



POLICE DEPARTMENT

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Via E-mail Delivery

August 23, 2023

Mr. QuanTez Pressley, Chairperson
Board of Police Commissioners
Detroit Public Safety Headquarters
1301 Third St., Suite 7S-767
Detroit, Michigan 48226

RE: BOPC'S REPORT OF OUTSTANDING ITEMS

Dear Chairperson Pressley:

I have been briefed on the Board's recent report of outstanding items from the Detroit Police Department (DPD). As part of my commitment of transparency and cooperation, I am providing this written response to the Board with each item to be addressed in turn.

1. Report on Missing Persons

The DPD is providing the Board with a presentation on missing persons in the coming weeks.

2. Disciplinary Cases

As the Board is aware, the DPD has provided one year of disciplinary data. I am aware that the Board has requested the data set to go back to the beginning of 2022. This information is being collected and will be sent before the end of the week.

3. Porter Burks Footage

On August 17, 2023, you publicly stated that DPD already provided video footage immediately after the incident. You further stated that you understood that this was an open and active investigation as there was a lawsuit being handled by the Law Department. Based on this, it is my understanding that no further action is needed from the DPD on this issue.

4. Arrest of DPD Members



CITY OF DETROIT
POLICE DEPARTMENT

BOPC's Report of Outstanding Items
August 23, 2023
Page 2

My understanding is that the Board is requesting two things on this issue: an arrest notification; and arrest data for the past five years. Both issues involve the DPD releasing pre-adjudicated and / or non-adjudicated personnel information to an independent body. As this release of information may give rise to legal obligations under the Bullard-Plawecki Act, significant changes in workplace practices, and other labor issues, I am obligated to put the unions on notice of our intent to share this information with the Board and to facilitate appropriate notice to the members that may be impacted by this decision. I anticipate that this meeting will take place within the next 30 days.

5. Data Related to Internal Affairs / Force Investigations

For the same reasons as those outlined in Item #4, I am obligated to put the unions on notice of our intent to share this information with the Board and to facilitate appropriate notice to the members that may be impacted by this decision. I anticipate that this meeting will take place within the next 30 days.

6. Citizen Complaint Outcomes

The disciplinary data set provided includes information on the investigating command, including the Office of the Chief Investigator. We would ask the Board to clarify what additional information is being requested.

7. DPD Members Suspended with Pay

I have directed that this information be provided within the next seven days.

8. Police Report Accessibility Plan

It is my understanding that the Board's request covers two areas: increasing the number of locations at which reports may be obtained; and making reports available free of charge. The DPD has already responded to the Board's inquiry regarding fees, expressing in part that fees are set by the City Council and cannot be changed or modified by the DPD. However, I have directed that a fee reduction / waiver process be instituted so that indigent members of the community have access to reports.

On the issue making reports accessible at more police facilities, after careful consideration, I have concluded that doing so is not feasible at this time. However, I have directed that effective October 2023, the Records Unit will be required to maintain Saturday hours on at least one weekend per month. The DPD will later conduct an analysis to assess whether this change in hours is helpful.

9. List of All Non-Lethal Devices / Scope of Use



Last month, Assistant Chief Eric Ewing advised the Board of all non-lethal devices and expressed their scope of use and how they are deployed. Furthermore, he reminded the Board that they had previously been invited to attend a presentation regarding the devices and that some members had attended the presentation.

10. Take-Home Vehicles / Budget and Spend Analysis

This matter was the subject of a recent meeting where the difficulties of conducting this sort of analysis was discussed. At this time, conducting this sort of internal analysis is not feasible. Furthermore, any request that a private, third-party consultant conduct this audit would require formal procurement procedures be followed and that funding for the work be earmarked.

11. BWC Policy and Audit Procedures

It is my understanding that this information has already been forwarded to the Board. Please let me know if there are any additional questions regarding this subject matter.

12. Homicide / Domestic Violence Correlation Data

I have directed that this analysis be conducted. I anticipate that the request will be available within the next two weeks.

