

Draft Minutes Detroit Board of Police Commissioners

Date of Meeting: July 25, 2019 – 3:00 PM

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

BOPC Chairperson Lisa Carter called the BOPC Board Meeting to order at 3:00 PM (July 25, 2019)

Detroit Police Commission Membership / Attendance		
	Attend	Not-Attend
Lisa Carter, Chairperson	Yes	
Eva Garza Dewaelsche, Vice Chairperson	Excused	
Willie E. Bell	Yes	
Elizabeth Brooks	Yes	
Darryl D. Brown	Yes	
Shirley A. Burch	Excused	
Willie E. Burton	Excused	
William M. Davis	Yes	
Evette Griffie	Excused	
Jim Holley	Yes	
Annie Mae Holt	Yes	
Quorum (Yes)	7	

The Board acting in accordance with its rules approved the Agenda for July 25, 2019.

The Board acting in accordance with its rules approved the following Board Minutes: Thursday, July 18, 2019

BOPC Chairperson Lisa R. Carter: Good Afternoon! I am Police Commissioner Lisa Carter, I represent District #6. I serve as the Chair of the Board and will be conducting our meeting today. On behalf of the Board, for those in attendance, thank you for joining us. For people viewing this meeting on your government cable channel, thank you for viewing our meeting. Commissioners Eva Dewaelsche, Shirley Burch, Evette Griffie and Willie Burton have been excused from the meeting today. Reverend Jim Holley provided the invocation for the meeting. Chair Carter asked for introductions of the Board, BOPC and DPD staff along with other civic leaders.

Chairperson's Report – Lisa R. Carter said "Before the start of my Chairperson Report, I want to call attention to a change in our procedure. Typically, we create an opportunity for the public to address the Board under PUBLIC COMMENTS at the end of the meeting. The practice is consistent with the Open Meetings Act.

Today, I am introducing two changes to our practice. (1) If the Board will be voting on an important policy recommendation, I will allow a special public comment period before the vote restricted to the policy under consideration. (2) The normal Public Comments at the end of the meeting will remain as part of our standard agenda, however if you would like to speak in public comments at the end of the meeting, you will have to provide a card to Mr. Brown no later than the end of the Chief of Police's Report.

I also want to make a clarification. The Board of Police Commissioners do not require for people attending our meetings to show identification or identify themselves as a condition to participate in our meetings. However, the Public Safety Headquarters Building does require identification. The Board does not operate the Building. The enhanced security of public facilities go back to the provision of the Patriot Act and are implemented in all federal, state and local governmental buildings. At our community meetings which are normally held in non-governmental settings like churches and community centers, we do not have security checks unless it is required by the host facility. With these updates, I will continue with my normal Chairperson's Report.

On behalf of the Board, I want to express our concern and support for fallen and injured officers. Our concerns for officer safety and citizen protection is ranked as two of the most important priorities of the Board. Our Board receives a weekly report from the Department listing injured officers. I would ask the Chief of Police during his remarks to provide us with any additional information related to injured and fallen officers.

The Board of Police Commissioners meets every week except for the Thanksgiving and Christmas Holiday periods. We meet at Police Headquarters 3 weeks in the month on Thursdays at 3:00 PM. We also meet in the community every 2nd Thursday of the month at 6:30 PM.

Under the Detroit City Charter, Article 7, Chapter 8, the Board of Police Commissioners is empowered to provide civilian oversight and supervisory control of the Police Department. Our citizens are justified in asking "How does civilian oversight of law enforcement help you as a citizen within our community?" Our answer is, we protect the civil rights of citizens. Oversight organizations like the BOPC are at the forefront of investigating, reviewing and auditing individual cases of citizen complaints and patterns of operations by police agencies to eliminate misconduct, discriminatory police practices and unnecessary use of force by police. Our work is based on developing and supporting effective policing. Mutual trust and respect between the police and the community is critical toward increasing the quality of life for residents and visitors to Detroit. The Board of Police Commissioners exists to provide civilian oversight for the work of the Detroit Police Department. As a Board, we receive and investigate non-criminal citizens' complaints, monitor the operations of the Department and work with the Mayor and the Chief of Police to make or modify police policy.

I want to point to several important items for your consideration and information. The Board of Police Commissioners has not received a modified version of the Chief's proposed directive on facial recognition. When this matter arrives we will post it at our website and review the proposed directive. We will also notify the public of our intent to vote on it as it will be added to the action items on our agenda. The proposed agenda is released on Tuesday of each week allowing for 48 hours notification of our intent to take up this important directive.

Again, I remind the Board, we are continuing to work with NACOLE (National Association for Civilian Oversight of Law Enforcement) to host the National Conference on September 22 thru 26, 2019 in Detroit. During the same time, Detroit will be celebrating our 45th year as a civilian oversight organization. We are inviting law-enforcement and other civic minded individuals and organizations to join us at the conference. The planning process is well underway, and again we invite your participation.

