

INTER-OFFICE MEMORANDUM
COMMITTEE ON RACE AND EQUALITY

Date

January 12, 2017

CONFIDENTIAL

To: Chief of Police, James E. Craig (Direct)

Subject: **INVESTIGATIVE SUMMARY WITH RECOMMENDATIONS FROM THE COMMITTEE ON RACE AND EQUALITY (CORE)**

From: CORE Committee, Co-Chaired by Officer J. Bennett, Officer J. Weekley, Committee Members Lieutenant S. Stanley, Lieutenant T. Kemp, Lieutenant M. Diccico, Sergeant D. Leath, Sergeant K. Gabriel, Sergeant R. Martin, Sergeant R. McLatcher, Sergeant J. Hall, Detective K. Mason Detective D. Brown, Police Officer D. Gaines, Police Officer F. Dickerson, Police Officer J. Felix, Police Officer D. Woods, Police Officer K. Maxey

INTRODUCTION

The Committee on Race and Equality (CORE) was formed by Chief Craig in February 2016 to serve in an advisory capacity to the Chief of Police, charged with the responsibility of investigating, reporting and making recommendations on issues within the ranks of the Detroit Police Department involving concerns of inequality as it relates to race, gender and sexual orientation.

The Committee is comprised of 15 members of the Detroit Police Department of various ranks from Police Officer to Lieutenant.

The Committee is not a replacement for the Department EEO and does not serve as a substitute to notifying the Departments Equal Employment Opportunity Program, and/or filing complaints pursuant to Collective Bargaining, it does however act as a watchdog on some issues under the purview of the EEO.

The primary focus of the Committee on Race and Equality (CORE) is to provide the Chief of Police with impartial policy recommendations.

On February 15, 2016, the committee members met with Chief James Craig for the initial orientation. Chief Craig set parameters as it related to the discussion topics, any remaining matters such as design, structure, meetings etc were left to the committee and the co-chairs who were selected by the Chief of Police.

OBJECTIVE

On February 18, 2016, the committee held its first meeting. Meetings, objectives, rules, guidelines were established along with trust and respect.

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Phase II included identifying the issues. Open, free flowing discussion during our bi-weekly meetings and precinct visits which included Platoons One, Two and Three roll calls to expand our reach and give as many officers as possible a voice. This Phase also is to include the gathering of data through a survey which, when complete, will allow for reaching an even greater number of officers. That process is incomplete.

Phase III involved the recommendations. Our research revealed numerous incidents which involved some direct or indirect involvement of Command staff members in discriminatory practices, which included intimidation and retaliatory behavior. The committee therefore determined that there were enough incidents to conclude that the department has a growing racial problem. As an example the department, which is 67% African American has certain units such as Crime Analysis, 30 series, Cease Fire/Gang Intel and other Task Force units that are not seniority based which are segregated. These units have been historically, overwhelmingly staffed by white male officers. Also expressed was concerns over training opportunities. African American officers reported incidents of disparate treatment, where calls were made to the personal cellphones of white officers by white Command Officers, in some cases while black officers were present, where it was suggested that the white officer put in for training or for job openings that had become available in those segregated units. Excuses were made or retaliation was expressed in other ways such as leave day request and transfer denials etc. if black officers were to complain.

African American officers reported retaliatory tactics aimed at those officers who saw bias in the process of appointments to the rank of Detective. A few white Command Officers were blatant in their attacks against black officers who voiced their dissatisfaction with the exam or sought redress through the collective bargaining process. There were common threads in all of the testimony given; repeat offenders amongst the white Command Officers. It should be noted that this is not an indictment against the entire white Command Officer personnel but there seems to exist within the police department a group that has chosen to operate on its own accord.

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Of equal concern were matters of gender specification and sexual orientation which were also outlined in our recommendations.

Overall, based on our research, the issues facing the Detroit Police Department are solvable with a cultural shift- *meaning*: the departments issues related to race can be addressed through changes in department policy and /or simply comporting with policy.

