

Michigan Association of Chiefs of Police  
MICHIGAN LAW ENFORCEMENT ACCREDITATION PROGRAM



# Onsite Final Report

The City of Birmingham Police Department  
May 3, 2021

Team Leader: Daniel J. Mills

Team Member: Carol Dedow

**A. Agency Name, CEO and AM:**

Birmingham Police Department  
151 Martin Street  
Birmingham, MI 48009  
[birminghampolice@bhamgov.org](mailto:birminghampolice@bhamgov.org)  
(248) 530-1870

Mark H. Clemence  
Chief of Police

Lieutenant Greg Wald  
Accreditation Manager

**B. Dates of the On-Site Assessment:**

Wednesday, April 20, 2021 – Thursday April 21, 2021

**C. Assessment Team:**

1. Team Leader: Daniel J. Mills, Senior Deputy Police and Fire Chief  
Portage Department of Public Safety  
7810 Shaver Road  
Portage, MI 49024  
[millsd@portagemi.gov](mailto:millsd@portagemi.gov)  
(269) 329-4567
2. Team Member: Carol Dedow, Deputy Chief  
Western Michigan University Department of Public Safety  
511 Monroe Street  
Kalamazoo, MI 49006  
[carol.dedow@wmich.edu](mailto:carol.dedow@wmich.edu)  
(269) 387-5606

**D. Community and Agency Profile:**

**1. Community Profile**

The City of Birmingham, Michigan is in Oakland County and is part of the Detroit metropolitan area. The settlement incorporated as a village in 1864. Birmingham re-incorporated as a city in 1933 and is known as an upscale community with a vibrant downtown, having both retail and nightlife. The city operates under a council-manager system of government. During the working day, the city sees an influx of over 10,000 employees in various working capacities. The 4.73 square miles of city limits sits halfway between Pontiac and Detroit. Recreational amenities include beautifully maintained parks, municipal golf courses, a dog park, a skate park, an ice rink, baseball diamonds, and a wooded trail system.

As of the census of 2010, there were 20,103 people, 9,039 households, and 5,307 families living in the city. The racial makeup was reportedly 92% White, 3% African American, 2.5% Asian, 2% Hispanic, and 0.5% from other races. The average household size was 2.22 and the average family size was 2.96. The gender makeup of the city was 48.1% male and 51.9% female.

The reported median income for a household in the city is \$80,861, and the median income for a family is \$110,627. The per capita income for the city is \$59,314. About 1.6% of families and 2.9% of the population were below the poverty line, including 2.5% of those under the age of 18, and 3.3% of those age 65 and over.

## **2. Agency Profile**

Dating back to 1825, the territory later known as Birmingham was home to one of Oakland County's first police departments, and the first homicide. A veteran of the War of 1812, Imri Fish, was boarding with the Utter family and was known to have epilepsy, which at the time was a label covering a variety of health issues. After killing his brother Eijah's horse, Imri murdered two of the Utter family members with an axe. A crime this malicious required the first ever documented grand jury. Requirements for jury selection at that time were land owners. There were so few qualified landowners that Imri's own brother Elijah had to sit on the jury and convict him.

In 1864, Alanson Partridge was elected as the first area marshal. Besides protecting the village limits, Partridge did not have many responsibilities since crime was relatively non-existent. Because of this, residents did not feel it was necessary to pay for a night watchman. It was not until the late 1890s that Almeron Whitehead, founder of Eccentric Paper, donated \$1 a week for a larger police force.

In 1919, Birmingham's police force consisted of three men making about \$150 each per month. The department made headlines when Chief Homer Gaskill uncovered a nationwide mail fraud.

The police agency, which serves Birmingham today, reflects that of many 21st century organizations that have evolved in an era of modern technology and advancements. Currently, 31 sworn officers work with honor, integrity, and respect. Pursuit-rated patrol vehicles are equipped with speed measurement radar, video cameras, night vision, GPS tracking, radios, rifles, body armor, and mobile data terminals, as well as Tasers, and body-worn cameras. Detectives are equipped with software programs and state of the art training and technology to enhance investigations, as well as access to state and nationwide criminal tracking databases. Motorcycles have replaced mounted patrol, mountain bikes have become routinely utilized, and a therapy canine wags her tail around city hall. While the appearance and capabilities have changed over the years, the mission of the Birmingham Police Department has remained the same: to provide a safe and secure community for those that live, work, and travel here.

### **3. CEO Biography**

Chief Mark Clemence was hired in 1985 as a police officer for the City of Birmingham. He has served as a patrol officer, corporal, detective, sergeant, division commander and deputy chief. He was appointed to his current position in 2016. Chief Clemence earned a Bachelor of Arts degree from Michigan State University and graduated Summa Cum Laude. Chief Clemence is a graduate of the Federal Bureau of Investigation's National Academy and the Law Enforcement Executive Leadership Institute.

Chief Clemence is well known in the law enforcement community for his investigative skills, especially in the area of interview and interrogation and major case administration. Chief Clemence developed, founded and then led the Major Case Assistance Team (MCAT), a nine-city consortium of police departments who work together on complex criminal cases. As an administrator, Chief Clemence has been instrumental in developing, instituting and supporting local police agencies working together to form multi-jurisdictional teams to enhance areas of specialization in investigations, surveillance, narcotics enforcement and accident investigation. In February 2016, Chief Clemence was a presenter at the Michigan Association of Chiefs of Police statewide conference to promote local police agency cooperation in forming multi-jurisdictional teams. Chief Clemence also serves on the Oakland Community College Police Academy Advisory Board and has served as the keynote speaker at an Oakland Police Academy graduation ceremony.

Since taking over in 2016, the Chief has made numerous changes and enhancements to the department including: prioritizing community engagement, streamlining operations to a 12-hour shift format to reduce costs and increase staffing levels on duty, increasing investigative specialization and the use of multi-jurisdictional task forces and joint operations with outside agencies, and implementing body cameras for all officers.

### **4. Accreditation Managers Profiles**

Lieutenant Greg Wald has been with the Birmingham Police Department for 21 years. Lieutenant Wald graduated from Ferris State University with a Bachelor's degree in Criminal Justice in 2000. Over the years, he has worked as a motorcycle officer, motor carrier officer, and field training officer. He was promoted to the rank of sergeant in 2013 and the rank of lieutenant in 2015. He is 2019 graduate of the Eastern Michigan University School of Police Staff and Command. Lieutenant Wald currently oversees the dayshift platoon and serves as the co-coordinator for the department's Public Safety Answering Point (PSAP). Lieutenant Wald is also a member of the Oakland County PSAP committee and Oakland County radio oversight committee.

