

6/28/2012

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CITY OF DETROIT
BOARD OF POLICE COMMISSIONERS

REGULAR BOARD MEETING

PAGE 1 TO 40

Taken at 1300 Beaubien Street, Room 328-A
Detroit, Michigan,
Commencing at 3:20 p.m.,
Thursday, June 28, 2012,
Before Wendy A. Boer, CSR 3505.

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APPEARANCES:

MR. DONNELL R. WHITE, CHAIRPERSON

MR. JEROME WARFIELD, COMMISSIONER

MS. JESSICA TAYLOR, COMMISSIONER

MR. BENJAMIN LEE, DEPUTY CHIEF

MR. GEORGE ANTHONY, EXECUTIVE SECRETARY

1 Detroit, Michigan
2 Thursday, June 28, 2012
3 About 3:20 p.m.

4 CHAIRMAN WHITE: Good afternoon, everyone.
5 Welcome to the Board of Police Commissioners meeting
6 dated for Thursday, June 28, 2012. My name is
7 Commissioner Donnell White. I have the pleasure of
8 serving as chairman for the Board of Police
9 Commissioners. Today I am joined with my colleagues to
10 my right Commissioner Jerome Warfield, Commissioner
11 Jessica Taylor and representing our staff, executive
12 secretary to the Board, Mr. George Anthony. Secretary
13 Anthony, for the record, can you please introduce our
14 staff?

15 SECRETARY ANTHONY: Thank you, Mr. Chair. For
16 the record, George Anthony, secretary to the Board.
17 Miss Celia Banks Washington seated in the front is our
18 attorney for the Board. Seated behind her is Miss Dalph
19 Watson who is our director of police personnel.
20 Lieutenant Tim Leach sitting in front is our acting
21 chief investigator. Mr. Robert Brown standing in the
22 back is our office manager. Sergeant Allan Quinn is
23 recording our proceedings, and Miss Wendy Boer from
24 Hanson Court Reporting Services is taking a transcript.
25 That completes the reading.

1 CHAIRMAN WHITE: Thank you, Mr. Secretary. I
2 also would like to note the presence of Deputy Chief
3 Benjamin Lee standing in for Chief Godbee. Good to have
4 you with us, sir.

5 DEPUTY CHIEF LEE: Thank you.

6 CHAIRMAN WHITE: At this time, I would ask if
7 Chaplain Roy Hill -- I don't see you, Chaplain -- is not
8 with us. So our resident Board chaplain, Commissioner
9 Warfield, Reverend Warfield, would grace us with an
10 invocation.

11 COMMISSIONER WARFIELD: Thank you, Mr. Chair.
12 Let us pray. Father, we come today to say thank you for
13 goodness, for grace and for mercy. We thank you for
14 power, and we thank you for the spirit of love that you
15 give us that flows from heart to heart and even from
16 breast to breast. We thank you for the challenging
17 times that we are in in this community because your word
18 tells us to give thanks for all things. But we have
19 faith that you're still in control. And as you are
20 still in control, we ask that you would give us the
21 wisdom and the answers to discern what to do for this
22 city and this department, that our citizens shall remain
23 safe.

24 We thank you for our citizens who are
25 vigilant, those who are engaged in the process. We pray

1 that you would equip the hearts of others that they may
2 become engaged as well. We thank you for this Board and
3 this department. Now father, we ask that you will guide
4 us in this meeting and bless us with your presence. In
5 Christ's name we pray, amen.

6 CHAIRMAN WHITE: Thank you, Commissioner
7 Warfield. At this time, colleagues, a motion for the
8 approval of the agenda dated for Thursday, June 28, is
9 in order.

10 COMMISSIONER WARFIELD: So moved.

11 COMMISSIONER TAYLOR: Second.

12 CHAIRMAN WHITE: It's been properly moved and
13 supported. Any discussion? Seeing none, all those in
14 favor?

15 COMMISSIONERS: Aye.

16 CHAIRMAN WHITE: Opposed? Thank you very
17 much. Commissioners, the minutes that are in our
18 binders are the minutes of Thursday, June 14. However,
19 we all received the proper minutes of Thursday, June 21.
20 As such, a motion for the approval of the minutes for
21 Thursday, June 21, is in order.

22 COMMISSIONER TAYLOR: So moved.

23 COMMISSIONER WARFIELD: Support.

24 CHAIRMAN WHITE: It's been properly moved and
25 supported. Any discussion? Seeing none, all those in

1 favor?

2 COMMISSIONERS: Aye.

3 CHAIRMAN WHITE: Opposed? Thank you very
4 much. The Chair would ask that the Chairperson's report
5 be tabled until our new business section. I will give
6 my report at that time. Mr. Secretary, is there a
7 formal report?

8 SECRETARY ANTHONY: Yes, sir. This is the
9 report of citizen complaints for May, 2012, the 2012
10 monthly count of complaints for May was 117, compared to
11 107 same time last year, which represented a 9 percent
12 increase. The year to date was 539 for May of 2012.
13 Same time last year was 586, which is an 8 percent
14 decrease. At the end of May, 2012, the Office of the
15 Chief Investigator had open investigations, 310; cases
16 filed, 539; cases closed 924. Of the 117 cases filed,
17 28 percent involved unknown officers. The alleged known
18 units involved leading to complaints filed in May of
19 2012 were the Eastern District with 10 percent,
20 Northeastern District with 10 percent, 8th Precinct 7
21 percent, Central District 7 percent and communication 7
22 percent. The 117 cases filed in May of 2012 involve 194
23 allegations where the leading areas of concern were
24 demeanor 32 percent, procedure 26 percent, force
25 11 percent, service 8 percent. And that completes the

1 Secretary's report, sir.

2 CHAIRMAN WHITE: Thank you, Mr. Secretary.
3 Any questions for the Secretary? Seeing none we ask if
4 we could have our chief investigator's OCI monthly
5 report. Good afternoon, Lieutenant Leach.

