

Detroit Board of Police Commission Meeting
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DETROIT BOARD OF POLICE COMMISSIONERS

WEEKLY MEETING

THURSDAY, NOVEMBER 17, 2016

3:00 P.M.

DETROIT PUBLIC SAFETY HEADQUARTERS

1301 THIRD STREET

DETROIT, MICHIGAN 48226

**Detroit Board of Police Commission Meeting
11/17/2016**

1 COMMISSIONERS:

2 Willie E. Bell - Chairperson (Dist 4)

3 Bishop Edgar Vann - (Dist 2)

4 Elizabeth Brooks - Appointed

5 Reginald Crawford - (Dist 3)

6 Ricardo Moore - (Dist 7)

7 Richard Shelby - (Dist 1)

8 Willie E. Burton - (Dist 5)

9 Derrick Sanders - Appointed

10 Eva Garza-Dewaelshe - Appointed

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12 BOARD SECRETARY: Gregory Hix

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14 REPRESENTING THE CHIEF OF POLICE:

15 Charles Fitzgerald - Assistant Chief of Police

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17 WAYNE COUNTY PROSECUTOR: Kym L. Worthy

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1 Detroit, Michigan
2 Thursday, November 17, 2016
3 3:00 p.m.

4 THE CHAIRPERSON: Good afternoon.

5 BOARD MEMBERS: Good afternoon.

6 THE CHAIRPERSON: And welcome to the weekly
7 afternoon meeting of the Board of Police Commission. I
8 am your Chair, Willie Bell, from District 4. It's good
9 to see all of your smiling faces, especially to my
10 right, I see smiling faces from OCI. And I see smiling
11 faces to my left, Madam Secretary and Dr. Divers and
12 Director Gail. And so I'm going to call our meeting to
13 order. I'm going to ask our very own Bishop Vann,
14 Commissioner Vann, to do opening prayer.

15 COMM. VANN: Gracious God, as we open up our
16 meeting today in our deliberations, we are so thankful
17 for all of the blessings that you have seen fit to
18 bestow upon us. We thank you, oh God, for the
19 opportunity that we have to even sit here, to -- to be
20 those who are chosen for this particular time to give
21 leadership and oversight to the Detroit Police
22 Department.

23 Bless our department, its leadership, we
24 pray. We pray that you would keep our officers safe.
25 We ask that you keep our City safe and in this season

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1 of Thanksgiving, this season where we have set aside to
2 especially give you thanks for all of the wonderful
3 things that you've done for us.

4 We thank you for our city, the City of
5 Detroit. We ask now that you would continue to bless
6 it, bless our deliberations in this meeting today and
7 we shall give you thanks and praise. Amen.

8 BOARD MEMBERS: Amen.

9 THE CHAIRPERSON: Thank you, Bishop Vann. In
10 our introduction, I'm going to start with my right. I
11 would -- Commissioner --

12 COMM. DEWAELSHE: Commissioner Eva Garza
13 Dewaelshe.

14 COMM. SANDERS: Commissioner Derrick Sanders,
15 at large. Through the Chair, I'd like to change
16 something around. When we get done with the approval
17 of the minutes and approving agenda, I'd like to do a
18 small report on the budget.

19 THE CHAIRPERSON: At that time?

20 COMM. SANDERS: At that time.

21 THE CHAIRPERSON: Okay. We can do that.

22 COMM. SANDERS: Thank you.

23 THE CHAIRPERSON: Okay.

24 COMM. BROOKS: Commissioner Elizabeth Brooks.

25 COMM. MOORE: Commissioner Ricardo Moore,

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1 District 7, Vice-Chair.

2 COMM. CRAWFORD: Commissioner Reggie
3 Crawford, District 3.

4 COMM. VANN: Commissioner Edgar Vann,
5 District 2.

6 COMM. SHELBY: Commissioner Richard Shelby,
7 District 1.

8 THE CHAIRPERSON: Thank you, Commissioners.
9 And we have an excused absence from Commissioner
10 Lisa Carter and Commissioner Willie Burton is on his
11 way and perhaps we would hear more from other
12 commissioners but we -- Mr. Secretary, do we have a
13 quorum?

14 SECRETARY HIX: Mr. Chair, yes, you have a
15 quorum.

16 THE CHAIRPERSON: The Chair would entertain a
17 motion to approve the agenda for this afternoon's
18 meeting.

19 COMM. VANN: So move, Mr. Chair.

20 COMM. DEWAELSHE: Support.

21 THE CHAIRPERSON: It's been properly moved
22 and supported. Discussion?

23 Those in favor, "aye".

24 BOARD MEMBERS: Aye.

25 THE CHAIRPERSON: Those opposed?

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1 Motion carry.

2 The next order of business would be the
3 November the 10th, 2016 minutes.

4 COMM. MOORE: So move.

5 COMM. SANDERS: Supported.

6 THE CHAIRPERSON: It's been properly moved
7 and supported. Ready for the question?

8 Those in favor, "aye".

9 BOARD MEMBERS: Aye.

10 THE CHAIRPERSON: Those opposed?

11 Motion carry.

12 COMM. SANDERS: I'd like to --

13 THE CHAIRPERSON: Mr. Sanders.

14 COMM. SANDERS: I have three items I just
15 want to go -- pass real quick before we go heavy into
16 the meeting.

17 THE CHAIRPERSON: Yes, sir?

18 COMM. SANDERS: The first item, the
19 Commissioners still expect to receive from the
20 Department the 2000 and -- 2017 and 2018 budget on
21 November the 2nd, 2016. We will start on our review of
22 the proposal of the budget immediately.

