

**Approved Minutes Detroit Board of Police Commissioners  
Date of Meeting: Thursday, August 10, 2023 – 6:30 PM  
Location: WCCCD Eastern Campus, 5901 Conner St., Detroit, Michigan 48213**

- I. **Chairperson Quantez Pressley called the BOPC Board Meeting to order at 6:30 p.m.**
- II. **Invocation.** Chaplain Mike Cadotte provided the invocation.
- III. **Introduction of Police Commissioners. A roll call was held, and a quorum was declared.**

Detroit Board of Police Commissioners' Membership / Attendance		
	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	Yes	
Willie E. Burton	Yes	
Lisa Carter	Yes	
Ricardo Moore	Yes	
Jesus Hernandez	Yes	
Annie Holt	Yes	
Quorum (Yes)	10	

- IV. **Chairperson Pressley** requested the approval of the Agenda for Thursday, August 10, 2023. The motion was accepted and adopted.
- V. **Chairperson Pressley** requested the approval of the Meeting Minutes for August 3, 2023, with any corrections. The minutes were adopted as presented.
- VI. **Introductions of Board administrative and investigative staff, the Chief of Police, Elected Officials or Representatives.**
- VII. **Chair's Report.** Chairperson Pressley reported on BOPC activities and provided updates, and reports for the Board and the community.

**A. Resolution.**

**Commissioner Bell** read the Community Recognition Resolution honoring JoAnn Smith.

**RESOLUTION HONORING JOANN SMITH  
FOR SUPPORTING THE FIFTH PRECINCT AND STRONGER POLICE COMMUNITY RELATIONS**

WHEREAS, Kentucky native JoAnn Smith arrived in Detroit as a newlywed with her husband John and settled in the Jefferson Chalmers community, where they raised three daughters. For over 50 years, Mrs. Smith has shown a strong passion and commitment for her family and neighborhood while continuously working to improve the quality of life and public safety for everyone; and

WHEREAS, Mrs. Smith has led or participated in organizations closely aligned with the mission of the Board of Police Commissioners. A member of the Board of the Jefferson Chalmers Citizens' District Council, she is a long-time president of an active Chalmers Block Club. She has organized and rallied neighbors to participate in countless community safety and beautification programs. She routinely patrolled her area during the Halloween period for many years. Throughout the COVID-19 pandemic, she checked on seniors and other vulnerable residents and helped provide food. She is a driving force for donations and support for the Fifth Precinct's monthly Keno Night and annual events for Police Week, National Night Out, and Trunk or Treat; and

WHEREAS, Past and present police commissioners have worked with and known Mrs. Smith through her work with the Fifth Precinct and its community outreach programs. Her current projects also include championing the transformation of the Manistique-Philip alley into a safe and beautiful space. In an area without a city recreation center, Mrs. Smith is a member of the Manistique Community Treehouse, a project dedicated to a community-run center for youth, including those with disabilities. A retiree, Mrs. Smith never stopped working in the community. She wears many hats as a community leader and always endeavors to improve the quality of life for her eastside community and all Detroit residents.

THEREFORE BE IT RESOLVED, That the Detroit Board of Police Commissioners, speaking for the citizens of Detroit and the Detroit Police Department, congratulates and salutes Mrs. JoAnn Smith for her contributions to the Fifth Precinct, police-community relations, public safety, and the quality of life in Detroit through her community service and leadership.

**Commissioner Bell** 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 and the Detroit Police Department, congratulates and salutes Mrs. JoAnn Smith for her contributions to the Fifth Precinct, police-community relations, public safety, and the quality of life in Detroit through her community service and leadership.

**B. Jeffrey White Certificate of Appreciation**

**Commissioner Bell** read the Certificate of Appreciation presented to Jeffrey White.

**NPO Willie Soles Certificate of Appreciation.**

**Commissioner Bell** read the Certificate of Appreciation presented to NPO Willie Soles.

**NPO Karen Maxey Certificate of Appreciation.**

**Commissioner Bell** read the Certificate of Appreciation for NPO Karen Maxey.

**Executive Dean Maddie Porter** provided the welcome and words of greeting from the WCCCD Eastern Campus.

**C. Commissioner Bernard** moved “that the Board of Police Commissioners accept Chief James E. White’s Recommendation for Appointment to the Rank of Deputy Chief – Commander Melissa Gardner.” The motion was adopted.