### **5. Future Issues**

Over the course of the next 23 months, the police department will have three command staff members retiring, including the chief of police. Chief Clemence submitted a formal succession plan to the Birmingham City Manager in February 2021 and the department

has been diligent in implementing the plan. The agency has effectively prepared the next generation of leaders by providing training and professional development to staff. In an effort to establish an active promotional list for advancement, the department plans to start a combined commander and lieutenant promotional process in October 2021.

The department recently developed an inter-governmental agreement with the City of Auburn Hills and the Township of Bloomfield to provide a full time social worker to be assigned exclusively to the agencies on a grant based trial program to create a mental health co-response program. Over the course of the last year, there has been a great deal of national, state and local conversation around the efficacy of policing, especially law enforcement's response to reported non-criminal calls for service involving persons experiencing some type of crisis. Resources for people in crisis have been reduced, leaving individuals in crisis without needed assistance, care or treatment. As a result, many persons in crisis, as well as concerned members of the public, rely on law enforcement to intervene and address the issue. The focus of the program would place mental health professionals at the three agencies. These professionals would work closely with law enforcement officers to address community mental health concerns. Not only do these social service professionals have an in-depth understanding and experience coping with various social and medical circumstances, but they also have the connections in the mental health/social work environment to address directly, with familiarity and expertise, what services are available to citizens in terms of service options and proper mechanisms for obtaining pre-existing services.

In addition to the mental health initiative, the department recently trained all officers in Mental Health First Aid for First Responders. While the agency recognizes that this was a positive starting point, the most comprehensive mental health training program is Crisis Intervention Training (CIT); the agency intends to also train all staff in the nationally recognized 40-hour CIT training program.

The police department is housed in the east portion of the City of Birmingham's City Hall. In non-pandemic times, there is no restricted access to city hall. There are four entrances to city hall, all allowing free access to open offices, including the Office of the Chief of Police. The City of Birmingham should consider restricting access to city hall and allow entrance into the facility at only one door.

Physical plant improvements are recommended, including the construction of a secure sally port or garage to the holding facility, and a secure interview room for in-custody interrogations.

#### **E. Public Information Activities:**

Public notice and input are cornerstones of democracy and MLEAC accreditation. This section reports on the community's opportunity to comment on their law enforcement agency and to bring matters to the attention of the commission that otherwise may be overlooked.

## 1. Telephone Contacts

The public telephone line was active on Thursday, April 21, 2021, from 9:30 a.m. to 11:30 a.m. The telephone line was tested, found to be functional, and four calls were received.

### Johanna Slana – Board Chair (248) 761-9567

Ms. Slana is the chairperson of the Birmingham Multi-Mode Transportation Board. This board makes recommendations to the City of Birmingham regarding alternative modes of transportation and the police department shares a seat on this board.

Ms. Slana stated she appreciates her involvement with the police department. She said the agency demonstrates diverse thinking, cares about the residents, visitors and others who work in the City of Birmingham.

Ms. Slana fully supports the agency's effort to become state accredited.

### Cindy Rose – Resident (248) 752-2667

Ms. Rose is a 35-year resident of the City of Birmingham. She feels fortunate to live in a city with an exemplary police department. She described the police department as accommodating, helpful, proactive and quick to respond. She said the agency's outreach is excellent. She also loves the therapy dog.

Ms. Rose also commented on how the chief is in-tune with the community's needs and that he always wants to improve service.

Ms. Rose fully supports the agency's effort to become state accredited.

### Douglas White – Resident (248) 825-2223

Mr. White spoke very highly of the Birmingham Police Department. He has resided in Birmingham for the last 15 years and has always had excellent contacts with the department members. Mr. White said that one of the city's strengths is the police department. Officers are always accountable and receptive. Mr. White serves on the Multi-Mode Transportation Board and works closely with Commander Scott Grewe. He said Commander Grewe's insight on issues is remarkable. He said Commander is always prepared for meetings and offers excellent suggestions as well as resolutions.

Mr. White is the President of the Birmingham Neighborhood Association and meets often with Chief Clemence. He said Chief Clemence attends the neighborhood association meetings himself and supports new ideas. He said Chief Clemence is never rushed for time and never "passes the buck".

Mr. White fully supports the agency's effort to become state accredited.

Pamela Deweese – Resident (248) 642-4256

Ms. Deweese is a resident of Birmingham and wanted to provide a story regarding the Birmingham Police Department. She said her neighbor is in her 90s and ran a stop sign. The neighbor was pulled over by a police officer and given a warning. The police officer then followed the neighbor to her residence and helped unload her groceries. The neighbor was quite pleased and told other neighbors about her contact with the police.

Ms. Deweese has always had a positive perception of the department and has not had any negative contacts. She is happy with the police and loves the therapy dog.

Ms. Deweese fully supports the agency's effort to become state accredited.

## **2. Correspondence**

The assessors received ten correspondence regarding the reaccreditation process:

April 16, 2021

Chief Neal A. Rossow (ret)  
Director of Professional Development  
Accreditation Program Director  
Michigan Association of Chiefs of Police

Subject: Birmingham Police Department Accreditation

Gentlemen:

Thank you for the opportunity to provide comments to the team from the Michigan Law Enforcement Accreditation Commission (MLEAC) assessing the Birmingham Police Department for best practice standards.

My wife and I have been residents of the City of Birmingham for over 35 years. Fortunately during that time we have never needed to initiate a "911" emergency call but we are very confident that our police and/or fire teams would respond within minutes. In the remainder of this document, I will attempt to explain why our level of confidence in our police department is so high.

Primarily, being concise, over our many years in the city, we have witnessed many (innumerable?) incidents involving neighbors, friends, and businesses that have required police assistance and invariably that response has never been short of outstanding!

In 2016, I attended the Birmingham Citizens Academy. One week of this program was dedicated to meetings and discussions with the Chief and officers of the Birmingham Police Department, a visit to the armory and pistol range, a detailed tour of their vehicles and onboard equipment, and a visit to the emergency control room in City Hall. I was

thoroughly impressed with the transparency of the officers we met, the processes and procedures they have developed, and the state-of-the-art equipment that they use.

