

Draft Minutes Detroit Board of Police Commissioners
Date of Meeting: Thursday, February 22, 2024 – 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 Angela Stallworth provided the invocation.
- III. **Announcements.**

Board Acting Secretary Robert Brown announced the following:

Next BOPC Meeting: Thursday, February 29, 2024, at 3:00 p.m., at Detroit Public Safety Headquarters in the Skylar Herbert Room, 1301 Third St., Detroit, MI 48226.

Next Community Meeting: Thursday, March 14, 2024, at 6:30 p.m., hosted by the 10th Precinct at Dexter Avenue Baptist Community Center, 3350 W. Davison St., Detroit, MI 48238.

Monthly Committee Meeting Scheduled for February 2024

Citizen Complaints Committee Meeting	Tuesday, February 27, 2024 at 5:00 p.m.
Policy Committee Meeting	Tuesday, March 5, 2024 at 5:00 p.m.

All Committee Meeting are held at Detroit Public Safety Headquarters

- IV. **Report from Acting Board Secretary Robert Brown / Communications (Submitted to BOPC as incoming information)**
 - A. Letter from Sudnick Law dated 02192024
 - B. Public Inquiry 02152024
- V. **Oral Communication / Public Comments:** Minister Eric Blount, Ms. Bernice Smith, Ms. Fredia Butler, Mr. Renard Monczunski, Mr. Chris Gilmer-Hill, former Commissioner William Davis and Mr. Scotty Boman provided public comments.
- VI. **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	
Willie E. Bell	Yes	
Tamara Liberty Smith	Yes	
Linda D. Bernard, Esq.	Yes	
Cedric Banks	Yes	
Willie E. Burton	Yes	
Lisa Carter	Yes	
Ricardo Moore		Excused
Jesus Hernandez		Excused
Rory Gamble		Excused
Darryl Woods	Yes	
Quorum (Yes)	8	

- VII. **Chairperson Pressley** requested the approval of the Agenda for Thursday, February 22, 2024. The motion was accepted and adopted.
- VIII. **Chairperson Pressley** requested the approval of the Meeting Minutes for February 15, 2024, with any corrections. The minutes were adopted as presented. Chairperson Pressley requested the approval of Closed Session Minutes for February 15, 2024. The minutes were adopted as presented.

IX. Introductions of Board administrative and investigative staff, the Chief of Police, Elected Officials or Representatives and Community Leaders.

X. Chair's Report. Chairperson Pressley expressed at our last community meeting there was a title given to meeting attendees calling them committee members. After the review of the bylaws there is currently no policy that allows for either staff or community citizens to be considered as committee members. Therefore, we will hold off on giving that title until a policy has been established. But they will be counted on the record as meeting participants. Again, as we prepare for our next community meeting. We know that it has become a practice to ensure that we honor individuals in our community who has done amazing things, but I do encourage all of our commissioners to review the award protocols, because again, the awards that comes from this body should be focused on public safety and oversight. We want to make sure that we align our commendations with that criteria. We want to make sure that it maintains its weightiness by ensuring that we honor those who indeed are doing amazing work in those regards.

XI. Resolutions.

A. Vice Chairperson Bell read the resolution honoring Lieutenant Rodney Cox (Retirement).

**RESOLUTION HONORING
LIEUTENANT RODNEY COX**

WHEREAS Rodney Cox was appointed to the Detroit Police Department on February 22, 1993. Upon graduating from the Detroit Metropolitan Police Academy, Officer Cox began his career at the Thirteenth Precinct Patrol Operations Section (POS); and

WHEREAS Officer Cox had multiple assignments. From July 1994 until 1998, Officer Cox served within the Housing Support Division, patrolling and ensuring the safety of public housing residents. He was later assigned to Western Precinct Support (commonly known as RECO West), providing precinct support on the west side of the city. He was also assigned to the Tactical Services Section where he aided in citywide patrols and tactical responses, such as barricaded gunman situations, crowd control, and dignitary escorts; and

