

Draft Minutes Detroit Board of Police Commissioners**Date of Meeting: September 8, 2016 – 6:30 PM**

Location: Boys Scouts of America, 1776 W. Warren Ave., Detroit Michigan

Chairman Willie Bell called the BOPC meeting to order at 6:30 PM (September 8, 2016)

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 (3:32 PM)	Yes	
Lisa Carter (3:09 PM)	Yes	
Reginald Crawford	Yes	
Eva Dewaelsche	Yes	
Conrad Mallett	Yes	
Derrick Sanders	Yes	
Richard Shelby	Yes	
Bishop Edgar Vann	Excused	
Quorum (Yes)	10	

The Board acted in accordance with its rules approved the Agenda for September 8, 2016.

Minutes from the last Board Meeting was deferred until next meeting.

BOPC Officers Reports(s): After welcome and opening remarks the **Chair, Bell** gave the following statement.

Tonight, we have reduced our agenda to give the greatest amount of time for a special discussion about the use of force within our community. Specifically, we would like to learn about the use of a class of weapons used by law enforcement that some say reduces the fatal contact with law enforcement and others say is responsible for more or as many fatal encounters with law enforcement. Tonight, we have assembled a special panel of experts and observers to help shed some light on an important exchange within the community.

Under the generalized weapons category of "Less Than Lethal Weapons" we have a wide variety of weapons including bean-bag propelled rifles, blunt-impact projectiles, pepper grenades, rubber bullets, heat rays and the one most often used by police, the Tasers.

Tonight, we are interested in exploring this topic from several vantage points. As a civilian oversight Board, we are concerned about the people within our city and therefore are interested in hearing from community representatives. We are concerned that Black and Brown communities suffer from elevated levels of blood pressure and hypertension as well as other medical issues and therefore are interested in any elevated medical effects from the use of weapons like the Taser. We are concerned about potential violations of civil liberties and human rights. Finally, we are concerned for the men and women who work our streets, have the contact with our citizens who are in turn exposed to life threatening and combative situations every day.

To address these issues, we have invited tonight, five outstanding individuals from a cross section of our community to give their perspectives on Less Than Lethal Weapons.

Our special panel discussion will be followed by questions from Commissioners and concluded with questions from the general audience. Each panelist will have about 10 minutes to make a presentation to us. After the panel presentation, we will

take a short 10 minute break and return for questions. We ask you to hold your questions until we have heard from the entire panel. So, on the back table, we have some blank cards that you can use for notes or questions. Again, please hold your questions until we have heard from the entire panel.

Tonight we have:

- **Isaiah McKinnon**, former DPD Chief of Police & former Deputy Mayor
- **Robert Dunne, MD**, Vice Chief of Emergency Medicine at St. John Hospital and DMC
- **Mark Fancher**, staff attorney for the Racial Justice Project, ACLU of Michigan
- **Christopher White**, Coalition Against Police Brutality (Detroit), and
- **Mark Young**, President, Detroit Police Lieutenants & Sergeants Association

Panel:

Mark Fancher, staff attorney for the Racial Justice Project, ACLU of Michigan. The ACLU is opposed to the illegal use of Tasers and note that within the State of Michigan a wide range of policies and practice exist. Taser policy in Michigan is in need of reviews and efforts should be made to seek uniformity. The ACLU suggests that professionally trained officers should use their training, muscle and sweat to bring uncooperating individuals under control as opposed to immediately turning to the use of weapons like Tasers. The ACLU emphasizes six recommendations, law enforcement personnel authorized to use tasers should be well-versed in law's governing use of force and taser type weapons, use of tasers should be limited to "active aggression" situations, establish and enforce uniform policy, departments should prohibit the use of tasers with high risk populations such as pregnant women, the infirm elderly, small children and persons with low body mass, department should monitor racial identities of people who are subject to taser incidents and finally, departments should eliminate weapons like taser from their arsenals and seek alternative methods of addressing conflict between police and citizens, suggestions for de-escalation of conflict was recommended.

Christopher White, Coalition Against Police Brutality (Detroit). The Coalition Against Police Brutality is opposed to the use of tasers within the Detroit Police Department. Mr. White noted the large number of individuals who have fallen victim to police brutality and the history of police brutality in Detroit. Mr. White states that he and his organization are not opposed to police, they are opposed to police brutality.

Isaiah McKinnon, former DPD Chief of Police & former Deputy Mayor. Mr. McKinnon, Ph.D., reflected on his years of service and the need to balance the role and history of police against the growing aspirations of a community. McKinnon indicated that when he joined the department, there was no training. Today the situation is quite different. In addition to training, it is also about the attitude of the officers which can be impacted by the training that the department provides.

