

Draft Minutes Detroit Board of Police Commissioners
Date of Meeting: Thursday, July 20, 2023 – 3:00 PM
Location: Detroit Public Safety Headquarters, 1301 Third St., Detroit, Michigan 48226

- I. **Chairperson QuanTez Pressley called the BOPC Board Meeting to order at 3:00 p.m.**
- II. **Invocation.** Chaplain Wilson James provided the invocation.
- III. **Community Impact Report.**

Chief Investigator Jerome Warfield reported the Investigators at the Office of the Chief Investigator reviews 1,000 to 1,200 cases a year and provided an overview on four alleged complaints of misconduct against the police that stand out as more escalated as others. The first case to debrief as an escalated citizen complaint on January 2, 2023 in the 2nd Precinct. There is BWC footage. The second debrief as an escalated citizen complaint occurred on May 4, 2023 in the 11th Precinct. The incident is captured by the scout car’s in-car camera and by one of the two officers on the scene. The third debrief of an escalated citizen complaint happened June 8, 2023 in the 6th Precinct. Video footage of the incident was captured by the BWC of the three main officers and by the scout car’s in-car camera. Specifically, video footage of the incident revealed what appears to be unwarranted excessive force and the officers did not identify themselves nor tell the citizen the rationale for the stop. The last debrief of escalated citizen complaint happened June 19, 2023 in the 10th Precinct. I will give a disclaimer, there is very strong language in this complaint. There is BWC footage from both officers on the scene which captures the incident. This case was reviewed by Captain Lever and the male officer was immediately removed from the streets and placed on desk duty pending further evaluation. We did find out today, that the male officer is back on the streets. All footage has been shared with DPD Leadership. OCI’s investigation is ongoing. Once completed, OCI will notify the complainant of findings; and Commissioners will be advised of findings and corrective actions.

- IV. **Oral Communications / Public Comments.**
Minister Eric Blount and Ms. Fredia Butler provided public comments.
- V. **Introduction of Police Commissioners.** A roll call was held, and a quorum was declared.

Detroit Board of Police Commissioners’ Membership / Attendance		
	In Attendance	Not-In Attendance
QuanTez Pressley, Chairperson	Yes	
Rev. Jim Holley, PhD.	Yes	
Linda D. Bernard, Esq.	Yes	
Cedric Banks	Yes	
Willie E. Bell		Excused
Willie E. Burton	Yes	
Lisa Carter	Yes	
Ricardo Moore		Excused
Jesus Hernandez		Excused
Annie Holt		Excused
Quorum (Yes)	6	

- VI. **Chairperson Pressley** requested the approval of the Agenda for Thursday, July 20, 2023. The motion was accepted and adopted.
- VII. **Chairperson Pressley** requested the approval of the Meeting Minutes for July 13, 2023, with any corrections. The minutes were adopted as presented.
- VIII. **Introductions of Board administrative and investigative staff, the Chief of Police, Elected Officials or Representatives and Community Leaders.**

IX. Chair's Report. Chairperson Pressley reported on BOPC activities and provided updates, and reports for the Board and the community.

A. BOPC Senior Investigator Adela Matias Rivera Resolution.

Commissioner Carter read the resolution honoring BOPC Senior Investigator Adela Matias Rivera (Retirement).

**RESOLUTION HONORING
BOPC SENIOR INVESTIGATOR ADELA MATIAS RIVERA**

WHEREAS, Senior Investigator Adela Rivera was appointed to the Office of the Chief Investigator in June, 2011, where she was assigned to the Office of the Chief Investigator; and

WHEREAS, Senior Investigator Rivera is a lifelong resident of the City of Detroit. She has made significant contributions to Southwest Detroit residents and communities; and

WHEREAS, Senior Investigator Rivera started her career with the City of Detroit in the Police Department in 1977. She served in various units within the Police Department, including patrol (2nd Precinct), Police Mini Station, Westside Task Force, and a member of the Chief of Police Staff. She was promoted to Sergeant and was assigned to Executive Protection Unit for Mayor Coleman A. Young where she served as commanding officer. She was instrumental in forming the Hispanic Police Officers Association. As Vice President of the Association, she was very successful in garnering support from area businesses, the community, and city officials to help promote its goals to support Hispanics on the police force and to provide educational scholarships to deserving young students. She retired from the police department in 2002; and

