

## SUMMARY

This ordinance amends Chapter 26 of the 2019 Detroit City Code, *Law Enforcement*, by renaming Article III to *Citizen Patrols*, and dividing the article into two divisions, Division 1 being *Citizen Radio Patrol Assistance Program*, containing Section 26-3-1, *Established*; Section 26-3-2, *Administration*; Section 26-3-3, *Form of assistance*; Section 26-3-4, *Eligible expenditures*; Section 26-3-5, *Allocation of assistance; new citizen radio patrols*; Section 26-3-6, *Conditions of assistance*; Section 26-3-7, *Violations of conditions of assistance*; and Section 26-3-8, *No City supervision*; and Division 2 being *Citizen Neighborhood Blight Patrol*, containing Section 26-3-21, *Established; purpose*; Section 26-3-22, *Administration*; Section 26-6-23, *Eligible expenditures and form of assistance*; Section 26-3-24, *Allocation of assistance; new blight patrols*; Section 26-3-25, *Condition of assistance*; Section 26-3-26, *Patrol membership qualifications*; Section 26-3-27, *Patrol and reporting*; Section 26-3-28, *Patrol Conduct Rules*; and Section 26-3-29, *No City supervision*; to provide for Citizen Neighborhood Blight Patrol.



**1            There is hereby established a Citizen Radio Patrol Assistance Program.**

**2**

1 **Sec. 26-3-2. Administration.**

2 (a) The Police Department shall act as the administering agency, receive  
3 reimbursement requests, and review the documentation for compliance with the conditions of  
4 assistance under this article.

5 (b) The Chief of Police, in consultation with the Chief Financial Officer or the  
6 Deputy Chief Financial Officer for Office of Budget, shall promulgate procedural rules for the  
7 administration of this program in accordance with Section 2-111 of the Charter.

8 (c) The Police Department shall receive and review each application for the creation  
9 of a new citizen radio patrol with respect to compatibility of patrol boundaries and any Police  
10 Department requirements. The Police Department shall approve or disapprove the application  
11 and enter approved programs into the reimbursement system.

12 (d) After approving the applications for assistance, the Police Department shall  
13 apportion the quarterly allocation among eligible patrols on the basis of projected effort modified  
14 by other criteria that may be deemed appropriate.

15 (e) The Police Department shall process monthly reports of expenditures from  
16 eligible patrols and expedite reimbursement for all eligible expenditures supported by proper  
17 receipts ~~of~~ or other appropriate documentation up to the amount of each patrol's approved budget  
18 balance.

19 (f) The Police Department may direct payment to a designated vendor for any  
20 eligible expenditures by patrols, as provided for in Section 26-3-4 of this Code, which payments  
21 shall be charged against the patrols' approved budget.

22 (g) The Police Department shall provide timely orientation programs for new patrol  
23 members, including instruction to the patrol members on procedures for reporting observations  
24 to the Police Department.

1 (h) Insofar as practicable, Police Department personnel shall maintain and provide  
2 records of patrol effectiveness to the Chief of Police or his or her designee.

3 **Sec. 26-3-3. Form of assistance.**

4 (a) Assistance shall be provided under this article in the form of a limited account  
5 whereby each eligible citizen radio patrol is reimbursed monthly for all eligible expenditures up  
6 to the patrol's quarterly allocation balance, including any unexpended carryover from prior  
7 quarters.

8 (b) Assistance shall be allocated on a quarterly basis, and patrols shall be free to use  
9 funds for any combination of eligible expenditures.

10 (c) Eligible patrols shall have the option of purchasing radio equipment from a  
11 supplier of their choosing or from a vendor designated by the administering agency. For  
12 purchases made from a designated vendor for contract items only, payment shall be made by the  
13 City directly to the vendor. Names of radio equipment vendors with a stocking outlet in the City  
14 shall be provided by the administering agency.

