

**Draft Minutes Detroit Board of Police Commissioners**

**Date of Meeting: February 8, 2018 – 6:30 PM**

Location: Heilmann Recreation Center, City of Detroit, 19601 Crusade St., Detroit, MI 48205

**Vice Chairperson Eva Dewaelsche called the BOPC meeting to order at 6:30 PM (February 8, 2018)**

Detroit Police Commission Membership / Attendance	Attend	Not-Attend
	Excused	
Lisa Carter, Chairperson	Excused	
Eva Dewaelsche, Vice Chairperson	Yes	
Willie E. Bell	Yes	
Elizabeth Brooks	Yes	
Darryl D. Brown	Yes	
Shirley A. Burch	Yes	
Willie E. Burton (3:15 PM)	Yes	
William M. Davis	Yes	
Conrad Mallett, Jr.	Excused	
Derrick Sanders	Yes	
Vacant	N/A	
Quorum (Yes)	8	

**The Board acting in accordance with its rules approved the Agenda for February 8, 2018.**

**The Board acting in accordance with its rules** approved the following Board Minutes:  
**Thursday, February 1, 2018**

**Vice Chairperson Eva Dewaelsche** asked Police Chaplin Tim Clark to provide the invocation. **Vice Chairperson Dewaelsche** 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. Dewaelsche also welcomed Chief of Police James E. Craig to the meeting and invited him to introduce DPD staff.

**Chair's Report: Vice Chair Eva Dewaelsche** said" Welcome: Good Afternoon. I am Police Commissioner Eva Garza Dewaelsche, Vice Chair of the Board and member at-large. On behalf of the Board, thank you for attending tonight's Board meeting. Our Board meets weekly. The second Thursday of each month we meeting in the community and we make an effort to visit locations across the city. Tonight, we are at the Heilmann Recreation Center. I would like to ask Mr. Byron Spivey, Heilmann Recreation Center Supervisor to welcome us to this great facility.

On behalf of the Board, I want to express our concern and support for fallen and injured officers. The city is still mourning the death of Officer Glenn Doss. I would ask the Chief during his remarks to provide us with any additional information related to injured and fallen officers.

Last week, Chair Lisa Carter urged us to remember that American History and World History can only be told through the truth and inclusion of black history. Today, Feb. 8<sup>th</sup> illustrates this very well.

History records this date as the debut of the D.W. Griffiths film, *Birth of Nation*, and its innovations in movie-making in 1915 and the start of terrorist anti-race groups like the Klu Klux Klan. History also records this date as the Orangeburg Massacre, when police killed three black students at South Carolina State in 1968. Again, February is a short month, but Black History is long and runs deeply through American History. We need to remember our history as part of our civic responsibility. We owe that much to the people who looked at Birth of a Nation a century ago and took a stand against racial oppression and social injustice, even though it would be a **hard journey**. A **hard journey** that moved through big cities like Detroit and small towns like Orangeburg, where those three 18-year-old young men lost their lives in the **FIRST** deadly confrontation between university students and law

enforcement in United States history. Orangeburg happened two years before Kent State, which most people name as the first deadly police-student incident because they do not know the truth of the History that includes Black history.

For many of us, Black History Month continues to be essential in order to set straight the record of history with inclusion. If you have any doubt, watch the 2016 version of Birth of a Nation. Black History Month also reminds us that the African American experience exemplifies the strength of Democracy, of Equality and Civil Rights, and of basic Human decency – and of the perils to society and humanity when anyone tries to turn back the clock.

Our Board is humbled to play a small part in upholding those principles, to keep going on **that hard journey** and this evening our duties in civilian oversight includes 4 presentations. The first is a panel who will discuss Medical Marijuana. Andrew Brisbo, State Director Bureau of Medical Marihuana Regulation and Megan Moslimani, Deputy Chief, City Law Department, Marihuana Enforcement. The current environment related to Medical Marijuana is confusing. Given the passage of two local ballot initiatives and new regulatory rules introduced by the State of Michigan, citizens within our jurisdiction are confused on how medical marijuana will be regulated and enforced. Many of our citizens are concerned that they will not have an opportunity or anywhere to voice complaints related to the new regulations. We are hopeful that both panelists will provide some input to how the Medical Marijuana industry will work in Detroit and Michigan. Who is responsible for enforcement, and how it might be impacted by regular citizens. The panel will be followed by Reports from OCI, Human Resources and the 9<sup>th</sup> Police Precinct.