**D. Commissioner Banks** moved “that the Board of Police Commissioners accept Chief James E. White’s Recommendation for Appointment to the Rank of Commander – Captain Dietrich Lever.” The motion was adopted.

**E. Commissioner Bernard** moved “that the Board of Police Commissioners accept Chief James E. White’s Recommendation for Appointment to the Rank of Captain – Lieutenant Scott Hall.” The motion was adopted.

**VOTE: YES = 8 NO = 1 ABSTAIN = 1 MOTION: ADOPTED**

Yes: Chairperson Pressley, Vice Chairperson Holley, Commissioners Bernard, Banks, Bell, Carter, Hernandez, Holt

No: Commissioner Burton

Abstain: Commissioner Moore

**VIII. Community Impact Report.**

**Youth Advisory Panel** Ms. Angelica Williams, a Wayne State University student, graduated from Cass Technical High School with the degree in communications in 2020 and now studying psycholinguistics to go into the criminal justice system as a forensic psychologist. Ms. Williams, Co-Chair for the Youth Advisory Panel (YAP) provided achievements of the YAP. In October of 2022, with support by Police Commissioners Lisa Carter and Annie Holt, as well as Ms. Teresa Blossom, the Board of Police Commissioner’s Youth Advisory Panel was implemented as a way to involve the youth voice in providing civilian oversight of police enforcement. After 10 months of operation, the YAP has been given the opportunity to advise on several important issues, impacting the lives of Detroit residents and begin conversation that builds an intergenerational approach to community police relations. Co-lead by myself, and Perriel Pace, the YAP, consists of additional members, Alexis Escoto, Keyaira Johnson, and Ilana Spencer. We have met monthly since

October 2022, to achieve the following outcomes. In the past 10 months, we have advised on several policy directives under review by the BOPC, including facial recognition technologies, gunshot detection systems, department Internet usage, including web pages and social media, license plate readers and expanded surveillance technologies and 21st Century Policing. As we have met monthly for the past 10 months, either in person or via Zoom, utilizing a flexible hybrid model. We have had several discussions led by the YAP with highlights, including surveillance technology, with special mention of Project Greenlight as well as ShotSpotter, police professionalism, including training, social media policies. Local police presence, as it relates to immigrated persons and families, especially regards concerns around Detroit being a safe, welcoming community for people of all backgrounds. The increase in violence towards women, particularly women of color, addressing and assisting and better mental health policy action, and an increase in criminal activity committed by high school aged youth and younger. We have also appeared and spoken with the Board of Police Commissioners on another occasion, during community meeting at the Historic Second Baptist Church in Greektown on March 9th. We have participated in the newly appointed Deputy Chief Gardner's Girls Time event on March 30th. An on behalf of the YAP congratulations to all those who have been appointed into higher positions. We have had representation at Bridge Detroit's Youth Public Safety Forum, which was held on April 18th. We have also appeared on the BOPC social media, and have been featured in an official Bridge Detroit article. That article included discussion topics such as mass shootings, particularly those committed by young adults and people experiencing mental health crises. The ease of access to firearms in the city of Detroit. DPD recently implemented curfew for teens and young adults, and the importance of youth voice and creating a safe, trustworthy environment for residents of all ages. We have also, under Commissioner Holt's advisement and supervision begun a partnership with the Association for the Study of African American Life and History, as well as the NAACP Youth Council, and as of August 8th, we have over a dozen increase regarding 2023 to 2024 YAP participation. Although the YAP is still fairly new, the inaugural cohort has contributed to building the platform on which future panel participants will initiate great change. As members of the panel are honored to have made the progress we did over the past 10 months, and look forward to having the opportunity to continue building community that allows everyone in Detroit to feel safe, healthy, and protect.