That said, of great concern are the imbedded racial attitudes and behavior exhibited by some in the Command Staff. Throughout the fact finding process, which included one on one interviews, private conversations and discussions at the committee table it was determined that the problems within the department were isolated cases of officer to officer but more wide-spread, centralized in terms of distribution, or top-down entrenched discriminatory practices. Simply put, the racism that exist in the department trickles down from the Command Officers to the rank and file.

These issues can be addressed in part through greater Cultural Diversity Training and Corrective Action when violation patterns are exhibited. The committee agreed that for the purposes of this report, which is to be handed to Chief of Police Craig, it would be appropriate to reveal the names that were virtually continuously the center of discussion when it came to disparate treatment of African Americans. From the highest rank to the lowest rank the names shared by officers and most often affiliated with disparate treatment of African Americans are Deputy Chief Charles Fitzgerald, Deputy Chief Dave LeValley, Commander Whitney Walton, Captain Steve Walton and Lieutenant David Torrey. Commander Walton was a name that heard most often in our investigation. It should also be noted that only one African American Commander, Timothy Leach, was reported to be abusive in tone and tenor and on one occasion calling an African American male officer the N-word. We did have two white male officers from the 4th precinct who made a claim of racial discrimination but it was unfounded. One of the claims was a matter of seniority. And the other complaint was not supported by witnesses or the officer's own statements. He stated he was attacked physically by a black officer in front of a black supervisor.

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A Latino Sergeant from the 6th Precinct who made an accusation of racial discrimination against Captain Steve Walton. That Captain is no longer at the 6th precinct.

In total there are 19 recommendations by The Committee on Race and Equality (CORE) with the final recommendation being that CORE becomes a permanent committee and serves as an advisory board in matters involving all ranks including the Command Staff accused of discrimination, bias or racism.

The racial balancing of Command Officers in the precincts by Chief Craig was a very important step in the right direction. The committee fully supports that decision and the tone it sets for future changes to be made by Chief Craig as it relates to this committees' recommendations.

Recommendations

#1- Unisex Lockerooms:

The Committee agreed with Chief Craig that this matter is better addressed by the City's legal department.

#2- Training:

Lieutenant Stanley is in the process of developing a "Standardized Training request form" to be reviewed by the Training Committee within which the reasons for denials would be reflected (e.g., 350, Disciplinary History, Staffing). The idea is to make the issuance and selection of training for course participants equitable. The CORE committee is unopposed to there being a training roster similar to an overtime roster where each officer at their district, unit or precinct would be polled about the availability of training. Whichever choice is adopted it is our hope that it will address any future possibilities of disparate treatment in selecting officers for specialized training.

#3- Cultural Diversity Training:

The Committee, in conjunction with Captain Williams of Professional Education and Training agree that a block of instruction on Cultural Diversity and Cultural Competency would be advantageous to members of the department including Command staff.

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The committee recommends that all Command Officers be mandated to take a Cultural Competency Training Course. The committee and PET identified Victor Green of Wayne State University as a resource to instruct the 40-hour blocks 4-hour course on Cultural Diversity for all other ranks below Captain. New recruits should be required to attend either Cultural Competency or Diversity before being deployed into the field.

#4- Discrimination:

The committee agreed that there appears to be a lack of satisfaction with the Departments EEO. The committee heard complaints from officers of not being treated fairly or taken seriously when complaints were made. Investigations were not handled in a timely fashion and complainants not respected. Therefore, the process should be revamped to include a neutral party; a non-sworn member to investigate EEO complaints. That person should have some expertise in Labor Relations, Constitutional Law, Cultural Competency etc. S/he should also be required to conduct surveys annually in order to stay apprised of the pulse of the department. An annual report should be made available for accountability and transparency purposes. The committee also discussed the possibility of CORE or a panel of officers acting as a sounding board when complaints arise against the EEO. Also the EEO should develop a follow up survey for officers to complete that will be reviewed by the department and CORE.