Toward the end of the meeting, we will have oral communications from the audience, so if you would like to speak to the Board, 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, and he needs your card before the beginning of public comments.

There is also refreshments to be served at the end of the meeting.”

**Resolutions: Commissioner Shirley Burch**, read into the record a resolution honoring **Ms. Sandra Turner-Handy**

**RESOLUTION HONORING MS. SANDRA TURNER-HANDY**

**WHEREAS** Ms. Sandra Turner-Handy a life time citizen of the City of Detroit, and resident of the Ninth Precinct. She is a Mother of six children, grandmother to eight grandchildren and a great-grandmother to one child; and

**WHEREAS** Ms. Handy received her Bachelor of Science in Psychology, Master of Science in Organizational Leadership Development and Doctoral Candidate Ed.D. She is currently employed as a Community Engagement Director; and

**WHEREAS** Ms. Handy is associated with the Denby Neighborhood Alliance who's plan is to rehabilitate and revitalize the community around Denby High School by implementing initiatives and programs that promote the economic, social and cultural development of the community; and

**WHEREAS** Ms. Handy is also involved in Great Communities Now, a broad based coalition of community groups. She is also committed to the following civic organizations, CLEARCorp/Detroit Executive Committee, Michigan Environmental Justice Coalition, Detroit Environmental Agenda Leadership, Detroit Horse Power Board, Zero Waste Detroit, Bleeding Heart Design Board, Michigan Organization to Impact Obesity and Nutrition; and

**WHEREAS** She is currently a board member of Doing Development Differently. A diverse coalition of community, environmental, faith and organized labor organizations united to strengthen metropolitan Detroit through community engagement in the creation of sustainable economic development strategies and public policy.

**NOW, THEREFORE, BE IT RESOLVED** That the Detroit Board of Police Commissioners speaking for the citizens of the city of Detroit and the Detroit Police Department, acknowledge the dedicated, hardworking, committed support of Ms. Sandra Turner-Handy. Her dedicated public service and devotion to improving the quality of life for all citizens in her community and throughout the city of Detroit, merits our highest regards.

**DETROIT BOARD OF POLICE COMMISSIONERS**

**MOTION: Commissioner Brooks moved the resolution, honoring Ms. Sandra Turner-Handy.**

**Second, Sanders**

**VOTE:                    Yes = 8                    No = 0                    Abst. = 0                    MOTION APPROVED**

**COP Police Report: James E. Craig, Chief of Police** reported on crime continuing to trend downward. Craig reported on CompStat data for the reporting period ending February 4, 2018. Craig reported Homicides percentage change between 2016 and 2017 of -28% decrease, Sexual Assaults -8% decrease, Robbery -27% decrease, Carjacking -24% decrease, Aggravated Assaults -2% decrease, non-fatal shootings -26% decrease, Burglary -31% decrease, Larceny -13% decrease, Stolen Vehicle -29% decrease and Part 1 offenses -19% decrease. Craig indicated that figures in the first quarter of the year are misleading, but we have had a good start. Chief Craig updated the Board on injuries to officers as well as thanked the Board for their support related to Officer Glenn Doss. Chief Craig also indicated that the circumstances surrounding the death of Doss is related to service call related to domestic violence and mental illness. The chief indicated that we have criminalized mental health and we have transferred care for mental illness to police officers and jailers.

**Presentations to the Board: (A) Marijuana Update – Local & State – Andrew Brisbo, Director - Bureau of Medical Marijuana Regulations, State of Michigan, Megan Moslimani, Deputy Chief - Criminal Enforcement and Quality of Life, Detroit Law Department, (B) OCI Report, (C) Human Resources Report, (D) 9th Precinct**

**(A) Marijuana Update – Local & State – Andrew Brisbo, Director - Bureau of Medical Marijuana Regulations, State of Michigan AND Megan Moslimani, Deputy Chief - Criminal Enforcement and Quality of Life, Detroit Law Department**