I am retired from the Ford Motor Company where I spent a good part of my tenure in the Process Leadership activity. I understand the need to employ good policies with flexible processes implemented with comprehensive sets of procedures to ensure proper execution and control. In my opinion, the policies, processes, and procedures outlined for members of the Citizens Academy were first class.

In addition, I had the opportunity to do a “ride along” on the afternoon shift with a Birmingham police officer. Over the course of the evening, I witnessed the officer:

- Make a speeding traffic stop on an individual having a CPL and carrying a loaded gun.
- Make a traffic stop for speeding and arrest the driver of a vehicle reeking of marijuana with two small children in the rear seat.
- Carefully pursue, through residential neighborhoods, and stop a vehicle proceeding erratically (including going over a fire hydrant) driven by an individual with no license, registration, or proof of insurance. I was also able to observe the booking procedure in this incident.

I am listing these incidents and details because each of these stops was unique. What I saw was a lone police officer in unenviable situations methodically execute a myriad of procedures – while remaining in total control and showing respect void of any bias to the individuals involved. The officer that evening demonstrated the training, the backup support (on the road and at headquarters), the equipment, and the utmost confidence that comes from being in a department that operates at a superior professional level.

Lastly, I am actively enrolled in the Criminal Justice Studies program at the University of Detroit-Mercy. I have been in this program for several years and during that time I have heard only positive comments from the professors and fellow students (some are police officers from neighboring communities) when the Birmingham Police Department is mentioned. It makes me proud of our department.

Hopefully I have shown why I welcomed the opportunity to provide input to your accreditation procedure. Thank you once again.

Respectfully submitted,  
John W. (Jack) Burns  
898 Putney St.  
Birmingham, Mi. 48009

[Jackburns1@comcast.net](mailto:Jackburns1@comcast.net)  
248-644-7619

From: **McCarthy Mike** <[mike.mccarthy@zf.com](mailto:mike.mccarthy@zf.com)>  
Date: Mon, Apr 12, 2021 at 10:26 AM  
Subject: {Birmingham Police} Accreditation comments

I would like to say that we have an outstanding police force in Birmingham. They are always polite and helpful, and very responsive when needed.

Yours truly,  
Mike McCarthy  
591 Smith Ave.  
Birmingham, MI

----- Forwarded message -----

From: **Kenneth Dixon** <[overflowresources@cfaith.com](mailto:overflowresources@cfaith.com)>  
Date: Thu, Apr 15, 2021 at 3:43 PM  
Subject: Re: Birmingham Police Accreditation  
To: Greg Wald <[GWald@bhamgov.org](mailto:GWald@bhamgov.org)>  
Cc: Kenneth Dixon <[overflowresources@cfaith.com](mailto:overflowresources@cfaith.com)>

We reviewed the Michigan Association Chiefs of Police accreditation standards. Your work and guidelines are very comprehensive. We respect the Law enforcement in Birmingham and you have been very helpful when we have needed information. You all are doing a great job as you provide your service to the community. Thank you.

Respectfully submitted,  
Mr. and Mrs. Kenneth Dixon  
[overflowresources@cfaith.com](mailto:overflowresources@cfaith.com)

**From:** "[alvorth@aol.com](mailto:alvorth@aol.com)" <[alvorth@aol.com](mailto:alvorth@aol.com)>  
**Reply-To:** "[alvorth@aol.com](mailto:alvorth@aol.com)" <[alvorth@aol.com](mailto:alvorth@aol.com)>  
**Date:** Thursday, April 15, 2021 at 7:04 PM  
**To:** Neal Rossow <[nrossow@michiganpolicechiefs.org](mailto:nrossow@michiganpolicechiefs.org)>  
**Subject:** Birmingham P.D. Accreditation Comments

To whom it may concern:

My Orthodontic Practice is located in downtown Birmingham. I have occasional contacts with the Birmingham Police Department with respect to my practice, and monthly due to their attendance to the Birmingham Advisory Parking Committee, which I am chair. I have always found their conduct, character, and morals to be above exemplary. Maintaining order in an affluent community with affluent egos, and occasionally less than affluent visitors presents a balancing act, which they execute with grace and perfection. I strongly recommend immediate full accreditation.

Professionally,  
Al Vaitas, D.M.D.

**From:** DAVID LURIE <[dlurie2001@comcast.net](mailto:dlurie2001@comcast.net)>  
**Date:** Friday, April 16, 2021 at 10:34 AM  
**To:** Neal Rossow <[nrossow@michiganpolicechiefs.org](mailto:nrossow@michiganpolicechiefs.org)>  
**Subject:** Birmingham Accreditation Comments

To Whom It May Concern:

I am writing to you to offer my support for the accreditation of the Birmingham Police Department.

As a resident of Birmingham for the past 43 years, I have found the Birmingham Police Department to be extremely professional at all times. In my role on the city Multi-Modal Transportation Board, the police department has been responsive to all of my requests for information. In addition, the staff is very well trained and knowledgeable, always respectful and has excellent record keeping.

Over the years, the police department has been accessible when I have had questions about speeding on our residential street. They have also responded quite quickly when I have called about a suspicious vehicle in the area.

My personal interactions with department staff over the phone and now via Zoom has always been first rate. My wife and I feel safe in Birmingham mainly because of the professionalism and dedication of the Birmingham Police Department and their staff.

Thank you for the chance to give my feedback.

David Lurie  
755 Lakeview Ave.  
Birmingham, MI 48009

**From:** Lisa Krueger <[lisakrug21@gmail.com](mailto:lisakrug21@gmail.com)>  
**Date:** Wednesday, April 21, 2021 at 9:12 AM  
**To:** Neal Rossow <[nrossow@michiganpolicechiefs.org](mailto:nrossow@michiganpolicechiefs.org)>  
**Subject:** Birmingham Accreditation Comments

Good morning,

I would like to take a moment and share my experience with the Birmingham Police. I have needed support on multiple occasions, mostly non-emergency, and each time they were responsive. Took the time to follow up with me and give me their business card if I needed anything else.

