



INTEROFFICE MEMORANDUM

To: Honorable Board of Police Commissioners
Commissioner Lisa Carter, Chairperson, Board of Police Commissioners
Commissioner Eva Garza Dewaelsche, Vice-Chairperson, Board of Police Commissioners
Commissioner Willie E. Bell, Immediate Past Chairperson, Board of Police Commissioners

From: Melanie White, Interim Secretary to the Board of Police Commissioners, Board of Police Commissioners

Re: Interim Secretary Report including Policy Division Updates

Date: Thursday, January 22, 2020

Under the authority of the Detroit City Charter Article 7, Chapter 8, Sections 7-802, 7-803, and 7-806, the following includes policy updates from the Board's Policy Division.

The attached packet is outlined as follows:

1. Policies pending Board Approval with Board's Recommendations:
 - a. Manual Directive Human Resources 101.6
 - b. Manual Directive Polygraph Examinations 203.12
 - c. Materials included: (all applicable draft directives and BOPC's Policy Division Recommendations)
2. Policies Pending Board's Review, Evaluation, and Research
 - a. Brady/Giglio Disclosure Requirements Manual Directive 102.10
 - b. Criminal Justice Information Systems (CJIS) Manual Directive 307.4
 - c. Tasers X2 (Conducted Energy Weapons) Manual Directive 304.7
 - d. Towing and Impound Procedures Manual Directive 204.4
 - e. Materials included: (all directives referenced above)
3. Facial Recognition Technology Updates
 - a. Materials included:
 - a. Recent Updated Report
 - b. BOPC Preliminary Report: Graphics Report and Excel Spreadsheet Report
4. DPD Towing Updates
5. BOPC and OCI Standard Operating Procedures Updates



1. Policies pending Board Approval with Board's Recommendations:
 - a. Manual Directive Human Resources 101.6:
 - a. Department transmitted updated copy December 9, 2019
 - b. Requesting Board Vote of Approval
 - c. **12 recommendations total; 3 were included; 9 will be added to Separate Policy Directive on Police Recruiting**
 - d. Based on the Board's substantial recommendations discussing Police Recruitment, the Department is currently researching and developing a separate policy on Police Recruiting.
 - e. The remaining 9 recommendations made by the Board will be incorporated in the separate Police Recruiting Policy.
 - f. Specific Recommendations included in the Human Resources Directive:
 1. Appropriate title for Director of Police Personnel for consistency with City Charter. See 101.6-2 Director of Police Personnel and Staff
 2. Specifying Director of Police Personnel information: specifically that the person selected is appointed by the Board and serves at the pleasure of the Board of Police Commissioners. See 101.6-2 Director of Police Personnel and Staff
 3. Requiring Police Personnel to maintain a complete and accurate personnel records for the following: resignation; maintaining residential history for all personnel history; maintaining up-to-date living roster of all police personnel; and maintaining a current list of personnel assigned to probationary status. 101.6-3 Police Personnel
 - g. Remaining (9) Recommendations will be placed in separate directive on Police Recruiting stemming from the Board's Recommendations:
 - a. Preparation of examinations with the concurrence of the Board;
 - b. Other Recommendations from the President's Task Force on 21st Century Policing:
 - i. Department's hiring and selection process includes objective process and comports with best practices;



- ii. Hiring candidates who share same values and vision of the community and department;
- iii. Making hiring process more efficient;
- iv. Advancing diversity and inclusiveness in the hiring process;
- v. Requirements for Background Investigators (such as Specialized Training and Ongoing Training to guard against implicit bias or unfair traditions);
- vi. Background Investigations Practices are regularly reviewed to prevent against disqualifying qualified candidates.
- vii. Requiring close inspection of all applicants' prior training and qualification records as well as complaint and disciplinary history.
- viii. Implement validated pre-employment screening to ensure temperamental and skill-set suitability for policing.

b. Manual Directive Polygraph Examinations 203.12:

- a. Department transmitted updated copy December 9, 2019
- b. Requesting Board's Vote of Approval
- c. **15 recommendations made; 15 accepted**
 - 1. Definitions for clarity; See 203.12 – 3 Definition.
 - 2. Adding Language Assistance for persons with health conditions. See 203.12 – 4.2 Arranging an Examination (4).
 - 3. Adding record keeping guidelines: Placing 5 year retention period in place for copies of polygraph reports. 203.12 – 6.3 Retention.
 - 4. Listing circumstances in which Polygraph Examinations made be used; 203.12 – 14.1 Requesting Polygraph Examinations.
 - 5. Procedures for conducting a Polygraph Examination (i.e. written consent required of the subject, or the subject's attorney). 203.12 – 4.2 Arranging an Examination