The following inquiries require responses from the BOPC and/or DPD **Commissioner Holt** expressed the members of the YAP are very engaging and they are not narrow in their focus and we are so proud of them. **Commissioner Hernandez** inquired how do you think the work that you're doing, and the connections you're making are going to help you as you progress to the next stage of your life and your career? **Commissioner Carter** congratulated the YAP on successfully completing a year and thanked them for dedicating their time to the panel. We will need to work on funding for some things the youth want to do, so we will need the assistance from all members of the Board as well as the Chief, so that people like Angelica can have this platform to shine as she does. Thank you all, the staff that worked on the panel especially Ms. Blossom. I am so proud of what I am seeing today, thank you. **Ms. Teresa Blossom** wanted to thank all five panelists they have done a lot of work, and we appreciate their feedback. I'll also just mention that we have the 2023 applications out in full force and we are getting tremendous response. They are online but they're also in the public libraries and in community hubs, they've been shared with local universities, members of the clergy. In addition, Dr. Vitti has been a great supporter from day one, and the Detroit Public Schools Community District will have a big push as they come back to school for their applicants. We do have two members who came out of that effort from last year, and they've been really great. We've also shared them with private and parochial schools in Detroit as well. We do enjoy lively discussions and we look forward to what's to come for 2023 through 2024. Thank you. **Commissioner Bernard** congratulated colleagues Commissioner Holt and Commissioner Carter the two of you met and made this a reality, I think it is very important for young adults in our community. I think the Board and the community is equally grateful to you. Thank you.

**IX. Chief of Police & 5th Precinct 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. Through State Revenue sharing \$3.1 Million has been given to the city of Detroit and we are going to expand our Crisis Intervention Unit (CIT), by 11 officers and adding 14 officers to our NPO's citywide. Facial recognition certainly remains a controversial topic. I had an opportunity to talk to the family involved, brought them to my office to discuss the situation. A beautiful young lady, beautiful family, she and her attorney were present, Attorney Ha was present, her three children were present, including the one that she was pregnant with at the time of the arrest. I explained to her what happened. This action was inexcusable. Shoddy detective work, unacceptable and should not have happened. There have been a number of reports that this was a