15 **Sec. 26-3-4. Eligible expenditures.**

16 The following shall be deemed eligible for reimbursement under this article:

- 17 (1) All radios and auxiliary equipment reasonably necessary for patrol operations,  
18 including, but not limited to, base stations and mobile transceivers;
- 19 (2) All communication equipment repair and maintenance services reasonably  
20 required for patrol operations;
- 21 (3) Base station rental not to exceed prevailing market rates;
- 22 (4) Base station utilities, including, but limited to, electric, heat, water, and a land-  
23 line telephone;

- 1 (5) Patrol member mileage reimbursement, whose rate shall not exceed the standard  
2 mileage rate as prescribed each year in the Internal Revenue Code, being 26 USC  
3 1 *et seq.*, which is not subject to income tax;
- 4 (6) Emergency equipment, including, but not limited to, flashlights, flares, reflectors,  
5 portable spotlights, portable red, green or amber flashing lights as permitted by  
6 state law, reflective vests, fire extinguishers, binoculars, first aid kits, emergency  
7 triangles, or cones;
- 8 (7) Purchase of vehicle identification and neighborhood patrol identification signs;
- 9 (8) Purchase of apparel, such as shirts, jackets, and hats with patrol identification;
- 10 (9) Office supply, website development and maintenance, postal, and printing  
11 expenses incurred in connection with patrol operations as provided for in the  
12 administering agency's rules and regulations;
- 13 (10) Purchase of web-based and standard video cameras;
- 14 (11) Helmets, lights, and reflectors for bicycles that are used for patrol operations; or
- 15 (12) Any tune-ups, routine maintenance, and equipment replacement or upgrades that  
16 are reasonably necessary for bicycles used for patrol operations to be maintained  
17 in good mechanical condition.

18 **Sec. 26-3-5. Allocation of assistance; new citizen radio patrols.**

19 (a) The annual approved budget for the Citizen Radio Patrol Assistance Program  
20 shall be allocated quarterly or in such other manner as recommended by the administering  
21 agency and approved by the Office of the Chief Financial Officer and a resolution of the City  
22 Council. For each quarter or other assistance period, assistance funds shall be allocated among  
23 eligible patrols generally on the basis of their projected effort in the City for that period. The

1 primary determination of effort shall be labor hours of the patrols, on-street patrol time,  
2 including base station operators' time, and monthly administrative time as permitted by the  
3 administering agency's rules and regulations.

4 (b) Projections may be based on either actual labor hours of patrol for a period  
5 preceding the assistance period or actual patrol membership and written commitments to put in  
6 the patrol time during the upcoming period.

7 (c) New citizen radio patrols shall be eligible to receive financial assistance from the  
8 City for start-up costs. Eligible startup costs for new citizen radio patrols shall be determined by  
9 the administering agency.

10 **Sec. 26-3-6. Conditions of assistance.**

11 (a) **Mission.** Assistance shall be available under this article only to those citizen radio  
12 patrols whose primary mission is to make neighborhoods more secure from criminal acts by  
13 patrolling and reporting observations to the Police Department.

14 (b) **Use of vehicles.**

15 (1) Use of vehicles in patrolling shall not be a condition of assistance;

16 (2) Vehicles used for patrolling shall be in good mechanical condition; and

17 (3) Vehicles used in patrolling shall be insured in accordance with state law.

18 (c) **Non-profit corporation status; other financial limitations.**

19 (1) To be eligible for assistance, patrols must be incorporated under state law as non-  
20 profit corporations;

21 (2) Patrolling shall not be done for hire; and

22 (3) No salary shall be paid to any member, officer, or staff of a patrol.