6 LIEUTENANT LEACH: Good afternoon,
7 Commissioners, Board, Deputy Chief. June 28 we got our
8 monthly report of progress of the backlog elimination.

9 CHAIRMAN WHITE: For the record, please say
10 your name.

11 LIEUTENANT LEACH: I'm Lieutenant Timothy
12 Leach. Just going to go over the February numbers. On
13 February 24, 2012, there were 591 active cases, 348 over
14 90. When we started the new backlog elimination program
15 for April, our number was 392 active cases. So just in
16 that first month and a half, we eliminated 200 active
17 cases. As of May 31, it was 306. And as of today at
18 2:30, we have 265 active cases. Number of cases over 90
19 we had 348 February 24. On April 30, we had 197. On
20 May 31, we had 115. And as of today at 2:30, 49 cases
21 over 90.

22 Some of the steps that we took to work on the
23 backlog elimination plan was having weekly meetings and
24 not just with the supervisors but we will have the
25 supervisors and their team. And we'll have them bring

1 all their cases to the meetings. And we will go over
2 some of the cases to see what cases needed more
3 investigation or administrative closure or whatever the
4 case may be that kept all the investigators always
5 knowing what was going on with each one of their cases
6 regardless of how many they got. And by doing that, it
7 got to a point where they was actually completing -- the
8 hardest part was actually typing the case more so than
9 solving it because the cases were solved.

10 Like I said, our target for June 30 is
11 39 cases in backlog. We are at 49 today. I have 16
12 sitting on my desk. So, as long as I don't have to turn
13 them back in, we will be meeting that goal as well. So,
14 our lawyer will be glad to hear that. Also, just to
15 piggy-back off of the Executive Secretary, we received
16 in March, 132 cases. We received 90 in April. We have
17 received -- my last number was 108. But I heard them
18 say 117 today. But my last numbers was 108. Then as of
19 2:30 today, June 13, we have 113 which are a total of
20 443 cases since we started the backlog elimination plan,
21 letting us know that out of that, 178 of those new cases
22 were closed.

23 So, not only are they attacking the backlog,
24 they are actually attacking the case as we get it. So
25 that's the new structure that we have took in OCI, and

1 everyone is on board. So that's pretty good. Any
2 questions?

3 CHAIRMAN WHITE: Thank you, Lieutenant.
4 Commissioners?

5 COMMISSIONER WARFIELD: Sir, we commend OCI
6 for doing the investigations. I think one of the things
7 that's important for the public to know is that it's not
8 that we are getting rid of cases but rather that we are
9 still thoroughly investigating cases. And we are doing
10 it with a sense of quality. So that we are not rushing
11 through the process. I think the main thing that I have
12 seen over there that has changed is the commitment level
13 of investigators that are over there along with the
14 extra help that's come in through DPD, thank God for
15 them and for their help. Those officers have been
16 invaluable from my vantage point that I have seen.

17 So, I think it's just important that citizens
18 know that we are not just shifting papers off because
19 certainly as you all know I've sent a bunch of cases
20 back that I think some things needed to be looked into
21 further or corrected or changed. So, it's the quality
22 I've seen is what I'm impressed with. The quality of
23 the investigations have maintained a great level.

24 LIEUTENANT LEACH: Thank you, sir. Just to
25 piggyback off that, there's three people reviewing you

1 know the cases now. It's just not just one hand to the
2 next. We are making sure that like you said, we can
3 close all the cases if we wanted to. But it's still
4 quality that have to go -- still have to leave our
5 hands, come to you guys' hands and also goes to the
6 chief. So we are not going to substitute quality for
7 quantify.

8 COMMISSIONER WARFIELD: Who does the tie go to
9 now? Is it the same thing as what is -- the tie, where
10 does the tie go? So if an officer says -- if a citizen
11 says an officer did this and if the officer says I did
12 not, how do you settle that if there are no other
13 witnesses?

14 LIEUTENANT LEACH: A tie usually is not
15 sustained because it just isn't -- you miss the balance.
16 So it's usually not sustained. But if it's just one
17 over, we got the legal scale going, then whoever's got
18 the heavier balance wins.

19 COMMISSIONER WARFIELD: When it's one over?
20 I'm sorry?

21 LIEUTENANT LEACH: Say it was two to three,
22 usually it goes that way. But a tie usually goes
23 non-sustained. That came from Warshaw and Gerwin. He
24 say how can you do that because if you wasn't there to
25 witness? So your ruling has to go to non-sustained.

1 COMMISSIONER WARFIELD: One last thing I
2 think. Can you talk a little bit -- maybe you can't.
3 But if you can, can you talk about officers who may be
4 involved in cases that are not sustained or those cases
5 are unfounded but yet there is a significant history as
6 relates to them receiving CCR reports and what happens
7 to those officers although that case is not sustained,
8 what happens to those officers who have a number of CCR
9 reports?