misidentification with facial recognition. This is simply not true. Chief White shared with the Board and the community information on the carjacking, the recovery of the cell phone at a gas station; the detective goes out, the investigator in the case. Ask if there's any video of the person dropping the phone to which she's advised that there is. She takes a still photo from that video and an image of a female was submitted for facial recognition in accordance with our policy. In accordance with our policy as a Part 1, violent crime being a carjacking and a weapon used so that part is appropriate. Taking the still photo submitted into facial recognition is appropriate. The technology yielded an investigative lead that underwent the Peer Review, which is appropriate and actually produced 73 possibilities of being the person in question. Of the 73 they eliminated the ones that were not female, they eliminated all the other ones that could not have been the person. Of those potentials, one was selected by the investigators, not facial recognition. This was a human, who made the selection. They then did the peer review, and the lead was turned over to the Investigator. An image of the individual identified through the Peer Review process was placed into a photo lineup and present to the carjacking victim. The carjacking victim identified the image of the person as Ms. Woodruff. The victim's act of identifying Ms. Woodruff as the perpetrator, served for the basis of the warrant. The warrant was subsequently signed by the prosecutor, and Ms. Woodruff was arrested. It was later learned that Ms. Woodruff was not the perpetrator involved. And I have no reason to conclude at this time that there has been any violations of the facial recognition policy. However, a number of policies have been violated and we have opened an investigation with our Internal Affairs section to look at those violations. DPD policy clearly states that members are to avoid the use of photos that so closely resemble the suspect that a person familiar with the suspect might find it difficult to distinguish the suspect from other individuals presented in a lineup. And this is very complex, but I think it's important that I explain whether we're talking about facial recognition or whether we're talking about the old mug books which exist. If you look at a mug book, and you are putting together what we commonly referred to as a 6 pack, which is, there's 2 types of lineups. There's an in person live lineup and then there's a photo lineup. If you are doing a photo lineup and you're doing what's called a 6 pack. That's 6 people that are presented to a victim to be identified. You can't put their twin brother in it. You can't put people in it that so closely resemble the suspect that they're likely to be picked out. Facial recognition is going to pick up people who closely resemble. Human interaction and the ability to commit the crime, the opportunity and desire to commit the crime is the investigator's responsibility, and that responsibility was neglected plain and simple. Normally, identification from a photo lineup is not deemed conclusive by investigators or prosecutors, but what made this unique is that the victim and suspect spent time together, and so logically, there was more credence put on the fact that this person was identified. But the problem is the identification was because we had such similar people in the lineup which was put in there by the investigative process. From there Investigators follow up to see if there was other incriminating evidence, and individuals who was identified. When the victim conclusively identified the suspect from the photo lineup, as I indicated, it was given great weight in this case one of the photos in the lineup had been generated by the facial recognition system. In retrospect, it seems clear that while the victim's ID'd seemed conclusive. The victim had identified what equated to a lookalike. I looked at the photos myself, and she looked very similar to the suspect. She isn't the suspect and that would have been captured had we done an investigation. You can't come in here and say this person robbed me. Here's a picture of him robbing me, and we make an arrest, and we do no further investigation. It could be someone who looks very similar to him. Photo lineups are IDs that must be treated cautiously. They must be treated cautiously outside of facial recognition. A photo lineup is a very powerful tool. So we looked at this and I made some recommendations very quickly to make sure that this never happens again. Outside of apologizing to Ms. Woodruff and her family, her mom was there, her children, it was a very difficult conversation, but a necessary one. I've issued an order changing the department's photo ID lineup policy so that this can never happen again. I am instituting three reforms immediately. First, no member will be allowed to use facial recognition derived images in a photographic line up. They cannot do it because facial recognition is designed to identify people who look like the suspect. Second, all photo lineups will be conducted using sequential double blind presentation to the victim. Sequential means that the victim will only be shown one photo at a time. That's very different than what we're doing now, and that will be memorialized in policy. Prior to conducting a photographic lineup a supervisor is to ensure that there is an independent basis for believing that the suspect whose picture is to be presented in the course of the photo lineup committed the crime. So, if the person's out of state when the crime happened it couldn't be them. If you verify they're out of state. It couldn't be them. If you verify that they did not have the opportunity or ability. For example, they were chased down the street and shot. You find out that the person that you have in the lineup can't run and couldn't run the day of the incident. Then, obviously, there is a problem. In this instance, you had an 8 month pregnant suspect. Intellectual curiosity should have led you down the path of wondering if the suspect was pregnant and that did not occur. And it's unacceptable. I make no apologies, I make corrections.