23 (d) **Licensing and regulations.**

- 1 (1) Patrols shall hold any appropriate license necessary for operation in the name of  
2 the patrol or parent corporation; and
- 3 (2) Patrols shall comply with all applicable state and federal laws and regulations  
4 governing radio operations.
- 5 (e) Ties to community and other patrol membership qualifications.
- 6 (1) At least 80 percent of active patrol members shall be persons residing in or  
7 owning businesses in the regularly patrolled community.
- 8 (2) Patrols shall not discriminate on the basis of race, religious beliefs, color, sex,  
9 national origin, age, height, weight, familial status, marital status, disability,  
10 public benefit status, sexual orientation, or gender identity or expression, in  
11 selecting members.
- 12 (3) Patrols shall not use property ownership or its equivalent as a condition of  
13 membership.
- 14 (4) A patrol may establish a minimum age of 18 years for patrol membership  
15 eligibility. Members under 18 years of age must be accompanied by a parent or  
16 guardian when operating a base station or when on street patrol duty.
- 17 (5) The Police Department shall run, upon the request of a patrol and with the consent  
18 of the applicant, a record check on an applicant for patrol membership.
- 19 (f) Identification.
- 20 (1) All patrols shall use a uniform, City-wide identification card to be developed by  
21 the administering agency and the patrols, a copy of which shall be furnished to the  
22 Police Department. Patrols shall issue such identification cards to their members

1 and sample cards shall be filed with each police precinct where the patrols  
2 operate.

3 (2) Patrols shall file with each police precinct where they operate a complete listing  
4 of patrol personnel and vehicles.

5 (3) Prior to commencing patrol operations each day, patrols shall notify each police  
6 precinct where they intend to operate of the names and vehicle descriptions for  
7 units, which will be operating in that precinct.

8 (4) No identification used, or uniforms worn, by patrol members shall resemble any  
9 identification used or uniform worn by police officers.

10 (g) Training. All patrol members shall be required to attend a Police Department  
11 orientation program prior to taking part in patrol operations. The Police Department may waive  
12 this condition and allow members of established patrols to train their own members.

13 (h) Patrol areas. Patrol boundaries shall be subject to Police Department approval.

14 (i) Patrol conduct rules.

15 (1) No patrol member, including those holding concealed weapon permits, shall carry  
16 any weapons on their person or in a patrol vehicle, including in the luggage  
17 compartment, during patrol operations. Prohibited weapons shall include, but not  
18 be limited to, guns of any type, knives, chains, clubs, tire irons and chemical  
19 dispensers, but shall not include a properly stowed standard jack handle, or, if  
20 participating in a recreation league, a baseball bat.

21 (2) Attack dogs shall not be carried in any patrol vehicle during patrol operations.

22 (3) During vehicle patrol operations, patrol members shall remain in their vehicles,  
23 except while performing Good Samaritan acts, or where exit from the vehicle is

1           necessary ~~to~~ to protect or defend other persons against the threat of immediate  
2           bodily harm, provided, that this subsection does not impose a duty on patrol  
3           members to leave their vehicles under any circumstances.

4           (4)   While on patrol, members shall not conduct interrogations of persons suspected of  
5           criminal activity.

6           (5)   No patrol member shall attempt, during patrol operations, to make any citizen's  
7           arrest except in the course of protecting or defending other persons against the  
8           threat of immediate bodily harm, provided, that this subsection shall not be  
9           construed to impose a duty on patrol members to make a citizen's arrest under any  
10          circumstances.

11          (6)   No emergency signaling lights or other signaling devices, for example, amber  
12          flashing lights or sirens, may be in operation in or on a moving patrol vehicle  
13          during patrol operations. This prohibition shall not include the standard factory  
14          installed flasher system or its equivalent.

15          (7)   Patrol members shall not be present at the scene of police criminal investigations  
16          or apprehension efforts, except where they have relevant information to furnish.  
17          When present for that purpose, no other involvement shall be undertaken.

18          (8)   Patrol members shall not consume or be under the influence of illegal drugs,  
19          alcoholic liquor, or narcotic medication while on patrol duty.

20          (9)   Patrol members who are off-duty police officers shall be exempt from these rules  
21          and all other conditions of assistance to the extent of any conflict with Police  
22          Department regulations.

