

Draft Minutes Detroit Board of Police Commissioners
Date of Meeting: Thursday, February 25, 2021 – 3:05 PM
Location: Zoom Virtual Meeting Platform

- I. **Chairperson Willie Bell called the BOPC Board Meeting to order at 3:05 p.m.**
- II. **Invocation.** Chaplain Mohammed Ali provided the invocation.
- III. **Introduction of Police Commissioners. A roll call was held, and a quorum was declared.**

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

- IV. **The Board approved the Agenda for Thursday, February 25, 2021.**
Motion: Vice-Chairperson Holt **Second:** Commissioner Hernandez **Discussion:** None
VOTE: Yes = 11 No = 0 **Motion: ADOPTED**

- V. **Chairperson Bell called for any corrections to the Meeting Minutes for February 18, 2021. After no corrections were submitted, the minutes were approved.**
Motion: Commissioner Bernard **Second:** Commissioner Hernandez **Discussion:** None
VOTE: Yes = 11 No = 0 **Motion: ADOPTED**

- VI. **Introductions of Board administrative and investigative staff, Chief of Police, Elected Officials or Representatives.**

- VII. **Chair's Report.** **Chairperson Bell** announced that Board packets included the print edition of the 2019 BOPC Annual Report and, like the electronic edition issued earlier, highlights the City's 45th Anniversary of civilian oversight and its first time as a NACOLE Conference host. He again thanked staff. **Commissioner Jones** spoke about the recent research and investigations completed for a complaint and added: It is time to move on and come together as a Board, so the community will know that we are committed and we are working for them. I want to see us grow, come together and get the business of the Board done.

VIII. Resolution. Commissioner Burch read the resolution honoring retired Sergeant Paula D. Day (Posthumously).

**RESOLUTION HONORING
RETIRED SERGEANT PAULA D. DAY
POSTHUMOUSLY**

WHEREAS Paula Dionne Gambrell-Day was born on May 8, 1964 and showed intelligence, kindness, loyalty, integrity, honor, and leadership as she grew into adulthood. She made a commitment early to serve the community and decided upon a career in law enforcement; and

WHEREAS Paula Day was appointed to the Detroit Police Department on October 27, 1986. Upon graduating from the Detroit Metropolitan Police Academy, Officer Day began her career at the Eleventh Precinct. She displayed tremendous knowledge and leadership skills and earned a promotion to the rank of Sergeant on March 21, 1997. Sergeant Day's assignments included the Training Academy, Eighth Precinct Investigative Operations Unit (IOU), Office of the Chief Investigator, Think Detroit, Police Athletic League, Third Precinct IOU, and Southwestern District IOU, where she served until her retirement on January 3, 2012; and

WHEREAS Sergeant Day left an indelible mark on our City through her tireless service with the Detroit Police Department, the citizens of Detroit, and neighboring communities. She was the deserving recipient of the following awards: Chief's Unit Award, two Chief's Merit Awards, both Consent Judgment Awards, the Ford Fireworks Award, the Major League Baseball All-Star Recognition Award, the Rosa Parks Funeral Recognition Award, and the Super Bowl XL Recognition Award, as well as numerous letters of commendation from citizens and superiors; and

WHEREAS Long after her retirement, Paula Day remained widely respected throughout law enforcement and the Detroit area as she engaged in other civic endeavors and reached new achievements. On Monday, February 15, 2021, she passed away. The Board extends condolences to her many family and friends. May all find comfort in remembrance of her at services on Saturday, February 27, 2021 at Sacred Heart Catholic Church.

**NOW, THEREFORE,
BE IT RESOLVED**

That the Detroit Board of Police Commissioners, speaking on behalf of the citizens of the great City of Detroit, awards this resolution posthumously to retired Sergeant Paula Day for her 26 years of diligent public service and for all her life's faithful and lasting contributions to the City of Detroit and its residents.

Commissioner Brown moved to adopt the resolution of retired Sergeant Paula D. Day (Posthumously). **Commissioner Jones** seconded. Discussion. None.

VOTE: Yes = 11 No = 0 **Motion: PASSED**

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

Assistant Chief Todd Bettison represented **Chief James E. Craig** and reported on officers injured in the line of duty; current CompStat Crime/Statistical Data for Violent Crime and Property; Protest Activities; COVID-19 impacts, and recent critical incidents impacting DPD and the community. There are seven (7) members whose last test was positive for COVID-19. **See attached Meeting Transcripts for more information.**

Category	Prior Day	Prior 7 Days	2021 YTD	2020 YTD	Change	% Change	
Criminal Homicides*	1	8	38	41	-3	-7%	▼
Sex Assaults*	0	6	84	107	-23	-21%	▼
Aggravated Assaults*	35	188	1,464	1,171	293	25%	▲
- Non-Fatal Shootings*	1	22	121	73	48	66%	▲
Robberies	2	18	193	336	-143	-43%	▼
- Carjackings	1	3	30	28	2	7%	▲
Part I Violent Crime	38	220	1,779	1,655	124	7%	▲

