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MOTION: Chairperson Ritchie moved that on Election Day anyone passing out election literature within 250 feet of a school be immediately arrested.

SECOND: There was no second for the motion.

Commissioner Mills-Peek declared she did not feel anyone had immunity from the law when they were doing wrong. She hadn't meant to imply that; however, she didn't think distributing literature was wrong and didn't care who distributed it. As Commissioner Cohn stated, her remarks were meant to sensitize the Department. She certainly didn't believe in immunity from the law or disparity or inequity with our relationship with anyone on the street.

0. PRESENTATION FROM THE SEX CRIME UNIT

Lieutenant Isaiah McKinnon, Sex Crime Unit, stated the two primary objectives of the Sex Crime Unit were to reduce the criminal sexual conduct crimes and to increase the rate of prosecution.

Michigan Public Act No. 266, the new State criminal conduct law which became effective November 1, 1974, has been called the most progressive in the country. Unfortunately, most people are still not familiar with it. Lieutenant McKinnon highlighted some of its more important aspects. First, the new law has four separate degrees of criminal sexual conduct (appropriately titled CSC 1 through 4) with penalties varying due to age, penetration, the family relationship, the mental capacity of the person, and physical contact. The penalty, which is based on the degree (1 through 4), varies from probation to life imprisonment. The interpretation of force is different under the new law. A victim need not resist the actor. We have successfully prosecuted cases where a woman felt that her life or body was threatened because the actor had the means present to do so. Under the law the testimony of the victim need not be corroborated. The presence of seminal stains, blood, bruises, or whatever was necessary under the old law. We have had successful prosecutions on the testimony of a woman who said that this did, in fact, happen to her. Probably the most important aspect of the new law is the fact that the woman's past sexual conduct will not be presented in court, with a few exceptions, such as if she has had prior sexual conduct with the actor or if she is claiming she became pregnant or contracted a disease.

Some of the outstanding aspects of the new law were published recently in a Free Press article which headlined that our rape prosecutions had increased 65% and the convictions were up by 5% to date. Lieutenant McKinnon informed Commissioner Cohn that the rate of convictions was up by only 5% because most of the cases were still in the process of being prosecuted.

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To date we have had 100 more felony arrests this year than last year. Our prosecution rate has doubled from 11% last year and the year before to 25% this year, which the Sex Crime Unit attributes to the new law itself, the education of the public, and the understanding of police officers, not just in the Sex Crime Unit but the initial responding officers. Officers from the Sex Crime Unit have gone out into the precincts and explained the compassion and understanding needed to deal with this particular problem, reported Lieutenant McKinnon. We have implemented an arrest squad in the Sex Crime Unit which, in the first three months of its operation, arrested 50 people. Twenty-five of those people had had prior contact with the Sex Crime Unit. That particular squad is doing an outstanding job. In addition we have had a concentrated effort by members of the Sex Crime Unit, the Rape Counseling Center, and Sergeant Fred Williams and the staff of Public Information in making citizens more aware of the new law as well as certain preventative techniques. In our efforts to increase public awareness of the new law, members of the Sex Crime Unit and the Rape Counseling Center have made TV, radio, and public appearances.

The Sex Crime Unit is part of the Headquarters Bureau and the Crimes Against Persons Section, continued Lieutenant McKinnon. The Unit is composed of two lieutenants, nine sergeants, and 32 police officers, all of whom, except for the two lieutenants, function in an investigative capacity. The Detroit Police Department has the largest rape investigative unit in the country. Command of the Sex Crime Unit also entails supervision of the Rape Counseling Center, and until just last Monday the Women's Detention Center, both of which are staffed on a 24-hour-a-day basis. Our Rape Counseling Center is coordinated by Miss Barbara Simons and employs a staff of ten full time social workers who are responsible to the Sex Crime Unit basically for the supervision of the victims' medical treatment, to assist with the psychological counseling as a result of the assault, to assist the victim throughout the court procedure, and to act as mediators to those people who are reluctant to come forward. A number of calls are received from victims who just want to receive counseling. He informed Vice-Chairperson Littlejohn that the social workers are civil service employees. Since its conception (officially) on December 1, 1975, to date, 733 assault victims have been processed through the Rape Counseling Center; 591 of those cases are still open. He informed Commissioner Cohn the victims come to Police Headquarters for interviews; however, on occasion officers go directly to the hospital for interviews.

