

Approved Minutes Detroit Board of Police Commissioners
Date of Meeting: Thursday, October 5, 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 Darren Penson 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	

Chairperson Pressley motioned “that the Board of Police Commissioners amend the Agenda to move the Closed Sessions of New Business and Unfinished Business to take place directly after the Chief of Police Report.” The motion was adopted.

- IV. **Chairperson Pressley** requested the approval of the amended Agenda for Thursday, October 5, 2023. The motion was accepted and adopted.
- V. **Chairperson Presley** requested the approval of the Meeting Minutes for September 28, 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 and Community Leaders.**
- VII. **Chair’s Report.** **Chairperson Pressley** reported on BOPC activities and provided updates, and reports for the Board and the community. **Chairperson Pressley** reminded the Board at last week meeting, notes of the minutes from our meeting with the mayor would be shared, which are in your packets that you can have some sense on what has been communicated in our meetings with the mayor. Also we have finally solidified an Acting Attorney position, someone who is well capable in serving this Board in the efforts and diligence that it requires. We are introducing Stephani LaBelle as our Acting Attorney. She has over 20 years as a prosecutor. She currently serves as the lead of the Clean Slate Project helping residents have their records to be expunged. The benefit for this Board, she has a P. Number and she would be independent from the law department. We have communication from Corporation Counsel who has stated emphatically that she will not report to Corporation Counsel or any member of the law department during her tenure serving the Board. Listening to what my colleagues have stated as their desire, one a sense of independence into a full license attorney in the State of Michigan and she fulfills both. This would only be a 90-day trial period so that we might see whether or not it meshes with the work that we're doing and she has the opportunity to do the same. After the fact, we will have an opportunity to enter into a more permanent relationship, if that is indeed the desire of the Board. I encourage you all to review the documents, and if you have any questions to have those prepared because we do look forward to having this setting with Stephani LaBelle and this Board as we move forward with her as our Acting Attorney.

The following inquiries require responses from the BOPC and/or DPD: **Commissioner Holt** requested clarification on the 90 days. **Commissioner Bernard** inquired of her current working status? **Commissioner Bell** discuss information on two past Board Attorney's and the law department indicated one attorney exceeded the Charter. **Commissioner Banks** inquired on the last Board Attorney qualifications. **Commissioner Bernard** inquired of the compensation for the Board Attorney.

VIII. Community Impact Report

Board Secretary Shah when this Board appointed me in March of this year, I committed to establishing a model that will provide more direct support for commissioners and their constituents. I am very excited to share that the staff is ready to launch that model. Now, as the Commissioner and Community Partnership or for short CCP. Each of you serve the community on a volunteer basis and that you have to balance your Board responsibilities with other life responsibilities. Staff wants to support you, and maximizing every moment that you commit to oversight. The CCP support is first being offered to District Commissioners after well-established will expand it to appointed Commissioners as well. Objectives of this support include increasing community education, engagement and feedback regarding law enforcement oversight, increasing and strengthening BOPC and individual Commissioner Visibility in the community. Delivering customized support based on the unique needs of each commissioner and their constituents, and within the BOPC scope per the City Charter. The proposed support assignments are as follows, and are definitely open to Commissioner Feedback. Ms. Teresa Blossom supporting Commissioner Cedric Banks, District 3, and Commissioner Willie Bell District 4. Ms. Candace Hayes supporting Commissioner Willie Burton, District 5, and Commissioner Lisa Carter, District 6. Ms. Jonya Underwood supporting Commissioner Linda Bernard, District 2, and Commissioner Ricardo Moore, District 7. Our newest and Administrative Assistant, Ms. Jasmin Taylor will be assigned once she's completed her onboarding to support the Commissioner for District 1. Once that individual is appointed. CCP's will be available to provide the following support, coordinate support and attend meetings with community groups, such as block clubs. Commissioners, we know that you are trying to be everywhere to connect with your communities as much as possible. CCP's can assist you with schedules, and even attend meetings on your behalf. When you are double booked, CCP's can keep track of the community contacts in your scope and can reach out to them on your behalf via email goelivery, etc. When community members contact the office to reach a specific Commissioner, your CCP will make sure that you get the message and assist with any follow-up as needed. If you need assistance with drafting, compiling, or distributing documents, your CCP can help with this, too, that includes motions, proposals, resolutions, certificates or literature. And for those who share committees your CCP, will provide administrative support for your committee, for example, drafting your agendas. Think about the direct support each Councilmember receives. In some ways this is similar, but on a smaller scale. I hope that all Commissioners will take advantage of and find value in this enhanced support for Commissioners and the Community CCP's will be reaching out to their assigned commissioners to schedule launch meetings for the week of October 9, 2023 to get an understanding of your expectations and your area of focus.

