

Resolution Strengthening and Unleashing **Local Control** of Law Enforcement to Pursue **Accountability** and **Protect Constitutional Rights**, and Standing in Opposition to *Executive Order #14288*.

May 27, 2025

- Whereas:** We are living in a time when human dignity and human rights are under siege. Executive Order #14288, which authorizes federal police and military deployment to local communities, conflicts squarely with established policies and procedures of the Detroit Police Department, as well as federal law¹; and
- Whereas:** Actions by the federal government disregarding constitutional protections of free speech, due process, and access to legal counsel are occurring with increasing breadth and frequency; and
- Whereas:** Federal law enforcement officials are violating minimum standards of conduct expected of every Detroit Police Department officer, including probable cause to interfere with the actions of a person, clear identification of officers during interactions, active body worn cameras, and respectful treatment of people placed in custody; and
- Whereas:** For more than six decades, Detroit has developed the principle of civilian oversight over the Detroit Police Department. In 1973, in the aftermath of the Detroit Rebellion and the dismantling of the infamous S.T.R.E.S.S. unit, Detroit residents voted for a City Charter that gave broad oversight authority over the police to a newly created civilian Board of Police Commissioners. The Detroit Board of Police Commissioners is vested with responsibilities for oversight on policies and procedures, citizen complains of abusive behavior, promotions, discipline, and budgetary matters; and
- Whereas:** Civilian control over the police has been reaffirmed in all City Charters since 1974 and is explicitly affirmed in the City Charter of 2012 in which voters created seven elected and four appointed Police Commissioners. The 2012 Charter was approved by a vote of the people and accepted by the Michigan Legislature. The Charter establishes “The City’s police forces are in all cases and at all times in strict subordination to civil power;” and
- Whereas:** The establishment of civilian authority over police is the result of effective collaboration among and between all branches of government, citizens, and the police; and
- Whereas:** The current practices by federal executive branch of government, including the Justice Department, contradicts the most basic rights and dignity of

¹ The *Posse Comitatus Act*, 18 USC §1385, a federal statute originally passed in 1878, expressly limits the powers of the federal government in the use of federal military personnel from taking part in civilian law enforcement,

people and violate standard procedures and practices which currently bind the Detroit Police Department, which were approved by the Detroit Board of Police Commissioners, and which are consistently re-affirmed by the courts, including the right to due process, the right to *habeas corpus*, the requirement of reasonable suspicion and/or probable cause to stop, search or impede the freedom of travel, right to counsel, the right to be treated with dignity and respect, the right to fair and speedy process; and

Whereas: The use of federal troops to enforce civilian law in local communities is expressly forbidden except in the most extreme circumstances; and

Whereas: The City Charter establishes that “The People have a right to expect aggressive action by the City's officers in seeking to advance, conserve, maintain and protect the integrity of the human, physical and natural resources of this City from encroachment and/or dismantlement.”

Therefore, be it resolved that:

The Detroit Board of Police Commissioners affirms their charter mandated responsibilities to “provide for the public peace, health and safety” of persons within the City; and

The Detroit Board of Police Commissioners affirms its responsibilities to protect the constitutional rights of all persons who come into contact with Detroit law enforcement and to guarantee due process of law; and

The Detroit Board of Police Commissioners rejects all federal interference with local police practices within our city, except insofar as there is a determination that the local police agency is engaged in practices that violate the constitutional and civil rights of its residents; and

The Detroit Board of Police Commissioners opposes the use of federal troops in the city of Detroit, and directs all officials to oppose such actions and take all measures necessary to ensure the city maintain local control to address local issues; and

The Detroit Board of Police Commissioners rejects the conflation of local law enforcement responsibilities with those of federal agencies such as FBI, ICE and the Department of Homeland security; and

The Detroit Board of Police Commissioners shall not participate in or cooperate with federal actions that encroach on the authority or jurisdiction of local law enforcement, whether by the FBI, ICE, the Department of Homeland Security or the Department of Defense, where standards of conduct and actions contradict the protections afforded our community by the sovereign power of the people as expressed in the City Charter of 2012; and

The Detroit Board of Police Commissioners directs the Chief of Police to ensure the basic standards of policing, including the assurance that First Amendment, Fourth Amendment and Fourteenth Amendment Due Process rights are enforced; and

On behalf of the Detroit Board of Police Commissioners, the Chief of Police will meet with his counterparts in federal law enforcement agencies to ensure the basic standards of behavior required by all law enforcement in our City are followed. These include but are not limited to the protection of constitutional rights, respect for human dignity, and protection of persons and property from harm; and

The Detroit Board of Police Commissioners will create a special task force to monitor the actions of federal agencies within the City. Any violation of basic constitutional rights shall be treated as a criminal offense. The DPD has an affirmative responsibility to interrupt such actions and to protect the freedom, wellbeing and integrity of residents; and

The Detroit Board of Police Commissioners shall demand that Corporation Counsel be directed to explore legal challenges to revoke or limit Executive Order #14288, dated April 28, entitled "Strengthening and Unleashing Local Law enforcement to Pursue Criminals and Protect Innocent Citizens."