**Director Andrew Brisbo** indicated he represented the State of Michigan, Licensing and Regulatory Affairs (LARA), Bureau of Medical Marijuana Regulations (BMMR). Mr. Brisbo indicated The Bureau of Medical Marijuana Regulation (BMMR) is responsible for the oversight of medical marijuana in Michigan and consists of the Medical Marijuana Facility Licensing Division and the Michigan Medical Marijuana Program. The Medical Marijuana Facility Licensing Division regulates the state's medical marijuana facilities and licensees, including growers, processors, transporters, provisioning centers and safety compliance facilities. The Michigan Medical Marijuana Program oversees the state's patient registry program, issues registry identification cards, and administers the Michigan Medical Marijuana Act. Mr. Brisbo gave the history of legislative and citizen initiatives that resulted in state regulatory action. Brisbo also indicated that LARA had enacted several emergency rules to be used to implement the work started by the legalization of medical marijuana and the recent regulatory program enacted by the State. Brisbo indicated that beginning in December 15, 2017 persons may apply to the Board to obtain operating licenses for three financial categories of growers, processors, provisioning centers, secure transporters and safety compliance facilities. Brisbo indicated that the State had set capitalization requirements and deadline for implementation. Brisbo also indicated that the State of Michigan would work with local government respecting local zoning authority reserved by local government. Mr. Brisbo also indicated that the Michigan State Police have been empowered to provide enforcement under the medical marijuana regulatory program.

**Megan Moslimani, Deputy Chief - Criminal Enforcement and Quality of Life, Detroit Law Department** focused her presentation on the impact of recent ballot initiatives authorized by Detroiters. She indicated that the city suspended clinics while the initiatives are being challenged in court (Judge Colombo). The suspension of the program was due to issues related to the city's zoning authority whereas the proposals are intended to supersede local zoning controls. Moslimani also indicated the suspensions are in lieu of an expected ruling by the judge on February 16, 2018. Moslimani indicated that following the recent election and the passage of Proposal A and B the city's webmaster posted on the site the following message ,

*City of Detroit has the following message: Important Notice: Medical Marijuana Caregiver Center Program is Repealed. Proposals A and B passed by the voters in the November 7, 2017 election effectively repealed the City's medical marijuana caregiver center program. New applications for medical marijuana caregiver centers are no longer being accepted. BSEED will begin accepting applications for medical marijuana facilities in early 2018.*

Moslimani gave history that in March 2016 the process resulted in 350 applications, 283 actual facilities, 200 of these facilities have been closed down and that 68 locations have been submitted to the State of Michigan for reviewing and licensing by the State of Michigan. **Commissioner Davis** inquired about the number of Detroit residents who have applied and might become owners of the newly regulated facilities. **Commissioners Sanders** asked if the City of Detroit was the only city that allows this type of facility to exist in its area. **Commissioner Burch** discussed the proliferation of medical marijuana facilities on 8 Mile Road. **Commissioner Bell** asked for clarification on who has the enforcement responsibility for medical marijuana, State or local government. **Commissioner Brown** inquired about the responsibility of the State to deal with the chemical toxics associated with marijuana and if the State had made provisions to assist first responders who will have to respond to fires at the various grow houses/facilities. Brown also asked how funds are to be generated to support the program and if there is any consideration to the costs to be undertaken by local government. **Commissioner Dewaelsche** inquired about the 17 member advisory panel

to be used by the State and if residents from the Detroit area will be appointed to this panel given the large amount of citizens who will be impacted by the program.

In response to Commissioner Brown's question, Director Brisbo provided the following information. The MMFLA requires all provisioning centers to collect an excise tax at the rate of 3% of the provisioning center's gross retail receipts. The revenue from the excise tax will be distributed as follows per Section 602 of the MMFLA:

*(a) 25% to municipalities in which a marihuana facility is located, allocated in proportion to the number of marihuana facilities within the municipality.*

*(b) 30% to counties in which a marihuana facility is located, allocated in proportion to the number of marihuana facilities within the county.*

*(c) 5% to counties in which a marihuana facility is located, allocated in proportion to the number of marihuana facilities within the county. Money allocated under this subdivision must be used exclusively to support the county sheriffs and must be in addition to and not in replacement of any other funding received by the county sheriffs.*

*(d) 30% to this state for the following:*

*(i) Until September 30, 2017, for deposit in the general fund of the state treasury.*

*(ii) Beginning October 1, 2017, for deposit in the first responder presumed coverage fund created in section 405 of the worker's disability compensation act of 1969, 1969 PA 317, MCL 418.405.*

*(e) 5% to the Michigan commission on law enforcement standards for training local law enforcement officers.*

*(f) 5% to the department of state police.*

Director Brisbo also responded to the Board's concerns questioning the revenue needed to generate the program and support its regulatory work. He indicated, The Medical Marihuana Facilities Licensing Act (MMFLA) provides for an application fee and regulatory assessment. The application fee is set by administrative rule (\$6,000) and is used to offset the cost of the background investigation by BMMR for all applicants. The regulatory assessment is established annually to cover the following costs as dictated by Section 603 of the MMFLA. Brisbo added *a regulatory assessment is imposed on certain licensees to reflect annually*