WHEREAS Officer Cox was promoted to the rank of Investigator and was assigned to the Breaking and Entering Task Force and later to the Eleventh Precinct's Investigative Operations Unit. Investigator Cox was tasked to conduct various investigations ranging from assaults, theft, fraud, and weapon possession in an effort to mitigate and minimize criminal activity in the Eleventh Precinct. With consistent diligence, Investigator Cox rose through the ranks, and on May 4, 2001, he was promoted to the rank of Sergeant and was reassigned to the Tactical Services Section. His role now encompassed supervising members tasked with citywide tactical responses and precinct support. He was assigned as a first line supervisor at Central District. His other assignments included the Office of the Chief of Police, and the Office of the Chief Investigator; and

WHEREAS Sergeant Cox was promoted to the rank of Lieutenant and was assigned as the Officer in Charge of Southwest District Investigations which was comprised of the Second, Fourth and Tenth Precincts. Lieutenant Cox was responsible for management and oversight of a staff of Sergeants and Investigators. On October 7, 2013, Lieutenant Cox was appointed to the rank of Captain where he provided administrative oversight of several different commands. Captain Cox served as the Commanding Officer of the Ninth Precinct and then the Tenth Precinct, He was also assigned to Organized Crime, where his responsibilities were to maintain the operations of multiple units consisting of Vice, Narcotics, Commercial Auto Theft, The Violent Crimes Task Force, and the Detroit Fugitive Apprehension Team (DEFAT); and

WHEREAS In November of 2020, Cox was assigned to the Twelfth Precinct as a patrol Lieutenant where he managed and mentored Sergeants and the next generation of law enforcement until the completion of his career on February 23, 2024.

WHEREAS Lieutenant Cox was the deserving receipt of the following awards: three (3) Chief's Merit Awards, Ford Fireworks Award, both Consent Judgement Awards, Major League Baseball All-Star Recognition Award, Rosa Parks Funeral Recognition Award, Super Bowl XL Recognition Award, and Aretha Franklin Funeral Recognition Award, as well as numerous letters of commendation from citizens and superior; and

WHEREAS Lieutenant Cox has tirelessly served the Detroit Police Department, the citizens of Detroit, and its neighboring communities for more than 31 years. He has served the Detroit Police Department and the citizens of the City of Detroit with loyalty, professionalism, integrity and dedication, and is widely respected throughout the law enforcement community as the consummate professional.

NOW THEREFORE BE IT RESOLVED

That the Detroit Board of Police Commissioners, speaking on the behalf of the citizens of the great City of Detroit, recognizes and honor the lifelong contributions and commitment to excellence in public service of Lt. Rodney Cox. His display of courage and unwavering community spirit has improved the quality of life for the citizens of Detroit. We wish you all the best in your future endeavors.

We thank and congratulate you, Lieutenant Rodney Cox.

Commissioner Woods motioned, "that the Board of Police Commissioners adopt this resolution into our archives". The motion was adopted.

XII. Chief of Police Report.

Assistant Chief Charles Fitzgerald reported on current CompStat Crime/Statistical Data for Violent Crime and Property and recent critical incidents impacting the DPD and the community.

The following inquiries require responses from the BOPC and/or DPD:

COMMISSIONER BURTON: Looking at the department's budget for \$400,000 for 6 square miles for ShotSpotter, the community wants to know how effective has ShotSpotter been. Especially for the price tag that the city is invested in. We want to know when it comes to alerts, arrests, convictions, falsely detained and lawsuits do you have any of those numbers? Going back to the time since Detroit started being part of the ShotSpotter's program.

ASSISTANT CHIEF FITZGERALD: Through the Chair, I do not have them with me, but that's something that's very easily attainable.

COMMISSIONER BURTON: How valuable is the ShotSpotter program when you have a lot of alerts, not enough arrest, not enough guns confiscated, and you still have lawsuits and cities pulling away from this? Why is Detroit still involved in the ShotSpotter program?

ASSISTANT CHIEF FITZGERALD: Through the Chair, I don't know where you're getting your information from, most of it seems anecdotal. It is very, valuable.

