

**Draft Minutes Detroit Board of Police Commissioners**  
**Date of Meeting: Thursday, November 19, 2020 – 3:00 PM**  
**Location: Zoom Virtual Meeting Platform**

**BOPC Chairperson Willie Bell called the BOPC Board Meeting to order at 3:00 PM (November 19, 2020)**

Detroit Board of Police Commissioners' Membership / Attendance	Attend	Not-Attend
Willie E. Bell, Chairperson	Yes	
Annie Mae Holt, Vice-Chairperson	Yes	
Darryl D. Brown	Yes	
Shirley A. Burch	Yes	
Willie E. Burton (3:11 p.m.)	Yes	
Lisa Carter		Excused
William M. Davis	Yes	
Evette Griffie		Excused
Jesus Hernandez	Yes	
Jim Holley	Yes	
Martin Jones	Yes	
Quorum (Yes)	9	

**The Board acting in accordance with its rules approved the Agenda for Thursday, November 19, 2020.**

**Chairperson Bell** called the meeting to order and invited Chaplain Laverne Farmer to provide the invocation.

**INVOCATION: Chaplain Laverne Farmer Bailey**

**I. MOTION: To approve the Agenda.**

**Motion:** Vice-Chairperson Holt      **Second:** Commissioner Jones      **Discussion:** Commissioner Davis asked for clarity on which agenda was set for approval: the agenda that was previously distributed that did not reflect the proposed bylaws amendment or the agenda that was distributed today that included the proposed bylaws amendment. **Chairperson Bell** indicated the agenda that included the proposed bylaw amendment was the agenda referred to. Chairperson Bell also cited that there were some technical issues, and that with the agenda, members must always remain flexible. **Commissioner Davis** expressed his sentiments that there were possibly some bylaw violations and that the Board was not properly informed at least two days in advance. Commissioner Davis explained that if the agenda moves forward with the proposed bylaw amendment included, he would file another charge against the Chairperson and against the Board's Staff.

**Yes:** Chairperson Bell, Vice-Chairperson Holt, Commissioner Hernandez, Commissioner Holley, and Commissioner Jones.

**No:** Commissioner Brown, Commissioner Burch and Commissioner Davis.

**VOTE:**                Yes = 5                No = 3                **Motion: ADOPTED**

**II. MOTION: To approve the November 12, 2020, Meeting Minutes with necessary corrections.**

**Motion:** Commissioner Holley      **Second:** Commissioner Hernandez      **Discussion:** None.

**Yes:** Chairperson Bell, Vice-Chairperson Holt, Commissioner Brown, Commissioner Burch, Commissioner Hernandez, Commissioner Holley, and Commissioner Jones.

**No:** Commissioner Burton and Commissioner Davis

**VOTE:**                Yes = 7                No = 2                **Motion: ADOPTED**

**Chairperson's Remarks:**

**Chairperson Bell** called for order and decorum during the meeting.

**III. MOTION: Accept the amended Motion to as Removal to the Board Chair and Vice Chair**

**ARTICLE IV – OFFICERS OF THE BOARD, DUTIES, REMOVAL AND BOARD STAFF. Section 7 Removal from Office**

“The Board may, by an affirmative vote of two-thirds (2/3) 8 members remove the Chairperson, Vice-Chairperson for cause. Prior to any such removal, at least three members of the Board shall have filed a request in writing that the Chairperson or when the proceedings involving the Chairperson, the Vice-Chairperson schedule the action at a regular or special Board meeting.

When the proceedings involve the Chairperson or the Vice-Chairperson, the full Board by a majority vote, shall approve or reject the request. If the full Board by a majority vote approves the request, the person subject to removal shall be notified and shall be provided an opportunity to address the Board prior to the vote.