WHEREAS, Senior Investigator Rivera was appointed to the Board of Police Commissioners by Mayor Kenneth Cockrel, Jr. and served from 2009-2011. She has provided years of service as a volunteer in various community organizations. One of her most rewarding activities is fulfilling dreams and hopes of young children and families at the Most Holy Trinity Annual Children's Christmas Party. She has been profiled in numerous print media, such as People Magazine. She appeared as a guest on the Tonight Show with Johnny Carson. Based on the outstanding "woman on the police force" interview segment, that episode was nominated for an Emmy that year. Senior Investigator Adela Rivera is a lifelong Detroiters who provided 37 years of dedicated service to the citizens of Detroit, including 12-plus years working for the Detroit Board of Police Commissioners where she is highly respected as a consummate professional.

NOW, THEREFORE, BE IT

RESOLVED, That the Detroit Board of Police Commissioners, speaking for the citizens of Detroit, awards this resolution to Senior Investigator Adela Rivera for more than 12 years of dedicated and diligent public service and outstanding work in the area of civilian oversight of law enforcement. Her professionalism, integrity, and standard of commitment to the City of Detroit and its citizens merit our highest regards and best wishes for continued success.

We salute and congratulate you, Senior Investigator Adela Rivera.

Commissioner Banks moved the adoption of a resolution, which was adopted as follows: "Resolved "That the Detroit Board of Police Commissioners, speaking for the citizens of Detroit, awards this resolution to Senior Investigator Adela Rivera for more than 12 years of dedicated and diligent public service and outstanding work in the area of civilian oversight of law enforcement. Her professionalism, integrity, and standard of commitment to the City of Detroit and its citizens merit our highest regards and best wishes for continued success.

B. Yvonne Cross Community Resolution.

Commissioner Burton read the resolution honoring Community Leader and Entrepreneur Yvonne Cross.

**RESOLUTION HONORING
COMMUNITY LEADER AND ENTREPRENEUR YVONNE CROSS**

WHEREAS, Yvonne Cross is a native Detroiters with a strong commitment to family, neighbors, and community. She attended Detroit Public Schools and majored in engineering at Wayne State University after graduating from Northeastern High School. She is the founder and owner of Make It Happen Affordable Homes; and

WHEREAS, She has been married for 33 years and has three daughters and six grandchildren. Mrs. Cross and her family have lived in Russell Woods, Boston Edison, and Arden Park-East Boston. She has rehabilitated homes in each community, and, since 2008, she also has renovated eight single-family homes in Historic Russell Woods. Mrs. Cross was part of a team featured on the front page of *Crain's Detroit* for a magnificent renovation of a home in Boston Edison. She is currently developing two historical 18-unit apartment buildings with secure parking and an adjoining courtyard in Historic Russell Woods. A grassroots entrepreneur, her goal is to make Detroit a better city house-by-house and block by block; and

WHEREAS, Mrs. Cross supports the mission of the Board of Police Commissioners. She has been a leader or supporter of many projects that improve community safety, including the Neighborhood Patrol for Arden Park and Russell Woods. She served as president of Arden Park/East Boston Association for three years. She also is a member of Historic Russell Woods Association and a board member for C.A.R.E Community, which provides pre-and post-natal care for mothers and infants to combat infant mortality and other risks. During the COVID-19 Pandemic, Mrs. Cross distributed thousands of food baskets, masks, and hand sanitizers to seniors, children, and other vulnerable community members.

THEREFORE BE IT

RESOLVED, That the Detroit Board of Police Commissioners, speaking on behalf of the residents of Detroit and the Detroit Police Department, salutes and sincerely thanks Yvonne Cross for her civic participation and contributions to improving public safety and the quality of life in our great City of Detroit.

Vice Chairperson Holley moved the adoption of a resolution, which was adopted as follows: "Resolved "That the Detroit Board of Police Commissioners, speaking on behalf of the residents of Detroit and the Detroit Police Department, salutes and sincerely thanks Yvonne Cross for her civic participation and contributions to improving public safety and the quality of life in our great City of Detroit.

C. Julian Witherspoon III Certificate of Appreciation.

Commissioner Burton read the Certificate of Appreciation presented to Julian Witherspoon III.

D. Harmony Café Sweets and More Certificate of Appreciation.

Commissioner Burton read the Certificate of Appreciation presented to Harmony Café Sweets and More.