10 LIEUTENANT LEACH: Well, one of the things
11 that we are trying to push, myself and Ms. Washington
12 and I even mentioned it to Deputy Chief Tolbert. We was
13 thinking about once -- it was about a year or two ago we
14 started the risk assessment on officers, you know,
15 because the way our department always dealt with
16 discipline has been case by case. So, you can't just
17 grab them all and say this is what a person do.
18 Everything is done individually. But with a risk
19 assessment, you can actually take all those cases and do
20 a profile on those officers, and then in fact I think
21 when I was not running but when I was working in risk
22 assessment, that's what we did. It was like five
23 officers that we did one on. And four of them actually
24 left the department. So, those -- the risk assessment
25 is really really working. And it gives the chief and

1 the chief's staff something else to work with because
2 the way our disciplinary system is set up, we can know
3 about those problem officers, but we don't have anything
4 in place to deal with it at this time.

5 CHAIRMAN WHITE: And Lieutenant, I just would
6 like to echo the sentiments of Commissioner Warfield. I
7 think the OCI department has done a very fine job in
8 keeping current as you stated as well as dealing with
9 your backlog certainly. And I'm sure I speak for my
10 colleagues. We're appreciative of your leadership as
11 interim chief there. And certainly to the rest of our
12 staff, counsel, executive secretary and others who all
13 play a very integral role in the upkeep of the OCI
14 department which is a definitely needed department that
15 we assure citizens complaints are dealt with. And as
16 Commissioner Warfield said, not to dispose of but to
17 insure that each complaint receives the proper
18 attention. Just the entire staff over at OCI, we thank
19 you.

20 LIEUTENANT LEACH: Thank you very much.
21 Thanks.

22 CHAIRMAN WHITE: At this time, I believe we
23 have a presentation from the Office of the Chief.
24 Deputy Chief?

25 DEPUTY CHIEF LEE: Yes, we do. We have a

1 presentation from property control and Commander James
2 Suchowski from resource management will come up.

3 COMMANDER SUCHOWSKI: Commissioners, how are
4 you doing today? Commander James Suchowski from
5 resource management. We got Lieutenant Mike Adams back
6 there from resource management who is actually in charge
7 of the property, oversees the property room. And these
8 two fine sergeants, Sergeant Dixon and Sergeant Dehm
9 will do a presentation for you. If you have any
10 questions afterwards, you ask them. Thank you.

11 SERGEANT DIXON: Good afternoon to our
12 distinguished Detroit Police Board of Commissioners, to
13 our executive police officers that are present and also
14 to our wonderful citizens of this great City of Detroit.
15 As Commander just stated, I am Sergeant Dixon, and this
16 is Sergeant Dehm to my left. And we certainly are
17 honored and pleased to share with you information
18 relative to property control and what we do.

19 CHAIRMAN WHITE: Sergeant, if you have a copy
20 of the report, we have a hard copy if you want to get
21 started while that warms up. There it is.

22 SERGEANT DIXON: Okay. As you see, our goal
23 is to be efficient management and security of evidence.
24 That's what we do. At this time, we have over
25 375,000 pieces of evidence, 36,000 narcotics tags. We

1 have 32,000 firearms approximately. We have two main
2 locations, here at 1300 Beaubien and also we have a
3 Lyndon location. And also we are responsible for the
4 eight precinct locations.

5 Property control is managed by two supervisors
6 and eleven police officers. And that's for the entire
7 police department. Our responsibilities is that we
8 receive, transfer and we process evidence. And that
9 comes from districts, labs and homicide. We average
10 about 1,200 pieces per week. We deal with money,
11 jewelry, narcotics, firearms. We deal with officers
12 coming over for court cases. We deal with the lab
13 analysis. We also return property to the owners and
14 also turn over property to other agencies.

15 As you see with our cash deposits, we do
16 deposit money, forfeiture proceeds and unclaimed money
17 for general deposit. And we just want to reiterate, we
18 only do deposits. We don't do any withdrawals, just
19 deposits. Relative to firearms, we do destroy firearms.
20 We reduce -- we are working on reducing our inventory
21 because we have over 32,000 firearms currently stored.
22 We deal with the Michigan State Police dealing with the
23 hand guns and Severstal North America dealing with the
24 long guns. And we are continuing to work in reducing
25 the number of firearms that we have.

1 Dealing with the narcotics and burning of
2 narcotics, we burn them so we can have a reduction in
3 inventory. There are a lot of large drug burns. As you
4 see, we have had over 7,400 items burned. And this was
5 since January, 2011. And what that does is frees up
6 valuable space for us. We also have the property
7 auctions, auction property. We separate the valuable
8 items. Those items are then turned over to a
9 professional auctioneer. And we generated for the city
10 over \$40,000 in revenue since August of 2011. And I
11 think that the Board of Police Commissioners recall from
12 last year that we were able to get that information and
13 that that information is now posted each time that the
14 auction is on going, you will all receive information
15 relative to that. And we thank you for that.

16 Disposables. When it comes to disposable
17 items, it helps us to once again reduce our inventory,
18 and it opens valuable storage space. And we transport
19 those items that have no value or no evidentiary value
20 by truck to the incinerator.

21 Our successes, we do weekly deposits of
22 currency. We are reducing our firearms, reducing
23 narcotics which equals a reduction in inventory. On the
24 horizon as we know, if you didn't know, we are looking
25 to go into our new property room that is located at 1300

1 John C. Lodge Service Drive where we will be able to
2 have one stop shopping for all departmental evidence
3 needs. It also maximizes the use of existing department
4 owned facilities, and it consolidates Beaubien and
5 Lyndon locations under one roof. And really, what that
6 enables us to do is to provide better service to our
7 wonderful citizens of this city. That's what it's all
8 about, and certainly that's what we do. Are there any
9 questions?

