

**RESOLUTION URGING THE CITY'S CORPORATION COUNSEL TO TERMINATE
ITS CONTRACT WITH THE ALLEN BROTHERS LAW FIRM DUE TO
UNACCEPTABLE DISCRIMINATORY BEHAVIOR**

By Detroit City Council Member Raquel Castañeda-López

WHEREAS, The City of Detroit, as declared in the Preamble to its Charter, is committed to providing “for the public peace, health and safety of persons and property within its jurisdictional limits” and securing “the equal protection of the law for each person and to insure equality of opportunity for all persons.” The Charter further provides that “[n]o person shall be denied the enjoyment of civil or political rights or be discriminated against in the exercise thereof because of race, color, creed, national origin, age, disability, sex, sexual orientation, gender expression or gender identity”; and

WHEREAS, In adopting the City’s Human Rights ordinance, City Council pronounced the City’s long-held policy with respect to discriminatory behavior as follows: “The City Council hereby finds and declares that prejudice, intolerance, bigotry, discrimination, and the disorder occasioned thereby, threaten the civil rights and privileges of the People of the City and menace their institutions. The Human Rights Department shall have the authority and general jurisdiction within and outside City government, subject to the policies established by the Human Rights Commission, to eliminate discrimination, to approve of procedures which will remedy the effects of past discrimination, and to prevent discrimination in education, employment, medical care facilities, housing accommodations, commercial space, places of public accommodation, public service, resort or amusement, or other forms of discrimination prohibited by law, based upon race, color, religious beliefs, national origin, age, height, weight, familial status, marital status, disability, public benefit status, sex, sexual orientation, or gender identity or expression; and to take such action as necessary to secure the equal protection of civil rights;” and

WHEREAS, It has come to City Council’s attention through media reports¹ that the principal of a City contractor, providing legal services for the Law Department, recently engaged in a highly inappropriate and offensive series of email exchanges with a wheelchair-using activist seeking public information from one of the several municipalities represented by the contractor, Allen Brothers Law Firm; and

WHEREAS, The offending member of the Allen Brothers Law Firm, James Peter Allen, Sr., subsequently issued a letter of “regret” apologizing for “embarrassment this episode has caused”

¹ See, <https://www.metrotimes.com/news-hits/archives/2021/09/29/pathetic-little-wheel-boy-city-of-hamtramcks-attorney-ruthlessly-mocks-local-activist-in-a-wheelchair>; <https://www.metrotimes.com/news-hits/archives/2021/10/05/hamtramck-placed-its-lawyer-on-leave-after-he-sent-insulting-emails-to-activist-with-disabilities>; <https://www.metrotimes.com/detroit/opinion-hamtramck-city-attorney-comments-about-disabled-man-is-example-of-systemic-ableism/Content?mode=print&oid=28257818>; <https://www.metrotimes.com/detroit/opinion-hamtramck-city-attorney-comments-about-disabled-man-is-example-of-systemic-ableism/Content?mode=print&oid=28257818>.

AMENDED

to the City (not the target of the insults or the community at large), the Law Department/Corporation Counsel has not terminated the lucrative contract with the firm; and

WHEREAS, The City's contract with Allen Brothers Law Firm, no. 6002708, had a value of \$825,000.00 as of a January 2021 amendment. The contract language specifically provides, "Either party can terminate the Contract at any time, for or without cause;" and

WHEREAS, The City's current contract with Allen Brothers Law Firm is set to expire on December 31, 2023, the City Council's desire is that there is no renewal, extension or amendment that will continue the legal services with the law firm; and

WHEREAS, Pursuant to Section 7.5-203 of the 2012 Charter of the City of Detroit, "the Corporation Counsel shall defend all actions or proceedings against the City", as well as "prosecute all actions or proceedings to which the City is a party". While the parties to the contract the City and the Allen Brothers Law Firm, City Council acknowledges the role of the Law Department and the discretion of Corporation Counsel in evaluating any potential termination of a contract for legal services. Although the Law Department has advised Mr. Allen that he is not to appear on City cases or hold himself out as a representative of the City in litigation, he will nevertheless continue to benefit financially from the contract and suffer no consequence from his unacceptable behavior. **NOW, THEREFORE, BE IT**

RESOLVED, The Detroit City Council reaffirms its commitment to providing a respectful, welcoming, and safe environment to our residents and all visiting our city, and vehemently condemn discrimination and hate speech; and **BE IT FURTHER**

RESOLVED, The Detroit City Council calls on the Administration/Corporation Counsel to terminate its contract with the Allen Brothers Law Firm as expediently as possible, and/or refrain from renewing, extending or amending the contract demonstrating the City's commitment to these stated principles; and **BE IT FINALLY**

RESOLVED, The Detroit City Clerk is directed to send copies of this resolution to Corporation Counsel Lawrence Garcia and Mayor Mike Duggan.