The following inquiries require responses from the BOPC and/or DPD: **Commissioner Moore** asked what is the status of the Investigator currently? He expressed his concern that this practice has been going on for quite some time and it is acceptable, but now that a lawsuit has been filed. Now it comes to light. **Chief White** stated that Internal Affairs is investigating this matter. **Commissioner Bernard** requested a change in reporting regarding facial recognition, the report should include the date of the facial recognition search, type of crime, examiners, image source, number of possible matches, if a warrant was requested, if a warrant was issued. **Chief White** stated the department can make those adjustment. **Commissioner Bell** commented on accountability of police. **Commissioner Carter** inquired for clarity is there a directive at this time and not a policy? **Chief White** stated it is a directive. **Commissioner Banks** addressed the facial recognition policy concerning the image of the suspect that was captured from a gas station security video. According to the policy that image is ineligible for use of facial recognition technology since it was captured from a video? **Chief White** stated that is incorrect, the policy allow for the department to use a video screen shot. **Vice Chairperson Holley** inquired historically, how many violations have been made with facial recognition? Yesterday at the press conference, you indicated three changes that would be made immediately, as a special order. Forthcoming a permanent policy change recommendation to the Board. You talked about eye witness identification and lineup policy, is DPD currently operating under the Board approved policy for eye witnessing recommendation line up or on a temporary special order enacted in December 2022? **Chief White** stated there has only been one since the new policy was approved. Prior to the policy there were two, and the department is currently operating under the special order. **Commissioner Holt** inquired for clarification you will send us what is titled as a special order as opposed to policy? **Chief White** stated they are operating under the special order, but the Board will receive a copy of the policy for their review. **Commissioner Burton** according to the most recent member of our community that was falsely arrested, based off of facial recognition technology. Apparently, this happened in February. When was this going to come before the Board of Police Commissioners? This is the third incident here in the city of Detroit, America's blackest and poorest city. Where three individuals have been misidentified by the technology. Robert Williams, Michael Oliver, who slept in the Wayne County Jail for a crime he did not commit. And now you have Porcha Woodruff who was 8 months pregnant. This technology appears to be techno racism is the new Jim Crow that falsely arresting innocent people here in Detroit. Years ago our Detroit residents have spoken loud and clear. That this day would come, that this technology is not right. But we are still using the technology in Detroit. What are we going to do as elected official as members of this department to ensure something like this never happens again? We need to do more to protect human lives in the City of Detroit. No one should be afraid of the police. No one should be afraid of being falsely arrested by this technology. These lives are affected, not just today, but for many years to come. **Chief White** stated he just found out about this incident because of the lawsuit. **Chairperson Pressley** express this is a hot button issue, this very controversial, that we have been able to deliberate it with respect and decorum. I appreciate all of the commissioners for allowing that to occur. I accept the fact that this was an incident of human negligence or human error. But again, for you to have just found out about it recently seems as if it may be more than just one person, meaning like some oversight mishaps. While we are aware that policy is forthcoming tomorrow, and a presentation is forthcoming in 45 days. I am wondering if disciplinary actions will be coming to this Board as a result of this incident. **Chief White** stated if misconduct is identified, yes it will be coming to this Board. **Commissioner Bernard** inquired regarding the hours of operation for citizens to get a copy of their police report. **Chief White** stated he will have an answer next week.

**5th Precinct – Commander Brian Harris and Captain Richard Firsdon.** Captain Firsdon provided a summary report of overall crime statistics within the Fifth Precinct and activities and operations.

The following inquiries require responses from the BOPC and/or DPD: **Commissioner Bernard** recommended that all liquor stores and gas stations in District 2 has a posted strip indicating: this door is not to be locked if someone is inside other than an employee. Can you do something about that within your precinct? **Captain Firsdon** stated he will look into this.

**X. Presentation to the Board – 5th Precinct Community Relations President Jay Henderson.**

**A. 5th Precinct Community Relations President Jay Henderson** provided an overview of the 5th Precinct Community Relations Council. Our meetings are the 1<sup>st</sup> Wednesday of each month at 6:30 p.m. on Zoom. See the attached Meeting Transcripts posted to the Board's webpage.

**XI. Oral Communications / Public Comments.**

Ms. Charnita Williams, Minister Eric Blount, Mr. Scotty Boman, Black Jesus, Judge Deborah Thomas, Ms. Brenda Butler, Former Commissioner William Davis and Smartsheet comment from Ms. Lynette Silas for public comments.

**XII. Report from Board Secretary / Communications Submitted to BOPC as Incoming Information:**

1. DPD LPR Data Sharing Agencies 08072023
2. Preliminary Report on Recent Lawsuit Involving Facial Recognition
3. Police Reporting Fees 08032023
4. Outstanding DPD Request 08102023
5. Packet - Promotion Consideration\_MelissaGardner\_08102023
6. Packet - Promotion Consideration\_DietrichLever\_08102023
7. Packet - Promotion Consideration\_ScottHall\_08102023
8. 307.05 Facial Recognition
9. 22-53 Eyewitness Identification and Line Up 203.11 Special Order