10 CHAIRMAN WHITE: Thank you, Sergeant.
11 Commissioner Warfield?

12 COMMISSIONER WARFIELD: The new room that
13 you're talking about, that's in the new public safety
14 headquarters?

15 SERGEANT DIXON: That's correct, sir.

16 COMMISSIONER WARFIELD: A few weeks ago there
17 was a press conference about some narcotics that was out
18 on the table. And there was some controversy about
19 that. Could you expound upon that? There was a bust
20 that was done. And then later, it was said that it was
21 mistagged or something.

22 SERGEANT DIXON: No, sir, I could not because
23 we did not -- only thing we do is we are like a
24 repository. We just take in whatever is brought to us.
25 We make sure that we maintain that chain of evidence.

1 Property control maintains -- whatever evidence is
2 brought in to us, we maintain and assure that that is
3 kept. So, relative to what might have happened with
4 that, I really couldn't elaborate on that.

5 COMMISSIONER WARFIELD: Deputy Chief?

6 DEPUTY CHIEF LEE: Deputy Chief Lee. I do
7 believe that Stevens may have issued a press release
8 regarding that. I don't recall exactly what it was.
9 But there was a press release in regards to that.

10 COMMISSIONER WARFIELD: Could our staff make
11 sure we get a copy of that because I didn't get the
12 answer as to what really went on with that? Thanks.
13 I'm done.

14 CHAIRMAN WHITE: Commissioner Taylor?

15 COMMISSIONER TAYLOR: No questions.

16 CHAIRMAN WHITE: Sergeant Dixon, as relates to
17 the retention of property, how long do we keep property?

18 SERGEANT DIXON: When it comes to homicides,
19 sex crimes, those type of evidence, we keep that forever
20 basically. We keep that forever. We don't dispose of
21 that. If there is evidence that is of no evidentiary
22 value, then that evidence we will take and if it has
23 some value, it will go to the auction as you all have
24 gotten information on.

25 CHAIRMAN WHITE: As it pertains to the auction

1 revenue, is that revenue returned to the City general
2 fund or is that returned to the department budget?

3 SERGEANT DIXON: That is returned to the
4 general fund.

5 CHAIRMAN WHITE: I don't believe we have any
6 further questions. So certainly thank you, Sergeant
7 Dixon, Sergeant Dehm and Commander Suchowski and your
8 entire team for the excellent work on property control.

9 COMMANDER DIXON: Thank you.

10 SERGEANT DEHM: Thank you.

11 CHAIRMAN WHITE: Deputy chief, anything
12 further?

13 DEPUTY CHIEF LEE: That's it. Thank you.

14 CHAIRMAN WHITE: Thank you, sir. Before we
15 get to new business, I would like to dispose of some old
16 business. We had mentioned that we would deal with
17 towing issues when such time presented itself. The
18 hearing as some of you may know or may not know, this
19 body was placed under a temporary restraining order from
20 dealing with certain issues. That matter was disposed
21 of in court today where the temporary restraining order
22 was denied by the judge. As such, before we do move to
23 dispose of any of those items, I would like counsel if
24 she would come forward and articulate where we are as a
25 result of the judge's decision today. Attorney

1 Washington?

2 ATTORNEY WASHINGTON: Celia Washington, Board
3 attorney. As you mentioned, there is a couple things.
4 Yes, Judge Curtis did deny the plaintiff's motion for a
5 temporary restraining order. However, there is still an
6 amended complaint. So there is still an underlying
7 lawsuit that has not yet been disposed of. So I think
8 it's probably premature until -- I know that there are
9 some dispositive motions that are coming up. Until some
10 of those are discussed or dealt with, we probably
11 shouldn't move forward.

12 But in theory -- and I don't think that
13 there's any debate about the Board's responsibility as
14 it would relate to terminating or suspending a tower
15 because the rules as they are now speak very clearly
16 that the city reserves the right to make such
17 termination or such suspension. The rules are also
18 clear that the Board does have a right to have -- the
19 obligation or the right to hold a hearing in cases such
20 as this.

21 So, again, we can talk about the timing for
22 that hearing, would it be appropriate. But any tower
23 who is the subject of discussions with regard to
24 termination or suspension is entitled to a hearing prior
25 to any action being taken.

1 CHAIRMAN WHITE: Any questions?
2 Commissioner Warfield? Commissioner Taylor?

3 COMMISSIONER TAYLOR: No.

4 CHAIRMAN WHITE: Counsel, would it be your
5 recommendation that we not entertain previous motions
6 until such time that the formal order from the judge has
7 been received and/or we know what the underlying
8 potential lawsuits may be?

9 ATTORNEY WASHINGTON: I'd certainly like to
10 see the order before we move forward or see the language
11 of the order. And as I mentioned, there are some
12 dispositive motions as to the -- because there was an
13 amended complaint filed -- as to those issues before we
14 go full steam ahead for sure.

15 CHAIRMAN WHITE: Sure. Thank you, counsel.
16 So, colleagues, as outlined by counsel to this body, the
17 Chair would make the recommendation that we not
18 entertain any motions as it pertains to the issue of
19 towing until such time as that official order has been
20 received to counsel and delivered to this Board. So
21 unless there is objections, I would like a common
22 consent that we agree with the Chair's recommendation.

23 COMMISSIONER WARFIELD: We will consent.

24 CHAIRMAN WHITE: Thank you. At this time,
25 under new business, I would ask that Commissioner Taylor

1 would lead us in the resolution honoring Police Officer
2 Andrew J. Smith, III. Is Officer Smith with us today?
3 So therefore, we will certainly give this to our court
4 reporter for entrance into the record. But in the
5 interest of time and in the absence of Police Officer
6 Andrew J. Smith, Commissioner Taylor, if you would read
7 the first whereas clause and then the resolved clause
8 into the record.