**Motion:** Vice-Chairperson Holt      **Second:**      **Discussion:** **Commissioner Brown** indicated that this motion is out of order given that the motion was previously voted down. Commissioner Brown indicated that if this was a new motion, the 30-day process would be required. Otherwise, this motion is out of order and it should be removed from the Agenda, and it should not be voted on today. **Commissioner Jones** indicated that we had quite a bit of discussion on this very motion last week and many of the members agreed to the changes within the proposed bylaw amendment. **Commissioner Davis** indicated that the Board was in agreement; however, the Board voted against it. Commissioner Davis requested the Board to review the minutes that was just approved to see if the motion was voted down. **Commissioner Burch** called for peace and asked for additional time before considering the motion. Commissioner Burch recommended that the Board wait until after the holidays to take up the motion to allow for sufficient time. Commissioner Burch also stated that Commissioner Burton was not available or not on line when the Chairperson introduced all of the Commissioners. Commissioner Burch requested that Commissioner Burton be properly recognized and his attendance be recorded. **Chairperson Bell** indicated that he acknowledged Commissioner Burton when he arrived during the time the Board was conducting taking up a vote and handling business. **Commissioner Holley** requested clarity on whether a new motion should replace the motion that failed last week. Commissioner Holley requested the Board Secretary to review the minutes to confirm whether the motion was voted down last week. Commissioner Holley also suggested the Board to have a Closed Session for further dialog. **Chairperson Bell** indicated that the matter would be tabled until the next meeting pending additional research and whether an additional amendment is required. **Commissioner Brown** stated the Board needed to understand whether the motion was voted down.

**Chief of Police Report: Chief of Police's Summary of CompStat Data and other Crime Information/DPD Information:**

**Deputy Chief Marlon Wilson representing Chief of Police James E. Craig** reported on the following items: Officers Injured in the Line of Duty; Comp Stat Crime and Statistical Data for the reporting period; Protest Activities; COVID-19 impacts, and recent critical incidents impacting the Detroit Police Department and the community. See attached Meeting Transcripts for more information.

Comp Stat Data Provided: (See Full Report in Packet) as of November 19, 2020							
Part I Violent Crimes:	Criminal Homicides:	Sexual Assaults:	Aggravated Assaults	Non-Fatal Shootings:	Robbery:	Carjacking:	Total:
<b>Totals:</b>	+17%	-26%	+27%	+54%	-20%	+2%	15% Increase in Part I Violent Crimes
Property I Crimes:	Burglaries:	Larcenies	Motor Vehicle Thefts				Total:
<b>Totals:</b>	-34%	-22%	-17%				-24% Decrease in Part I Property Crime

**COVID-19 Information:** 83 members currently quarantined; (67 sworn and 16 civilian); 65 members are currently COVID-19 positive; 1300 members returned back to duty; **Homicide Division Recent Case:** The recent case involving victim Rejanae Williams, 7-year-old involved in a homicide, was recently closed where two individuals were charged with First Degree Murder. **Brady/Giglio Update:** Director Christopher Graveline, Professional Standards Bureau and Constitutional Policing will provide a written update to the Board regarding the Department's consideration of Brady/Giglio list on DPD promotions. **Recent Shooting Incident that occurred in the Third Precinct:** The recent shooting incident occurred on November 11, 2020, at 1:00 a.m. where an individual was arrested, and the person was charged with Assault with Intent to Murder. The case has recently been closed.

**ShotSpotter Technology Updates:** **Captain Aric Tosqui, Crime Intelligence Unit,** discussed that the Department plans to report to the City Council next week to request approval of ShotSpotter Technology Contract. The Department is planning to deploy ShotSpotter Technology within two areas within the City, Ninth Precinct. The Department has reached out to the Honorable Board to discuss and develop policy. **Captain Tosqui** provided more information regarding the ShotSpotter Technology discussing the way in which the technology will be used, with specific language within the policy prohibiting listening to audio from the technology, livestreaming is prohibited by the contract and law enforcement, and that only recorded incidents that are confirmed to be gunshots will be provided to the Department. The audio is extremely limited and the cases the City of Detroit will utilize will consist of audio snippets (gunshot audio) and one-second of ambient prior to and immediately after the gunshot use. Additionally, all of the sensory audio will be permanently deleted after 30 hours and never heard by anyone unless accompanied by a gunshot, which is distinctive from the two cases quoted within the newspaper articles. **Captain Tosqui** also discussed that he was prepared to make the formal presentation to the Board for its consideration.

