

Draft Minutes Detroit Board of Police Commissioners

Date of Meeting: March 30, 2017 – 6:00 PM

Location: Detroit Public Safety Headquarters, 1301 Third Street, Detroit MI 48226

Chairman Willie Bell called the BOPC meeting to order at 6:00 PM (March 30, 2017)

Detroit Police Commission Membership / Attendance	Attend	Not-Attend
Willie E. Bell, Chair	Yes	
Ricardo R. Moore, Vice Chair	Yes	
Elizabeth Brooks	Yes	
Willie E. Burton	Excused	
Lisa Carter	Yes	
Reginald Crawford	Yes	
Eva Dewaelsche	Yes	
Conrad Mallett (6:34 PM)	Yes	
Derrick Sanders	Yes	
Richard Shelby	Yes	
Bishop Edgar Vann	Excused	
Quorum (Yes)	9	

The Board acted in accordance with its rules approved the Agenda for March 30, 2017.

**The Board acted in accordance with its rules approved the following Board Minutes:
Thursday, March 23, 2017**

Communications from Chief Craig Re: Suspension(s) without pay.

Chairman Bell references communications from the Chief dated March 24, 2017, received by BOPC on March 28, 2017 involving a personnel matter. **Moore** motioned for the Board to go into closed session to take up the personnel matter. Motion second by **Sanders**.

Motion: Motion to recess the regular Board meeting, at the call of the Chair, and to go into closed session to take up a personnel matter pursuant to a communication from the Chief re: DPD suspensions without pay for PO Sadie Howell and PO Donte Jenkins. (Commissioner Moore).

Second: (Commissioner Sanders)

Vote: Yes = 8 No = 0 Abst = 1 (Excused = 2) **Action: Approved**

BOPC Meeting Called to Order at 6:33, at the Call of the Chair, **Willie Bell**, Chair. Return to regular Order.

Motion: Motion to concur with the recommendation of DPD Chief Craig to suspensions without pay for PO Sadie Howell and PO Donte Jenkins. (Commissioner Dewaelsche). ROLL CALL VOTE.

Second: (Commissioner Sanders)

Vote: Yes = 7 No = 1 (Moore) Abstan = 1 (Mallett)(Excused = 2) **Action: Approved**

(Motion approved with 2/3 of the members in attendance voting to concur.)

BOPC Officers Reports(s): After welcome, opening remarks and invocation **Chairman Bell** asked the Commissioners in attendance to introduce themselves and add any comments to the record. Other elected officials, representatives and VIP's were also asked to identify themselves or their organizational affiliations. BOPC staff in attendance were also introduced. Chairman Bell recognized **Commission Lisa Carter**, District 6. Commissioner Carter welcomed the audience and thanked the hosting

organizations responsible for the logistics of the meeting. Chair Bell then recognized **Commission Eva Dewaelsche** as the moderator for the panel discussion on Immigration. Dewaelsch thanks LA SED for hosting the community meeting, recognized several local community leaders and introduced the panel below.

Community Forum on Immigration

Moderator: Commissioner Eva Dewaelsche

Panelists:

Chief James Craig, Detroit Police Department
Council Member Raquel Castaneda-Lopez, Detroit City Council
Dr. Augustine Arbulu, Director, Michigan Department of Civil Rights
Adonis Flores, Michigan United
Michael P. Nowlan, Immigration Attorney, Clark Hill, PLC
Acknowledgment of Resources Partners

The panel of experts provided an overview of each of their organization's functions and responsibilities relating to Immigration enforcement or non-enforcement and further provided educational resources about their policies and practices relating to citizens' rights and responsibilities.

Chief James Craig discussed the DPD was concerned and interested in all residents of the City of Detroit and not interested in enforcing federal immigration laws. He stated, "Our focus is never immigration status." He further discussed the following:

- DPD policies have not changed relating to DPD's non-enforcement of federal immigration laws based on Detroit City Code ordinances.
- DPD is committed to victims, witnesses, and those persons seeking police services and is not interested in soliciting a person's immigration status.
- The only time the DPD obtains a person's immigration status is when they are arrested for violating the law.
- During the meeting with ICE, the DPD learned the following about ICE: ICE does not conduct sweeps, but the agency conducts selective enforcement and collateral enforcement. This includes when the target they are searching for has another individual with them, the second person will be asked to provide their immigration status. But DPD has no involvement in those enforcement activities.
- Federal Misdemeanor Laws: When an undocumented individual is identified the first time – Federal Misdemeanor; Second Time – Federal Felony. And DPD does not engage in enforcing either of those federal laws.
- There will be no sweeps or enforcement at the Cinco De Mayo Celebration.
- DPD values its relationships with all residents of the City of Detroit, and immigration is never the focus of DPD.

Council Member Raquel Castañada-López echoed and commended Chief Craig's non-participation in enforcing federal immigration laws. She further explained the initiatives that the City of Detroit has implemented to provide resources and demonstrate that Detroit is a "Welcoming City."