*(a) The department's costs to implement, administer, and enforce this act, except for the costs to process and investigate applications for licenses*

*(b) Expenses of medical-marihuana-related legal services provided to the department by the department of attorney general.*

*(c) Expenses of medical-marihuana-related services provided to the department by the department of state police.*

*(d) Expenses of medical-marihuana-related services provided by the department of treasury.*

*(e) \$500,000.00 to be allocated to the department for expenditures of the department for licensing substance use disorder programs.*

*(f) An amount equal to 5% of the sum of the amounts provided for under subdivisions (a) to (d) to be allocated to the department of health and human services for substance-abuse-related expenditures including, but not limited to, substance use disorder prevention, education, and treatment programs.*

*(g) Expenses related to the standardized field sobriety tests administered in enforcing the Michigan vehicle code,*

*(h) An amount sufficient to provide for the administrative costs of the Michigan commission on law enforcement standards.*

In response to questions about local expenses, in addition to the percentage provided to municipalities, the City of Detroit indicated it will be able to also collect up to \$5,000. in local processing fees. The collection process and the timing of the collections process is yet to be determined.

**B. OCI Report, Interim Chief Lawrence Akbar.** **Interim Chief Lawrence Akbar** presented citizen complaints for January 2018. He indicated that the Office of the Chief Investigator received 74 Citizen Complaints, year-to-date representing a 13% decrease from January 2017 (11 less complaints). OCI closed in 104 cases in January 2018 as compared to 88 Closed in January 2017, an increase of 18% (11 more cases). OCI has currently 193 cases open. Last January, OCI had 171 cases open. Akbar also indicated that of the 104 complaints received in January, 21 scout cars were equipped with audio/video equipment of these 9 cars OCI was unable to retrieve video evidence. Also for the month of January 2018, OCI investigated 104 complaints of these cases Body Worn Cameras were available in 54 cases. Of the 54 cases, 16 of the cases camera footage was not captured. Akbar also indicated that of the complaints filed they involved 126 DPD members out of 2509 members, or 5% of DPD members. Akbar indicated because our meeting is in the 9<sup>th</sup> Police Precinct, he has tailored his presentation for the 9<sup>th</sup> Precinct. For the calendar year of 2017 the 9<sup>th</sup> Precinct had 73 complaints. Akbar gave complaint statistics for the 9<sup>th</sup> Precinct, allegations and discussed the type of OCI findings (Exonerated, Unfounded, Sustained and Not Sustained). Mr. Akbar also discussed the distribution of complaints across the city, the type of complaints, and member seniority and rank statistics. Akbar also discussed the need to have precinct camera work and the need to hold command responsible for the conduct of the force.

**B. Human Resources Report, Interim DPD HR/Personnel Director Bridget LaMar.** **Interim Director LaMar** provided statistical data for January 2018. She indicated that of the total positions (Sworn) in the Department, DPD has 35 Vacant. Of the 630 (Civilian) positions in the Department, 42 are vacant. LaMar discussed recruitment and MCOLES processing indicating the Department has 160 recruits in process and from 7/1/2017 to 1/31/2018 the Department hired 193 individuals from 2768 applicants. LaMar also provide residency data, attrition data and leaves of absence and restricted duty data. **Commissioner Davis** inquired about the disappointing number of Detroit residents hired by the Department. **Commissioner Bell** discussed the competitive recruitment process and the low pay for DPD new officers, but he emphasized the need to recruit Detroiters as a necessary part to impact residency numbers. **Commissioner Brooks** continued her call to recruit and asked if any of the areas organizations would like to join in the recruitment efforts to contact her. Brooks also asked about Friday, February 9, Graduation.

