

Draft Minutes Detroit Board of Police Commissioners
Date of Meeting: Thursday, November 9, 2023 – 6:30 PM
Location: New Providence Baptist Church, 18211 Plymouth Road, Detroit, Michigan 48228

- I. **Chairperson QuanTez Pressley** called the BOPC Board Meeting to order at 6:30 p.m.
- II. **Invocation.** Rev. Ronell Booker, Executive Associate Minister 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	
Tamara Liberty Smith	Yes	
Linda D. Bernard, Esq.	Yes	
Cedric Banks		Excused
Willie E. Bell	Yes	
Willie E. Burton	Yes	
Lisa Carter	Yes	
Ricardo Moore	Yes	
Jesus Hernandez		Excused
Rory Gamble		Excused
Quorum (Yes)	8	

- IV. **Chairperson Pressley** requested the approval of the Agenda for Thursday, November 9, 2023. The motion was accepted and adopted.
- V. **Chairperson Pressley** requested the approval of the Meeting Minutes for November 2, 2023, with any corrections. The minutes were adopted as presented. **Chairperson Pressley** requested the approval of Closed Session Minutes for November 2, 2023, Administrative Leave without Pay, but with Medical Benefits regarding Sergeant Terence Sims, Badge 113, assigned to Second Precinct. 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.**
 - A. **Certifications of Appreciation** presented by Commissioner Moore to community members' within 6th Precinct. Veronica Armstead, Linda Ballard, Yvette Bass, Police Office Lashawn Brown, Mary Brown, Dr. Patricia Butler, Kenyetta Campbell, Peggy Dankert, Clois Foster, Lorraine Harris, Donna Harris, Crystal Hart, Lynn Hausch, Teresa Hunter, Police Officer Heather Ivey, Police Officer Kendall Jefferson, Bobbi Johnson, Shinese Johnson-Wingo, Mary Marsh, Barbara Matney, Kathy McBride, Mary McGhee, Carrie Mcknuckle, Kelar Newsome, Police Officer Victoria Overton, Sally Petrella, Shirley Rankins, Yvonne Robinson, Sylvia Roland, Shayne Sisco, Kimberly Stanton-Clemons, Ebony Teague, Elizabeth Tindell, Paula Trilety, Joanna Underwood, Police Officer Nicole Wallace, Angy Webb, Sarah West, Theresa Williams.
 - B. **Youth Advisor Panel – Commissioner Carter** stated, it has been my honor to work with former Police Commissioner Annie Holt as well as staff and others to create a youth group to work with the Board and ensure the voices of young Detroiters are heard regularly and have impact. Last year we, the Detroit Board of Police Commissioners voted unanimously and approved a resolution to create a Youth Advisory Panel. Thanks to the hard and fast work of the staff as well as other police commissioners. The first Youth Advisory Panel met November 8, 2022. Our Youth Advisory Panel is now one year old. Tonight we want to recognize the historic first members and their service during the last year. As I call your name, would you please stand and come to the podium. Alexis Escoto, Keyaira Johnson, Perriel Pace, Ilana Spencer and Angelica Williams. These youth had their say on all policies and issues

that came before the Board during the last year, and often before our nation. Facial recognition, license plates readers, fatal police use of force investigation just to name a few. So Alexis, Keyaira, Perriel, Ilana, and Angelica, we present you with this Certificate of Appreciation for serving as an inaugural member for the First Youth Advisory Panel for the City of Detroit Board of Police Commissioners. Your outstanding contributions have advanced civilian oversight of law enforcement and police community relations. Mr. Chair, at this time I would like to pause and give the Youth Advisory Panel their certificate. **Chairperson Pressley** said, "We are so grateful for your trailblazing service for the Detroit Board of Police Commissioners. **Commissioner Carter**: Now, I would like to welcome 11 new members of the panel that we affectionately call YAP. Going into 2024, YAP, will cover all of our districts and most DPD precincts. They are very diverse and representative of Detroit. So I ask that the returning members and the new members, please stand up to take the YAP Pledge. The YAP meets once a month on the second Wednesday on Zoom. **Chairperson Pressley**, once again, expressed congratulations and as close as you are to these seats is an indication of your future. We look forward to you replacing us. **Commissioner Carter** reiterate that the YAP meets once each month on the second Wednesday on Zoom. Those who missed tonight's meeting will take their pledge at the December meeting, and the Board will continue to get reports and updates from youth and the panel.