Category	Prior Day	Prior 7 Days	2021 YTD	2020 YTD	Change	% Change
Burglaries	7	51	533	876	-343	-39%
Larcenies	12	126	1,346	2,014	-668	-33%
Motor Vehicle Thefts	8	74	774	958	-184	-19%
Part I Property Crime	27	251	2,653	3,848	-1,195	-31%
Total Part I Crime	65	471	4,432	5,503	-1,071	-19%

Response Time for the past week: *Priority 1:* 12 minutes; *Priority 2:* 28 minutes; *Priority 3:* 40 minutes. **AC Bettison** spoke of the passing of Sergeant John Franklin Fisette, a member of the Harbormaster Unit who served 31 years with the department. **Chairperson Bell** asked for a moment of silence to pray for his family. **AC Bettison** discussed the police response in the 10th Precinct for a Landlord/Tenant dispute. For officers and the public, DPD is reeducating everyone that the Police Department does not get involved in civil disputes; it only handles crimes like squatting. **AC Bettison**, in discussing a speaker's complaints during Public Comments, updated the Board and public about the investigation that found the speaker's case was civil and that his only recourse to get redress from the entity that lost his property is through 36th District Court in the Civil Division, but the person is not satisfied and makes repeated calls. **Department's Updates for the past week:** Chief Craig appointed six Neighborhood Police Officers on February 15, 2021: NPO Darryl Davis of the 7th Precinct, NPO Evelyn Dority of the 5th Precinct, NPO Dario Sharp of the 8th Precinct, NPO Dallas Garner of the 9th Precinct, NPO Lester Johnson of the 9th Precinct, and NPO Nicholle Quinn-Abdullah of the 12th Precinct.

Commissioner Davis inquired what happens to Landlords that misrepresent facts and call someone a squatter that is actually a renter. **AC Bettison** indicated that is a big problem and that making a false police report is a crime and we are going after you. So we will be submitting a warrant request to the Wayne County Prosecutor's Office that they be charged. **Commissioner Davis** inquired about all the shootings on the freeways and any coordination with Michigan State Police. **AC Bettison** expressed Michigan State Police are the primary we offer support and respond in a joint matter. He also mentioned the Board's March 4th Crime Summit as an important public event. **Commissioner Holley** inquired if the vaccine was mandatory for DPD members, and the answer was no. **Commissioner Bernard** inquired about humane treatment of detainees at the Detention Center. **Commissioner Brown** discussed a dragnet for shooters on I-96 and requested recirculating the policy directive for detainee treatment so everyone is aware.

PRESENTATION(S) TO THE BOARD: A. Budget Report/DPD Fiscal (Quarter#2) – Agency CFO Nevrus Nazarko
B. Directive 202.3 Search Warrant and Execution – Deputy Chief Marlon Wilson and Director Reid Branche-Wilson

- A. Budget Report/DPD Fiscal (Quarter #2) Presentation: Agency CFO Nazarko** reported on the following: Budget to Actual Revenues & Expenses as of December 31, 2020; Quarterly Active Grants Assessment Report; Grant Activity Report (all active Grants up to December 31, 2020); DBB & GSD Capital Expenditure Report which is provided every quarter; and Vehicle Purchase Report. **Agency CFO Nazarko** explained that the City operates on a fiscal year basis, and this is the second 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):

	Q2 YTD Amended Budget	Q2 YTD Actuals	Variance	Variance Percentage
Total Revenues	\$22,493,128	\$7,325,836	(\$15,167,292)	(67.4%)
Total Expenditures	\$147,433,839	\$161,804,168	(\$14,370,329)	(9.7%)
NET TAX COST	\$124,940,711	\$154,478,332	(\$29,537,621)	(23.6%)

	Q2 YTD Actuals	FY 21 Annual Amended Budget	Percentage of Annual Budget
Total Revenues	\$7,325,836	\$52,629,000	13.9%
Total Expenditures	\$161,804,168	\$315,410,321	51.3%
NET TAX COST	\$154,478,332	\$262,781,321	58.8%

	Annualized Amended Budget	Annualized Budget Projections	Variance
Total Revenues	\$52,629,000	\$52,629,000	0.00
Total Expenditures	\$315,410,321	\$309,738,791	\$5,671,530
NET TAX COST	\$262,781,321	\$257,109,791	\$5,671,530

Commissioner Holley inquired if we are paying \$8 Million a year for renting the Detroit Detention Center. **Agency CFO Nazarko** indicated part of it is rent and the cost for the personnel of the Michigan Department of Corrections (MDOC) to handle DPD detainees. **Commissioner Holley** questioned the cost-effectiveness of such rent. **Agency CFO Nazarko** explained DPD uses MDOC based on the federal consent decree, and both MDOC and the City are looking at other options but so far have not found a cheaper solution or a solution that would comply with standards. **Commissioner Bernard** asked for more grant and grant staff information since the presentation showed DPD only applied for three grants in six months. **Agency CFO Nazarko** indicated the six were new for the second quarter covered by his report and DPD gets 14 to 18 grants in a given year. A central budget staff works with one DPD grant writer and the Public Safety Foundation.