**C. 9<sup>th</sup> Precinct, Commander Eric Decker and Captain Mark Thornton.** **Commander Eric Decker** reported crime is down, but the number of non-fatal shootings continue to go up. Decker indicated the driving force for shootings in the 9<sup>th</sup> Precinct is guns and dope. Decker indicated that the Precinct has special designated units from Major Crimes, Gang Intell and Special Operations. These three unit have conducted warrant searches to 90 doors and have been responsible to taking 100 guns off the streets. Decker also reported on a new shooters team. The team is reviewing all of the shootings and are attempting to track multi-offenders. Decker also reported that Ceasefire is going into the school to deal with some of the gangs inside of the schools. Decker also reported that the Precinct has a social worker assigned. Decker added that Scout 9-7 is the most crime ridden location in the Precinct and in the city. He indicates that 20 % of the crime is in Scout 9-7. Decker indicates that in addition to the services from other Department resources the Precinct will begin a strategy of sustained policing in Scout 9-7. **Commissioner Burch** asked about the participation of block clubs, churches and other volunteer efforts to help the Precinct. Decker responded that they have some 2500 volunteers working to board up houses and other activities. **Commissioner Burch** also asked about re-entry of dope traffickers in boarded houses. **Captain Thornton** discussed the sustained presence of the police after board up process. Commission Bell noted it is within the spirit of Black History Month that we recognize the history of Blacks in DPD. Bell cited **John W Wilson** appointed March 6, 1878 as the first black on the Department. On July 16, 1895 **George Carmichael** is the first black retired Oct 1 1925.

**Report from the Board Secretary.** **Mr. Hicks** indicated the office had received six communications, each listed on the agenda. Hicks noted the communication the Chief of Police regarding Rank and Structure, he also referenced a call from Scott Benson in connection a pending lawsuit and a subsequent communications to Corporation Counsel Lawrence Garcia from Council member Scott Benson discussing the role of the Board in disciplinary matters. Finally Hicks discussed a Bid package for BOPC transcription services.

**Old Business: None**

**New Business: None**

**Announcements:** The next regular meeting of the BOPC is scheduled for February 15, 2018, at 3:00 PM, Detroit Public Safety Headquarters, 1301 Third Street, Detroit, MI 48226. The next Community Meeting of the BOPC is March 8, 2018 at 6:30 PM location **TBA**.

**Oral Communications from the Audience / Public Comments:**

**Scotty Bowman** took exception with the comments of Board member's characterization of the dangers related to marijuana. **Yolanda McCants** wanted to know if it is possible for a business that operated as an auto repair shop and then changes over to a marijuana grow house be in legal compliance with their business operating permits. **Pastor Stephanie Wilkins** invited the Board to a human trafficking forum. **Roderick Johnson** complained about dangerous wild dogs and the closing of a supermarket at Gratiot and VanDyke that is planned to be converted into a weed market. **Michelle George** acknowledged the death of officer Doss. She also discussed the impact of marijuana on the brain and indicated that medical marijuana is not in Grand Rapids because Betsy DeVos does not want marijuana in Grand Rapids. Finally, Ms. George discussed the impact on recruitment because oftentimes using marijuana could not pass drug test and therefore join the Department. **Joan Risgan** applauded the Department on the raid taking 100 lbs. of illegal substance of the street, but was perplexed about how repeat offenders operating in storefronts trafficking in weed only get misdemeanor tickets. Risgan added, "the city is not telling the truth about the number of closed weed shops." **Tom Choske** discussed 200 dispensaries that have been shut down as illegal operations and if the Department use the forfeiture laws to take the property and the proceeds to funds going to DPD operations. Mr. Choske also inquired about the possibility to create a mental health unit. **Deshawn Hurt said** "Thank you for the opportunity for questioning the Board. Good evening to the Board tonight. I would like to thank the Detroit Police Department (DPD) for what they have done in my community. My name is Deshawn Hurt, Region Park Association President. First, I feel a little disheartened to hear that marijuana facilities are here to stay. Very disheartening to me, but as a community, we are going to work to do our part to improve it. I want to know is there any correlation between the increase of mental illness in our community and marijuana? **Chief Craig:** Based on my experience in different cities, the correlation is high poverty; there is usually high mental illness. The reason why, is when you live an environment of violence it has a direct impact on you, just like our service heroes that suffer from PTSD. What we know and often do not talk about is middle school children suffering from mental illness, that is why we have established City Camp Children Trauma Intervention, focus on middle school aged kids exposed to violence. When exposed to violence and we are not treating the adults or the children, there is a correlation, then tying into mental illness drug use it all works together. **Mr. Hurt,** I been a Detroit citizen my entire life on the east side went to Rosa Parks Middle School, and Finney High School. When I was coming up there was a huge push to "Say No to Drugs." The Blue Pigs came to the schools and explained how marijuana was detrimental to our community. They pointed out, one thing I remember marijuana was a gateway drug. I haven't seen a community yet, nobody can tell me of a community that suffers from Mental illness, illegal drug usage and high gun usage that recovered by allowing another illegal drug to come into the community."

**MOTION to Adjourn by Commission Bell.**

**Adjournment 8:54 PM**