The Board received a request from the Chief of Police to suspend without pay, Police Officer Naim Brown. Information on this suspension has been shared with the full Board. Mr. Wyrick is reviewing the request. The BOPC has notified the Detroit Police Officers Association and we are projecting a hearing on this matter, next week, August 1, 2019.

The next Graduation from the Police Academy for Class 2019-D will be Friday, August 2, 2019 at 10:30 AM at Second Ebenezer Church. I encourage the Board to attend and show your support to new officers and their families who will soon be joining the police force. Additionally, I want to remind the Board of the retirement celebration for Deputy Chief of Police Elvin Barren. The celebration is today, beginning at 5:00 PM. Each Board member has a reminder in your Board package of the event, its location and time. Please refer to the sheet for more information.

Today, we have one presentation scheduled. The presentation is the monthly report from the Office of the Chief Investigator. Dr. Polly McCalister will be making the presentation.

Under the Chief's Report, I am requesting an update on our crime statistics and any critical issues facing the Police Department.

Again, at the end of the meeting we will have public comments from the audience. Please make sure you print your name on a speaker's card. Cards are located in the back on the table or can be obtained by seeing Mr. Robert Brown. He will need your card before the end of the Chief of Police Report. We will hold each speaker to the allotted 2 minutes. I ask that everyone turn off your cell phones and other electronic devices. This request does not include the devices held by DPD personnel as many of you are on emergency standby. I ask DPD personnel to put their phones on vibrate so that ringing phones will not interrupt our meeting."

COP Police Report: Assistant Chief of Police David LeValley representing COP James Craig reported crime and Statistical data utilizing DPD Department report dated July 25, 2019. AC Chief LeValley reported year-to date data by category including, -2% increase in Criminal Homicides, Sexual Assaults 7% increase, Aggravated Assaults -0% decrease, non-fatal shootings 7% increase, Robbery -5% decrease, Carjacking -39% decrease, Burglary -8% decrease, Larceny -4% decrease, Stolen Vehicle -2% decrease and Part 1 offenses -5% decrease. AC LeValley also provided updated information on injured officers and announced the Police Field Day Celebration for August 10, 2019 at Wayne State University, 8 AM to 6 PM.

Presentation to the Board: (A) OCI Monthly Report, Dr. Polly McCalister, OCI Chief Investigator

(A) OCI Monthly Report, Dr. Polly McCalister, OCI Chief Investigator reported from January to June 2019 OCI received 599 complaints, a 20% increase over the same period of last year. For the month OCI investigated and closed 83 Citizen Complaints inclusive of 156 allegations. OCI investigations involved allegations - use of profanity, incident involving "hit & run" incidents, and electronic evidence (Body Worn Cameras and Electronic Control Weapons). Below, please see a table for closed May 2019 Citizen Complaints.

83 OCI CCRs CLOSED – June 2019

156 ALLEGATIONS' FINDINGS

Allegation	Total	Admin_Closure (31%)	Exonerated (16%)	Inconclusive (19%)	Sustained (16%)	Unfounded (22%)
Arrest (1%)	5	3	2	0	0	0
Demeanor (24%)	40	7	1	12	5	15
Entry (1%)	1	0	1	0	0	0
Force (3%)	7	1	1	2	1	2
Harassment (2%)	4	2	0	1	0	1
Procedure (43%)	74	18	17	8	14	17
Property (6%)	5	2	1	0	0	2
Search (1%)	7	1	5	0	0	1
Service (18%)	13	5	2	3	1	2
Total (135 CCRs Closed)	156	39	30	26	21	40

BOPC Standing Committee Reports: None.

Report from Secretary to the Board: Mr. Hicks indicated that on the agenda three items have come into the Board (see list below). He summarized the three items.

1. FOIA Request from Joseph Cox of Muck Rock News re: Willie Burton e-mails from July 1, 2019 to present.
2. Request from Kariton Akins, Team Wellness Center to update the Board on new Psychiatric Urgent Care Unit accessible to Law Enforcement (e-mail 7-23-2019)
3. E-mail communication dated 7-25-2019 re: BOPC Meeting on 7-11-2019 from Terry Robinson.

Announcements: The next meeting is scheduled for August 1, 2019 at 3:00 PM at Public Safety Headquarters Building, 1301 Third Street, Detroit MI 48226. The following month community meeting is scheduled for August 8, 2019 at 6:30 PM at the Samaritan Center, 5555 Conner Street, in the Carolyn Cheeks Kilpatrick Room at 6:30 PM (5th Precinct).