On one occasion, I needed assistance with a Neighbor who was residing in the Cayman Islands and harassing me from there. I simply asked, "how can you help me?" They let me know it would be taken care of and it was.

Thanks,  
Lisa Clark (Birmingham resident of 10 years)

Date: Thu, Apr 21, 2021 at 8:15 PM  
Subject: {Birmingham Police} Accreditation comments  
To: [birminghampolice@bhamgov.org](mailto:birminghampolice@bhamgov.org) <[birminghampolice@bhamgov.org](mailto:birminghampolice@bhamgov.org)>

To whom it may concern:

I understand that comments can be directed to this email address concerning the subject above based on the latest issue Birmingham-Bloomfield Eagle News.

I find in all my observations of the Birmingham Police that members adhere to the highest levels of integrity, honesty, professionalism and empathy. Please do not hesitate to contact me for anything further.

Regards,  
Nick Nahat  
1613 Buckingham Ave.  
Birmingham, MI 48009

**From:** Dana Markey <[dannyman55@aol.com](mailto:dannyman55@aol.com)>  
**Date:** Sunday, April 25, 2021 at 12:43 PM  
**To:** "[birminghampolice@bhamgov.org](mailto:birminghampolice@bhamgov.org)" <[birminghampolice@bhamgov.org](mailto:birminghampolice@bhamgov.org)>, Neal Rossow <[nrossow@michiganpolicechiefs.org](mailto:nrossow@michiganpolicechiefs.org)>  
**Subject:** Accreditation Comments, Birmingham MI Police Department

I do not have specific standards to respond to, but would like to express my opinion and views as it relates to me, a resident of Birmingham, on the accreditation of the Birmingham MI Police Department.

As a resident of Birmingham, MI for almost 45 years, I have complete confidence in our Police Department. Although I have had only a few occasions to call on assistance in the past, it has always been a good experience. Some of my neighbors have needed assistance at times and have expressed to me that they have had a prompt and positive response from our police. Chief Mark Clemence has been a very good role model for the entire police force. I have read news reports that Chief Clemence has the public's safety as a priority including when not on duty by saving someone from drowning. Encouraged by the Chief, the police not only protect our residents but also visitors to our city. They supported and protected the rights of citizens to peacefully demonstrate in our city in recent months. Chief Clemence has also promoted education and training of our police to peacefully and compassionately deal with cases of mental illness rather than using force

unnecessarily and to work with experts in the field to accomplish this end. While there may be a rare occasion when a situation could be handled better, he tends to build on that as a learning experience to better respond in the future. The department continually looks for ways to improve to protect the public.

As a resident of Birmingham for many years, I give the Birmingham Police Department an excellent review and support their confirmation for accreditation.

Diana Pagotto  
1921 Washington Blvd.

From: 'MARK WELLS' via Police <[birminghampolice@bhamgov.org](mailto:birminghampolice@bhamgov.org)>  
Date: Fri, Apr 23, 2021 at 5:34 PM  
Subject: {Birmingham Police} Accreditation comments  
To: <[birminghampolice@bhamgov.org](mailto:birminghampolice@bhamgov.org)>

Dear Sirs,

I have lived in the Birmingham/Bloomfield area my entire life (67 years). The Birmingham Police Department epitomizes professionalism in all they do. While I have needed their assistance just a couple of times over the years, they have arrived quickly and acted in the best interests of the community.

Mark Wells  
1095 Lincoln Ct.  
Birmingham, MI

**From:** Birmingham Andrew <[andrewinbham@gmail.com](mailto:andrewinbham@gmail.com)>  
**Date:** Wednesday, April 28, 2021 at 8:46 PM  
**To:** "[birminghampolice@bham.gov](mailto:birminghampolice@bham.gov)" <[birminghampolice@bham.gov](mailto:birminghampolice@bham.gov)>, Neal Rossow <[nrossow@michiganpolicechiefs.org](mailto:nrossow@michiganpolicechiefs.org)>  
**Subject:** Birmingham MI Police department Accreditation comments

To whom it may concern.

I would like to share my thoughts and support on the application for accreditation by the Birmingham Police Department.

I am a 12 year resident of Birmingham, at 1814 Banbury Street and in my interactions with and observations of the department, over a number of years, I have found that the leadership by Chief Clemence shows the professional and considerate nature of our Police Department.

The Chief leads by example and when the city recently entered a period of leadership transition with the resignation of both our City Manager and deputy Manager, we were left

in a difficult position. The Chiefs name was proposed to the City Commission as the candidate to step into this leadership role until a new City Manager could be found. I spoke up at that public meeting to express my full support for this proposal as I feel that the Chief, his manner of leadership and the obvious results of which reflect in our officers, would be the best choice for us in the situation. Ultimately, circumstances led to us not needing his support, but the fact that I and our community leaders have this much faith in our Police, shows that we have a demonstrated quality that we highly value.

As such, I hope that these words of support for our application will help the department achieve accreditation status with the MI Law Enforcement Accreditation Commission.

Yours,  
Andrew Haig

3. Media Interest

There were no inquiries from the media to assessors regarding the on-site.

4. Community Outreach Contacts

Thomas M. Markus – Birmingham City Manager, (248) 530-1809

City Manager Thomas Markus had previously served the City of Birmingham for 22 years before accepting positions in other states. He returned to the City Manager post on January 1, 2021, and has historical knowledge of the department. Mr. Markus remarked the department has a cultural competence regarding the community they serve. The officers of the department are always hardworking, dedicated, responsive, professional, and well respected. The department has adjusted to the community they serve.

Mr. Markus said the department is constantly willing to take on projects regarding a number of different issues. He is confident with the officer training and officer communication skills.

His one concern for the department's future is institutional knowledge after top command retire. He does have confidence in Chief Clemence with succession planning, however.

Mr. Markus fully supports the agency's effort to become state accredited.

Joseph Lambert – Birmingham Human Resource Manager, (248) 530-1824

Mr. Lambert stated that the relationship between Human Resources and the police is strong. He further described the relationship as amicable and collaborative. He mentioned an example of police professionalism that occurred last summer. He personally observed protestors outside of City Hall. The police response was excellent; the officer who responded showed great patience and allowed the protestors the space needed to peacefully demonstrate.

Mr. Lambert fully supports the agency's effort to become state accredited.