- Council Member López and the Detroit City Council has developed the Immigration Task Force in 2014 where they meet with various authorities to develop a unified approach relating to the immigrant communities. Many initiatives are under development as a result of the task force meetings with U.S. Border Patrol, Chief of Police James Craig, DPD, and others agencies.
- Supplemental Training – This component involves supplemental training that the DPD and Detroit City Council will provide officers in the academy on how to interact with members of the immigrant communities and provide them with cultural awareness.
- Strengthening Language of the Detroit City Code 2007 regarding Immigration: City Council is currently working on strengthening the language of the legislation to "narrow the focus to more egregious crimes," as oppose to simple crimes regarding solicitation of immigration status.
- Also, Council Members are currently working on requesting Mayor Mike Duggan to issue an Executive Order that reassures persons that Detroit is a Welcoming City.
- Funding: City Council has been approached by outside agencies regarding funding for the initiatives and activities relating to immigration.
- Regular Stakeholder Meetings: There have been Stakeholder meetings between ICE, Detroit City Council, and Border Patrol.

- There will be annual Citizenship Workshop Assistance free for residents;
- And City Council is working on starting an annual reception to inform persons about Detroit's status as a Welcoming City.

Dr. Augustine Arbulu, Michigan Department of Civil Rights (MDCR), explained the organization investigates complaints involving alleged violations of individual's civil rights. Moreover, they are interested in educating the community and preventing illegal enforcement activity. Dr. Arbulu noted that the agency was aware that federal officials were approaching sensitive locations soliciting individual's immigration status and attempting to enforce federal immigration law. He noted that Michigan is not a participant of the 287 (g) program and further, any violations found against an individual's civil rights are a violation of the Elliott Larsen Civil Rights Act. The MDCR will also be issuing a joint statement with the Michigan Department of Education to display their concern for immigrant rights and all individual's rights.

Mr. Adonis Flores, Human Rights Coordinator with Michigan United, explained that the organization advocates for the social, economic, racial, and immigrant rights for justice regarding discrimination. Further, the organization advocates for policy changes at all levels of the government and seeks to educate the community. He highlighted the following:

- The organization hosts "Know Your Rights Training" for the community.
- He encouraged residents to create an emergency plan.
- The organization is currently approaching municipalities and county sheriffs requesting them to write clear policies on immigration.
- The organization defends Sanctuary Cities but encouraged that cities implement clear written policies to ensure all residents' rights are protected regardless of immigration status.
- The organization advocates three measures for local law enforcement: (1) "Don't ask Immigration Status during traffic stops; (2) Refrain from enforcing ICE Detainers and further declared them unconstitutional because they are not required by law; and (3) non-participation in the 287 (g) program because it was not a mandatory program.
- Mr. Flores also encouraged residents to apply for the Detroit Identification for identification purposes and noted that the Wayne County Sheriff's Department has agreed to recognize the identification as an official ID.

Attorney Michael Nowlan of Clark Hill, PLC, highlighted the rights and responsibilities of residents and further provided recommendations and resources for persons seeking assistance relating to immigration matters:

- Residents should take a proactive approach to fixing their status by meeting with an attorney to complete appropriate documentation.
- The following are helpful resources: www.aila.org; www.michiganimmigrant.org; and sign up for the mobile application (app) entitled, NOTIFICA, where individuals may send texts to up to fifteen persons notifying the persons if they are detained.
- Persons should not commit crimes while being undocumented, including drinking and driving and going to places where criminal activity is taking place.
- Additionally, he noted that ICE does not generally go to "sensitive locations," which include schools, universities, hospitals, and demonstrations; however, ICE officials go to "critical infrastructure sites" such as courts, airports, bus stations, and Amtrak.

Lieutenant Melissa Gardner of the Detroit Police Department discussed the DPD's cultural diversity and solicited individuals to apply to be a Detroit Police Department officer. **Chief Robert Dunlap**, Wayne County Sheriff's Department, stated that the ICE agency had met with the WCSD and requesting the WCSD provide documentation on every person that is booked in the WCJ and allow ICE to arrange an office inside the WCJ. Sheriff Napoleon refused the requests. Additionally, Chief Dunlap reported that the WCSD is currently recognizing the Detroit ID as an official identification.

After the panel discussion, the BOPC asked the panel experts questions, and there was also a question and answer period specifically for the community residents.

Select Questions and Answers from the audience.

Question #1: Does ICE have access to the City identification system?

Question #2: If a third party has access to City ID information what prevents them from sharing it with ICE.

Question #3: If an individual is driving with children in the car, without a driver license and are arrested, what happens to the children, are they arrested or turned over to protective services?

Next Meeting, April 6, 2017, 3:00 PM at Detroit, Public Safety Headquarters, 1301 Third Street, 3rd Floor, Detroit, MI 49226

Chairman Bell accepted a Motion to adjourn. Meeting Adjourned 8:25 PM.