

Internal Controls Section, Special Investigative Unit

On August 29, 2000, at approximately 11:50 A.M., officers of the Headquarters Surveillance Unit, were flagged down by a citizen who gave a description of a black male who attempted to rob him. Officers observed a subject fitting the

description in the area of Willis and Cass. As the officers approached the subject to investigate him, he drew a handgun and fired at them. The officers returned fire striking the subject multiple times. He was conveyed to Detroit Receiving Hospital, where he is listed in critical condition. The subject was also wanted for fatally shooting an 87 year old during a robbery attempt.

On August 29, 2000, at approximately 4:20 P.M., officers of the Eighth Precinct responded to a police run at 16565 Ferguson, on "Person out front with a weapon." Upon arrival the officers observed a subject, later identified as Mr. Errol Shaw, retreat to the backyard and return with a long wooden handled garden rake. Mr. Shaw approached the officers with the rake in an offensive manner. The officers ordered him to drop the rake, but he continued to advance towards them. When he reached striking distance of one of the officers, his partner fired two shots from his department issued weapon, both taking effect. Mr. Shaw was conveyed by another scout car to Grace Hospital, where he expired. Both shooting incidents are currently under investigation by Internal Controls Section, Special Investigative Unit and a Board of Review has been convened.

Chairperson Vann, Jr. stated in view of concerns that we have as a Commission and many of the citizens of this city have in regard to the second incident that was reported under Internal Control Section, Special Investigation Unit in regard to the gentleman with the rake, could you review for us in terms of the policy, as it relates to the issue of deadly force, the training of Detroit Police Officers in that event?

DC Walter Shoulders stated the Detroit Police Department takes life very seriously and we train our officers very seriously in the Academy. Our policies and procedures are very clear on when and when not to use deadly force. We attempt to delineate these policies in the activities that one should look for when you use deadly force. We do use a deadly force continuum, when it is appropriate, during our training and we try to instill into the officers that in our state there are not penalties for which the courts would give you death. We are very serious about the use of deadly force itself and we have always tried to teach the officers that deadly force is always the last resort when there are other methods to resolve a situation. In a particular incident, without having any facts, the Internal Control Unit will do a thorough and complete investigation on it. As a Deputy Chief, it would be inappropriate to judge if it was an imminent threat or a perceived imminent threat to any one's life at that point. But our policy is very clear on the use of deadly force.

Atty. Hooks stated the item on the Agenda was incorrect. The State of Michigan recently approved the Michigan Commission Law Enforcement Standards (MCOLES) expenditure proposal for the Stop Grant Enhancement Funds. These are some additional monies. The allocation will be used by MCOLES to purchase equipment, which will be awarded to the Domestic Violence Unit to assist in the deliver of services. That equipment includes, a projector, laptop, bulletin board, and a web site. MCOLES will expend a total of 10,368.59, for the purchase of the equipment identified, as well as printing costs. **No cash match.**

MOTION: Chairperson Vann, Jr. made the motion to approve the SVAW grant.

SECOND: Commissioner Richard seconded the motion.

VOTE: All in attendance voted in the affirmative.

Chairperson Vann Jr. stated this flows with the Commissioners concerns of domestic violence that we have raised continuously before the public and on the record. We are particularly interested in this. I am still concerned about vendors and I would hope that there will be a way to receive information from you with regard to the selection process and, some reporting of vendors in various categories that we will request at the proper time.

8. ORAL COMMUNICATIONS FROM THE AUDIENCE

Shirley Sanders stated I am from Michigan African Leadership Summit (MALS) and the Police Brutality Coalition. The incident with Lisa Williams and P.O Charles Gregory at the Northwest Activity Center, was a senseless brutal situation, where thirty (30) children saw their teacher, who was trying to protect them, being beaten. We have thirty (30) children that will grow up disrespecting police and the police deserved it. Detroit is the number one City for Police Brutality. The Detroit Police Department is out of control.

Chairperson Vann, Jr. thanked Ms. Sanders for her comments. Chairperson Vann, Jr. also stated that Officer Charles Gregory, who is involved with the case of Lisa Williams, was suspended as of today.

Ron Scott stated he was from the Police Brutality Coalition and produced the show "For My People." Many officers, particularly the younger officers, respond to certain situations with deadly force only. Maybe it is the absence of equipment which would be less than deadly force, or it could be a matter of training. Secondly, Ms. Sanders raised a relationship to children. At various shootings, there needs to be some debriefing for children who witness brutality and violence on the scene. There needs to be some psychological intervention and other matters that are related. The Coalition comes before you not to cause trouble but attempt to avoid it and bring about some peaceful resolution.

Chairperson Vann, Jr. stated we had the issue of deadly force addressed by DC Shoulders today. Is there a policy that falls into that category of less than deadly force?

DC Shoulders stated the Department has a policy regarding the use of force. We train officers in the Academy and provide directions on how to use deadly force. Deadly force has always been the last resort. There will be a full investigation done.

Mr. Scott stated he is attempting to focus on something less than deadly force being implemented into a policy framework for the Detroit Police Department. If a person has an option not to use anything and the next option is if you feel threatened, you shoot someone.

Commissioner Marx asked DC Shoulders to describe at what point or levels of response do you reach before one would use deadly force?

DC Shoulders stated our use of force continuum is: verbal warning, spray and deadly force. If a threat or assessment has been made by the individual, that is where the training comes into place. We are working on additional training for our younger officers, as well as the other officers.

Commissioner Marx stated he was looking for a more precise answer to what the level is and what the responses can be. For example, spray could be one.