Tim Griswold and Curt Gerber – Police Auxiliary Chief and Lieutenant

Mr. Tim Griswold is the Birmingham Auxiliary Police Chief. Mr. Curt Gerber is the Birmingham Auxiliary Police Lieutenant. Both are in command of the agency's auxiliary volunteer police force and were interviewed together virtually on a Zoom call. They explained that the auxiliary police officers work high school events, community special events, ride with officers and on-call for emergencies. All of the auxiliary police officers complete a reserve officer academy and attend the same annual training as the full-time police officers.

Mr. Gerber said that Birmingham has the best auxiliary program in southeast Michigan. He said that the auxiliaries train side-by-side with full-time officers and are completely assimilated into the department.

Mr. Griswold said that the Birmingham Police Department, as a whole, welcomes the auxiliaries. He said that it is a joy to give back to the community as an auxiliary officer.

Mr. Griswold and Mr. Gerber both fully support the agency's effort to become state accredited.

Rachel Feder – Deputy Superintendent, Birmingham Public Schools, (248) 670-4654

Ms. Feder oversees school safety for the Birmingham Public School system. She works closely with the Birmingham Police Department collaborating on school safety. Ms. Feder said that she has an incredible working relationship with the department. She said the agency attends regular meetings with school administrators assisting with safety issues, disciplinary matters, and mental health issues. Ms. Feder also said the police department has assisted the school district in writing and obtaining grants, giving presentations, and teaching ALICE (Alert, Lockdown, Inform, Counter, and Evacuate).

Ms. Feder commented on how the Birmingham Police Department interacts positively with all the surrounding police agencies and all neighboring school districts. She has personally observed Chief Clemence navigate a variety of personalities in many different settings. Ms. Feder said officers understand the "hearts of students." She said officers are approachable and have a service mindset.

Ms. Feder fully supports the agency's effort to become state accredited.

## **5. Agency Ride-along**

On Tuesday afternoon, Assessor Mills role along with Officer Gina Moody. She was very courteous and professional. She demonstrated a thorough knowledge of the agency's policies and directives. She went to several key locations in the city, including city borders, prominent neighborhoods, businesses, and parks. She was extremely knowledgeable and spoke highly of the agency, her coworkers and command.

Officer Moody described the extensive training she has received as a Birmingham officer. She is also a trained dispatcher and Crisis Intervention Team officer. She expressed joy in being a part of the agency's adopt-a-senior program where officers adopt local seniors, check on them regularly, run errands and support the senior in any way possible.

While parked writing notes about a directed patrol, a resident approached the patrol car and offered coffee. The resident expressed appreciation for the police and was glad to see her. Officer Moody politely declined the offer of coffee and was very cordial to the resident.

On Tuesday afternoon, Assessor Dedow also rode along with Sergeant Michael Lyon. He was very courteous and professional. He demonstrated a thorough knowledge of the agency's policies and directives. He went to several key locations in the city including prominent neighborhoods, businesses, parks and residential developments. He was extremely knowledgeable and spoke highly of the agency, his coworkers, and command.

During the ride along, a citizen reported a parking concern regarding construction trucks blocking an area near her residence. Sergeant Lyon responded immediately to the area and discovered the construction trucks had already left the area. Sergeant Lyon conducted a traffic stop on a vehicle during the ride-along. Throughout his contact with the citizen, he was professional and pleasant. He issued the driver of the traffic stop a verbal warning.

## **6. Community Involvement**

Community policing is a very important component of the philosophy of the police department. Uniformed patrol officers are often assigned to patrol on foot, bicycles and motorcycles. Patrol officers speak to citizen groups, businesses, and schoolchildren about traffic matters, drug abuse, baby-sitter safety, crime prevention and other topics. Patrol officers frequently make appearances at block parties and other neighborhood activities to interact with the community.

The department also has a community resource officer that is an expert in personal safety, building safety and active shooter response training. The community resource officer is available for presentations to community groups and specialty groups for a variety of programming. The department also has a comprehensive system in place to address citizen concerns about speeding vehicles, especially in neighborhoods.

The department has a certified therapy dog, Bella. Bella assists with individuals under stress, victims of crimes, special needs individuals and the public in general as an ambassador of goodwill.

Agency officers operate an adopt-a-senior program consisting of all employees who volunteer time to assist resident seniors with a variety of services including lawn mowing, snow shoveling, shopping and errands.

## **F. Essential Services:**

### **Chapter 1 – The Administrative Function:**

#### Direction of Personnel

The chief of police has the authority to issue, modify, repeal, amend, revise and approve agency written directives, general orders, and policy. The overall written directive system was clear and understandable. The directives were constructed in a logical manner with employee duties and responsibilities clearly defined. The rules and regulations outlined in an excellent manner the constraints on employee actions and expectations for behavior.

#### Fiscal Control

The agency has only one cash account for confidential informants. The fund was not used during the assessment period. The balance has remained the same since September 2019.

#### Internal Affairs

Commanders are responsible for conducting investigations into allegations of employee misconduct and have direct access to the chief of police. The agency accepts and investigates all complaints, including anonymous complaints. All internal investigation files are properly secured with limited access.

The Birmingham Police Department takes every complaint seriously. Each incident is investigated by command staff and reviewed by administration. In 2020, the Birmingham Police Department investigated seven internal misconduct investigations. Of the seven personnel misconduct complaints that were investigated, six were sustained. Corrective action was taken in all six investigations. The breakdown of the type of complaints are as follows: issued equipment lost, tardiness, improper use of sick time, and poor work performance.

#### Disciplinary Procedures

The agency's written directive system details the rules, regulations and expectations for employee conduct. Supervisors have discretion to place employees on administrative leave. The agency has an appropriate appeal and grievance process in place with established timelines.

#### Organization

All sworn personnel take, sign and subsequently abide by an oath of office to enforce the law and uphold the Constitution of the United States and the Constitution of the State of Michigan. All agency personnel acknowledge a code of ethics. Bias-influenced policing is strictly prohibited by the agency. There is a definition for bias-influenced policing,

including prejudicial decisions affecting individuals in classes protected by federal and state law.

The agency also prohibits unlawful workplace discrimination and harassment, including sexual harassment. The written directive outlines a proper reporting mechanism in the chain of command, including an alternate reporting process for any conflict of interest. The directive requires employees to report any type of harassment and requires investigations to be conducted in accordance with state law. There were no reported incidents of harassment during the assessment period.