Robert Dunne, MD, Vice Chief of Emergency Medicine at St. John Hospital and DMC. Dr. Dunne, MD, indicated that it is more correct to refer to these class of weapons as weapons that may result in less lethal damage to the human subject. He indicated that we do not have a large bank of clinical controlled studies to base our opinions, instead we have a wide range of observations that come from experience in emergency rooms and emergency settings that demonstrate that given the type of weapon used less damage may occur to the human subject. He also indicated that the medical profession has had to review and develop clinical protocols to address treatment issues caused by the range of less lethal weapons. Dr. Dunne also indicated that it is important to understand the likely condition of the individual within a specific population when these weapons are used. Individuals with elevated blood levels and special populations like children are likely to respond to the stun effects of these weapons differently than typical adults.

Mark Young, President, Detroit Police Lieutenants & Sergeants Association. Mr. Young indicated that his concern was with the members of law enforcement that patrol and operate on the streets daily. He suggested there was a higher number of police personnel under attack and that there is a need to provide another weapon that they can have at their ready to confront criminals. Young indicated that it was better to have it and not use it (Tasers).

AC White: As a personal privilege, the Chair granted AC White, representing the Chief of Police, an opportunity to add to the discussion. AC White indicated that it was important to take the use of tasers in a series of events or as part of a continuum of use of force. Officers are trained to operate within this continuum and tasers are another weapons within this context. He also indicated that the department has preliminarily reviewed Tasers including they had visited the manufacturer. He indicated that the department was only interested in Tasers with cameras that would give a view of what the officer sees in a confrontation with

a citizen. He indicated that they have already developed a draft policy and that such a draft would be presented to the BOPC at an appropriate time should the department seek the use of Tasers. AC White also indicated in response to comments by Mr. Fancher, the department's policy would prohibit "dry-stun".

Select comments and concerns from Commissioners: **Commissioner Moore** asked if the visit to Taser International was sponsored and paid for by Taser? **Commissioner Crawford** indicated that the DOJ had several studies that looked at policy around the use of force and Tasers. **Commissioner Brooks** indicated that she was interested in any weapon that would result in less death, she indicated that we needed to focus on life, not death. **Commissioner Dewaelsche** suggested that we needed a timetable to consider these changes and the potential to purchase weapons like tasers. **Commissioners Bell's** response was that we do not have a time table and no proposal is in front of the Commission on this subject. **Commissioner Burton** requested a copy of any DOJ reports on Tasers. **Commissioner Mallett** indicated that "the BOPC has to be expert fact gatherers. Decisions based on anecdotes, personal experience and even strongly held opinions will not serve this public well. As Dr. Dunne said there is no such thing as non-lethal, just less lethal. In that case, the BOPC has to have an analytical tool that will help it make good decisions. What problem are we trying to solve? What are the steps that we need to take to solve the problem and are there alternative to the solutions being presented? Only then can the Commission do its job in terms of making good informed decisions."

Oral Communications: **Ms. Rita Smith** indicated that the forum was about "Less than Lethal" weapons and that we only talked about tasers. **Ms. Peggie Baker** inquired as to the protocol after a weapon was used and would the policy be that the person should be transported to the hospital for the removal of the taser darts? A **parent from the Morningstar community** indicated that her son on every occasion experience aggressive police behavior as they approach him with hand on their guns and in some cases guns pulled. She indicated that her son was above 6th tall and was large built and who on one occasion was playing and had a green paint-gun. **Pastor Griffin** was concerned about the disabilities to retired law enforcement officers who currently have a heavy load attached to their belts and who suffer from back injuries, will Tasers increase the belt load? **Ms. Theo Broughton**, supported the approach by departments to de-escalate contact between citizens and police. **Charles Klahm** suggested that full discovery should occur if the department intended to purchase and use Tasers. **Bernice Smith** expressed her faith in the department and discussed the role of Commander Barren in his efforts to control demonstrations. Harvey Preston spoke (information unclear), **Kim Sherobee**, indicated that she was not against Tasers, but noted it was about the relationships between police and citizens as they work through conflict. Ms. Sherobee, an educator, also indicated that the late Ron Scott has published a book entitled, *What is Police Brutality?* She suggested that the Commission obtain copies of the book. **Gail Harris** inquired if we are using the weapons and tools of what we already have and is there a need for additional weapons or are we using what we have in the most effective fashion. **Pastor Echols** suggested that we not reinvent things, he gave a cartoon illustration of the "Road Runner" who would always go back to the ACME store and purchase new tools to catch the Road Runner, but he was always so close and never considered slight modifications to what he already had.

Adjournment. 8:49 PM

Next Meeting: Thursday, September 15, @ 3:00 PM, Detroit Public Safety Headquarters, 1301 Third Ave. Detroit, MI 48226.

Note: Transcripts of Board meeting are posted at <http://www.detroitmi.gov/Government/Detroit-Police-Commissioners-Meetings> and Board Meetings are taped and aired on Channel 10 and 22 by Media Services. Media Services can be contacted @313-224-2100.