COMMISSIONER BERNARD: I think that Commissioner Burton's questions were right on in terms of ShotSpotter. I think that perhaps your office, or maybe the legal department, Mr. Ha, or whoever should be able to respond to those questions. We're not on an island. We are concerned about what happens in other cities and other communities using the technology that cost us millions of dollars. These reports about it being inefficient, ineffective for all practical purposes, not worth the money are important. I think that kind of analysis is appropriate for all of our technological type programs. Is it worth it? I know we can spend more money, but is it worth it? And what do your colleagues in other cities think about it? That's important. So I don't think it can be dismissed, and if you can respond, maybe not today, but maybe at our next meeting to his questions it would be great.

ASSISTANT CHIEF FITZGERALD: Through the Chair, I do not mean to dismiss the questions. The problem is that it is comparing apples to oranges. Don't know what Chicago does compared to what we do. I can give you plenty of data how it is effective in Detroit. I will be more than happy to reach out and see why they got rid of it, and be able to provide you the data why, we say it works.

COMMISSIONER WOODS: On January 11, with Officer Joshua was that a ShotSpotter call?

ASSISTANT CHIEF FITZGERALD: It came out originally as a muffled ShotSpotter sometimes that happens when a round is inside of a home, and it could also be suppressed. It could be that it comes out of an area. We have had requests from outside agencies and cities that want to have access to our data because they can get pickup stuff in their city as well on the border.

COMMISSIONER WOODS: So when that happened Officer Joshua and his partner responded to that. Someone was shot right? Do you have a number of scenarios where ShotSpotter was used and they were able to intervene in situations? As it relates to the Chicago report at the end of that report they said, they would re-evaluate it at the end. They don't know whether or not if they going to get rid of it or not. Right? So it's not conclusive that Chicago will get rid

of is. They had some questions about how they were operating. How many lives you think that probably been intervene and saved with this technology.

ASSISTANT CHIEF FITZGERALD: It would strictly be a guest, but I would put many, many. It is an extremely valuable tool that the officers utilized every single day. They pull it up on the phone. As they going there within feet, you could pick up where those gunshots are fired.

COMMISSIONER SMITH: I understand that police departments are different, and policies are different per state and cities. I can only contest to what Detroit offers. I have seen where ShotSpotter is definitely effective in our community. As stated before, I can give you different scenarios, that ShotSpotter was effective. We have one where ShotSpotter went off, the officers went out. The woman was near fatally shot. Once in the head. Once in the abdomen and because of the ShotSpotter going off, medics were able to arrive and get her to the hospital, and she's alive today. On September 24, 2023, there was a fatal shooting at a hookah lounge on West 7 Mile. The officers responded because of the ShotSpotter going off. Unfortunately, one was fatally wounded, others were saved because of the ShotSpotter, and the officers coming in a timely manner. So, in my opinion, ShotSpotter has been very effective in our city, and has been very effective in saving lives within our community.

COMMISSIONER WOODS: Is ShotSpotter used by itself independently solely to arrest anyone? Dealing with Facial Recognition and all these technologies and things of that nature. Can those be used independently to arrest someone?

ASSISTANT CHIEF FITZGERALD: No, through the Chair, These are investigative leads. Everything across the board we use technology for is an investigative lead to further enhance an ongoing investigation. So, it just helps you, and sometimes can point you in the right direction. But is not the end all be all that we can put handcuffs on someone because of.

COMMISSIONER BURTON: From our Civil Liberties Activist Community, we do not want to see microphone sensors in America's blackest and poor city like Detroit. What it is with these microphone sensors in communities of color is unwarranted snooping. It violates one's civil liberties. In addition, it's an expensive price tag that costs roughly \$400,000 that covers six square miles. But the Department can't share with us today are the total alerts, and deployment and arrests and convictions, or pending lawsuits or lawsuits that was awarded because of this technology. We look at cities like Dayton, Ohio. They pulled a plug on ShotSpotter. Now we're looking at Chicago pulling the plug, you know Michael Williams, in Chicago, was wrongfully arrested. Served over a year in prison for a crime he didn't commit based off of skink evidence from ShotSpotter technology. There's no question that these cities are pulling away. Why is Detroit still continuing with its ShotSpotter program? We have fiducial responsibilities when it comes to civilian oversight where we can actually shut it down.