Chairperson Pressley expressed that we are excited that now the Board is fully staffed, with our most recent member Rory Gamble. We look forward to welcoming him at our next meeting and we are in great anticipation and expectation of the productivity that this Board can now have, and now that we are fully staffed.

VIII. Community Impact Report.

Chief Investigator Warfield indicated Commissioner Hernandez always encourages us to make sure that we're ready to handle citizens who may have language barriers or other barriers. This week was a prime example, we had someone come in who was hearing impaired who needed to file a complaint. I certainly want to thank the Mayor's office, we want to thank Civil Rights office as well. We were able to service that person through Zoom in our office with an interpreter. I'm very proud of the investigators, Investigator Meisner and Investigator Counts who did excellent job and setting it up for us. It was a walk in citizen, and we were able to take care of it. So just very proud of the team that we have behind us at Office of the Chief Investigator. The mission of our office is again to fairly, effectively and objectively receive, investigate, and make recommendations regarding complaints concerning the Detroit Police Department and its personnel. It is the goal of OCI to assist in improving the quality of law enforcement services by instilling citizen confidence in the integrity of the Detroit Police Department. One of the tools that we use to help us in our investigation is the Body Worn Cameras that officers use as they're out in the field. The question is who is required to wear Body Worn Cameras, according to DPD Policy, all sworn members at body worn camera equipped commands who have citizen interactions in the daily performances of their duty are mandated to wear body worn cameras, unless an exception is specified in this directive. Except as otherwise provided in the directive of the body worn camera shall be activated prior to initiating or as soon as practical. After initiating the following police actions, I will provide those actions in a minute. When can a Body Worn Camera be deactivated? If a member purposefully deactivates their body worn camera without justified cause, they may be subject to disciplinary action; members are instructed to not deactivate their body worn cameras until that scene has cleared until they have left the scene. Why shall members activate their Body Worn Cameras? Members shall activate their Body Worn Cameras to record all significant contacts with citizens, which are or could be, reasonably determined as pertinent regarding the performance of their official law enforcement duties. What is a significant contact? Its calls for Service, vehicle stops, execution of search, and or arrest warrants, citizens encounters which necessitate police involvement. Those are some of the things that they have to record. Once activated the Body Worn Cameras shall remain on until that event is completed in order to ensure the integrity of the recording. If a member knowingly fails to activate his or her body worn camera or if the member determines that the Body Worn Camera fail to activate, due to a technological malfunction. The member shall document on their daily detail, why the recording was not made. This Board has talked about the importance of Body Worn Camera footage and we follow the policy very strictly when we are investigating these cases. To make sure for whatever reason, we don't have Body Worn Camera footage that is documented in the officers daily detail and if it's not documented, then we do sustain the officer. How Body Worn Cameras trigger to activate? There are few areas that actually the Body Worn Cameras will come on automatically. If the police cruiser reaches a certain speed and that speed in Detroit is 90 to 95 miles an hour, then the cameras automatically come on. Another way that they are triggered is that if the back doors of the cruiser opens because there are cameras inside the car as well, that records the back seat and front. When you have the emergency lights to come on or the siren to come on the cameras are activated. Also, if there is hard breaking, if there is a hard stop to the vehicle, the cameras are activated. And before I go into the numbers, I want to thank, certainly the Chief's office, Deputy Chief Bliss, also the DoIT team, Mr. Robert Millender for answering some of the questions that I had put in that part of my presentation. The statistics that we have