- X. Chief of Police Report: Chief of Police's Summary of CompStat Data and other Crime Information/DPD Information:** **Chief James E. White** reported on current CompStat Crime/Statistical Data for Violent Crime and Property; and recent critical incidents impacting the DPD and the community. We continue to see good work in synergy from our 12 Point Plan, a crime strategy reflecting a reduction in homicides at 7%, a 4% reduction in non-fatal shootings, 26% reduction in carjacking's and that is proactive policing. We do have a 4% increase in robberies and 29% increase in auto theft. Chief White also addressed Chief Investigator Warfield report on officers' misconduct, assuring the Board after the investigation is reviewed it will be taken very seriously and discipline will be certain, but there is no part of the investigation which that type of language, regardless of the outcome of the investigation, would be acceptable. Chief White also remarked on a public comment regarding LPR's. LPR's have been used in this department since 2018. It's used in the city with municipal parking. If this Board could keep in mind the victims. The accountability of misuse of technology is one piece, and if that happens, there can be zero room for anyone who misuse technology, to date since 2018 we have not had any misuse with LPR. As this Board is aware, there is no expectation of privacy of a public facing license plate. It is my goal to make the proposition of committing a crime a risky one in this city for the criminal. If there is any misuse of technology certainly hold me or whatever Chief is here in this police department accountable. We were able to track a suspect with the use of technology, including LPR. We also use this technology to track and find people who hit and run. We use this technology for our elderly people who sometimes become disoriented and their families call and say, I can't find my mom or I can't find my dad and they're in a car. We use this technology, your mom or dad are at this street and we send a car over there. We are able to get that car stop and get that person the help they need because they are disoriented. What would happen if we didn't have that type of technology? And they landed with someone who recognize that they did not have their appropriate orientation and chose to victimize them. So we have to keep a totality of the circumstances and a broader lens to what we're trying to accomplish and not run and be in fear of technology because of the possible misuse, but have accountability for misuse. I would encourage the Board from a context perspective to take a look at when fingerprinting was first introduced as a law enforcement tool. It is amazing how some of the same fears of misuse were talked about, and now, many, many years later the first question asked at crime scenes is 'Did you get the fingerprints'? When it was first introduced, the idea was that officers would take those prints and put them in different places to make sure that those victims were identified in those areas that they needed them to be in an illegal manner. I am not saying it's never happened. I am not naive, but I'm saying that if in fact it did

or does happen, the accountability is on the officers' actions and the criminality that goes along with that, not the elimination of the technology. See the attached Meeting Transcripts posted to the Board's webpage.

The following inquiries require responses from the BOPC and/or DPD: **Commissioner Bernard** addressed the reports from the Chief Investigator Office that are criminally actionable. These kinds of incidents has to stop, and it has to stop against poor black people in this community. **Chief White** stated the department has very strict policies on misconduct. **Commissioner Banks** addressed the July 4th Holiday statistics. **Commissioner Burton** inquired is the city of Detroit budgeted in this incoming fiscal year for more speed bumps? Commissioner Burton read that where there are speed bumps there is a 53% reduction of injuries as well as deaths and things of that nature. How have they worked here in the city of Detroit? Where are we as far as budget for more speed bumps, you hear a lot of community members want to see them. **Chief White** stated the budget goes through DPW, and yes the speed bumps really works. **Vice Chairperson Holley** discussed the Mental Health Related Service Calls for Report indicating we need to know if the Detroit Police Department current approach to help calls are effective? If there are certain types of calls, there needs to be alternatives? The Board needs to know from my standpoint the outcome of these calls. I have 7 points I need to read into the record because of time. I will submit these questions in writing to the Chief. See the attached Meeting Transcripts posted to the Board's webpage. **Chief White** stated the strategies from the department regarding mental health has been successful.

XI. Oral Communications / Public Comments.

Ms. Bernice Smith, Ms. Sharnita Williams, Mr. Ronald Foster Ms. LaDonna Harris, Ms. Marguerite Maddox, and former Commissioner William Davis provided public comments.