9 COMMISSIONER TAYLOR: All right. Resolution
10 Honoring Police Officer Andrew J. Smith, III. Whereas
11 Andrew J. Smith, III was appointed to the Detroit Police
12 Department on July 25, 1985. Upon graduating from the
13 Metropolitan Police Academy, Officer Smith began his
14 career at the Tenth Precinct; and whereas Officer Smith
15 dutifully served in the Special Crimes Section,
16 Narcotics Section, Twelfth Precinct and Tactical
17 Operations; and whereas during his law enforcement
18 career, Officer Smith was the deserving recipient of one
19 (1) Citation, one (1) Lifesaving Citation and Medal, the
20 Major League Baseball All-Star Recognition Award, the
21 Rosa Parks Funeral Recognition Award, and the Super Bowl
22 XL Recognition Award, and numerous letters of
23 commendation from citizens and superiors; and whereas
24 Office Smith has tirelessly served the Detroit Police
25 Department, the citizens of Detroit and its neighboring

1 communities for 27 years. His professionalism,
2 commitment to public service, integrity and dedication
3 has been a credit to the Detroit Police Department. He
4 is highly respected as a consummate professional
5 throughout the law enforcement community.

6 Therefore be it resolved that the Detroit
7 Board of Police Commissioners, speaking for the citizens
8 of Detroit and the Detroit Police Department, award this
9 resolution in recognition of Police Officer Andrew J.
10 Smith, III, for his 27 years of dedicated and diligent
11 public service. His professionalism, integrity, and
12 standard of commitment to the City of Detroit and its
13 citizens merit our highest regards and best wishes for
14 continued success.

15 We salute and congratulate you, Police Officer
16 Andrew J. Smith, III.

17 CHAIRMAN WHITE: Thank you, Commissioner
18 Taylor. Commissioners, before you is a Resolution
19 honoring Police Officer Andrew J. Smith, III, for his
20 outstanding commitment to the City of Detroit and this
21 Department. Is there a motion for adoption?

22 COMMISSIONER WARFIELD: Sir, I move that we
23 adopt the Resolution honoring Police Officer Andrew J.
24 Smith, III, and that it be a part of our public
25 archives.

1 COMMISSIONER TAYLOR: Support.

2 CHAIRMAN WHITE: Properly moved and supported.
3 Any discussion? Seeing none, all those in favor?

4 COMMISSIONERS: Aye.

5 CHAIRMAN WHITE: Opposed? Thank you very
6 much. At this time I would like to entertain the
7 Chairperson's report. First of all, I would like to
8 personally commend the men and women of the Detroit
9 Police Department for an exemplary job in conducting a
10 successful fireworks season. I don't -- I'm not sure of
11 who or those of you who had an opportunity to be
12 downtown in that environment. But if you were, I think
13 it was an excellent collaboration against cross
14 agencies, various agencies on board. The way that our
15 men and women of this department conducted themselves, I
16 am certainly appreciative and inspired in terms of what
17 that meant to the City of Detroit.

18 I do believe -- and correct me if I'm wrong,
19 Deputy Chief -- that the fireworks went off without
20 incident, which is outstanding. Do we have numbers?

21 DEPUTY CHIEF LEE: I believe there were --
22 through the Chair -- a hundred -- close to 150 parental
23 responsibility citations, approximately 282 curfew
24 violations.

25 CHAIRMAN WHITE: Thank you, Deputy Chief. So

1 again my hat is off to each and every one of you who
2 played a role in the success of our fireworks for our
3 citizens of Detroit. And I did have an opportunity to
4 go downtown and see firsthand how we conducted ourselves
5 as a department, how we treated the citizens of Detroit
6 and the citizens from afar with dignity and respect, the
7 way we handled our young people who were curfew
8 violators. And I'm not sure if there are parents here
9 today to address the Commissioners in terms of how your
10 young people was handled. But I certainly am impressed
11 with how we were able to coral such a large group of
12 individuals and again in my estimation without incident.
13 So, again hats off to our department.

14 This body certainly would like to thank
15 Mr. And Mrs. McCants for an excellent job as we enter
16 the summer season, as you walk in and you see the grass
17 looking nice and the flowers in bloom. They have done
18 an outstanding job in beautifying this historic
19 facility. So if you would join me in thanking Mr. And
20 Mrs. McCants for a fine job. And we certainly
21 appreciate Deputy Chief Turner for assisting in that
22 process as well and any others who may have played an
23 integral role in that process, we certainly -- another
24 example, a shining example of when law enforcement and
25 community work together for the betterment of our

1 community. So again, our hats are off to the McCants
2 family and all those engaged.

3 Friends, as we know, per the Charter, in
4 Section 7.802 it provides that this body shall elect a
5 chairperson annually. As such, the new chair is seated
6 the 1st of July. So, as such, this would be my final
7 meeting chairing. And as I give my swan song if you
8 will, I certainly am appreciative for this opportunity
9 to serve in this capacity. I believe not under any
10 action of my own but as a collective body, we have made
11 some tremendous strides over the course of the year
12 particularly as it relate to the Office of the Chief
13 Investigator, as we have heard our numbers come down and
14 not only particularly in getting the numbers down but
15 again that is a direct impact to the service to our
16 citizens in the City of Detroit.