Police personnel have a structured unity of command. In the City of Birmingham Police Department, the chief of police is supported by three commanders who lead separate divisions: Services, Operations and Investigations. The City of Birmingham Police Department currently has 33 sworn personnel. Personnel have access to supervisory personnel on a 24-hour basis; there is always a lieutenant and/or sergeant on-duty.

The Operations Division is supervised by a commander and consists of four uniformed patrol platoons and a dispatch center. The four uniformed patrol platoons operate on a 12-hour shift format.

The department has a dedicated investigation division with assigned supervisors and detectives. Three officers are also assigned to local task forces: the Oakland County Narcotics Enforcement Team (NET), the Special Investigations Unit (SIU) and the Federal Bureau of Investigation Financial Crimes Task Force. In addition, the School Resource Officer (SRO) works out of this division.

The agency has a vibrant and active auxiliary police unit comprised of 15 volunteers commanded by an auxiliary chief and an auxiliary lieutenant.

On April 21, 2021, Assessor Dedow attended roll call briefing for the day shift. Lieutenant Koch conducted the briefing and discussed traffic issues along with a stalking case involving a prominent city resident. Special checks and extra patrols for specific locations were mentioned as well. There was a free exchange of information between supervision and the patrol officers. The briefing was conducted in a professional manner.

#### Agency Equipment and Property

Agency personnel are responsible for all equipment issued to them and it is the responsibility of the employee to maintain all equipment in an operational state, as well as report any malfunctions, damage, or loss of equipment immediately to a supervisor. The wearing of body armor is mandatory for all sworn personnel, with additional requirements to wear body armor while engaged in pre-planned and high-risk operations.

#### Public Information

By policy, the Public Information Officer (PIO) for the department is the Operations Commander and any item that directly concerns the Police Department, whether

detrimental or favorable, will be released only by the Chief of Police, PIO, or designee. Approved press releases may also be released by a shift supervisor and in some cases further media inquiries may be referred to the investigative supervisor, if necessary.

Policy media prohibit access to areas or locations, which could interfere with law enforcement operations. The agency understands the importance of public and media assistance.

### Agency Records and Computers

The agency has a detailed written directive system describing field reporting, follow-up investigations, and the approval of reports by supervision. The department controls access to agency records electronically with records management passwords. The agency uses Oakland County's Courts and Law Enforcement Management Information System (CLEMIS) for records management. Any hard copies of reports are stored in a file cabinet where only records staff have access. There are extra security measures for non-public records. Records personnel handle all Freedom of Information requests, and the agency abides by the state retention and disposal requirements in accordance with Michigan Statute and Records Management.

The agency has procedures to protect its central records. The data is stored and backed up electronically and is password-protected. Annual security audits and password audits were performed during the assessment period. There were no breaches in security during the assessment period.

### Agency Training

The agency training records are current and are being maintained in accordance with applicable retention schedules. Training course content is outlined and lesson plans are utilized. In-house instructors are properly trained and experienced. New sworn personnel are required to complete an extensive training program. Officers in field training rotate shifts. Field training officers are properly selected and trained through a documented process. Newly promoted personnel receive supervisory and leadership training consistent with new responsibilities and tasks. Annual training includes firearms, hazmat, and use of force.

### Authorization and Use of Agency Weapons and Ammunition

The CEO is the authorizing authority for weapons and ammunition requirements, including specialized weapons. The agency uses certified/qualified staff for armorer inspections, repair and replacement. Records of weapons are properly maintained with written guidelines for storage.

## **Chapter 2 – The Personnel Function:**

### Personnel Benefits and Responsibilities

The agency has a written directive outlining an employee assistance program, line-of-duty injury and death circumstance policy, and an employee collision and review process. The agency uses a third party provider for the Employee Assistance Program. The agency also has a comprehensive exposure control and reporting policy.

### Performance Evaluations

The written directive requires all agency personnel to receive annual performance evaluations. The system includes directives to raters regarding evaluation responsibilities and procedures on how to use the required forms. The evaluation system has a clear appeal process. The agency has an established early warning system.

### Promotion of Sworn Personnel

The promotional process is outlined in the collective bargaining agreements and includes a point system. During the promotional process, the CEO reviews the requisite qualifications for promotions when deciding on advancement of personnel. The CEO makes the final decision on all promotions.

### Recruitment of Sworn Personnel

The recruitment plan was just recently completed. The plan contains a clear statement that the agency is committed to equal opportunity. The stated goals and objectives for recruitment are clear and understandable.

The plan listed the following recruitment strategies: identifying motivated personnel who represent the agency with professionalism in accordance with the agency's mission statement and code of ethics, developing creative methods of recruiting, ensuring a diversified selection of department personnel are assigned to recruitment duties, and advertise employment opportunities to a diverse base of candidates by attending job fairs, utilizing social media platforms, and conducting presentations at police academies.

The plan complies with the standards, however, since it is relatively new, the agency should consider frequent review and assessment of the plan throughout the next assessment period. Future recruitment plans should include more goals and objectives, should list (in a detailed manner) the activities for achievement of the listed goals and objectives, and outline attempts to recruit, hire and promote the underrepresented.

The Birmingham Police Department has 68 employees, which includes 33 full-time police officers. The agency's demographics as reported by the accreditation manager indicates the sworn staff is 94% Caucasian and 3% African American.

The recruitment plan is scheduled to be reviewed again in 2023.

### Selection of Personnel

The agency has a complete written process for the selection of new full-time personnel, which includes a thorough background investigation, as well as a medical and psychological exam. The selection process includes oral interviews, examinations, and an executive interview. The Chief of Police makes the decision on selection of new personnel.

### Reserve Officers and Civilian Volunteers

The agency has a vibrant and active auxiliary police program. The unit is comprised of 15 volunteers who serve at high school athletic events and at special events such as the Birmingham Cruise, Village Fair and parades. Auxiliary officers also ride with regular officers on patrol. The auxiliary officers receive the same mandatory training as the full-time sworn staff and have been assimilated into the department seamlessly. They appear to be well respected by the full-time staff and the community.

## **Chapter 3 – The Operations Function:**

### Arrest, Search and Seizure

The Birmingham Police Department is a full-service agency with arrest powers. The agency and its policies follow the United States Constitution in relation to arrest, search and seizure. The agency recognizes the foundation set forth in the Fourth Amendment.