- B. Directive 202.3 Search Warrant Execution – Deputy Chief Marlon Wilson and Director Reid Branche-Wilson** reported on the Search Warrant Execution Policy updates that increased supervisory presence at the scene when search warrants are executed, as well as reduced the allowable circumstances for no knock warrants. If a Search Warrant is executed with children present, it can only occur if approved by the Chief of Police. Members can only conduct no knock warrants if imminent threat of loss of life or serious injury or national security risk, and all no knock warrants must be approved by the Chief of Police. **Commissioner Bernard** questioned “So what you are saying is what happened to Breonna Taylor can’t happen here?” **Director Branche-Wilson** indicated the safeguards created would prevent a situation like that from happening in Detroit. **Commissioner Holley** questioned why Detroit does not get rid of no-knock warrants. **Deputy Chief Wilson** expressed that it is very rare that we would do a no knock search warrant. Looking at 2019, 2020 and 2021 we have not. The vast majority of our warrants are done in a traditional manner. **Commissioner Davis** inquired if there has been any thought to have the Wayne County Prosecutor’s Office sign off on no knock warrants. **Commissioner Bernard** asked if we have the equipment Thermal Imaging Device? **Commissioner Davis** stated “I was under the impression if there is an immediate threat that you don't necessarily need approval from a prosecutor.” **DC Wilson** discussed there are two ways, the traditional way, but there are times of imminent threat, which is rare. **Commissioner Jones** inquired are there any circumstances where, after gathering all this information that a judge refuses to sign off on a warrant. **DC Wilson** expressed this is a very extensive process, before it even gets to the prosecutor's office and the judge, and there is some scrutiny. There are times the judge might ask for additional information. Then we would have to go back before the judge to get the warrant signed. **Chairperson Bell** indicated that the department will provide written responses to the questions submitted by the Board and address general policy issues surrounding conducting search warrants based on OCI complaint investigations. He requested Board members to submit their questions to Interim Board Secretary Melanie White.

Report from Interim Board Secretary/Communications Submitted to BOPC as Incoming Information:

1. Weekly DPD Facial Recognition Technology Report 2/15/21 – 2/21/21
2. Directive 202.3 Search Warrant and Execution
3. OIG Draft Memorandum for Case Nos. 20-0018-INV to 20-0021-INV
4. OIG Cover Letter for Case Nos. 20-0018-INV to 20-0021-INV
5. Amended Hearing Rules Adopted April 8, 2020
6. Staff Reports

XI. Unfinished Business.

Commissioner Davis indicated last week several individuals were not able to speak during public comments. **Commissioner Burton** cited many seniors reaching out in concern in his request for police and emergency response time for 1401 Chene, which is Parkview Place regarding a fire that occurred on January 19, 2021. He repeated concerns about Facial Recognition and a virtual lineup. **Vice-Chairperson Holt** emphasized NACOLE’s recent webinar on Civilian Oversight of Police Surveillance Technologies and encouraged further review of the material shared in the Board’s weekly packet.

XII. New Business.

Commissioner Brown requested CCR information to address an inquiry from a reporter. **Commissioner Bernard** noted that Board’s Budget shows we are significantly under budget in terms of spending and she also asked that the Board agenda include weekly reports on citizen complaints from OCI. **Chairperson Bell** reported that OCI was in the process of preparing such reports and would begin this reporting in March 2021. **Commissioner Davis** indicated he has asked to see the budget for months.

XIII. Announcements:

Commissioner Holley shared during the month of March 2021, the 2nd and 4th Friday: Food Distribution to 500 Families. March 8, 2021 Free COVID-19 Vaccinations at the Little Rock Baptist Church Clinic. On March 28, 2021, Little Rock Baptist Church is partnering with Meijer to provide COVID-19 Vaccinations.

Mr. Robert Brown announced the following:

1. **Next Meeting:** Thursday, March 4, 2021, at 3:00 p.m., BOPC Virtual Meeting
2. **Next Meeting:** Thursday, March 11, 2021, at 3:00 p.m., BOPC Virtual Meeting

XIV. Oral Communications/Public Comments:

Ms. Bernice Smith, Ms. Sharon Panell, Minister Eric Blount, Mr. Scotty Boman, and Ms. Michelle George offered public comments.

XV. Chair Bell adjourned the meeting at 4:45 p.m.

Motion: Vice-Chairperson Holt

Second: Commissioner Bernard. Discussion. None: Motion Adopted.

VOTE:

Yes =10

No = 0

Motion: ADOPTED