- 1 (j) Accountability for and disposition of equipment purchased or repaired with City  
2 assistance.
- 3 (1) The City shall hold title to any equipment purchased pursuant to this article and  
4 all citizen patrols shall be accountable to the City for such equipment;
- 5 (2) Patrols shall secure from any member who has such member's radio, or bicycle,  
6 repaired or upgraded in whole or in part with City assistance funds pursuant to  
7 this article an agreement that, if such member should cease to be an active patrol  
8 member for any reason within a three-month period following the completion of  
9 repairs or upgrading, such member shall be liable to the patrol for the City's share  
10 of the repair or upgrade costs;
- 11 (3) Any patrol, which ceases active patrol operations or is dissolved after receiving  
12 City assistance, shall deliver possession of any equipment purchased in whole or  
13 in part with City assistance funds to the administering agency or an agency  
14 designated by the administering agency to dispose of such equipment; and
- 15 (4) Any equipment purchased with City assistance funds, which is determined by a  
16 patrol to be unserviceable, may be sold by the City for fair market value. The  
17 proceeds of any such sale shall be used to purchase new citizen radios and  
18 equipment reasonably necessary for patrol operations.
- 19 (k) Additional conditions. Patrols shall be subject to such additional eligibility  
20 conditions by the administering agency as circumstances warrant.
- 21 (l) Applications for assistance and keeping records.

- 1 (1) Patrols shall provide all requested information with applications for assistance.  
2 Any deliberate falsification of material information shall result in automatic  
3 termination of assistance and ineligibility for future assistance;
- 4 (2) Patrols shall maintain records to support information contained in their  
5 applications for assistance and to account for the use and disposition of equipment  
6 purchased, repaired, or upgraded in whole or in part with City assistance funds;  
7 and
- 8 (3) Patrols shall provide, when initially applying for assistance and annually at the  
9 beginning of each fiscal year, a report to the administering agency, which  
10 delineates all radio equipment in their possession, that was bought with City  
11 assistance funds and that was obtained from other sources.

12 **Sec. 26-3-7. Violations of conditions of assistance.**

13 Violation of the conditions of assistance under this article shall be grounds for  
14 termination of assistance or a future denial of eligibility. In deciding whether to terminate current  
15 assistance or deny a future application for assistance, the administering agency shall consider the  
16 seriousness of the violation, the patrol's record of past violations, and corrective action taken or  
17 planned by the patrol, provided, that a first violation of conditions in Section 26-3-6 of this Code  
18 relating to carrying weapons, remaining in the vehicle, interrogation, and citizen's arrests shall  
19 result in automatic termination of current assistance and a second violation shall result in  
20 automatic and irrevocable ineligibility for future assistance, and where a patrol member has  
21 violated Section 26-3-6(i)(1) of this Code by carrying a gun on such patrol member's person or in  
22 a patrol vehicle, that patrol shall not be eligible for assistance so long as that individual remains a  
23 member of the patrol.

1 **Sec. 26-3-8. No City supervision.**

2 Under no circumstances shall the Police Department, or any other City department or  
3 agency, assume supervision and control of any citizen radio patrol.

4 **Secs. 26-3-9—26-3-20. Reserved**

5 **DIVISION 2. CITIZEN NEIGHBORHOOD BLIGHT PATROL**

6 **Sec. 26-3-21. Established; purpose.**

7 (a) There is hereby established a Citizen Neighborhood Blight Control Program to  
8 support community efforts in identifying and reporting blight conditions within designated  
9 neighborhoods.

10 (b) The purpose of this ordinance is to enhance citizen engagement and strengthen  
11 City accountability in addressing illegal conditions, including, but not limited to, zoning  
12 violations, building or property code violations, solid waste and illegal dumping, public health  
13 and sanitation issues, vehicle abandonment, and inoperative vehicles.  
14 in identifying and reporting blight conditions within designated neighborhoods.

15 **Sec. 26-6-22. Administration.**

16 (a) The Police Department shall act as the administering agency, receive  
17 reimbursement requests, and review documentation for compliance with the conditions of  
18 assistance under this article.