Agency policy outlines the warrantless search exceptions and the need for a court-authorized search warrant, when applicable. The agency takes in-custody arrests directly to their temporary detention facility for processing. Breathalyzers for Operating While Intoxicated (OWI) arrests are also conducted at the detention facility. If arrested subjects are not able to make bond or be arraigned, the detainees are transported to Oakland County Jail.

The agency only conducts strip searches when an arrestee is lodged and there is reasonable cause to believe the suspect is concealing a weapon, controlled substance or evidence of a crime. The strip search is conducted by a person who has obtained prior written authorization from the chief law enforcement officer of the law enforcement agency conducting the strip search or from that officer's designee. The strip search must be conducted by a person of same sex, in private in a place which prevents the search from being observed by a person not conducting or necessary to assist with the search. Pursuant to a search warrant, body cavity searches are conducted by competent medical personnel.

### Interview and Interrogation

The Birmingham Police Department has established procedures for compliance with contemporary criminal procedural requirements related to interviews, investigative

detention interviews, and interrogations. The agency has one interview room located in the Detective Bureau. The interview room has audio and video recording capabilities. The agency encourages the use of audio and video taping capabilities for purposes of recording statements and confessions in an overt or covert manner consistent with state law. Recording is required for custodial interrogations related to major felony crimes.

### Use of Force

In 2020, the Birmingham Police Department responded to 21,167 calls for service. There were eight incidents where the use of force was required. This is 0.04% of all calls for service resulted in the use of force. Two of the eight incidents involved a subject suffering from a mental health related issue. The agency conducts a thorough investigation for each use of force incident, and the officers were found to comply with agency policies and procedures.

The agency completed a detailed review of the incidents for the evaluation period. In all eight incidents, the level of subject resistance rose to the level of active resistance. In each incident, the officers were able to gain control of the resisting subject by using compliance controls (soft empty hand techniques).

### Communications

The Birmingham Police Department maintains a dispatch center on-site in the building shared with City Hall. The assessment team toured the facility and spoke with the agency's supervisor regarding dispatch policies. All 911 recordings are kept in storage for a minimum of three years. Telecommunicator's can review at least the last seven days of recordings from the computer system. City Hall has a back-up generator onsite that will automatically engage, supplying power to the Communications Center to maintain operation. The generator goes through a weekly test and has a full load test done annually. Proof of compliance for the reporting years was noted and observed.

The Communications Center uses Oakland County's Courts and Law Enforcement Management Information System (CLEMIS) Computer Aided Dispatch. Each dispatch station is setup for a dispatcher to perform all tasks. All Emergency Medical Dispatch (EMD) is handled by the Birmingham Communications Center. The Communications Center provides dispatch services for both the Birmingham Police Department and the Beverly Hills Police Department.

Assessors Mills and Dedow interviewed Dispatcher Joseph Misiak. He was training Maria Kaminske. Misiak was very knowledgeable in policies and procedures as they relate to communications and Emergency Medical Dispatch.

### Field Activities

The Birmingham Police Department policy allows for pursuits by officers who follow the established guidelines in the written directive. Roadblocks, boxing, pit maneuvers and/or intentional collisions are classified as deadly force. Roadblocks and boxing are only to be

used in specific situations, which are outlined in policy, and with prior permission of a supervisor. During 2020, there were four vehicle pursuits; three were the result of a traffic violation where the driver attempted to flee, and one was for a wanted felon. The supervisor terminated two of the pursuits; the initiating officer terminated one and the other resulted in an arrest. After review of the pursuits, it was determined that most incidents followed directives with minor violations noted. Future training topics were noted regarding the minor violations.

The Birmingham Police Department has in-car computers available in each patrol vehicle, accessible to each patrol officer. The agency has video recording equipment in their police vehicles and body cameras using the WatchGuard system. The in-car videos are remotely downloaded when the patrol car pulls into the department's parking lot and body cameras while charging. All videos follow the agency's retention guidelines.

The Birmingham Police Department implemented and practices the "Adopt a Senior Program" to assist senior citizens by providing companionship and assistance when needed. Officers may perform small household chores or errands during their breaks or after their shift ends. Common Ground and Haven are two of the organizations to which the department refers crime victims. Common Ground offers services for suicide prevention, domestic violence, substance abuse, and sexual assault. Haven is a domestic violence and sexual assault program from women and children.

The Birmingham Police Department was involved in two foot pursuits in 2020. These incidents did not result in injuries and the subjects were apprehended. The foot pursuit policy complies with the standard.

### Traffic Safety and Enforcement

The Birmingham Police Department has applicable policies in place regarding traffic violation enforcement, enforcement options, offenders, and traffic direction and control. The directive establishes procedures to conduct motor vehicle stops, including high-risk stops. The enforcement options include warnings, citations, and arrest when appropriate.

The department officers are proactive in traffic enforcement and participate in direct patrols. The officers engage in community policing activities such as foot patrols, business contacts, and community events.

### Homeland Security/Critical Incidents

The agency has a critical incident system in place and includes command, operations, planning, logistics and fiscal responsibility.

## **Chapter 4 – The Investigative Function:**

### Criminal Investigation

The on-duty shift supervisor is responsible for screening all incoming reports and forwarding those reports that require follow-up to the Investigations Division. The investigations commander or his/her designee reviews each report and assigns the report to the appropriate investigator. The investigator determines if additional resources are needed to fully investigate the incident. The CLEMIS system is used to manage case status and assignments. A policy is in place for eyewitness identification. Assessors toured the Investigations Unit with Commander Grewe, Commander Albrecht, and Lieutenant Wald. Additionally, assessors spoke with Detective Sergeant Rebekah Springer and she was able to answer all investigative questions as they relate to policy. The Investigations Division is responsible for all criminal, narcotic and liquor investigations, employee background checks, and educational seminars.

### Crime Scene Processing

The agency has crime lab personnel, detectives, and accident investigators available 24-hours a day. The agency has officers who represent the department as members of the Southeast Oakland County Crash Investigation Team (SOCCIT). They work together with Auburn Hills, Bloomfield Township, Troy and Bloomfield Hills when responding to fatal or serious traffic crashes.