17 We were in somewhat of a situation as our
18 backlog continued to climb. Members of this Board and
19 our staff moved very swiftly to remove those from the
20 process that were impeding our progress. Such -- and as
21 a consequence, we spent quite a bit of time interviewing
22 very diligently those we thought were very capable and
23 placing the individuals in place who would we believe
24 are very capable to get a handle on this situation. And
25 I think that is certainly reflective in our numbers as

1 we see them come down and as we see under the department
2 side, as we move close to being in compliance with our
3 Consent Decree and we see on the Board side, in the OCI
4 side in terms of how we address complaints. Very
5 optimistic that soon our Consent Decree will be a thing
6 of the past as we move forward.

7 So as I say that, we work diligently with our
8 monitors with the Federal Consent Decree. We have
9 worked diligently with Judge Cook who has oversight of
10 this Decree. We have received technical assistance to
11 improve our processes. We have recently hired three
12 investigators and one to start at the beginning of July.
13 We have found a new chief investigator who is slated to
14 begin July 31st. And so, very again optimistic over the
15 progress of OCI over this current year.

16 From the department side, this body over the
17 course of the year has worked very diligently and in
18 concert with our command staff as we looked at different
19 ways in an environment of declining resources to be more
20 efficient as a department, i.e., virtual precinct, in
21 the arena where individuals thought individuals would be
22 laid off and coming up with strategic ways in supporting
23 the department to repurpose grants to insure that
24 layoffs did not occur, being very vocal as it relates to
25 this body's support of our men and women who suit up

1 every day and encouraging them to go forward and do
2 their jobs and let the leadership handle their business
3 as such.

4 Again, I am very excited in terms of what we
5 have been able to do together as a department and a
6 Board over the course of this year. And certainly to my
7 colleagues again for this opportunity to serve. I do
8 believe we have restored a sense of credibility to the
9 entire towing process. And I hope any of you who are
10 engaged in that process would find agreement with that
11 statement. Where individuals may have had concerns
12 about malfeasance or injustice in that process, I do
13 believe we have made some serious progress over the
14 course of this year. And while it may not be at the
15 pace as some may like, I do believe we are much further
16 ahead than where we were a year ago and moving to a
17 point of satisfaction and completion of a lengthy
18 process. We all know we didn't get here over night.
19 And certainly we didn't expect that we would overcome
20 over night. But again, we are much closer to progress.

21 And certainly, as I move for elections, it has
22 again been a pleasure to serve each and every one of
23 you. And I hope that you would find my chairmanship
24 pleasing in order and decent. And I try to run an
25 orderly meeting. And I hope all of you would find again

1 agreement with that statement. And again, it's been a
2 pleasure to serve in this capacity.

3 As such, colleagues, with a smile, there is as
4 again stated in Section 7.802 our responsibility to
5 elect a chairperson annually. At such time, the Chair
6 would entertain a motion for the nomination of a
7 chairperson.

8 COMMISSIONER TAYLOR: Mr. Chair, I nominate
9 Commissioner Jerome Warfield.

10 CHAIRMAN WHITE: I support that nomination.
11 Commissioner Warfield, do you accept that nomination?

12 COMMISSIONER WARFIELD: Yes, sir.

13 CHAIRMAN WHITE: All those in favor signify by
14 saying aye?

15 COMMISSIONERS: Aye.

16 CHAIRMAN WHITE: Opposed? Thank you very
17 much. At this time, a nomination for the position of
18 vice chairperson would be in order.

19 COMMISSIONER WARFIELD: Mr. Chair, I nominate
20 Commissioner Jessica Taylor to be the vice chairperson.

21 CHAIRMAN WHITE: I second that nomination.
22 Commissioner Taylor, would you accept that nomination?

23 COMMISSIONER TAYLOR: Yes, sir.

24 CHAIRMAN WHITE: Thank you very much. All
25 those in favor of the nomination signify by saying aye.

1 COMMISSIONERS: Aye.

2 CHAIRMAN WHITE: Opposed? Thank you very
3 much. At such time, I will relinquish my position as
4 chair and turn it over to Commissioner Jerome Warfield,
5 chairman of the official year of 2013. Sir? That will
6 take effect at our next meeting which happenstance
7 happens to be Tuesday, July 3rd, 2012, at 3:00 p.m. at
8 police headquarters, 1300 Beaubien, Room 328-A. The
9 outgoing chair at this time would entertain oral
10 communications from the audience. If you wish to
11 address this body, we would ask that you come forward,
12 please clearly state and spell your first and last name
13 for the benefit of the record and be mindful of the
14 two-minute time period as demonstrated by our office
15 manager Mr. Robert Brown to my right and your left. Are
16 there any communications?

17 MS. JENNINGS-FELLS: Good afternoon. Please
18 excuse my casualness. My name is Joyce Jennings-Fells,
19 J-o-y-c-e, J-e-n-n-i-n-g-s hyphen Fell, F-e-l-l-s.
20 Excuse the hoarseness in my voice as well. I am here
21 today on behalf of my daughter, Faith Fells, who is at
22 work right now, in response to a ticket that she -- we
23 received it in the mail yesterday. The ticket is dated
24 June 7, 2012. And the post mark on the envelope is June
25 12, 2012. However, it was hand delivered to me by our

1 postman on yesterday. I'm here today in response to an
2 accident that occurred with my three daughters where
3 they were hit by a City of Detroit emergency vehicle on
4 Thursday, June 7th.