19 (b) The Chief of Police, in consultation with the Chief Financial Officer or the  
20 Deputy Chief Financial Officer for Office of Budget, shall promulgate procedural rules for the  
21 administration of this program in accordance with Section 2-111 of the Charter.

22 (c) The Police Department shall receive and review each application for the creation  
23 of a new citizen neighborhood blight patrol with respect to compatibility of patrol boundaries

1 and departmental requirements. Designated patrol areas or zones must be located entirely in a  
2 single precinct and shall not cross precinct boundaries. The Police Department shall approve or  
3 disapprove the application and enter approved programs into the reimbursement system.

4 (d) After approving the applications, the Police Department shall apportion the  
5 quarterly allocation among eligible patrols on the basis of projected activities, patrol area size,  
6 and other objective criteria.

7 (e) The Police Department shall process monthly expenditure reports from eligible  
8 patrols and expedite reimbursement for all eligible expenditures supported by proper receipts or  
9 other appropriate documentation up to the amount of each patrol's approved budget balance.

10 (f) The Police Department shall provide training to patrol members on violation  
11 identification, documentation procedures, and safety protocols.

12 (g) The Police Department may terminate a patrol's participation in this program  
13 based on the patrol's failure to comply with the requirements of this ordinance.

14 **Sec. 26-3-23. Eligible expenditures and form of assistance.**

15 (a) Patrol members are eligible for mileage reimbursement, whose rate shall not  
16 exceed the standard mileage rate as prescribed each year in the Internal Revenue Code, being 26  
17 USC 1 *et seq.*, which is not subject to income tax.

18 (b) The Police Department shall provide vehicle identification signs clearly indicating  
19 blight patrol status to all eligible patrols.

20 (c) The police department shall provide patrol members with high-visibility safety  
21 jackets, identifying them as blight patrol members.

1 **Sec. 26-3-24. Allocation of assistance; new blight patrols.**

2 (a) The annual approved budget for the Citizen Neighborhood Blight Patrol shall be  
3 allocated quarterly or in such other manner as recommended by the administering agency and  
4 approved by the Office of the Chief Financial Officer and a resolution of the City Council. For  
5 each quarter or other assistance period, assistance funds shall be allocated among eligible patrols  
6 generally on the basis of their projected effort on the City for that period. The primary  
7 determination of effort shall be labor hours of the patrols, on-street patrol time, and monthly  
8 administrative time as permitted by the administering agencies rules and regulations.

9 (b) Projections may be based on either actual labor hours of patrol for a period  
10 preceding the assistance period or actual patrol membership and written commitments to put in  
11 the patrol time during the upcoming period.

12 (c) New Citizen Neighborhood Blight Patrols shall be eligible to receive financial  
13 assistance from the City for start-up costs. Eligible start-up costs for new Citizen Neighborhood  
14 Blight Patrols shall be determined by the administering agency.

15 **Sec. 26-3-25. Conditions of assistance.**

16 (a) Assistance shall be available under this article only for citizen patrols whose  
17 mission is to improve the quality of life in neighborhoods by reporting illegal conditions as  
18 outlined Section 26-3-21 of the Code, *Established; purpose.*

19 (b) Use of vehicles.

20 (1) Use of vehicles in patrolling shall not be a condition of assistance;

21 (2) Vehicles used in patrolling shall be in good mechanical condition; and shall be  
22 insured in accordance with state law.

23 (c) Non-profit corporation status; other financial limitations.

- 1           (1)   To be eligible for assistance; patrols must be incorporated under state law as non-  
2                   profit corporations;
- 3           (2)   Patrolling shall not be done for hire; and
- 4           (3)   No salary shall be paid to any member, officer, or staff of a patrol.