XII. Report from Board Secretary / Communications Submitted to BOPC as incoming information.

1. Draft Annual Report 2022 July 2023
2. 2022 Annual Report Project Plan
3. Outstanding DPD Request 07192023
4. Attorney Sourcing Comparison 07192023
5. CI Escalated Cases 07192023
6. Escalated CCR 1-2-23
7. Escalated CCR 5-4-23
8. Escalated CCR 6-8-23
9. Escalated CCR 6-19-23
10. City of Detroit 2023 Youth Advisory Panel Information Packet

Board Secretary Shah addressed the Outstanding DPD Request dated July 19, 2023 which outline the status of 16 request for data and other information that DPD has not yet fulfilled. In regards to the BOPC Annual Report, DPD has not yet provided the budget, use of force and disciplinary data needed to complete this report, and those have been added to the list of outstanding reporting request. Despite the missing data, the draft 2022 Annual Report contents are included in your packet for review over the next week. Staff would appreciate the Board's feedback and approval to proceed with the proposed content at next week's meeting. There are two staffing updates, the Administrative Assistant position is now posted on the City of Detroit website. This position will provide the additional staffing needed to launch the Commissioner Community Partnership model. This model will provide commissioners and their constituents with dedicated support to increase BOPC visibility in the community, public education and gleaning public input. If you know someone who has great administrative skills and will represent commissioners well in the community. Please encourage them to apply. For the Attorney to the Board, please see the memo Attorney Sourcing Comparison which compares to currently budgeted approach for staffing the attorney to the recommended approach from Corporation Counsel. The BOPC is currently budgeted to appoint a full time attorney at a cost of approximately \$99,000 for salary plus benefits. Corporation Counsel's recommending contracting an attorney part time up to 25 hours per week, which will cost up to \$375,000 for a year. The latter approach will require a budget increase, and the memo is in your packets for the Board consideration.

Commissioner Bernard commented it is totally inappropriate for us to be treated the way that we are being treated by the Law Department. This organization has had a lawyer as long as I can remember, and even when my sister was on the Board when Coleman Young was the mayor. It is impossible for us to do our job without full time legal assistance. The Chief of Police has a \$1.4 million budget for his lawyers. We have a \$100,000 budget for legal assistance, for anyone to suggest to us that we should contract out to a private attorney for 25 hours a week. Says that you do not have any respect for the mission of this body. Furthermore, if you contract out for a lawyer, as it's pointed out in the secretary's report you're at \$375,000 a year. The minimum wage for lawyers in the State of Michigan is roughly \$300 an hour. That would be \$375,000 for us to have a lawyer 25 hours a week. But the point of the matter is that we need legal assistance. The staff needs legal assistance. The Board needs legal assistance, just like we have a Chief Investigator. We've always had a lawyer. We constantly ask legal questions, especially Commissioner Holley. If we wanted to subpoena something we ask for legal advice on the position that the Chief takes. We ask for legal advice on proposed policies. We ask for legal advice on proposed hires. We need our own lawyer. This is not acceptable under any circumstances. Quite frankly, if you went to court on it, we would win. I can't see a Wayne County Circuit Court Judge saying that the past practice of this Board, which is, you know as a member of union and so forth as absolutely applicable in this particular situation. We have historically had a lawyer. There is no reason articulated as to why we don't have a lawyer, except for the fact that the law department is chagrined by the fact that we raised the issue about them sending us a half a lawyer representing us as a lawyer that he wasn't a fully licensed member of the State Bar of Michigan. We cannot accept this. Let me urge the Board, we could go straight to the City Council without even going to court. The City Council has 9 lawyers working for them, not the Corporation Counsel. Virtually, every department in the City of Detroit has internal counsel, including Buildings, Safety and Engineering, DAH, everything has their own lawyer. It is not acceptable, totally not acceptable and I will support the leadership of the Board in any way that I can. Not only the State Bar of Michigan, but there's just so many organizations that would support us in this initiative that we must do something about that aspect of your report.

XIII. Announcements.

Board Secretary Shah announced the following:

Next Meeting: Thursday, July 27, 2023, at 3:00 p.m., at Detroit Public Safety Headquarters, 1301 Third St., Detroit, MI 48226.

Next Community Meeting: Thursday, August 10, 2023, at 6:30 p.m., the 5th Precinct will host at WCCCD Eastern Campus – Cooper Room, 5901 Connor, Detroit, MI 48213.

XIV. Adjournment.

Chairperson Pressley adjourned the meeting at 4:33 p.m.