5 At the time of the accident, my daughter was
6 heading away from downtown on Michigan Avenue. She
7 would be heading west, thank you, west on Michigan
8 Avenue in the left lane, making a left-hand turn on to
9 Washington Boulevard. As she had already made her
10 left-hand turn, an emergency vehicle was in the oncoming
11 traffic lane and hit my daughters where the -- my truck,
12 I have a Yukon, XL, it ended up being hit back facing on
13 to Michigan Avenue. At the time of the accident, my
14 daughters were told they were not at fault. There were
15 many witnesses to the accident. My daughter was not
16 issued a ticket at the accident.

17 The same day of the accident, Lieutenant
18 Turner contacted me in the evening wanting to know were
19 my girls okay and wanting to know if she could get my
20 insurance information. I said, well, my daughter
21 presented that information at the time of the accident.
22 And I later rejoined my daughters. My oldest daughter,
23 Faith, who is 18, dropped me off at Wayne County
24 Community College for a project management certification
25 that I was attending. And within moments of them

1 dropping me off at school, I receive a call from my --
2 one of my other daughters that they had been involved in
3 an accident.

4 So, my concern is that they were not issued a
5 ticket -- my daughter was not issued a ticket at the
6 time of the accident. And there is over \$4,000 of
7 damage to my truck. And as I was making inquiry with
8 the City to find out if it would be covered because we
9 do have insurance. All of a sudden we now are getting a
10 ticket in the mail. So, my daughter couldn't be here.
11 And she gets off work at 4:15. She works at the Y
12 across the street. So, I didn't know if this would
13 last. But thank you for your time. And we will be back
14 hopefully where she can address this herself.

15 CHAIRMAN WHITE: Miss Jennings, before you
16 leave, is it your concern that you should not have
17 received a ticket?

18 MS. JENNINGS-FELLS: Yes.

19 CHAIRMAN WHITE: Which type of emergency
20 vehicle?

21 MS. JENNINGS-FELLS: It was a City of Detroit
22 EMS vehicle. And the lights were -- the siren was not
23 on. All of the witnesses who saw the accident stated
24 that the EMS vehicle had their lights on. But there
25 were no sirens. And we live off Van Dyke,

1 Van Dyke 6 Mile area. So we know what emergency sirens
2 sound like. We know what people speeding down Van Dyke
3 sound like. And we know what trains sound like. We've
4 been living in that area. So, when it comes to being in
5 any community, we are well aware of what sirens sound
6 like. And my concern is again, that the EMS driver was
7 in the oncoming traffic lane when he went around her to
8 the left and hit her. And now we received a ticket in
9 the mail or my daughter did actually.

10 And now the ticket states that traffic crash,
11 injury, damage to property. And it says description,
12 failed to yield to emergency vehicle with siren
13 activated. I began asking questions once I got there to
14 witnesses. And Lieutenant Turner interrupted me asking
15 witnesses for their contact information. So, I don't
16 like to call people liars. But this ticket is not
17 valid. And I would like to know if there is anything
18 that can be done to investigate this matter and if I can
19 coordinate another time where my daughter can come and
20 address it herself. She's a first year student at
21 Wellesley College in Wellesley, Massachusetts. She is a
22 great product of the City of Detroit. She is a
23 political science major and desires to become a lawyer.
24 And when we received this ticket yesterday, she said
25 this is exactly why I want to leave Detroit and the

1 State of Michigan.

2 And I want my children to stay in Detroit and
3 fight the good fight just like their mom. God bless you
4 all and thank you for hearing me today.

5 CHAIRMAN WHITE: And Ms. Fells, before you
6 leave, once again, I certainly want to thank you for
7 coming forward. But two, is it your estimation that the
8 officer falsified information on that ticket or is it
9 that the EMS driver --

10 MS. FELLS: I'm not sure because I just found
11 out today that your meeting was taking place. I was
12 going to also follow up to see if there's a fire
13 department commission meeting as well. But my concern
14 is that my daughter was not issued a ticket at the time
15 of the accident, and it wasn't until after I started
16 making inquiries with the City about whether or not the
17 damages to my vehicle could be covered because I am a
18 single mom and I'm currently unemployed, and I just
19 completed a project management certification program as
20 a way to diversify my work experience. And I have
21 insurance, but I have no fault insurance.

22 So, it's just strange to me that after I began
23 making inquiries with the City about the possibility of
24 covering the damages, that we then get in the mail a
25 ticket. And then also, there were no injuries. And on

1 the ticket, it says traffic crash, damage to property
2 and injury. So, I don't know who got injured on the EMS
3 side. But when I arrived to the accident within
4 moments, there was no one injured.

5 CHAIRMAN WHITE: The date of the incident?

6 MS. JENNINGS-FELLS: The date is Thursday,
7 June 7, 2012. It happened at approximately 10:00 a.m.
8 in the morning.

9 CHAIRMAN WHITE: That communication was post
10 marked on the 12th?

11 MS. JENNINGS-FELLS: Yes. The envelope was
12 mailed the 12th.

13 CHAIRMAN WHITE: Before you leave, Deputy
14 Chief, can you or someone speak to the process of when
15 the ticket might be delayed or should be delayed or
16 whatever one can expect in that type of situation?

17 DEPUTY CHIEF LEE: Yes. Through the Chair, I
18 believe an accident investigator probably investigated
19 that scene and after talking to all of the witnesses
20 including the drivers, he made the decision to issue
21 that ticket and to mail that. So that was proper that
22 the ticket was mailed. I don't know if the court date
23 -- did she make the court date yet?