5   **Sec. 26-3-26. Patrol membership qualifications.**

- 6           (1)   At least 80 percent of active patrol members shall be persons residing in or  
7                   owning a business in the patrolled community.
- 8           (2)   Patrols shall not discriminate on the basis of race, religious beliefs, color, sex,  
9                   national origin, age, height, weight, familial status, marital status, disability,  
10                  public benefit status, sexual orientation, or gender identity or expression, in  
11                  selecting members.
- 12          (3)   Patrols shall not use property ownership or its equivalent as a condition of  
13                  membership.
- 14          (4)   Patrols may establish a minimum age of 18 years for membership. Members  
15                  under 18 years of age must be accompanied by a parent or guardian during patrol  
16                  activities.
- 17          (5)   The Police Department shall run, with the consent of the applicant, a criminal  
18                  background check on an applicant for patrol membership.

19   **Sec. 26-3-27. Patrol and reporting.**

- 20           (a)   Citizen neighborhood blight patrols shall conduct patrols of their designated areas  
21                  on a regular basis to be determined by the Police Department. Patrols shall not occur more  
22                  frequently than once every two weeks.

1 (b) Patrols members shall document apparent blight violations using written reports,  
2 diagrams, photographs, or videos. At the completion of their patrol, patrol participants shall  
3 forward the documentation to the Precinct Commander who shall forward the report to the  
4 appropriate Neighborhood Patrol Officer.

5 (c) The assigned Neighborhood Patrol Officer shall review the documentation and  
6 may conduct additional investigation. The Neighborhood Patrol Officer shall then forward the  
7 documentation to the relevant departments.

8 (d) The relevant departments shall notify the Neighborhood Patrol Officer of any  
9 citations, repairs, or other remedies undertaken in response to the report.

10 (e) The Department of Neighborhoods shall maintain monthly records of reports  
11 received, departments notified, and actions taken in response to the report.

12 (f) Reports shall be publicly available on the City's website.

13 **Sec. 26-3-28. Patrol conduct rules.**

14 (a) No patrol member, including those holding concealed weapons permits, shall  
15 carry any weapons on their person or in a patrol vehicle, including the luggage compartment or  
16 trunk, during patrol operations. Prohibited weapons include, but are not limited to, guns of any  
17 type, knives, chains, clubs, tire irons, and chemical dispensers; but shall not include a properly  
18 stowed standard jack handle, or if participating in a recreation league, a baseball bat.

19 (b) Dogs shall not be carried in any patrol vehicle during patrol operations.

20 (c) During vehicle patrols, members shall remain in their vehicles except when  
21 necessary to obtain photos or document violations. Members shall not enter private property and  
22 shall remain in the public right of way.

1 (d) Patrol members shall not initiate contact with or interrogate persons suspected of  
2 prohibited activity.

3 (e) No emergency signaling lights or other signaling devices, for example, amber  
4 flashing lights or sirens, or other signaling devices, for example, amber flashing lights or sirens,  
5 may be in operation in or on a moving patrol vehicle during patrol operations. This prohibition  
6 does not include a standard factory installed flasher system or its equivalent.

7 (f) Patrol members shall not consume or be under the influence of marijuana, illegal  
8 drugs, alcohol, or intoxicating medications during patrol operations.

9 **Sec. 26-3-29. No City supervision.**

10 Under no circumstances shall the Police Department, or any other City department or  
11 agency, assume supervision and control of any Citizen Neighborhood Blight Patrol.


12 **Secs. 26-3-30 –26-3-40. Reserved.**

1           **Section 2.** This ordinance is hereby declared necessary to preserve the public peace,  
2 health, safety, and welfare of the People of the City of Detroit.

3           **Section 3.** All ordinances, or parts of ordinances, that conflict with this ordinance are  
4 repealed.

5           **Section 4.** In the event this ordinance is passed by two-thirds majority of City Council  
6 members serving, it shall be given immediate effect and become effective upon publication in  
7 accordance with Section 4-118(1) of the 2012 Detroit City Charter. Where this ordinance is  
8 passed by less than a two-thirds majority of City Councilmembers serving, it shall become  
9 effective on the 30<sup>th</sup> day after publication in accordance with Section 4-118(2) of the 2012  
10 Detroit City Charter.

**Approved as to form:**

  
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Conrad L. Mallett  
Corporation Counsel

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