**Chairperson Bell** called for (2) questions from each Commissioner during this time period. **Vice-Chairperson Holt** discussed her reading of the article discussing the sensitivity of the audio picking up conversations within the area. **Captain Tosqui** explained the technology process: 1. The gunshot is activated; 2. It alerts within the system which transmits to the ShotSpotter System; The sound is heard by the ShotSpotter Expert to determine whether it is a gunshot or fireworks; 3. The ambient noise that is not a gunshot, loud bang, or firework, the DPD will not be notified. **Commissioner Rev. Holley** commended the Department's efforts in responding to the Board's concerns within a timely manner and professional response. **Commissioner Burch** thanked all of the Department Members and discussed the random shooting in the area of District 3 and surrounding precincts. **Commissioner Burch** asked about the Department's efforts to reduce criminal activity, shooting in the area, and increasing speed reduction tactics and signs. **Commissioner Burch** also commended the Narcotics unit and their response to criminal activity within District 3. **Commissioner Davis** asked about the costs associated with the ShotSpotter Technology citywide. **Captain Tosqui** responded that the technology would encompass 6.48 square miles, 4 year agreement, that would total \$371,000, for the 8<sup>th</sup> Precinct and the 9<sup>th</sup> Precinct. The Department is not planning for the technology citywide at this time.

**Director Christopher Graveline, Professional Standards Bureau and Constitutional Policing** discussed the ACLU amicus brief (friend of the court brief where a third party can file to request their arguments come before the court) recent litigation citing that this is ongoing litigation, and discovery is taking place at this time. **Fourth Precinct Shooting Incident:** Early morning hours of November 4<sup>th</sup> where there was a call for Shots Fired on Cabot Street. Officers recovered (13) shell casings but were unable to identify a suspect. Later the same day, shots were fired at the location. Officers responded and a chase took place which was captured by Project Greenlight Video and mobile device video. The police chase proceeded for (15) minutes until one of the supervisors called off the chase. One of the supervisors responded to the location for well-being, a pursuit began, where the subject began firing shots from the vehicle. While driving away, the suspect hit a parked semi-truck. The officers recovered shell casings, and located shell-casings that matched a 25-caliber that they believe matched the perpetrators gun. During the police pursuit, the suspect fired shots against the officers, the driver was hit approximately (4) four times, and the Department is still waiting on the Medical Examiner's cause of death. The Department obtained all of the body-worn video footage, conducted the 72-hour review of the incident, and is now currently awaiting investigations by the Force Investigations Unit, Homicide Task Force, and Wayne County Prosecutor's Office.

**Protest Investigations:** The Department investigated (33) investigations, covering (39) potential individuals. Closed (5) cases as Administrative Closures due to inability of identifying complaining witnesses. These investigations were self-initiated by the Department from Instagram, Twitter and various social media forums. Additionally, (2) cases were found Not Sustained; (2) cases were found Exonerated; (3) cases were found Sustained Misconduct resulting in criminal charges by the WCPO; and (3) cases under command investigations.

**Deputy Chief Wilson** discussed that the Department is preparing a presentation based on Commissioner Rev. Holley's request where the Department will discuss the training directives and philosophies shared with police recruits regarding excessive force and community policing, and also requesting to be on the Board's Calendar on December 3, 2020, pending completion of the presentation.