**Board Secretary Shah** provided staffing updates the Administrative Assistant position is in the recruitment process. 20 applicants' applications were received and seven have been recommended for interview. I have requested that recruiting schedule interviews for next week, unless the Board or the person on the Training Committee request otherwise. A list of Outstanding Request for reports, data, and other information is included in your packet. There have been responses on two. The LPR data sharing agency report from DPD listing 31 Law enforcement agencies that DPD has sharing agreements with and indicating that there are no data sharing agreements with non-law enforcement agencies on that document. The second response is the letter responding to the consideration of fees, hours of operation and location for obtaining police reports.

**XIII. Announcements.**

**Board Secretary Shah** announced the following:

**Next Meeting:** Thursday, August 17, 2023, at 3:00 p.m., at Detroit Public Safety Headquarters, 1301 Third St., Detroit, MI 48226.

**Next Community Meeting:** Thursday, September 14, 2023, at 6:30 p.m., hosted by the 4th Precinct at Kemeny Recreation Center, 2260 West Fort St., Detroit, MI 48217.

**Commissioner Banks** reported on the Citizen Compliant Committee policy review of SOP revisions, hearing complaints, periodic personal evaluation of a public officer, employee, staff, member or individual agent.

**XIV. Unfinished Business.**

**Commissioner Hernandez** inquired for an update on Board Committee vacancies.

**XV. New Business**

**Commissioner Burton** moved "that the Board of Police Commissioners call for a one year moratorium on the use of Facial Recognition." The motion failed.

**VOTE: YES = 3 NO = 5 ABSTAIN = 2 MOTION: FAILED**

Yes: Commissioners Banks, Burton, Moore  
No: Vice Chairperson Holley, Bell, Carter, Hernandez, Holt  
Abstain: Chairperson Pressley, Commissioner Bernard

**Commissioner Bell**

I like to speak to what transpired last week based on the radio and media report. It is clear we built a false impression of last week meeting. I believe it is necessary to put on the record that Supervisor Investigator, Lawrence Akbar, Executive Policy Manager, Melanie White hold positions that exist. They held those positions for several years. Mr. Akbar and Ms. White continue to perform their senior management duties while taking on additional assignment after the Board voted for them to work as Interim Chief Investigator and Interim Board Secretary in 2020. They did double duty because their interim assignments were supposed to be temporary. Our records show that the Board voted to go forward during COVID-19 to hire outsiders like the City Council required. Police Commissioners interviewed and signed on two finalist in 2021, but the majority Police Commissioners did not agree on hiring anyone. A new Board came in 2022. We started the process again. No one expected us to take as long as we did. We never had before. We have had senior management serve on an interim basis before and go back full time to existing job with no problem. In fact, Mr. Akbar has done so three times since 2017, with approval of three different times by the Board. Finally, I want to say, remind that what we talked about in terms of past action by the past Chair. It was not in accordance to our bylaws and etc. HR and the Law Department supported that position that you continue down this path, but it's wrong. Sadly, when it started we have to continue to close that out, and we are waiting on the report. Mr. Akbar and Ms. White know that the Board and City continue to have two employees with dedicated, honorable, and spotless records, and performance, the longevity, unblemished record is worth noting, particularly now. For the radio and news and anyone who heard it. I just would make sure people understand there are no ghost employees at the Board, and the Board is only paying staff for jobs that exist.

**Commissioner Burton**

The resolution that I made a motion to earlier, that was voted down. I do support. I do thank my colleagues for those that did support. I want this to also be added into the minutes, and for those that did not support, how can you go back and look at your constituents that you supposed to serve.

**Commissioner Moore**

I have not seen a report either way, saying whether there was a ghost employee or not. The Detroit News did publish that there was not a ghost employee, the Department said it wasn't. However, I have not received that report. I would love to see it, because I am glad to hear there's not a ghost employee but the report hasn't come out yet

**XVI. Adjournment.**

**Chairperson Pressley** adjourned the meeting at 9:02 p.m.