for October of 2023, we have a total of 1,323 open cases at OCI. Of those 1,323 cases, 450 of them are within our zero to 90 day period before they reach back log status. We have 873 cases now that are in the backlog status. That number jumped significantly by about 260 cases. Those are the cases that the Board said that we need to reopen to investigate. Those are the cases that we know were closed, but did not have complete investigation. We added that number to the aged cases and now our backlog number is 873. When we look at our close cases versus our submitted cases versus investigators that we have on our team that's able to do investigations. When you look at the total cases, the total cases submitted and the investigators that are that are available right now to do cases. When you look at the total cases that have been submitted and you look at the total cases that are actually closed it is about 111 cases for the month of October that Investigators have completed their investigation and turn those cases in for review. In addition to that, some of those cases actually had actually closed. Why is that important for me to point that out that way? Simply that you know that the workload is getting done. We do some very intensive reviews of these cases. When you're signing your name to that bottom line, you know that you have a very thorough investigation in front of you, and so there are times that we have the Investigators go back and revisit their findings. There are times where we will consult with policy, and others to make sure that what we are writing in our investigations is very accurate and to the point. Once the Investigator completes their investigation, it goes to their supervisor. Their supervisor then reads their investigation and either sends back for corrections, or they'll send it on to our Quality Assurance Reviewers. Our Quality Assurance Reviewers will take a fine look at that investigative report, and then send it to myself for final approval or for more investigation. We have a very thorough check and balance system within the Office of the Chief Investigator. But again, for the month of October, you're looking at a 111 cases that were either submitted and or closed that month. We are still understaff, we have five new investigators who have just completed their six months of being with OCI. When you look at the budgeted staff, our budgeted staff is for 18 investigators. Right now, we are at 13, however, that number is really 12, because one of our investigators we use on a month-by-month basis as a Quality Assurance Reviewer. So it's really 12 that are in rotation at this particular time. When you look at OCI Investigators, the cases that we've closed in 2023, 808 cases to date, that we've closed in 2023, and we've received a total of 1,458 citizen complaints to date. The total CCR allegations received in October as I think Commissioner Bell knows all too well, what leads the way is procedure followed by demeanor, and then, of course service, and those numbers bear out. In the month of October, we received 157 citizen complaints and a total of 374 allegations. As I've said before, in my report each complaint that we have, or a lot of the complaints that we have had multiple allegations to it. Our allegations of findings, and I think, Chairman, you had asked for this a few meetings ago. What are the results of our investigations moving forward? When you look at the ones that are close again and I think September 2023 when you look at those that had no charge, that was 25% of those allegations that came in unfounded was 18%, sustained with 15%, our administrative closures was 14% and last time I presented we talked about the Administrative Closure Investigation Process. Exonerated was 11%, Inclusive was 8%, Void was 8% and duplicates were 1%. Now duplicates and void is almost the same category. One we catch on the front end. In other words, someone has the complaint in about the exact same situation. It's exact, pretty much exact, same complaint, the other we've we catch later because it is slip through, but void and duplicate really can be one category. OCI Investigators closed 224 allegations in September 2023 and 15 of those allegations were sustained. The Investigators closed 198 allegations in October, 9% of those allegations were sustained. I talked about the Body Worn Camera footage early in the presentation. That is just a great tool from the standpoint that it also exonerates a number of officers from the complaints that we get in, were able to see the Body Worn Camera footage, the tremendous job that officers are doing through that tool. And so we were certainly grateful to have that tool in our bag. Allegations closed versus sustained from January 2022 through October 2023 and you can see that it is fairly consistent to average out to be about 10% of sustained cases for a year.

Several inquiries require responses from the BOPC and/or DPD: **Commissioner Bernard** commented for the audience our office receives any and all complaints that you may have about police officers. That's what the Office of the Chief Investigator does. You call in, or you can do it online or by walking into a precinct the forms are all there. If you or any member of your family have an issue with respect to the way a police officer conducted himself. Then you are welcome to come and let our office know about it. Our Investigators investigate it. We talk to you and you will get a written response back. It's very important to us. We of course, celebrate our police officers, but, as we have been told by many citizens the issue of police misconduct is what we have to focus on. **Commissioner Burton** expressed, I have advocated and fought for Citizens Complaint forms to go on a city website which they are located at detroitmi.gov under the Board of Police Commissioners page, so you don't necessarily have to get a Citizen Complaint form from an officer. But we also want to hear good stories that you may have in the community about an officer that went the extra mile. Those are good testimonials you could share with the Board your input definitely matters a lot to us. **Commissioner Bell** excellent report. I just wanted to remind the community that the officers are concerned that sometimes you are not accurate in terms of report. I agree with Commissioner Burton, that officer are there 24 hours, outstanding job, as you know, not

just the NPO's, but the officers in uniform, patrolling every day. Keep that in mind that they are there for you, and I know the 1,000 runs they make. In most cases, they do an excellent job. We sometimes only hear about the negative encounter, and by all means that is our function. I do want to share with the Commissioners the position that strongly been advocated by Mark Young, Lieutenant Sergeant Association President an article from the Bars and Stripes.

IX. Chief of Police Report & 6th Precinct.

Deputy Chief Franklin Hayes reported on current CompStat Crime/Statistical Data for Violent Crime and Property; and recent critical incidents impacting the DPD and the community. See the attached Meeting Transcripts posted to the Board's webpage.

