPERSON FERGUSON: Any discussion? All in favor?



- 1 Roll call.
- 2 MS. WHITE: Mr. Chair Yes.
- 3 MS. WHITE: Commissioner Linda Bernard No.
- 4 MS. WHITE: Commissioner Willie E. Bell Yes.
- 5 MS. WHITE: Commissioner Willie E. Burton I
- 6 abstain.
- 7 MS. WHITE: Commissioner Lisa Carter Yes.
- 8 MS. WHITE: Commissioner Jesus Hernandez Yes.
- 9 MS. WHITE: Commissioner Pressley Yes.
- MS. WHITE: There were 5 = Yes votes, 1 = No vote,
- and 1 = Abstention, which is counted as a no vote.
- 12 CHAIRPERSON FERGUSON: So the motion fails?
- 13 COMMISSIONER: Passed.
- 14 CHAIRPERSON FERGUSON: The motion passes. All right.
- 15 So the next item is closed session pursuant to closed
- 16 session pursuant to Section 8(a) of the Open Meeting Act,
- 17 MCL 15.268 (a) the Department's request for the Board to
- 18 consider Administrative Leave Without Pay but with
- 19 Medical Benefits for Police Officer Michael Franks, badge
- 20 number 2379, assigned to the Twelfth Precinct.
- 21 COMMISSIONER HERNANDEZ: Mr. Chair.
- 22 CHAIRPERSON FERGUSON: Yes.
- 23 COMMISSIONER HERNANDEZ: I'll make a motion to that
- 24 effect. Do I have to read word by word?
- 25 COMMISSIONERS: Yes.



- 1 COMMISSIONER HERNANDEZ: So I'll make a motion to
- 2 adopt the Chief's recommendation pursuant to Section 8(a)
- 3 of the Open Meeting Act, MCL 15.268 (a) the Department's
- 4 request for the Board to consider Administrative Leave
- 5 Without Pay but with Medical Benefits for Police Officer
- 6 Michael Franks, badge number 2379, assigned to the
- 7 Twelfth Precinct.
- 8 COMMISSIONER BELL: Second.
- 9 CHAIRPERSON FERGUSON: Any discussion? Roll call
- 10 vote.
- 11 MS. WHITE: Mr. Chair Yes.
- 12 MS. WHITE: Commissioner Bernard No.
- MS. WHITE: Commissioner Bell Yes.
- 14 MS. WHITE: Commissioner Burton Abstained.
- MS. WHITE: Commissioner Carter Yes.
- MS. WHITE: Commissioner Hernandez Yes.
- 17 MS. WHITE: Commissioner Pressley Yes.
- MS. WHITE: There were 5 = Yes votes, 1 = No vote,
- 19 and 1 = Abstention.
- 20 CHAIRPERSON FERGUSON: Motion passed.
- 21 COMMISSIONER CARTER: Mr. Chair. Time for
- 22 adjournment. I move for adjourn.
- 23 COMMISSIONERS: Second.
- 24 CHAIRPERSON FERGUSON: Any discussion?
- 25 COMMISSIONER: No.



1	CHAIRPERSON FERGUSON: All in favor?
2	COMMISSIONERS: Aye.
3	CHAIRPERSON FERGUSON: Meeting is adjourned
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5	(Meeting Adjourned at 6:06 p.m.)
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4	STATE OF MICHIGAN )
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6	COUNTY OF WAYNE )
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8	RECORDER'S CERTIFICATE AND NOTARIZATION
9	
10	I, Donald Handyside, Court Recorder, do
11	hereby certify that on November 3, 2022, at 3:00
12	p.m., I did record the Detroit BOPC meeting, the
13	same being later reduced to typewriting and that the
14	foregoing is a true and accurate transcription of
15	said electronic recording taken at such time and
16	place.
17	I further certify that I am not related to
18	or employed by any party of this cause or their
19	respective counsel.
20	
21	
22	DONALD HANDYSIDE (CER 1464)
23	Notary Public
24	My Commission Expires: 5/6/2027



25

## 11/03/2022

\$

**\$500,000** 8:6

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**(a)** 98:9 100:22 101:13 102:17 103:3

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**1** 5:21 6:2,23 51:3 102:10,11 103:18,19

**1,192** 5:20

**1,299** 5:20

**10** 23:14 43:14 46:12 49:10

**10%** 48:5

**10,975** 5:22

**100** 11:19

**101** 24:15

**103** 49:20,23

**10th** 72:3

**11** 6:7 9:6 77:14

**11,000** 7:5

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**110** 47:20

**112** 24:1,6

**114** 23:24

**119** 24:4

**12** 6:6

**12%** 5:19

**12,622** 5:24

**123** 23:11 24:8

**12:30** 7:13

**12th** 71:4,7

**13** 47:16

**13%** 5:24

**13,135** 48:3

**131** 49:24

**143** 6:6

**144** 50:4

**15.268** 98:9 100:22 101:13 102:17 103:3

**15th** 44:10

**17%** 49:11 51:2

**17,898** 6:11

**18%** 47:13 48:18

**18th** 6:15

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