XIII. Presentation to the Board – DPD Budget – ACFO Nevrus Nazarko, Agency CFO

A. DPD Budget – ACFO Nevrus Nazarko, Agency CFO provided an overview of the Detroit Police Department FY2025 Budget.

The following inquiries require responses from the BOPC and/or DPD:

COMMISSIONER BERNARD: I see your responses to the questions are largely non-responsive. How much does it cost the City of Detroit to provide a towing operation for the police department, you say see, attached Budget report. There is no attach budget report specifically on towing. You say that we don't budget for Project Green Light. Which obviously would be part of the Real Time Crime Center.

ACFO NAZARKO: Through the Chair, the Tow Operations, we budget approximately \$2.2 million for Tow Operations and that includes personnel that includes the operation of tow trucks that includes the money we pay to the tow vendors, and that includes the money we pay for toll lot security. However, that number that's the budgeted number, the revenues that come throughout the year, and other expenditures that can incur or are required to be increased during the year, are not reflected in that in that budget. The \$1.2 million is the additional amount that we asking from last year's to this year, budget. We are asking for an additional \$1.2 million because of the repairs we need to do at the Tow yard facilities, plus the increased cost of security to provide security for the tow lots, and that's the in over and above last year's budget.

COMMISSIONER WOODS: As it relates to the Towing situation these, are all City of Detroit Tow vehicles and Tow operations?

ACFO NAZARKO: That is correct. Those are all within the boundaries of the city of Detroit. However, the operations are split between the Departments. All truck equipment or tow trucks and the private vendors' equipment. So the portion of the tows are done by the department, and the portion of the tows are done by the private towers.

COMMISSIONER WOODS: This need to be asked to the Chief, and we probably need to get a letter, I get a lot of complaints by residents of the City of Detroit, in terms of some of the predatory nature of these tow companies. I don't know if they are tied to the city. I have some names that they have given and things of that nature. And one thing we want do is make sure, that we ensure that citizens are not being exploited by some of these companies. I know this has been a big bone of contention, and all of the nuances of this towing operation throughout the years. How problematic it has been. I want to know why the one company was dismissed. Secondly, I want make sure that we are ensuring that the citizens of the city of Detroit are not being preyed on by some of these companies.

COMMISSIONER BURTON: I have a lot of questions and concerns Number 1, I don't think the City of Detroit should be operating in the towing business. Number 2, what is it really costing overall for the City of Detroit to operate in the towing business? Is the city making money or losing money? We are talking about \$2.1 million that's a line item in the budget for towing. But you're looking at the Tow lot rental, security, maintenance for the truck all of those additional costs. So we really want to know is how much does it really cost in the City of Detroit, to really operate in the Towing business. Should we be operating in the Towing business? These dollars in this line item can be reallocated into mental health, social justice programs, or it could be reinvested back into the community instead of on this report.

COMMISSIONER BANKS: DPD gets \$2.5 million a year for Tasers? How long does the Tasers last? That \$2.5 million we're paying for Tasers?

ACFO NAZARKO: We budget every 5 years for a replacement Tasers, however, they may last little longer 6 or 7 years, if we maintain them. We perform some maintenance work on them. But we budget as if they are going to expire in 5 years.

CHAIRPERSON PRESSLEY: I encourage all of our commissioners' diligence. If you have responses in the answers that were given that you find to be insufficient and make sure that you communicate that. And I'm sure there might be some clarification that's available. Now, if you want more detail. Then that again, is your right, as you're seeking for due diligence. But make sure that we're being appropriate, excuse me accurate, on how we're communicating to the public what we have received.