6. Assurance Measures conducted by Investigating Member when the subject displays uncertainty of the test procedure. 203.12 – 4.2 Arranging an Examination (7)
 7. Explanation of polygraph procedures provided by the Polygraph Examiner. 203.12 – 5 Responsibilities of the Investigating Member
 8. Required Minimum Items the Examiner must have before conducting examination. (I.e. copies of crime/offense reports and investigative reports, etc.) 203.12 – 5 Responsibilities of the Investigating Member
 9. Prohibition against misleading statements during Polygraph Examination. 203.12- 5 (2) Responsibilities of the Investigating Member
 10. Requirements for Polygraph Examiner to thoroughly explain polygraph procedures prior to the test. 203.12 – 6 Conducting the Examination (6)
 11. Medical Considerations 203.12 – 6.1 Physical and Mental Condition of the Subject.
 12. Considerations of Investigator and Polygraph Examiner working together through Polygraph Examination process.
2. Policies Pending the Board's Review, Evaluation, and Research:
 - a. Brady/Giglio Disclosure Requirements Manual Directive 102.10
 - b. Criminal Justice Information Systems (CJIS) Manual Directive 307.4 (updates required from the Detroit Police Department based on statutory requirements)
 - c. Tasers X2 (Conducted Energy Weapons) Manual Directive 304.7
 - d. Towing and Impound Procedures 204.4
3. Facial Recognition Technology Updates:
 - a. Pursuant to the Facial Recognition Manual Directive 307.5, 307.5 – 6.2 Weekly Report to the Board of Police Commissioners [requiring the number of requests fulfilled, crimes that facial recognition requests were attempting to solve, and number of leads] and 307.5 – 6.3 Annual Report to the Board of Police Commissioners, [discussing the



- production of relevant lawsuits or settlements involving facial recognition, the number of cases involving facial recognition, and any other relevant factors], the Department has generated an updated report to appropriately capture the Honorable Board's concerns.
- b. Commissioner Annie Holt and I met with Department Executives Captain Aric Tosqui and Director Trisha Stein, Administrative Operations, regarding various updates the Honorable Board previously requested including Chairperson Carter, Commissioner Griffie, Commissioner Holt, and Board Members' recommendations for the Weekly, Quarterly, and Annual Facial Recognition Reports.
 - c. Updated Report provided this week and ongoing Quarterly Reports will include the following:
 1. Summation of the Weekly Reports to reflect total number of leads generated; percentage of positive leads; number of convictions; and the status of positive leads that are not yet convicted.
 - d. Proposed Future Reports (Quarterly and Annually) to include: Demographics (i.e. race, age, gender, etc.), whether use of force was used to effect an arrest (to measure bias implications), Adjudications of Case Investigations (i.e. prosecution, conviction, wrongful convictions, etc.), time period between the Department's receipt of Facial Recognition Technology request and submission of a Facial Recognition Request, match identification, warrant submission, and case adjudication, whether other resources were used to produce positive or negative lead or used in connection with still image, i.e. Project Greenlight, Traffic-Light Mounted Cameras, etc. in addition to requirements outlined in policy directive.
4. DPD Towing Updates:
- a. Request to delay Towing and Impound Manual Directive 204.4 pending local ordinance updates and finalization of tow management software procurement process.
 - b. Proposed Amendment to BOPC Tow Rules to reduce mandatory operation hours for private tow lots.
 - c. Request to modify tow assignments to efficiently and reasonably accommodate the "equitable distribution of tow."



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- Provided proposed list of Police Authorized Towers (rotation).
- d. Notification to BOPC regarding Rotation of Tow Assignments;
 - e. Request to Amend the Tow Economic Hardship Relief Rules to eliminate formalized process for requesting hardship relief;
 - f. Pending investigation by the Office of the Inspector General regarding V & F Tow Company.
 - g. Full DPD Tow Update is tentatively scheduled for March 5, 2020, at 3:00 p.m., during Board Meeting.
5. BOPC and OCI Standard Operating Procedures Update:
- a. Projected date for draft submission: February 6, 2020
 - b. Finalizing research on various operational items as well as including City policies.
6. Meetings with Various Departmental Entities and Labor Unions on behalf of Honorable Board: Continuing to meet with various Departmental entities and unions to build better communication and relations toward effective oversight measures and DPD operations.
7. Currently Scheduling Quarterly Medical Marijuana Facilities Updates Presentation with the City of Detroit Law Department and Union Presentation regarding police pensions and benefits.