The following inquiries require responses from the BOPC and/or DPD: **Commissioner Holt** inquired why At-Large Commissioners had not received a CCP and what is the expected timeline At-Large will be coupled with a CCP? **Commissioner Bell** discussed his agreement and asked that community meetings be designated by district, not just by precinct.

IX. Chief of Police Report.

Assistant Chief Eric Ewing reported on current CompStat Crime/Statistical Data for Violent Crime and Property; Drag Racing and Drifting Detail, and recent critical incidents impacting the DPD and the community. See the attached Meeting Transcripts posted to the Board's webpage.

The following inquiries require responses from the BOPC and/or DPD: **Chairperson Pressley** extended congratulations on 39 years of service to Assistant Chief Ewing. **Commissioner Banks** inquired why the prosecutor did not issue a warrant. **Commissioner Moore** inquired about a month ago we heard a news story where it was a young man who was walking down the street and he was had a police encounter that wasn't positive. You spoke on that on TV, and you said it was a traffic stop. Could you provide any clarification for that? **Commissioner Moore** commented, externally the men and women of the Detroit Police Department put their lives on the line for us every day for visitors, citizens, and the businesses of our city. Internally, there are some issues as well, I understand. The women are not being protected

within the ranks of the Detroit Police Department. They're being verbally assaulted. They're being administratively assaulted and even sexually assaulted. **Vice Chairperson Holley** inquired on the shooting incident with the young man, that several hours took place before the shooting was identified. **Commissioner Bell** expressed, we have quite a few victims of crime, and we have a victim assistant program, and I received a call from a homicide victim and family. I gave them a contact number. But I think we need more information about how that works. **Commissioner Banks** commend Chief White on an event last month. **Commissioner Bernard** provided congratulations to Assistant Deputy Chief Ewing on his 39 years of service to our community. **Commissioner Holt** expressed appreciation toward Assistant Chief Ewing.

X. New Business.

- A. Open Session pursuant to Section 8(a) of the Open Meetings Act, MCL 15.268(a) regarding OCI Chief Investigator Warfield's request for the Board to consider discipline for Supervising Investigator Ainsley Cromwell, assigned to the Office of the Chief Investigator.

Commissioner Burton motioned, "that the Board of Police Commissioners compensate Supervising Investigator Ainsley Cromwell four hours he was docked." The motion was adopted.

- B. Open Session pursuant to Section 8(a) of the Open Meeting Act, MCL 15.268(a) regarding the Department's request that the Board consider Administrative Leave Without Pay but with Medical Benefits for Police Officer Jawan Brown, Badge 563, assigned to Downtown Services.

Vice Chairperson Holley motioned "that the Board of Police Commissioners accepted the Department's recommendation to Change the Duty Status of Police Officer Jawan Brown, Badge 563, assigned to Downtown Services to be placed on Administrative Leave Without Pay but with Medical Benefits". (2/3 roll call vote required). The motion was adopted.

VOTE: YES = 8 NO = 2 MOTION: ADOPTED

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

- C. **Chairperson Pressley**, motioned "that the Board of Police Commissioners go into Closed Session pursuant to Section 8(a) of the Open Meetings Act, MCL 15.268(a) regarding the Department's request for the Board to consider Administrative Leave Without Pay but with Medical Benefits for Police Officer Javier Smith, Badge 5009, assigned to Downtown Services." (2/3 roll call vote required) The motion was adopted.

Commissioner Bell, motioned "that the Board of Police accepted the Department's recommendation to Change the Duty Status of Police Officer Javier Smith, Badge 5009, assigned to Downtown Services to be placed on Administrative Leave Without Pay but with Medical Benefits." (2/3 roll call vote required). The motion was adopted.

VOTE: YES = 7 NO = 2 ABSTAIN: = 1 MOTION: ADOPTED

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

XI. Oral Communications / Public Comments.

Ms. Bernice Smith, Minister Eric Blount, Former Commissioner Reginald Crawford, Ms. AJ Johnson, Mr. Ronald Foster, Ms. Fredia Butler, Ms. Linda Bonner, Ms. Denise Lyles, CAC Member Scotty Boman, Ms. Ruby Riley, and Former Commissioner William Davis provided public comments.