COMMISSIONER BURTON: The Detroit Police Department participates in the 1022 program as well as the 1033 program with the Department of Defense. We want to know, what dollars that's in the Detroit Police Department's budget that's going into the Department of Defense to whether it's for hand-me-down equipment or purchases of new equipment. We also like to know what lawsuits has the city has paid out. We don't know what DPD has in inventory, what they're received over the years when this equipment was deployed. We know that when you had peaceful protesters in the city and the police department were wearing riot gear that was military equipment that was deployed the streets that day. You had innocent protests thrown to the ground, shot with flash gang grenade, pepper sprayed thrown down with zip ties behind their back, and many and some of them were actually journalists.

CHAIRPERSON PRESSLEY Asked any further questions be put in writing, and then you can get those formal responses either from the CFO or DPD.

XIV. New Business.

A. Policy Committee Report Commissioner Bernard provided key updates from the committee meeting held February 20, 2024. Board Attendees: Committee Chairperson Linda Bernard, Commissioner Darryl Woods and Commissioner Willie E. Burton. Special Guest: Atty. Eric Williams Presentation on Project Greenlight – The Justice Center Detroit: Attorney Eric Williams reviewed and discussed concerns on Project Greenlight. Commander Ian Severy and Marvin Jones addressed some concerns during the meeting and provided clarification on the Project Greenlight. Marvin Jones reported that he will take the questions developed back to the Chief of Police to provide clarification. Attorney Williams agreed to continue to work with the committee on improvements and evaluation of Project Greenlight.

203.11 Eyewitness Identification and Lineups Directive 08.17.2023 DPD Submission- Review and Discuss: Draft 2 with Modifications Recommended by the Mr. Kenneth Nixon: Mr. Kenneth Nixon reviewed the recommendations regarding the 203.11 Eyewitness Identification and Lineups Directive Policy. Commander Ian Severy provided

responses to the recommendations and discussed how the recommendation were beneficial to the policy. Mr. Nixon agreed to work with the committee to assist with the improvement of language in the policy. Please refer to the city website to view the recommendations and policy. The next Policy Committee meeting is scheduled for March 5, 2024 at 5pm.

- B. **Commissioner Banks** motioned “that the Board of Police Commissioners go into Closed Session pursuant to Section 8(a) of the Open Meeting Act, MCL 15268(a) the Department’s request for the Board to consider Administrative Leave Without Pay but with Medical Benefits for Police Officer John Criswell, Badge 2871, assigned to the Twelfth Precinct.” (Time 4:51 p.m.). The motion passed.

Reconvene the Public Meeting.” (Time 5:30 p.m.)

Commissioner Woods motioned “that the Board of Police Commissioners accepted the Department’s recommendation to place Police Officer John Criswell, Badge 2871, assigned to the Twelfth Precinct on Administrative Leave Without Pay but with Medical Benefits.” The motion passed.

YES = 7

NO = 1

MOTION: PASSED

Yes: Chairperson Pressley, Vice Chairperson Bell, Commissioners Smith, Banks, Burton, Carter, Woods
No: Commissioner Bernard

Commissioner Carter motioned “to have resolutions prepared by staff for former Commissioner Annie Holt and Commissioner Reverend Jim Holley, PhD.” The motion passed.

Commissioner Burton amended motion “to have staff draft resolutions for all former commissioners for the last 50 years, who have not received resolutions.” The motion failed.

YES = 3

NO = 5

MOTION: FAILED

Yes: Commissioners Bernard, Banks, Burton
No: Chairperson Pressley, Vice Chairperson Bell, Commissioners Smith, Carter, Woods

Commissioner Carter motioned “that the Board of Police Commissioners adopt the DPD FY2025 Budget.” The motion passed.

YES = 6

NO = 2

MOTION: PASSED

Yes: Chairperson Pressley, Vice Chairperson Bell, Commissioners Smith, Banks, Carter, Woods
No: Commissioner Bernard, Burton

XV. Adjournment.

Chairperson Pressley adjourned the meeting at 5:55 p.m.