**Unfinished Business.**

**New Business.**

**Commissioner Jones** extended himself on behalf of the Board of Police Commissioners to thank the staff that is working behind the scenes of the Board of Police Commissioners as well as the Office of the Chief Investigator. Commissioner Jones discussed that these are some very trying times given the widespread virus and the new sets of guidelines by the Governor. Commissioner Jones thanked Interim Board Secretary Melanie White and her staff and Interim Chief Investigator Akbar and staff in supplying the Board with the information that they need to have a successful meeting. Commissioner Jones also thanked the Department for their work.

- IV. Move that we have a Public Meeting about Shots Fired, and bring someone from the university level to explain about the Use of Shot Spotter and also about the Racist Bias of this Technology in a Black and Brown Community. This is new modern day profiling in Communities of people of Color. I move that we have someone come in and speak before the Board, and talk more about this technology.

**Motion:** Commissioner Burton      **Second:** None      **Discussion:** Chairperson Bell indicated that we are in the process of moving on this particular item. It just hit the floor, it just was on the agenda. You heard DC Wilson and Captain Tosqui roll this out. There is going to be a meeting tomorrow there has been other meetings. We can't have a public meeting per se, but this item will be a major agenda item for this Board in the near future. **Commissioner Burton** moved that the Board of Police Commissioners have a public meeting about Shots Fired.

**PRESENTATION(S) TO THE BOARD: A. DPD Budget Report – Quarter 1 - Agency CFO Mr. Nevrus Nazarko Report**

- A. **DPD Budget Report – Fiscal Year 2020 – 1<sup>st</sup> Quarter:** Mr. Nazarko discussed that he and Interim Board Secretary will work on developing a schedule for future report submission and presentation. Agency CFO Mr. Nazarko also discussed that he is preparing responses to the Board's questions. **Agency CFO Nazarko** reported on the following: Budget to Actual Revenues & Expenses as of September 30, 2020; Quarterly Active Grants Assessment Report; Grant Activity Report (all active Grants up to September 30, 2020); DBB & GSD Capital Expenditure Report which is provided every quarter; and Vehicle Purchase Report (None purchased in first quarter). **Agency CFO Nazarko** also discussed that a more detailed pdf report was attached to the reports submitted on Tuesday, November 17, 2020. **Mr. Nazarko** explained that the City operates on a fiscal year basis, and this is the first quarter of the fiscal year providing the following information (explaining the expectation of \$52.6 million based on Income Tax Revenue; and the encumbrance that do not typically occur within the other quarters):

	Q1 YTD Amended Budget	Q1 YTD Actuals	Variance	Variance Percentage
<b>Total Revenues</b>	\$12,002,628	\$3,383,696	(\$8,618,932)	(71.8%)
<b>Total Expenditures</b>	\$73,342,830	\$74,633,022	(\$1,290,192)	(1.8%)
<b>NET TAX COST</b>	\$61,340,202	\$71,249,326	(\$9,909,124)	(16.2%)

	Q1 YTD Actuals	FY 21 Annual Amended Budget	Percentage of Annual Budget
<b>Total Revenues</b>	\$3,383,696	\$52,629,000	(6.4%)
<b>Total Expenditures</b>	\$74,633,022	\$314,662,142	23.7%
<b>NET TAX COST</b>	\$71,249,326	\$262,033,142	27.1%

	Annualized Amended Budget	Annualized Budget Projections	Variance
<b>Total Revenues</b>	\$52,629,000	\$52,629,000	0.00
<b>Total Expenditures</b>	\$314,662,142	\$308,237,648	\$6,424,494
<b>NET TAX COST</b>	\$262,033,142	\$255,608,648	\$6,424,494

