



Police-Authorized Towing: Roles of the BOPC & DPD

BOPC Ad Hoc Committee on Towing ● Wednesday, May 28, 2025 ● DPSH

BOPC Oversight of DPD & Towing

This Presentation covers:

- **The role of the Board of Police Commissioners under City Charter Mandate for “Supervisory Control and Oversight of the Police Department”**
 - 2012 City Charter: Chapter 8
- **Why BOPC has NOT had a direct role in private towing services used by DPD since Fall 2022**
- **BOPC oversight of DPD budget or unit operations that may relate to police-authorized towing**

BOPC Oversight of DPD & Towing

2012 City Charter: Chapter 8

- “The Board of Police Commissioners has Supervisory Control and Oversight of the Police Department”
 - BOPC agendas have a one-page highlight
- Three areas of interest today:
 - Policy
 - Budget
 - Complaints

DUTIES & RESPONSIBILITIES DETROIT BOARD OF POLICE COMMISSIONERS “Accountability through Civilian Oversight”

The Board of Police Commissioners has supervisory control and oversight of the Police Department as set forth in this Chapter. The Board of Police Commissioners is composed of eleven (11) members, seven of whom shall be elected from each non at-large district. Four (4) members of the Board shall be appointed by the Mayor, subject to the approval of the City Council. However, if the City Council does not disapprove an appointment within thirty (30) days, an appointment is confirmed. Appointed members shall serve a term of five (5) years, and not more than one (1) member's term expires each year. The Mayor shall not remove appointed members of the Board except for cause. Vacancies in positions held by appointed members shall be filled by the Mayor for the unexpired term, in the same manner as the initial appointment. All members of the Board must be residents of the City.

The Board shall elect a chairperson annually. A member of the Board may not serve consecutive terms as chairman, nor may an appointed person serve more than five (5) years consecutively as a member of the Board. The Board shall meet at the call of its chairperson, but shall meet at least once each week and may recess during Thanksgiving, Christmas and New Year holidays. All meetings shall be held in accordance with the Michigan Open Meetings Act. No appointed member of the Board shall have been an employee or elective or appointive officer of the city within three (3) years prior to appointment or while serving as a member of the Board. Unless required by state law, elected members shall not be entitled to salaries, retirement benefits, health benefits or other fringe benefits. Appointed members, and elected members not entitled to compensation by state law, may receive by ordinance reimbursement for parking, mileage and other reasonable expenses. All appointed Commissioners serving at the time of the effective date of this Charter shall continue in their office until their term expires or office becomes vacant.

Sec. 7-803. Duties of the Board of Police Commissioners.

The Board shall:

1. In consultation with the Chief of Police, and with the approval of the Mayor establish policies, rules and regulations;
2. Review and approve the departmental budget before its submission to the Mayor;
3. Receive and resolve, as provided in this chapter, any complaint concerning the operation of the Police Department and forward all allegations of criminality to the appropriate internal or external law enforcement agency for further investigation;
4. Act as final authority in imposing or reviewing discipline of employees of the department;
5. Make an annual report to the Mayor, the City Council, and the public of the department's activities during the previous year, including the handling of crime and complaints, and of future plans.

The Board may subpoena witnesses, administer oaths, take testimony, and require the production of evidence. To enforce a subpoena or order for production of evidence or to impose any penalty prescribed for failure to obey a subpoena or order, the Board shall apply to the appropriate court. The Board may delegate in writing to a member of its staff the powers to administer oaths and take testimony. A delegation is revocable at the will of the Board and does not prevent exercise of any power by the Board.

BOPC Oversight of DPD & Towing

Past Board Involvement in Police-Authorized Towing

○ POLICY

- 2010: the Board established rules for towing companies to tow for DPD
 - Required permits for tow companies
 - Required rotation of all towers to ensure fairness & equity

○ BUDGET

- 2018: Approved DPD request to set up and operate a towing unit and lots
 - **Police Towing & Impound Unit**

○ POLICY

- 2018: Passed a resolution to provide relief from financial hardship to recover vehicles towed by Detroit Police

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What Changed?

- **2022:** The Board **voted to transfer** to the **City Finance Department** all responsibilities related to the use of private tow companies used by DPD in police-authorized towing
 - Finance Department follows City Purchasing/Procurement Ordinance
 - Open Bids and Contract Required
 - Detroit City Council reviews and approves contracts

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BOPC's General Role **Since 2023**

- Annual Budget Transmittal and Budget Reviews
 - DPD Budget includes **Police Towing & Impound Unit**
 - FY 24-25: \$4.1 Million and 28 employees
 - Proposed FY 25-26: \$5.6 Million and 28 employees
 - Capital Improvements for tow lots may provide other funds
- DPD Overall Operations
 - Weekly Chief's Report, Special Presentation at Weekly Meetings, and Precinct Reports at Community meetings
 - Precincts/Traffic Enforcement, which might include police-authorized towing of vehicles

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Board **continues** to handle citizen/public **complaints**

- City Charter: *Receive and resolve... any complaint concerning the operation of the Police Department*
 - **Operations include police-authorized towing**
- BOPC complaint investigative unit – Office of the Chief Investigator -- accepts complaints filed by phone at (313) 596-2499, online at www.detroitmi.gov/BOPC, and at DPD precincts or BOPC offices
 - BOPC **does not** investigate complaints about illegal or criminal conduct

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Summary:

- The Board had a direct role in police-authorized towing and reforms **BEFORE 2023**
- **CURRENTLY** the City Finance Department handles procurement and contracts for private towing companies used by the Police Department.
- The Board **continues** its mandate of supervisory control and oversight of the Department, including budgets and programs, but the Board **does not** have a direct role with private towing contractors used by DPD.

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Questions

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