Several inquiries require responses from the BOPC and/or DPD: **Commissioner Moore** inquired an update on last week when Chief White stated that he would have a report on facial recognition to the Board. Do we know the status that report? My second question the 48-hour rule, as it relates to arrests. You mentioned the Samantha Woll's homicide. Can you explain to the public what the 48-hour rule is, as it relates to holding suspects without a warrant? There has been a lot of movement at the Second Precinct. The citizens cannot get a chance to relate to the Commander. The Commander tonight was at the Second Precinct just two weeks ago. What are we doing to notify the citizens proactively of the movements taking place in the precincts? Of course, that is the Chief's prerogative. At the same time, City Charter says, we should be submitted to the people. The police department should be submitted to the people. So what can we do to prevent these further actions from happening again? **Deputy Chief Hayes** A document was submitted to my understanding for the information that was requested. And that has been sent through channels to your office. Speaking to your second question, so there are two numbers, and actually there's a 48 hour, and then there's a 72 hour piece that I must speak, just too kind of put it all in context. Michigan State law dictates that from the time a person is arrested, they have 48 hours to be arraigned. There's another 24 hours in which once they are arraigned, that hearing must happen for a total of 72. To your last question, Commander Newson, you obviously left some big shoes to fill at the Second Precinct, but when movement is made, we do our very best to update, and meet the community, and formally introduce ourselves. **Commissioner Burton** inquired when it comes to secure Cities partnership. What is the department's thoughts about the secure City Partnership? And how is that working in Detroit? **Deputy Chief Hayes** I don't know the specifics of the program you've mentioned. However we continue to work and embrace any initiative that we can to make our city safe.

6th Precinct – Commander Vernal Newsom and Captain Michael Dicicco. Commander Newsom provided information on the 6th Precinct geographical boundaries, staff and summary of overall crime statistics within the 6th Precinct and activities and operations.

The following inquiries require responses from the BOPC and/or DPD: **Chairperson Pressley** asked what happens to the confiscated firearms?

X. Oral Communications / Public Comments.

Ms. Charnita Williams, Mr. Roo, Mr. James Ford, Ms. Cristiano Banks, Ms. Cherise Greer, Ms. Locelsha Montgomery, Mr. Ronald Foster, Mr. Arthur Edge, D4 CAC Member Scotty Boman, Former Commissioner William Davis, Ms. Tiffany Thompson and Ms. Ilana Spencer provided public comments.

XI. Presentation to the Board – 6th Precinct Police Community Relations Council – Mary McGhee

A. 6th Precinct Police Community Relations Council – Mary McGhee discussed the different organizations within the 6th Precinct, block clubs, community organizations and also the CB Patrol. Sharing information to keep the community together in a positive direction. This is a beautiful place to live. I would not live anyplace else. I am glad that we have a new Commander. I personally have issue, we train them, and the Chief takes them away. I know we have excellent people, and we do have this camaraderie with our officers, our NPO's, and Sergeant Lee. Let them stay around a little longer. Our meeting is the last Wednesday of the month and we are meeting by Teams. We are not meeting for the month of December. See the attached Meeting Transcripts posted to the Board's webpage.

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

1. YouthAdvisoryPanelMemorandum_11032023
2. FOIA_BOPC Meeting Packet
3. Outstanding DPD Requests_11092023
4. 2024 Calendar_DRAFT
5. Rory Gamble BOPC At Large Appointment Letter
6. Attorney Letter Of Understanding BOPC_11022023_Signed