XII. Presentations to the Board – Drew Fries, Fiscal Executive Manager

- A. **Drew Fries, Fiscal Executive Manager** provided an overview of the BOPC Budget Actuals. We are under spent, due to vacancies of the staff and also two matters that include rent and our operating services. The delayed payment for the Merrill Plaisance construction has been delayed and then there's a delay for a payment for our space here in the Department of Safety Building. That's just a delay payment from the DBA. This very important issue of making sure that these we are filling these vacancies, progress has been made. We now have a new Administrative Assistant, a part of the BOPC staff and then we have candidates in review for several of the BOPC Investigators and the Analyst. Every month that I present to the Board, I'm excited to show continued progress on this front. The Executive Fiscal Manager has been filled, I'm excited to be here and we have made some progress on some of these initiatives that we've been working on. Second analysis, all commissioners stipends have been paid accurately and regularly save two commissioners. Those commissioners have been identified and we've worked through those payments, moving forward, and we will track this quarterly. Also with the help of some cross-functional partners we've been looking at the Compensation Class Analysis. An Administrative Assistant salary has been adjusted. Office Assistant, a title and salary has been adjusted. A Legal Assistant, there has been a title change and then the Attorney, we have confirmed that their salary to be up to standards. We could not have made these changes without the approval of the Board. Other things that we're passionate to be working on now, and looking into the future. The Budget Amendment recommendation excited to meet with the Budget Committee next Wednesday and then from there we will be bringing this to the Board to show our recommendation for the budget to bring to City Council. There is the Budget Audit where we're tracking any and all changes to the budget via salary change, title change that's an ongoing project. We are coming up on the fiscal year preparation for next fiscal year's budget preparing for the Class Comp. Analysis which is ongoing, and then looking at the DPD's Budget and that analysis.

The following inquiries require responses from the BOPC and/or DPD: **Vice Chairperson Holley** expressed I want this community know, as far as you're concerned, as far as this commission, this Board Police Commissioners, everything is intact. What I mean by that is there's no malfeasance, there's nothing that basically to give any commissioner or anyone is in this city, we should be concerned about anything in this budget that's not shouldn't be there. **Commissioner Hernandez** inquired about the surplus that BOPC has, if you remove the Merrill Plaisance contract. **Commissioner Holt** discussed the surplus and inquired there are plans to exhaust these funds. **Commissioner Bell** expressed I am somewhat sensitive to staff statement. I think he's following the lead of the staff and other Commissioner about allegations, that we have somebody that has changed salary. That is not a proven fact. That is not proper protocol for this body. As Vice Chairperson Holley has stated just last week, there no factual allegation. There's an investigation going on. Let the investigation be completed and come forward. We have no timeline to dictate to Inspector General in terms of any information coming forward. It's up to them, they are independent body.

XIII. Report from Board Secretary Victoria Shah / Communications Submitted to BOPC as incoming information:

1. Monthly Budget Actuals Presentation to the Board 10052023 Final
2. Analysts Applicants October 2023
3. Mayor Meeting 09222023 Notes
4. Mayor Meeting 08292023 Notes
5. Attorney Profile Packet Stephani LaBelle
6. ALWOP Consideration Brown 09282023
7. Commissioner & Community Partnership Memorandum 10032023
8. Cover Letter Porter Burks Video 10022023
9. Investigator Applicants October 2023a
10. Investigator Applicants October 2023b
11. Investigator Applicants October 2023c
12. Corrective Action Packet Ainsley Cromwell
13. Outstanding DPD Requests 10052023
14. Response to Lieutenants and Captain Seniority Lists 10022023

Board Secretary Shah provided an overview of the incoming correspondence and several updates for the Board. We have some good news regarding the Youth Advisory Panel Ms. Blossom has been working hard to vet those applications. There are 14 new eligible applicants that have been received by the Board's office, and Ms. Blossom is reviewing those applications, and we'll have a formal report for the Board and the community. In regards to Outstanding DPD Request for October 5, 2023, one of those requests was for the video for Porter Burke's critical incident. Any commissioner is welcome to visit the Board's office to watch that video if you desire, and Staff has reviewed the footage and is considering how to have that published. We'll have further discussions with the Chair about that as well, and the legal department. For staffing updates, the amendment that was approved by the Board most recently was for the Legal Assistant to be removed and replaced with the Executive Assistant 2 in support of legal functions and supporting the oncoming attorney. The Board approved that position amendment on last week, and the amendment is going through the formal approval channels through the various city departments. We have open Investigator positions, on September 28, 2023 the Board voted to accept Investigator Joseph Moseley's resignation creating an opening. In addition, Investigator Pastella Williams submitted for her retirement, which will be effective November 3, 2023. 52 applicants were receive to fill five Investigative positions. Commissioners, you received all those applications via email on Wednesday and then again, today in your electronic packet. The Chief Investigator is screening applicants and will provide recommendations for interviews to the Personnel and Training Committee. Committee Chair Holley feel free to advise, if you would like the committee to conduct those interviews, or if myself and Chief Investigator should conduct those interviews. In addition, for the BOPC Analyst TASS position there are 17 applicant applications received. Commissioners, you have also received those applicants' applications and I am screening those applicants, and we'll provide a recommendation for interviews to the Personnel and Training Committee. Again, those interviews will be either conducted by the committee or by the Secretary and Chief Investigator depending on direction from the chair. For critical incident debriefs, an Officer-Involved Shooting took place on October 1, 2023 the Chief's office is not yet advised the date for the Board's debrief as of yet. I did share a couple of links to some media coverage on the matter, and as soon as the Board's office receives the date for the debrief, we will share that with the commissioners. Lastly, in regards to OCI, on last week the Board approved the reopening of 256 cases identified as being closed without full investigation in 2022. OCI is working to facilitate the reopening of those cases. In addition, OCI is prioritizing cases approaching one year from the incident date and more recent cases. OCI also developing a regular reporting cadence for the Board to increase transparency into the inventory on a weekly basis. OCI is also leveraging performance improvement plans and process improvements to increase production to closing two cases per week per investigator.