#5-Detective Test

The Committee heard many complaints of disparate treatment, unfairness and a subjective process as it related to the Detective test. The committee recommends that the department make whole the 29 officers who were party to the official proceedings in pursuit of a corrective ruling. The committee also recommends that the 29 officers waiting to be appointed be assigned to PDU replacing only those officers working in an investigative capacity who are not eligible for appointment. The committee recommends that these appointments be time-released, so as not to overburden the department until openings occur or the roster of Detectives is expanded. The committee also recommends that no other Detective test be given until the 29 are officially appointed. We also recommend that a Civil Service process be used for future testing.

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#6- Lack of knowledge of history:

The committee understands that the department is getting younger and is developing a generational gap of sorts. Officers who are new to the department are being placed in the field with little understanding of the community they serve of the department and its history. Therefore, the committee recommends that history of the city and the police department become a greater part of recruitment and the training process. Particularly during the academy experience.

The committee recommends community service for recruits and residency incentives. The committee also recommends two (2) year mandatory uniform patrol for all new hires. The committee also recommends minimum educational standards for promotion.

#7- Comradery:

The committee sees some issues with officers from different backgrounds but mostly different generations communicating with each other. The committee recommends more department sponsored activities such as sporting events, game boards etc in the precincts and precinct to precinct competition to help boost morale and comradery.

#8- Being labeled a racist:

See recommendation #7

#9- Racial Insensitivity:

See recommendation #3

#10-Racial Division

See recommendation #3

#11-Unbalanced representation of white supervision in specialized commands

#12-Unbalanced racial make-up of Officers in specialized commands

#13-Bias as it relates to evaluating members for position

#14-Gender discrimination in assignments

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The committee combined issues 11, 12, 13, and 14 because of the similarities. The committee recommends that four (4) years is a minimum requirement to get to a specialized command unless there is documented specialized skills and training. The committee would like to see a public affirmation via teletype and the Detroit Police Department Manual Directives/Department Policy that ***“The police department will make every effort to maintain a culturally diverse department within specialized units and appointments that reflect the community and police department. With the exception being there are no other qualified applicants”***. The Committee believes there should be an appeals process in place for officers removed from a Blue Slip unit.

The appeals committee should be formed and selected per the Chief of Police. All job openings should be posted for 10 days *pursuant to the DPOA CBA Article 18, Sec. C and DPLSA CBA, Article 22.*

#15- LBGTQ Based Discrimination:

The committee recognizes that this issue is still evolving and consideration should be addressed and should come from the city's Law Department as well as the police departments legal advisors. We agree that Detroit Police Department Manual Directives/Department Policy #102.3, Standard of Conduct Policy should be followed in addition to the counseling, corrective training and/or discipline deemed needed by the department legal advisors. The committee recommends that CORE be part of the decision making process.

#16- Bullying (see #17)

#17- Abuse of Social media

Refer to the Standard of Conduct Policy (Detroit Police Department Manual Directives/Department Policy #102.3)

#18- Corrective Action / Discipline

Based on the committee's findings it's clear that some department executives who've been at the center of most of the complaints related to racial discrimination appear to have been operating boundlessly with a feeling of immunity.

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This clandestine behavior mostly cloaked in secrecy had gone undetected for some time until officers started complaining of disparate treatment. It is therefore the recommendation of this committee that CORE act as the advisory board on matters of bias and discrimination, making recommendations to the Chief of Police on the proper actions needed and the CORE be authorized to investigate complaints regarding the office of the internal EEO. The committee also recommends that the practice used of placing discipline in MAS for other ranks should also be used for executives. Also the department should establish some criteria to provide an incentive for those seeking appointed positions to pursue higher education and attend Cultural Competency courses. The committee is unopposed to administrative messages being sent out that will identify any executive found to have engaged in discriminatory behavior.

#19- CORE

The committee supports the idea of a special order commissioning the Committee on Race and Equality permanence as an advisory committee to the Chief of Police.

PO. JOHN K. BENNETT
Co-Chair, CORE

PO. JOSEPH WEEKLEY
Co-Chair, CORE

Attachments:

Proposed Special Order
DPOA-CBA Article 18, Sec C
DPLSA -CBA Article 22
DPD Manual Directive 102.3