

Draft Minutes Detroit Board of Police Commissioners

Date of Meeting: October 26, 2017 – 3:00 PM

Location: Detroit Public Safety Headquarters, 1301 Third Street, 3rd Floor, Detroit, MI 48226

Chairperson Lisa Carter called the BOPC meeting to order at 3:00 PM (October 26, 2017)

Detroit Police Commission Membership / Attendance	Attend	Not-Attend
Lisa Carter, Chairperson	Yes	
Eva Dewaelsche, Vice Chairperson	Yes	
Willie Bell	Yes	
Elizabeth Brooks	Yes	
Willie E. Burton	Yes	
Reginald Crawford (3:09 PM)	Yes	
Conrad Mallett	Yes	
Derrick Sanders	Excused	
Richard Shelby	Yes	
Bishop Edgar Vann	Yes	
Vacant	N/A	
Quorum (Yes)	9	

The Board acted in accordance with its rules approved the Agenda for October 26, 2017.

The Board acted in accordance with its rules approved the following Board Minutes:
Thursday, October 19, 2017

BOPC Officers Report(s): After welcome and opening remarks **Chairperson Lisa Carter** asked Bishop Edgar Vann, II to provide the invocation. Carter asked the Commissioners in attendance to introduce themselves and add any comments to the record. Other elected officials, representatives and VIPs were also asked to identify themselves or their organizational affiliations. BOPC staff in attendance were also introduced. Carter also welcomed to the meeting, **DC Charles Fitzgerald**, representing Chief of Police James E. Craig, DC Fitzgerald introduced DPD staff.

Chair Report: **Carter** said “I would like to indicate our continued support for injured and fallen personnel. In our minutes from last week, we recorded the condition and situation of several of these officers. I understand that the situation and severity of injuries remain the same. Again, I ask for your support for the individual personnel and their families.

We have two presentations on our agenda, (1) BOPC Budget review for the first quarter, (2) Office of the Chief Investigator, Monthly Report. At the end of the meeting we will have oral communications from the audience. So, if you would like to address the Board on Police or public safety matters, please sign a card so that we can call you at the appropriate time.”

COP Police Report: **DC Fitzgerald** reported on crime continuing to trend downward. DC Fitzgerald reported on CompStat data for the reporting period ending October 22, 2017. Fitzgerald reported Homicides percentage change between 2015 and 2016 of -8% decrease, Sexual Assaults -7% decrease, Robbery -14% decrease, Carjacking -13% decrease, Aggravated Assaults, -5% decrease, Non-fatal shooting, -11% decrease for an overall total of -7% decrease, and overall violent crime of -7% and property offenses -7%. Fitzgerald also uprated the Board on upcoming promotional ceremonies to be held at Second Ebenezer Baptist Church. **Commissioner Vann** inquired about the statistical reports related to crime and the perception of crime. Vann indicated that citizens do not feel safer, notwithstanding statistics or reports of reduced crime. **Commissioner Crawford** reported on his recent FOIA effort to request data from the Wayne County Medical Examiner that identifies homicide victims as opposed to only those victims ruled as not-justified. Crawford indicated that to have a more accurate count of homicides it is necessary to add

together justifiable and non-justified homicides. **Commissioner Burton** indicated that we need to applaud the Department inasmuch as it has added 206 new officers to the force and is meeting its 30 per month academy recruitment goals and has more than 200 Greenlight locations. **Crawford** added that the Greenlight strategy is a corporate strategy designed to protect business interests. He indicated that a call from the neighborhood was not given the same priority as a call for service from a Greenlight location. Crawford said "we have shifted crime from the gas pump to down the street."

Presentations to the Board: (A) Budget Oversight First Quarter, Ms. G. Faye Johnson, CPA, (B) Monthly Report of the Office of the Chief Investigator, Lawrence Akbar, Interim BOPC Chief Investigator.

(A) Budget Oversight First Quarter, Ms. G. Faye Johnson, CPA, Ms. Johnson reported, I wanted to inform you that BOPC is not in deficit. We have just completed the first quarter ending September 30, 2017. Additionally, we have the same issues with Finance regarding charges from others to our cost center, but we meet with them (Finance) monthly to get the issues corrected. Finally, we have completed our draft budget for FY 2018-19 and have forwarded the BOPC budget it to DPD Finance.

A) Curfew for City of Detroit October 29 – 31, 2017, Board Attorney Wyrick, reported on the Detroit City Council authorized special curfew for October 29 – 31, 2017. Wyrick outlined the coverage under the curfew and the fines and consequences for violators under the curfew ordinance. **Commissioner Vann** inquired about the continued need for the curfew and enhanced patrol activities related to Angel's Night. **Commissioner Mallett** indicated that the curfew was proscriptive and reminded the Board of the practice within the first year of the Archer Administration when the curfew was removed. Mallett summarized several of the resulting problems flowing from the decision to end the special curfew practice.

(B) Monthly Report of the Office of the Chief Investigator, Lawrence Akbar, Interim BOPC Chief Investigator. Mr. Akbar's presentation centered on the following highlights,

Highlights of the OCI Report for September 2017

Front Line Supervision is critical fulfilling the mission of the Department, the Board of Police Commissioners and the Office of the Chief Investigators

- Command must assist in identifying officers under their command.
- Command must require that reports at the precinct level are complete to the best of their ability.
- Command officers have a shared responsibility to operate in the best interest of the city to reduce future liability.