Do you find any difficulty or any impediment in conducting investigations because victims are reluctant to come to Police Headquarters to make their report, questioned Commissioner Cohn. While he meant no criticism of the building, he realized Police Headquarters is generally considered a formidable place by many citizens.

Some victims are reluctant to come, Lieutenant McKinnon admitted; however, he thought after this very personal crime had been committed against a person they want to do something about it, and they will come down and talk.

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Where is the Rape Counseling Center located, asked Commissioner Mills-Peek.
Could you have the interviews there?

The Center is at Detroit General Hospital and there isn't enough room for interviews, Lieutenant McKinnon answered.

Commissioner Cohn wondered if it would seem less formidable for victims if the officers from the Sex Crime Unit were located at a precinct, a community center, or some other location for at least a part of the process, such as the interview. Is there any need for the Sex Crime Unit to be located in Police Headquarters because of its relationship with other facets of the Headquarters Bureau or Crimes Against Persons Section?

We found by putting these Crimes Against Persons units together the personnel are able to talk to each other freely; we do find cases where an assault or rape victim knows something about a murder, Chief Hart replied. It seems to work out better.

Commissioner Douglas supported Chief Hart's concept of shared information on all crimes against persons. Do you ensure some privacy for rape victims being interviewed?

We have several small rooms we use for the interviews, Lieutenant McKinnon responded.

Are there any community groups who in a manner or method similar to court watchers monitor your activities, asked Commissioner Cohn.

The Anti-Minority Task Force is the only group we've had any contact with, Lieutenant McKinnon answered.

The Chairperson excused himself as he had to return to his office.

How many of your officers are tied up in court every day, inquired Commissioner Cohn. Do you ever find yourself disabled from investigative operations because of the bureaucracy that's involved once you start prosecuting?

There have been days when we have had five officers on one case tied up in court and we'll have to keep a complainant waiting for an investigator, but it is not an everyday occurrence, Lieutenant McKinnon replied.

Is there a special unit in the Prosecutors' Office to which you report, asked Commissioner Cohn.

No, Lieutenant McKinnon answered.

Would it be helpful to you if we invited someone from the Prosecutors' Office over to continue this discussion, Commissioner Cohn asked.

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Yes, replied Lieutenant McKinnon. On certain cases, like the Cobo Hall incident and the young lady from Canada who was kidnapped, we had a special prosecutor and everything worked beautifully. If we had a special prosecutor for the day-to-day operation it would take care of most of our problems.

MOTION: Commissioner Cohn moved that the Acting Executive Secretary be directed to send a letter to the Wayne County Prosecutor explaining that the Board heard a presentation from the Detroit Police Department Sex Crime Unit and found it incomplete because only the first half was available and the Board would appreciate the Prosecutor assigning a senior member of his staff to come before the Board to describe how the second half of this operation is handled.

SECOND: Commissioner Mills-Peek seconded the motion.

VOTE: All in attendance voted in the affirmative.

How many female officers do you have in your Unit, quizzed Commissioner Douglas. We have 18, Lieutenant McKinnon retorted.

Do you feel that is especially helpful or doesn't it particularly matter, Commissioner Douglas asked.

Lieutenant McKinnon thought because of the excellent caliber of the investigative officers in the Sex Crime Unit it really did not make a difference. There are some victims who ask for a female investigator, youngsters for instance.

Acting Chairperson Littlejohn thanked Lieutenant McKinnon and the members of the Sex Crime Unit on behalf of the Commission.

11. EMERGENCY GENERAL ORDER ON THE SWINE INFLUENZA IMMUNIZATION PROGRAM

MOTION: Commissioner Cohn moved ratification of the emergency General Order on the Swine Influenza Immunization Program.

SECOND: Commissioner Douglas seconded the motion.

VOTE: All in attendance voted in the affirmative.