13. Additional Information Regarding Mental Health Calls

My understanding is that this request involves obtaining the following data sets: outcomes of calls, whether force was used in the course of DPD's response to the call, whether any form of lethal or non-lethal device was used, and whether the call involved a response by the DPD's CIT-trained officers. This request will require a substantial amount of research given the volume of mental health calls the DPD has received. However, I have directed that systems be created to capture the requested information so that these data sets will be available going forward.

14. Officers Injured in the Line of Duty

This request involves the DPD releasing information that will reveal the fact that a member has been injured in the course of his or her duties, or, alternatively, the nature of the injury itself. Either of these data sets involve releasing personnel information to an independent body. As this release of information may give rise to legal obligations under the Bullard-Plawecki Act, significant changes in workplace practices, and other labor issues, I am obligated to put the unions on notice of our intent to share this information with the Board and to facilitate appropriate notice to the members that may be impacted by this decision. I anticipate that this meeting will take place within the next 30 days.



CITY OF DETROIT
POLICE DEPARTMENT

*BOPC Outstanding Items
August 23, 2023
Page 4*

15. Release of the Facial Recognition Case File

My understanding is that this request involves releasing the criminal and / or administrative file related to recent lawsuit involving facial recognition. Both the criminal and administrative aspects of this matter remain open and active, and the release of this information at this time may negatively impact the criminal investigation or prejudice the officer involved in the arrest. For this reason, I cannot release this information at this time.

16. Enhancements to the Facial Recognition Report

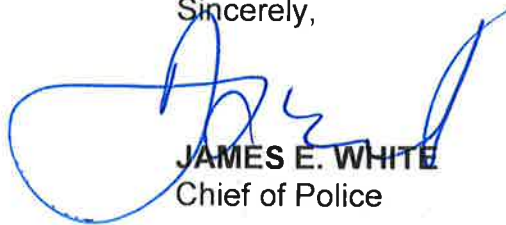
Deputy Chief Franklin Hayes is discussing this matter with Commissioner Bernard. The DPD will enhance the report based on these discussions to the extent feasible.

17. IA Investigative Report Re BOPC Staffing Concerns

This matter is the subject of an open and active investigation by DPD's Internal Affairs Unit as well as the City's Auditor General and Inspector General. In accordance with DPD's protocols and past practice, no information may be released at this time.

Please feel free to contact me should you have any questions at (313) 992-5580.

Sincerely,



JAMES E. WHITE
Chief of Police

JEW/map

List of Less-Lethal Tools / Scope of Use

Sabre OC / CS Chemical Spray

- Standard issue pepper spray for DPD members.
- Use of force option for gaining lawful compliance of actively resisting or aggressive individuals.

Taser X2 Conducted Energy Weapon

- Less-lethal standard issue CEW for DPD members.
- Less-lethal device used to gain control of actively resistive and actively aggressive subjects or those who pose a risk to themselves or others.

Bolawrap Restraint Device

- Non-pain compliance restraint device.
- Launches a 7.5 foot Kevlar cord with small barbed anchors intended to hook into the clothing and temporarily restrain a subject with minimal to no injury.
- Not effective in confined areas.
- Used to gain control of actively resistive and / or actively aggressive subjects or those who pose a risk to themselves or others.

Pepperball Launcher

- Compressed air, semi-automatic launcher that allows for quick dispersal of pepperballs which are filled with a powdered irritant agent.
- Pepperballs can be dispersed directly at a subject or indirectly at the surrounding area to disperse the agent.
- Indirect targeting disperses agent into subject area, direct targeting causes pain to the subject and also delivers agent into their surrounding area.
- Used to gain control of actively resistive and / or actively aggressive subjects or those who pose a risk to themselves or others.

40mm Launcher w/ Exact Impact Sponge Rounds

- High speed, lightweight, sponge-tipped round
- This is a direct impact round intended for less-lethal pain compliance but has a higher risk of injury to the target.
- Targeted areas should be thighs or lower abdomen to minimize risk of injury to the subject.
- Used to gain control of actively resistive and actively aggressive subjects who pose a risk to themselves or others.