DPD Scout Car Video/Audio Equipment

Forty-one cars associated with a Citizen Complaint Report investigation revealed only 23 incidents were captured.

- 18 incidents were not captured due to equipment failure such as video not uploading to the server, the driver of the police vehicle angled the focus away from the actual incident scene, the officer manipulated the camera, the incident was not a triggered event (activation required excessive speed, frequent use of the brakes, activation of overhead lights), the officers turned off their microphones or the AM/FM radio in the police vehicle was so loud that the interaction/conversation could not be heard.
- This led to 8 Sustained findings and 22 Not Sustained findings
- Electronic Evidence plays an important role in eliminating the number of not sustained findings, which plays a major role in reducing and protecting the tax payers regarding civil liability suits.

DPD Body-Worn Cameras

- Thirty-three incidents associated with a Citizen Complaint Report investigation revealed only 22 incidents were captured.

- 11 incidents were not captured due to officers' failure to activate the BWC as directed by department guidelines, officers intentionally having their backs to the complainant when police conduct may be questionable (not allowing the incident to be recorded, or equipment failures that were mentioned regarding the DPD Car Video/Audio Equipment.
- All equipment problems are forwarded to the Department of Information and Technology to confirm equipment malfunctions or user inference.

DPD Members Seniority and Rank

- Members with 10-19 years of seniority had 35 CCRs filed against them.
- Members with 2 years or less had 36 CCRs filed against them.
- **Both groups are working with each other or 2 years and less members are working together which is a bad management practice of deployment.

Commissioner Bell responded by indicating that much of what was discussed in the OCI report related to the culture of policing and good review of current practice helps us meet our responsibilities as an oversight agency. **Commissioner Crawford** added that individual officers have a responsibility to speak up as they witness violations against rules and regulations. **Chairperson Carter and other Commissioners** raised the issue of an officer in the 8th precinct that has an exceptional number of citizen complaints given the amount of time this officer has on the job. **Chairperson Carter** directed the staff to construct a letter to the Chief of Police identifying this officer and requesting that the Chief take a hard look at the conduct of this individual officer. **Commissioners Vann and Mallett** inquired about the efficacy of placing two rookie cops in the same car, both also underscored the importance of supervision in cases where deployment forces or dictates staffing patterns. **Commissioner Mallett** also provided an example of how the Medical Center is required to adjust to the reality of those staff members who actually report to work forcing real-time adjustments in deployment of staff to meet coverage standards.

Commissioner Bell indicated the Board should use its subpoena powers to obtain lawsuit data.

Motion by Commissioner Bell. Motion to subpoena the City of Detroit for the records of the City of Detroit in connection with legal settlements, awards, judgments and any other orders wherein the City of Detroit had paid for police officers and other members of the Department of Police resulting from lawsuits involving the conduct of police personnel. Said motion is to cover the past 5 years of activity.

Second Crawford

Yes = 8

No = 0

Abst. = 0

Motion approved

Report from the Secretary of the Board. Mr. Hicks discussed four incoming items appearing on today's agenda. Hicks also indicated the staff would follow-up with the Board request to send a communications to the Chief regarding the officer in the 8th Precinct. Additionally, we would prepare the information associated with the Board instructions to issue a subpoena for records related to legal payments and judgments for DPD personnel. **Commissioner Crawford** indicated the request for lawsuit information should go back to the time that the Board was without power to the current day. Mr. Hicks also indicated that as part of the discussion on CCRs it is important to include in our inquiries to the Department disciplinary investigations that include IA, Use of Force and other investigations within the Department. The Board was advised that future requests would be made to obtain disciplinary information from all personnel investigative segments of the Department. Mr. Hicks also indicated that the staff had prepared and transmitted to DC Bettison a list of past requests from the Board including requests to receive and review environment audits produced by the Department.

Old Business. Commissioner Bell indicated that he had omitted from his report last week the work of BOPC staff Teresa Blossom who attended the NPO conference and organized an impressive table.

New Business. None.

Announcements: The next regular of the BOPC is November 2, 2017 at 3:00 PM at the Detroit Public Safety Headquarters. The next Community meeting of the BOPC is November 9, 2017 to be held at Cody Academy of Public Leadership, 18445 Cathedral Street, (East of Evergreen, and North of Joy Road).

Oral Communications from the Audience / Public Comments:

William Davis expressed his concerns about crime statistics and how citizens do not feel safe. **Don Johnson** discussed his concerns about individual officers and their need to speak up in the face of other officers who may be violating rules and regulations. **Ms. Harper Lee** discussed a continuing set of issues on her block involving other neighbors and the police Department's response to her concerns. **Ms. Helen Moore** requested the BOPC to address the issues of entrance into DPD's Academy related to Mr. Nathaniel Sandrich. Mr. Sandrich indicated he had been rejected by the Chief, but had not filed an appeal with the BOPC. Mr. Sandrich was referred to make a formal appeal to the Board. **Ms. Sandra Bracey** complained about the 11th Precinct and how the officers were abusive to her in a dispute at her father's home. Ms. Bracey also indicated she had filed a complaint with OCI. **Ms. Avis Farmer**, indicated she was in town and wanted to stop by the Board to say hello. Ms. Farmer had worked with the Board on matters related to the consent decree.

Adjourned at 5:05 PM.