24 MS. JENNINGS-FELLS: We called this morning to
25 make a court date, and the ticket is not even in the

1 system. They told my daughter that she would have to
2 check back after August 1st. And my concern is when --
3 and we did call back, and I spoke with the
4 representative that my daughter is to be returning to
5 Massachusetts in August and if we can get a court date
6 to address this matter so that my daughter can speak to
7 what happened as well as the witnesses, that contact
8 information that I have. And the witnesses, including
9 my daughters, stated that there was no siren that they
10 heard. And we do know what sirens sound like.

11 CHAIRMAN WHITE: Unfortunately, this body,
12 it's not within our purview to overturn a ticket or
13 anything. That is a matter that would have to be
14 adjudicated in court.

15 MS. JENNINGS-FELLS: We are asking if someone
16 could investigate. I don't know if that's what you do.
17 But in having discussions earlier today --

18 CHAIRMAN WHITE: I think that could be --
19 again, that would be the matter that would be
20 adjudicated in court. If you believe that this evidence
21 or the situation did not happen as it's stated on that
22 ticket, it would be the judge's purview to dismiss or
23 enforce that ticket that you're in receipt of. And if
24 there's a matter -- it wasn't a department vehicle,
25 which is the question I asked. You said it was EMS.

1 So, I will not give advice. But there may be other
2 options you can pursue against that particular agency of
3 the City if you will.

4 Again, if you believe that the incident did
5 not occur and you're entitled to damages --

6 MS. JENNINGS-FELLS: I'm aware of those
7 options. But since the ticket was issued by the police
8 department, I just wanted to know is it customary that a
9 ticket is issued -- well, we received it to our home on
10 yesterday. The envelope is marked June 12. And I even
11 asked the carrier on yesterday, had they been on
12 vacation because normally if they are on vacation, we do
13 have alternate carriers that deliver mail. But again,
14 thank you for your time to every one. And I will follow
15 up.

16 CHAIRMAN WHITE: Thank you. Are there any
17 other communications?

18 MS. McCANTS: Hello. My name is Yolanda
19 McCants. And I'm here today as a concerned citizen
20 about things that are happening in our neighborhood.
21 Okay. So, I am a community person. I do all of my due
22 diligently with the police department at all. On this
23 past week, I had an incident where they ran down there
24 doing property damage. Okay. I don't know whether it's
25 just to me, but this particular incident happened to me.

1 It's one thing I guess to be on the curb side and start
2 doing things. But then when you come up on people's
3 property just distance from my porch, they ran down a
4 light that I have out in front. Now us as citizens,
5 they say that there's certain things that we can do.
6 There's certain things that we can't do. Maybe someone
7 can kind of give me something that I can do to protect
8 my property you know. I don't know. I have been to the
9 police department. I have made complaints. I have been
10 downtown. I have been through building and safety for
11 some other issues that is plaguing the same area with
12 the same people with the same problem that's been on
13 going. And I guess I just need some answers from
14 somebody. What am I supposed to do now that they are
15 destroying my property where I'm responsible for, where
16 I have to actually pay taxes? Okay.

17 It's bad enough that we have more abandoned
18 houses in the area. And now you're destroying vital
19 houses where people is living. I cannot continue to do
20 what I do and be vital for the community in the
21 community and have people destroy my property.

22 CHAIRMAN WHITE: Thank you, Miss McCants.
23 Deputy Chief, is there someone that can speak with
24 Miss McCants?

25 DEPUTY CHIEF LEE: Is that east side or west

1 side?

2 MS. McCANTS: East side. And I have spoke
3 with my commander at the Northeastern District. We have
4 sat down. We have went over some things. And I
5 understand that sometimes we are short staffed. I'm not
6 asking for a personal police protection to help me.
7 It's just that, you know, when I call, I understand that
8 sometimes we have our priority runs. But if there's a
9 problem, and there's a problem that has been addressed.

10 DEPUTY CHIEF LEE: See me after the meeting.
11 If it's Northeast, just see me after the meeting.

12 MS. McCANTS: Thank you.

13 DEPUTY CHIEF LEE: We will fix it for you.

14 CHAIRMAN WHITE: Thank you, Ms. McCants.
15 Thank you, Deputy Chief. Any other communication? Any
16 other communications? Any other communications? Seeing
17 none, again please be reminded that our next meeting
18 because of the holiday would not be Thursday but
19 Tuesday, July 3rd, 2012, at 3:00 p.m. here at police
20 headquarters, 1300 Beaubien, Room 328-A. At this time,
21 I don't believe any further business is before us. So
22 the Chair will entertain a motion for adjournment.

23 COMMISSIONER WARFIELD: Sir, before the
24 motion, I just want to say thank you for your
25 leadership. Thank you for just the outstanding way you

1 have represented the Board and for the way that just
2 your tone and your tenure has I think built an
3 environment that allows us to conduct business in a very
4 professional way. Thank you. Motion to adjourn.

5 MS. TAYLOR: Second.

6 CHAIRMAN WHITE: It's been properly moved and
7 supported. Any discussion? Seeing none, all those in
8 favor?

9 COMMISSIONERS: Aye.

10 CHAIRMAN WHITE: Enjoy this wonderful
11 beautiful day and have a good weekend.

12 (Proceedings concluded at 4:20 p.m.)

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CERTIFICATE OF REPORTER

STATE OF MICHIGAN)
) SS
COUNTY OF MACOMB)

I HEREBY CERTIFY that I reported
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under oath at the time and place hereinbefore set forth;
that thereafter the same was reduced to computer
transcription under my supervision; and that this is a
full, true, complete and correct transcription of said
proceedings.



Wendy A. Boer

Wendy A. Boer,

CSR 3505

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