Board Secretary Victoria Shah announced incoming correspondence are outlined in your agenda including the updated tracking of outstanding requests to DPD for data and information. The City of Detroit will be observing Veteran's Day on Friday, November 10, 2023 and BOPC and OCI offices will be closed that day. Due to the NACOLE Conference, a quorum of Commissioners will not be present for the November 16, 2023 Board meeting. The Board may convene the meeting without a quorum, take public comments and adjourn. There will be staff present to support. City Council had their formal session on Tuesday, November 7, 2023 and confirmed Commissioner Rory Gamble's appointment to the Board of Police Commissioners effective immediately through October 17, 2028. Commissioner Gamble was on boarded at the Detroit Public Safety Headquarters office on yesterday. Commissioners, please reference your packets for the first draft of the 2024 BOPC Calendar. It has incorporated a concept of community meetings being based on district rather than precinct. If the Board chooses to go in this direction. In regards to staffing updates, the Board voted November 2, 2023 to adopt a letter of understanding establishing Stephani Labelle as the acting Board Attorney for 90-days, you have copies in your packet of the signed letter. Attorney Labelle was on boarded at Detroit Public Safety Headquarters on the sixth of November, and plans to join staff at the board table starting November 30, 2023. In regards to open positions for Investigators and Analysts. On last week's meeting, the Board voted to offer contingent appointments to five Investigator candidates and one Analyst. HR is currently negotiating salaries and conducting background checks, tentative start date for these individuals will be November 27, 2023. The position of the Executive Assistant 2 that position is now posted on the city website for interested and qualified individuals to apply. The last item in my report is related to Budget and OCI staffing. Chief Investigator gave updates today on OCI inventory and staffing levels. Commissioners, we want to thank you for doing your part interviews, appointment considerations, budget, and position amendments. You are definitely doing your part to get the BOPC and OCI fully staffed to budget, and that is greatly appreciated. Staff continues to navigate changing direction and processes with various city departments. However, we are committed to secure the staff and skill sets necessary for the Board to fulfill its charter mandated functions, and establish and maintain public trust. Chief Investigator and I have been working with the City of Detroit LEAN team to identify areas to gain efficiencies and increase quality in the OCI processes, including submitting an RFP for a new case management system, while efficiencies will certainly be gained. It will not be a 1,300 cases worth of efficiencies. OCI needs more Investigator hands on deck, there really is no way around that. Executive Manager Drew Fries has communicated to the Board that BOPC is under spent against its FY 2023-2024 Budget. It's currently \$278,000 under spent and projected to be over \$500,000 under spent by the end of the fiscal year. Understandably, BOPC needs to first exhaust this excess budget prior to pursuing a budget increase which will still be needed. There is sufficient surplus to hire six Investigators for up to 6 months to help with the back log. Remember, the need is closer to 20, which is why a budget increase is still needed. HR has advised that BOPC Staff refrain from hiring task workers and to instead use the surplus to add actual union Investigator positions to the budget and hire. Then, when the surplus is exhausted, to pursue layoffs based on seniority. Staff is waiting for budget and finance to approve, leveraging the current surplus to add those six union Investigators. Due to the NACOLE Conference and Thanksgiving the Board will not be meeting with a quorum for 2 weeks. Staff recommends that the Board approve the addition of up to six union Investigators to the FY 2023- 2024 budget using existing surplus and pending the approval of budget, finance, HR and LR. This to allow Staff to move forward with any necessary amendments during the 2 weeks that the Board is not meeting.

Commissioner Bernard motioned, "that the Board of Police Commissioners amend the current budget to add up to six Investigator positions, leveraging the under spent monies in FY 2023-2024 budget pending approval from HR, LR, Budget and Finance. The motion was adopted.

XIII. New Business.

Commissioner Burton motioned, "that the Board of Police Commissioners move our meeting to the following day, Friday, November 17, 2023 at 3:00 p.m." The motion was adopted.

The meeting again for all of the public, and we'll make sure that that is communicated is not next Thursday, November 16, 2023, but rather next Friday, November 17, 2023, at 3:00 p.m. at the Detroit Public Safety Headquarters, appending that there's no scheduling conflict in that regard.

Commissioner Bernard acknowledge the presence of Lily Robinson, who is a Mother. Derek Anderson, who is a Dad and the loss of their son, Lovell Anderson. Who was attacked by a Pit Bull dog and killed.

I'd just like to say, on behalf of myself and behalf of our colleagues, and especially Tamara. I just wanted to acknowledge your presence here this evening, and tell you that you have, I think, mine and all of our colleagues prayers, and if there's anything that we could do for you. I just wanted to convey my condolences, our condolences. Commissioner Smith do you have anything to add? I did get a chance to go over to the viewing, and speak with the family, and pay my condolences. I was at the candlelight. I'm just so sorry that this has happened. My deepest condolences go out to you and the family.

Commissioner Burton motioned, "that the Board of Police Commissioners 2024 schedule should include at least two sites at schools."

Commissioner Burton amended motioned, "that the Board of Police Commissioners 2024 BOPC schedule should include at least one of our meeting will be held at a school." The motion was adopted.

XIV. Adjournment.

Chairperson Pressley adjourned the meeting at 8:36 p.m.