**Commissioner Rev. Holley** requested a full detailed DPD Budget Report. **Chairperson Bell** explained that this report encompassed Quarter 1 of the City's fiscal year 2021, and the DPD's full budget report was provided earlier this year with the anticipation of quarterly reports. **Board Interim Secretary White** also explained that several attachments were included within this week's budget packet that should also be considered including the DPD's Executive Summary. **Commissioner Brown** agreed that more information

is needed from the DPD regarding the progress of the DPD's budget and a full reporting of the DPD Budget for FY 2021 (i.e. DPD salary whether there is a breakdown by collective bargaining units, where were the expenditures allotted). **Commissioner Brown** stating that he had not previously received the full DPD Budget Report at the beginning of the fiscal year that included each line item and associated costs. **Commissioner Burch** agreed with the previous speakers requesting additional information regarding the Resource Management line items and associated costs regarding sanitation measures for each precinct amid COVID-19 and vehicle purchase details. **Commissioner Davis** asked whether there were any funds that have not been utilized yet and also requested the Board's Executive Summary reflecting the Board's salaries and other budget details. **Vice-Chairperson Holt** stated the Board previously received the DPD's full budget previously and that one of the previous speakers had emphasized the Department's overtime payout which provided additional insight into whether DPD could hire more police officers. **Vice-Chairperson Holt** also asked what the Real Time Crime Intelligence Center expansion costs were.

**Report from Interim Board Secretary/Communications Submitted to BOPC as incoming information:** Ms. White reported on the following items:

1. Weekly DPD Facial Recognition Technology Report 11/9/20 – 11/15/20
2. OCI October 2020 CCRs Report
3. Citizen Letter
4. Letter from Chief of Police James E. Craig Re: Promotion to Rank of Captain - Lieutenant Vernal Newson and Lieutenant Tharadrous White
5. District 1 Virtual Meeting regarding DPD's Presentation on ShotSpotter 11/19/20 at 5: 30 p.m.
6. Detroit Free Press Article, "DPD to start using gunshot detection technology ShotSpotter if City Council approves" dated 11/19/20
7. Staff Reports

**Announcements:** **Chairperson Bell** announced the following:

1. **Next Meeting:** Thursday, December 3, 2020, at 3:00 p.m., BOPC Virtual Meeting
2. **Next Community Meeting:** Thursday, December 10, 2020, at 3:00 p.m., BOPC Virtual Meeting

**Vice-Chairperson Holt** wished to extend her heartfelt gratitude to Commissioner Evette Griffie. **Vice-Chairperson Holt** expressed that Commissioner Griffie came to the Board as an appointee and immediately began demonstrating her understanding and execution of Robert's Rules of Order. Commissioner Griffie used her understanding and execution of Robert's Rules of Order to defuse challenging motions. Additionally, Commissioner Griffie's quest for information from the Department led to better communication between the Board and the Department and a report with greater detail and information regarding the Department's use of Facial Recognition Technology. **Vice-Chairperson Holt** also highlighted Commissioner Griffie's work on the Department's use of force policy given the unfortunate death of Mr. George Floyd, committed by the Minneapolis Police, which became a worldwide display of the extent police would go through to subdue what they perceive as a criminal. Commissioner Griffie along with the action of Chairperson Carter urged Commissioners to display a tweet on Use of Force on the parts of the Detroit Police Department. Vice-Chairperson Holt commended Commissioner Griffie's passion and understanding, and continued success.

**Commissioner Burch** announced District Three's recent event, Community United for Progress event with the Office of Mayor Michael Duggan in its first historical tour. The tour involved a tour caravan driving throughout the blighted area of District 3, specifically where the Highland Park/Detroit Reservoir is located. There were (12) cars that drove around an area of blight to show how they were going to renovate an area that is blighted and lost. This historical mark will all tie into the Joe Louis Greenway that is coming soon. Commissioner Rev. Holley volunteered to prepare the plaque for Commissioner Evette Griffie. Chairperson Bell also acknowledged Vice-Chairperson

**Oral Communications/Public Comments – 8 Speakers.**

**Chairperson Bell** called for adjournment. The motion carried.

**Chairperson Bell adjourned the meeting at 4:28 p.m.**