

DETROIT CHARTER REVISION COMMISSION

PROPOSAL/ISSUE REVIEW SUMMARY

ISSUE NUMBER: EPS 20

ISSUE CATEGORY: Enforcement & Public Safety

SOURCE: City Council

RELATED CHARTER SECTIONS: §7-1102 (Board of Police Commissioners)

Letter dated December 2, 2010

RELEVANT ORDINANCE SECTION:

RELEVANT LAW(S):

ISSUE/PROPOSAL STATEMENT: Allow the Mayor and City Council to appoint two (2) members each, with the fifth (5th) member selected by the Mayor from a list of three (3) candidates submitted by City Council. The appointing authority can only remove their member for cause, requiring a 2/3 vote where City Council is the appointing authority. Remove language allowing compensation for members to be set by ordinance.

Sec. 7-1102. Board of police commissioners.

The police department is headed by a five (5) member board of police commissioners. The members of the board shall be appointed ~~as follows: two (2) who shall be appointed by the city council, two (2) who shall be appointed by the mayor; and one (1) who shall be appointed by the mayor from a list of three (3) candidates submitted to the mayor by the city council.~~ The term of membership on the board is five (5) years and not more than one (1) member's term expires each year. ~~None of the board members may be removed by the respective appointing authority except for cause. In the case of city council, a two-thirds (2/3) vote of city council shall be required to remove a member of the board.~~ All members of the board must be residents of the city. As nearly as possible, the board shall be representative of the total community. The board shall elect a chairman annually. A member of the board may not serve consecutive terms as chairman, nor may a person serve more than five (5) years consecutively as a member of the board. The board shall meet at the call of its chairman, but shall meet at least once each week. All meetings shall be public except that the board may, in its discretion, publicly reserve specified subjects for executive session, as permitted by law. No member of the board shall have been an employee or elective or appointive officer of the city within three (3) years prior to appointment or while serving as a member of the board.

- Deleted:** , subject to the approval of
- Deleted:** However, if the city council does not disapprove an appointment within thirty (30) days, an appointment is confirmed.
- Deleted:** The mayor shall not
- Deleted:** members of the board
- Deleted:** Compensation for members of the board may be established by ordinance.

RATIONALE: "The proposed language would change the appointment and removal process for police commissioners, adding a role for city council to reflect the importance of civilian control and neutrality of this oversight body. Since the chief of police is under the day-to-day control of the mayor, city council input into the composition of the board of police commissioners is especially important. The authority for compensation of board members has also been eliminated.

It should be noted that the need for increased balance and oversight of the police function, and particularly more equity in the appointment of commissioners, was also a prime motivating factor for city council in moving for charter revision at this time. The administration's proposals with respect to reducing the authority of the board of police commissioners runs contrary to this concern."-City Council's Rationale, Letter, dated December 13, 2010.

ANALYSIS:

DISPOSITION/COMMISSION ACTION:

NOTES: See Historical Charter Analysis entitled "Historical Charter Analysis - Police Department (Corrected Copy)," dated July 12, 2010.