### Storage of Evidence and Property

Appropriate policies are in place for property processing and evidence collection. The agency has a well-organized property room. The property/evidence custodian is the service commander, Michael Albrecht. Additionally, the investigations commander and chief of police have access, but only via keys which are secured in tamper proof bags, initialed by the service commander. The investigations commander and chief of police will only access the property room when the services commander is unavailable.

The door has card key access with video outside the door with recording access. There are several lockers for officers to put large pieces of evidence into, along with smaller lockers in which evidence is placed and secured until the property officer can retrieve items. The agency has an offsite building that can also be used for a vehicle or large items that cannot be secured in the normal property room. The agency has a safe available within the property room for valuable or sensitive property. Evidence that needs lab submission is sent to the Oakland County Crime Lab or the Michigan State Police Lab.

All time-sensitive inspections, audits and inventories were conducted; no irregularities were identified. Assessors toured all the areas of property. Assessors interviewed Commander Albrecht. He is very organized, has an advanced knowledge of the CLEMIS property system, and follows department policy concerning property and evidence.

### Juvenile Matters

The agency has established policies regarding juvenile status offenses, including runaway cases, unidentified adults and children, and the safe delivery of newborns. There were no incidents where the agency needed to use Amber Alerts.

### Special Investigations and Operations

The agency has a special investigations policy. The written directives comply with standards. The agency is well organized in keeping records of information shared or received from other agencies. If a complaint is determined by the investigations unit supervisor to require a specialized investigation, consideration and assignment may be given to involve a task force detective, outside agency or a Birmingham detective.

While the department does not have a Narcotics Unit, Officer Alex Linke is assigned to the Oakland County Narcotics Enforcement Team (NET), a multi-jurisdictional team. Officer David Buttigieg is assigned to the Oakland County multi-jurisdictional special investigations team as well. When the need arises, Sergeant Michael Lyon and Officer Joshua Husted are part of the Major Crime Assistance Team, a nine-city consortium of police departments who work together on complex criminal cases. Both Sergeant Lyon and Officer Husted have experience in criminal investigations. The department has policies in place and follows proper de-confliction practices.

## **Chapter 5 – The Arrestee/Detainee/Prisoner Handling Function:**

### Transporting/Processing/Holding of Arrestees/Detainees/Prisoners

The Birmingham Police Department has established procedures for the transportation of arrested subjects to include searching vehicles prior to the beginning of each shift, prior to and following any transport, and the securing of arrested subjects in restraints during transport. Patrol cars have been modified so the door handles and windows do not operate, and a safety barrier separates the rear compartment.

Custodial arrests are brought to the Birmingham Police Department Holding Facility for processing. At the Birmingham Police Department Holding Facility, there is sight and sound separation for males, females and juveniles. Custodial subjects enter through an exterior entrance of the facility; however, gun lockers are not available prior to entering the area. This prevents officers from securing their weapons prior to entering the facility from the outside. During the onsite assessment, the agency changed their practice by rewriting policy and having officers secure weapons in patrol vehicles prior to entering the holding facility. Having a secure garage and/or sally port would comply with best practices for the safety and security of officers and prisoners. In addition, there is no secure interview room for personnel to use for in-custody interrogations. The only interview room is within the Investigative Division, which is one floor below the holding facility. In-custody prisoners are escorted through the Records Section and through a

public vestibule to access the interview room. The agency should consider renovations to the existing physical plant to provide a more secure and safe environment.

Inside the facility, each cell is searched and inspected prior to and immediately after each use of a cell. Weekly inspections of all areas of the jail are documented on an inspection log. The written directive requires personnel be initially trained in supervision and care of detainees with refresher training every year.

Detainees held in the department holding facility are video monitored at all times. If the detainee exhibits suicidal tendencies, officers make more face-to-face observations every 15 minutes, or maintain constant contact with the detainee. Fire evacuation procedures are in place.

**G. Applied Discretion Compliance Discussion:**

This section provides specific information on those standards found to be in compliance after on-site adjustments were made.

During this on-site, the agency had one standard in applied discretion:

*Standard 5.3.2 Security Protocols*

ISSUE: Gun lockers are only available for use from the Records Section. Arrested subjects and armed officers enter the holding facility through an exterior entrance of the facility. No gun lockers are available prior to entering the area from outside. Armed officers must walk through the processing area to secure their weapons in the Records Section.

AGENCY ACTION: During the onsite, the agency modified their policy to include securing weapons prior to entering the holding facility. The agency also changed their practice and the agency now requires officers to secure weapons in patrol vehicles before escorting detainees into the holding facility from the outside.

**H. Waivers of Standards:**

This section provides specific information on those standards that qualified for waivers. Waivers are available to agencies when it is impossible to comply with a specific standard. A request to waive standard compliance must be made to the Michigan Association of Chiefs of Police Accreditation Program Director in writing, on official agency letterhead, signed by the CEO. The following standards were granted non-applicable waivers:

*Standard 1.9.8 Tactical Team Training*

*Standard 1.10.1 (d) Weapons and Ammunition*

*Standard 2.3.1 (b, c, e) Extra Duty Employment (Side Jobs)*

*Standard 2.6.2 Civilian Volunteer Program*

**I. Standards Noncompliance Discussion:**

All standards are in compliance.

**J. Future Performance / Review Issues:**

Future recruitment plans should include more goals and objectives, should list (in a detailed manner) the activities for achievement of the listed goals and objectives, and outline attempts to recruit, hire and promote the underrepresented.

Job criteria for auxiliary police officers should be clearly stated in policy and supported by an approved job description.

The agency should consider physical plant renovations to correct safety concerns with the holding facility and with the apparent open access to the police department within the City of Birmingham City Hall. The police department is housed in the east portion of City Hall and there is no restricted access. The City of Birmingham should consider restricting access to City Hall and allow entrance into the facility at only one door.

**K. Summary and Recommendation:**

A thorough review of the files for compliance was conducted, as well as observations of compliance; and, after interviews were conducted, it was determined that the agency was in compliance with all of the established accreditation standards, with exceptions and waivers noted. Accreditation is recommended.

Daniel J. Mills, Team Leader  
Date: May 3, 2021

Reviewed and approved to be scheduled for a hearing before the MLEAC.



Program Director Neal Rossow  
Date: May 3, 2021