

**CITY OF DETROIT**  
**OFFICE OF THE INSPECTOR GENERAL**  
**2016 Third Quarter Report**  
(July 1, 2016 – September 30, 2016)



**JAMES W. HEATH, ESQ.**  
**INSPECTOR GENERAL**  
**February 28, 2017**

## Third Quarter 2016 Report

### Office of Inspector General (OIG) Complaints

The OIG received 120 complaints during the Third Quarter of 2016.

### Office of Inspector General Initiated Cases

The OIG initiated 30 cases during this quarter. The investigations involved 14 departments or agencies.

Department/Agency	# of Investigations
Building Authority	2
Human Resources	1
Office of the Chief Financial Officer	3
Department of Innovation and Technology	1
Buildings, Safety Engineering and Environmental Department	6
Municipal Parking Department	2
Police	3
City Clerk	1
Planning and Development Department	1
General Services Department	2
Department of Administrative Hearings	1
Detroit Water and Sewerage Department	4
Department of Public Works	2
Other	1
<b>Total</b>	<b>30</b>

### Office of Inspector General Closed Cases

A case is considered closed when an OIG file manager completes an investigation and the Inspector General approves the finding. During the 3<sup>rd</sup> Quarter, the OIG closed 9 cases. Below is a compilation of synopses for the closed cases during this quarter.

#### **2015-NA-0178**

The Corvallis, Oregon Police Department (CPD) requested assistance with an identity theft investigation. The OIG worked as a conduit between the City of Detroit Police Department (DPD) and CPD to ensure that each organization received the correct information needed to conduct the investigation.

#### **2015-NA-0187**

The complainant alleged that Detroit Land Bank Authority (DLBA) failed to comply with a home warranty on property purchased from DLBA. The OIG investigation revealed that DLBA did not provide a home warranty with the sale of the property. However, the OIG contacted a contractor that had previously worked on the property. Without obligation, the contractor assisted the homeowner with repairs.

### **2016-CC-0003**

The complainant alleged that public servants with Buildings, Safety Engineering and Environmental Department (BSEED) abused their authority by allowing a business to operate outside of the parameters of its license. The OIG found no evidence of abuse since the department had previously cited the business for operating as an unlicensed pawn shop.

### **2016-CF-0010**

The complainant alleged that a demolition contractor submitted fraudulent bills for work done on behalf of the City of Detroit. The OIG investigation revealed probable cause in support of this allegation. The OIG submitted the case to the Criminal Division of the State of Michigan Office of the Attorney General. A decision on criminal charges is forthcoming.

### **2016-DC-0016**

The Director of the Department of Public Works (DPW) alleged that someone had stolen scrap metal from the DPW Sign Shop. The circumstances of the theft suggested that the perpetrator was someone who had authorized access to the location, so the OIG coordinated its investigation with the Public Corruption Unit of the Detroit Police Department (DPD). The City of Detroit terminated a DPW employee at the conclusion of the investigation. On October 26, 2016 the Office of the Wayne County Prosecutor charged the employee with two felony counts - embezzlement over \$1,000.00 (MCL 750.1744A) and buying and selling stolen scrap metal (MCL 445.433). On January 23, 2017, the employee entered a plea of guilty and agreed to pay restitution in the amount of \$1,700 to the City of Detroit. (Exhibit A)

### **2016-NA-0036**

The complainant alleged that a handicapped individual was living in substandard housing. The OIG contacted the Detroit Police Department (DPD) and requested a welfare check on the residence. DPD reported that the individual was living in a stable environment.

### **2016-NA-0043**

The complainant alleged that City of Detroit public servants abused their authority when the complainant was terminated from the Department of Elections. The OIG reviewed the employee's personnel file and did not find support for the allegation. The OIG referred the complainant to the Human Rights Department and the Equal Opportunity Employment Commission (EEOC).

### **2016-NA-0045**

The complainant alleged that Buildings, Safety Engineering and Environmental (BSEED) inspectors abused their authority by allowing contractors to leave footings, foundation and slabs after building demolition. The complainant also alleged that Emergency Manager (EM) Order No. 33 weakened the building demolition code. The OIG investigated and learned that the City of Detroit obtained a legal opinion regarding post demolition material. The legal opinion stated that the use of post demolition material as backfill is permissible. Additionally, the Legislative Policy Division of the Detroit City Council and the City of Detroit Law Department conducted a review of EM Order No. 33.

**2016-NA-0066**

The complainant alleged to have witnessed a 911 Operator using an illegal substance prior to the operator's shift. The complainant wished to remain anonymous. Since the allegation represented a potential violation of criminal law as well as risk to public safety, the OIG referred the complaint to the Detroit Police Department's Internal Affairs Bureau.

Exhibit A

# 2016-DC-0016

2016717702

STATE OF MICHIGAN

CASE NO: 2016717702

36TH DISTRICT COURT DETROIT  
3rd Judicial Circuit

COMPLAINT  
FELONY

The People of the State of Michigan

Offense Information

vs

Police Agency / Report No.

WILLIE CARL RILEY 82-16717702-01

82DPIA 1603230239

Date of Offense

12/17/2015 SG

Place of Offense

2425 FENKELL, DETROIT

Complainant or Victim

CITY OF DETROIT

Complaining Witness

INFO & BELIEF

STATE OF MICHIGAN, COUNTY OF WAYNE

The complaining witness says that on the date and the location stated above, the defendant, contrary to law,

COUNT 1: EMBEZZLEMENT - AGENT OR TRUSTEE \$1,000.00 OR MORE BUT LESS THAN \$20,000.00 did, being an agent, servant, or employee of City of Detroit, fraudulently dispose of, without the consent of his/her principal and/or convert to his/her own use, aluminum signs, money, or personal property of his/her principal, having a value of \$1,000.00 or more but less than \$20,000.00, that came into the defendant's possession or under the defendant's charge or control by virtue of his/her relationship with the principal; contrary to MCL 750.174(4)(a) [750.1744A] FELONY: 5 Years and/or \$10,000.00, or 3 times the amount embezzled, whichever is greater. A consecutive sentence may be imposed for any other conviction if the embezzlement victim was a non-profit, a person 60 years of age or older, or a vulnerable adult. To impose a fine of 3 times the value, the defendant must admit the amount, or it must be determined by the trier of fact at trial. See *Southern Union Co. v United States* 567 U.S. \_\_\_\_; No. 11-94 (2012).

COUNT 2: SCRAP METAL REGULATORY ACT - BUYING AND SELLING STOLEN SCRAP METAL - 1st OFFENSE did sell scrap metal knowing or having reason to know that they it was stolen; contrary to MCL 445.433(2). [445.4332] FELONY: 5 Years and/or \$5,000.00

Upon conviction of a felony or an attempted felony court shall order law enforcement to collect DNA identification profiling samples.

The complaining witness asks that defendant be apprehended and dealt with according to law.

Warrant authorized on <u>26 Dec 16</u> by:
Date
<u>M 3224</u>
Thomas Beadle P32214

[Signature]  
Complaining witness signature

Subscribed and sworn to before me on 10-26-16  
Date

[Signature]  
Judge/Magistrate/Clerk

Bar no.