DC Shoulders stated the Department uses verbal commands, spray, threat assessment resulting in a struggle.

Commissioner Marx stated he wanted to know what other things could an officer do after verbal and spraying. Also, what happens before the shooting?

DC Shoulders stated there are situations where people could talk to the person. The use of deadly force has always been the last. Anything that could be done prior to that time should be done.

Commissioner Marx thanked DC Shoulders for his response.

Aaron K. Person stated he was trying to debate if there is a policy in the Detroit Police Department which deals with the use of deadly force and the degrees that you can use deadly force. Legally, justifiably, and common sense. Based upon perception and what the Department chooses to tell us, the four police officers at the scene were facing a man with a four foot rake in his hand. Policy or no policy, 99% of the residents in Detroit would guess a man with a four foot rake does not justify deadly force.

Jamellah Sombar stated my concern is with murder, regarding the guy who was killed and could not hear. This statement came from Chief Benny Napoleon last year when we had a meeting in front of the Council and he stated that his officers are trained not to main or wound, but to kill." It is not fair that this young man who could not hear had to die because he had a rake in his hand. They could have sprayed him, restrained him or even had his family calm him down. There was more than fifteen (15) feet between him and the officers.

Bonnie Mitchell stated that the Commissioners don't come out to the community and try to understand what we are trying to tell you. People are upset at the response of Chief Napoleon, stating that his officers are trained to kill. It is not just the Coalition upset, it is the whole country.

Arnetta Grable stated she was from the Police Brutality Coalition. What kind of training does the Police Department have when dealing with the disable, mentally ill, and the handicap. The policy should be available for everyone to read. Many people feel that there should be a special unit formed to deal directly with these kinds of people. We can't expect just any police officer to face a mentally ill person and know the proper procedure, unless they have been properly trained. Taxpayers give enough money to the city, that should be spent on forming a special unit for people with handicaps.

Chairperson Vann, Jr. thanked Mrs. Grable for coming and for her concern. Many of the helps that have been there for the mentally ill and others that are challenged, those kinds of things are no longer available. D.C. Shoulders, is there anything specific in the policy as it relates to dealing with the mentally ill in these kinds of altercations?

DC Shoulders stated he was not ready to address that particular situation from his level. There was training giving to me on how to recognize if someone is mentally ill. If it is formulated in a written matter, I am not aware of it.

Chairperson Vann, Jr. asked Director Oden, if it was something that the Academy touches on?

Dir Oden stated there are various things covered in the Academy, as it relates to dealing with different populations. The majority of it is outlined by the state so the training that Detroit Officers receive is consistent with the training that is given state-wide which deals with different situations. We could get more detailed information on this matter.

Ms. Grable stated as everyone knows, my son was shot and killed by a police Officer. She became aware, when doing the investigation on my son, there was no drug testing done on the officers at the time, that were involved. I have

received nothing written. I have seen nothing after my son's death. Is there a drug test giving to officers after an incident or a death of a citizen?

Chairperson Vann, Jr. asked D.C. Shoulders to give us a background on the policy after a shooting.

DC Shoulders stated we do give random drug testing to all of our police officers.

Dir. Oden stated all police candidates and police employees are subject to random drug screening every year. In terms of the circumstances related to this case, I would not be able to comment. They are under the same guidelines and regulations as all Detroit police officers.

Chairperson Vann, Jr. stated we as Commissioners receive drug screening. She is asking about after an incident.

Dir. Oden after an incident I could not comment on that specifically. The general policy is that we do the drug testing.

Chairperson Vann, Jr. stated we do appreciate the Police Brutality Coalition for being here and asking the types of questions that we expect you to ask. We thank you for raising issues that have been raised today. We are in the community. I am in the community everyday working with people and crisis situations. We are not alienated from our community at all. We are in a position to try to address these concerns. In the case of Lisa Williams, action was taken and we took that action today. I understand the emotion and rage. I appreciate the Coalition and others being here.

Commissioner Richard stated we fought battles that no one should have ever had to fight. We feel for some of the things that are happening now, and we have to wait until they are worked through, so that we can come up with some resolutions. Just because we sit here does not mean that we don't understand this City, we stay in this City because we feel that we can help do something.

Commissioner Marx stated DC Shoulders we have three questions that I think we should look into. And maybe the Commission could get some response from you. The first question is: What are the various levels of response that the police department has. For example, if you were in this situation you would first talk and then verbalize with the person. The second question is: How does the Department handle the mentally ill? The third question is: Are officers given drug screening tests after they are involved in violent situations? If we can in a reasonable time set and some answers to those questions.

Chairperson Vann, Jr. We understand that there are problems, challenges and various kinds of situations. We meet every Thursday, and we go into the community once a month to have a meeting. We listen, hear, and direct action to

be taken. That is why we appreciate the information that comes from the citizens because it helps us to get things resolved. It is one thing for us all to be upset and it is another thing for it to be properly investigated and for action to be taken. We don't want to be a Board that just talks, but a Board that takes action.

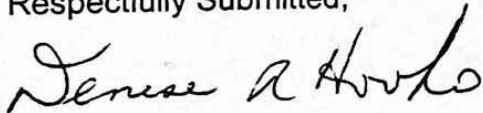
9. ANNOUNCEMENT OF NEXT MEETING

Thursday, September 7, 2000 @ 3:00 p.m.
Police Headquarters – Rm. 328
1300 Beaubien
Detroit, Michigan 48226

10. ADJOURNMENT

Meeting was adjourned at 4:55 p.m.

Respectfully Submitted,



for **PAMOLINE J. MCDONALD**
Executive Secretary
Board of Police Commissioners

PJM/kdw