The following inquiries require responses from the BOPC and/or DPD: **Commissioner Moore** inquired concerning the mayor's meeting on Board vacancies it says Deputy Chief Hayes is coordinating interviews So am I, clear, in understanding that the mayor has appointed DPD to select who they're going to put on this Board? Is the information we receive in our packet public knowledge? Is it Foiable? **Commissioner Burton** expressed we have several vacancies that needs to be filled as a Board. Just keep in mind, for my colleagues and also for Board staff that when we start doing the interviewing process to bring on additional staff, that ought to go before the subcommittees, and then from the subcommittee comes out to the Full Board to weigh in. I believe our Corporation Counsel has spoken to that before. **Commissioner Bell** affirmed Corporation Counsel cautioned us to delegate certain authorities to the Staff. There is an opinion that we should review, and we should do that before we yield that type of Investigator interviews taking place that suggest delegating authority. It is an opinion that we have received in the past. **Commissioner Burton** indicated to weigh in a little bit further, we have a process where things came before subcommittees, and they worked out a committee into the Committee of the Whole. I would like it that we continue to stay on that course, it is a practice that is recognizable with other Boards and other voting bodies. **Vice Chairperson Holley** my concern is this, as I looked at the notes, I think we should make sure that the mayor's office should know we basically want to distribute those notes from the leadership meeting. We are trying to be transparent, obviously, and I think all those meetings that we have with the mayor are really for leadership and trying to make some decisions before we come back here. I think you and the Chair ought to have that conversation about the mayor remarks being published. **Commissioner Hernandez** clarified there are three separate items that we are mixing. I think what Commissioner Burton was referencing, and I don't mean to speak for him was in regards to the Investigator positions, staff positions that are available and open. From what I'm understanding from Commissioner Bell, there's some level of guidance from Corporation Counsel that was provided in the past. I think the request is to actually pull that guidance that was given to us as to how, so that we can determine where those interviews should take place. Whether it's in committee or staff is delegated to do it or not. I just wanted to clarify that.

XIV. Announcements.

Board Secretary Shah announced the following:

Next Meeting: Thursday, October 12, 2023, at 6:30 p.m., hosted by the 7th Precinct at St. John Presbyterian Church, 1961 East Lafayette, Detroit, MI 48207.

Next Community Meeting: Thursday, November 9, 2023 at 6:30 p.m., hosted by the 6th Precinct at New Providence Baptist Church 18211 Plymouth Road, Detroit, MI 48228

Monthly Committee's Meeting Schedule for October 2023

Policy Committee Meeting

Monday, October 9, 2023 at 5:00 p.m.

Budget Committee Meeting

Wednesday, October 11, 2023 at 5:00 p.m.

All Committee Meetings will take place in the Detroit Public Safety Headquarters and Via Zoom

Commissioner Bell expressed we have spent a lot of times talking about overtime issues, and I want to say that when you were Chairman, Commissioner Ferguson and myself met with the mayor, and he approved overtime exempt. We went through HR process, it was not a casual type thing, they had to monitor, and we went by their criteria. I just want to get that on the record. We all have had the COVID backlog, City of Detroit, Wayne County Prosecutor you name it backlog. This is not unique to this Board. I just want to pose one question to the Board Secretary and Chief Investigator. What is the criteria for administration closure without doing an investigation?

XV. New Business

XVI. Unfinished Business

XVII. Adjournment.

Vice Chairperson Holley adjourned the meeting at 5:45 p.m.