Oral Communications – 5 individual comments

Fredia Butler: Thank you for recognizing and honoring Sgt. Vanessa Wyatt for her forty-two years of service in the Detroit Police Department. When Chief Craig attended the community celebration May 23rd at Butzel Recreational Center, he said that when officers retired in California, they made plans for four months in advance to celebrate such an achievement. Even though your recognition here did not go as I had hoped; pictures with the Chief, Commissioners, and the Commander at the Second Precinct and his Neighborhood Police Officers in a formal setting for Sgt. Wyatt to have as a recorded memory. I am sorry that pictures with the Board and Chief Craig could not have been taken in a timely manner so that the Commander and his NPO's could return to their positions. However, the city had an opportunity to witness that Detroit Finest have officers who are dedicated to serve and are worthy to be honored. When I interviewed Sgt. Wyatt, I learned that during her forty-two years of service, she never fired her weapon in the line of duty. That speaks volume to her character as an officer. Commissioners, I passionately support our officers, especially our Neighborhood Police Officers in the Second Precinct, for the work they are doing in our communities. As a citizen I hope to always speak up for what is just and speak out for any unjust act committed by any officers or officials who took an oath to serve our city. Commissioners, please do not allow unpleasant discourse among you to take your focus off of the responsibility that has been given to you as oversight for the good and safety of our communities. Meet and work out your differences before coming before the public to learn of our concerns.

Karen Gordon: Hi my name is Karen Gordon and I'm here again today and I'm wondering why still not yet have I found the seventh precinct no one in it knows how to write up a false police crime report. When a report was filed on me it was a false police report and it said in the penal code act 320(a) of 1931 750.41, if a person made a false police report on you, you can file police charges against them. And I want to know why can't I file charges against the three people that I can prove made false police reports. And then I also want to know that day the police officer also made a false police report and also lied to his fellow police officer. So is he held to the same as this penalty code or is he exempt from this law. And I can't find an answer who do I go to, I done went to the police, the police don't know the law. So who know the law. Who do I go to, to find out who knows the law.

Tawanna Petty: Hello again, Tawanna Petty representing Detroit Community Technology Project of course I'm here to talk about facial recognition technology and also my disappointment at the fact that City Council voted to expand the Real Time Crime Center while we're in a heated debate and a lot of folks are confused and there's a lack of transparency coming from the Mayor's Office and the Detroit Police Department. I'm feeling very anxious about your upcoming vote considering that everyone is going on catered field trips to the real time crime center where you won't even be able to determine whether or not you're getting a real experience on day-to-day practices of law-enforcement because you're not a technologist so you can be shown pretty much anything at this point. So I just want to voice my concern about that. And finally I think that there has been a lack of transparency about mobile use in conjunction with project Greenlight and the potential for facial recognition technology. The contract identifies that there is unlimited mobile use I've still yet to hear how law enforcement is using mobile cell phones in conjunction with the technology. I don't think that's been interrogated, I haven't heard anybody asked about that and I haven't heard it answered. And so I want to put back on the record that I think there needs to be some transparency regarding the stats that are being given about accuracy regarding the use of mobile cell phones, regarding what happened to drones within the proposed directive that was put forward in April. And I'd like to get a few technologists to scrutinize the real time crime center. And so that's my comment. Thank you

Valerie Glenn: Good afternoon citizens and Police Commissioners, my name is Valerie Glenn a lifelong resident of the city of Detroit. I am here, first of all I'd like to ditto what Miss Petty said. I'm very concerned about the transparency regarding the technology or the facial recognition technology. It has now been written down and presented to the citizens by some of the members of the City Council, Miss Sheffield in particular or Councilwoman Sheffield. She actually has said that you've been using this technology for two years that's really disappointing to me along with the community. Right now I'm also very concerned about the amount of arrests that have taken place amongst the community activist attending meetings in the City Council building along with other buildings. When I attended the last City Council evening meeting I counted the police officers that were hiding in the back to the left of the center about a one police officer to three citizens ratio. That's entirely overkill. I wouldn't even have that many people with children, or I wouldn't do that in a teaching situation. Right now we have another person who has been arrested and injured and that is Ms. Warwick, Joanna Warwick, or JoAnn Warwick, Warwick I'm sorry Warwick. And her situation is confusing but she was in the Coleman Alexander Young Building and there was an altercation with one of the police officers. This is way overkill my husband in his 35 years of being on the force never used his gun at work as well, or he never got into an altercation, this is bad. I'm sorry you guys are not doing your job.

Madge Penelope Morgan: Hi my name is Madge Penelope Morgan, and this is my first time attending one of these meetings. And the evil that was visited upon Commissioner Burton brought me down here today. So my question or my comment, can I ask a question? Can my comment be a question and get an answer? So I've been reading all the news reports and my question is, is it true that you guys have Wednesday meetings behind closed doors, secret meetings? Is that true? Yes or no? Wednesday meetings where the public is not allowed, where Commissioner Burton was barred from? Are there Wednesday meetings held in secret behind closed doors is my question. I see you have a transcriptionist over there, does the transcriptionist take notes at the Wednesday meeting also? Ok that's what I wanted to ask.

Chairperson Carter: Requested a motion to adjourn. **Motion to Adjourn, Holley, Second, Holt.**

Motion to Adjourn. Chairperson Carter adjourned the meeting at 3:48 PM.