23 On Item 2, we would also expect to present
24 from the Department to the full Board for the budget on
25 December the 1st, 2016.

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1 The third item under the direction of the
2 budget committee, we are preparing a budget resolution
3 to review and vote on our December 8, 2016 full board
4 budget report. So I want all the Commissioners to
5 understand that we have reached out to all
6 Commissioners, e-mailed every Commissioner on board on
7 what's going on. So when December the 8th get here,
8 we'll vote on a resolution. They will be
9 knowledgeable, too, which we will have another report
10 ostensibly for the Commissioners.

11 THE CHAIRPERSON: The Chair would ask the
12 Board to receive Commissioner Sanders' very, very
13 important recommendation to this Board.

14 COMM. DEWAELSHE: Commissioner, I just have a
15 quick correction. Is it November 22nd? You indicated
16 the 2nd.

17 COMM. SANDERS: Yes, the 22nd.

18 THE CHAIRPERSON: The 22nd. Okay. Then duly
19 noted. The 22nd.

20 COMM. SANDERS: The 22nd.

21 THE CHAIRPERSON: Okay. So could we
22 entertain to receive this report? I think we want to
23 have it on record. That's what we're trying to -- you
24 can move.

25 COMM. BROOKS: Support.

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1 THE CHAIRPERSON: It's been properly moved
2 and supported. Discussion?

3 Thank you, sir.

4 COMM. SANDERS: You're welcome.

5 THE CHAIRPERSON: And Mr. Hix, would you
6 introduce the staff?

7 SECRETARY HIX: Yes, I can do that. As you
8 know, we -- as we have with us every week, Robert Brown
9 who's sitting here. We have Ms. Jonya Underwood who is
10 seated in the front row. Next to Ms. Underwood is
11 Ms. Johnson who has recently been added to our staff as
12 the Fiscal Manager. And then directly next to her is
13 an individual who has been promoted inside the
14 organization, Ms. Melinda (sic) White, who is promoted
15 to Executive Manager. And this is the policy position
16 that you authorized under the reorganization plan.

17 Mrs. Oxendine is, of course, over here on the
18 other side of the room, who is the head of HR for the
19 Department. And, of course, we have taping our session
20 videotape is Media Services, Sergeant Quinn is working
21 the -- I guess cassette tape. I guess that would be
22 the name of it. That's probably not the correct name.
23 And, of course, Mona Storm, who is a court reporter.

24 And then rounding up our investigation -- I
25 mean our introductions is also Chief Drake who not only

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1 has a report today but also will introduce members of
2 her staff who are present.

3 CHIEF INVESTIGATOR DRAKE: Good afternoon,
4 Pamela Davis-Drake, for the record. With me today is
5 Supervising Investigator Laurence Akbar and members of
6 his team, investigators Vianna (sp.) Turner.

7 Investigator Turner, please stand. And
8 Investigator Tiffany Stewart.

9 I'm putting them on the spot this morning but
10 they are with us this afternoon. Thank you so much.
11 And for the correction, this is -- you -- Former Senior
12 Investigator Melanie White, for the record. I just
13 wanted to correct her name.

14 SECRETARY HIX: Did I say something other
15 than Melanie?

16 CHIEF INVESTIGATOR DRAKE: I think you said
17 something else. It wasn't --

18 SECRETARY HIX: Melanie, I apologize.

19 INVESTIGATOR WHITE: That's fine.

20 THE CHAIRPERSON: It's good to see all of you
21 and good to see that the staff is present for this
22 meeting and we appreciate your work, it's outstanding
23 and we're looking forward to a great 2017. I want to
24 say that now, just in case.

25 You know, tomorrow is tomorrow, today is

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1 today. So I just want to acknowledge you and
2 acknowledge that we have promoted someone that's
3 working with us for quite some time. Melanie, we thank
4 you for serving in that capacity. Your resume was
5 quite impressive.

6 INVESTIGATOR WHITE: Thank you.

7 THE CHAIRPERSON: And I'm glad to have you on
8 board and the rest of staff. So we're looking forward
9 to your hard-earned work.

10 INVESTIGATOR WHITE: Yes, sir.

11 THE CHAIRPERSON: Thank you. And to my left
12 I would like to introduce -- it say "Chief Craig" but
13 I'm going to introduce him as Deputy Chief
14 Charles Fitzgerald.

15 DEPUTY CHIEF FITZGERALD: Good afternoon,
16 sir.

17 THE CHAIRPERSON: So glad to see you
18 representing the Chief this afternoon. If you wanted
19 to make any other acknowledgment at this time, we'd
20 appreciate it.

21 DEPUTY CHIEF FITZGERALD: Sure. I think
22 we're a little light but I think we can cover it.
23 Deputy Chief LeValley right there in the front row and
24 then lieutenant Thompson in the second row, from
25 Chief's staff.

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1 THE CHAIRPERSON: You've got some
2 heavyweights in this room. I appreciate that.

3 Any other elected officials?

4 And this young lady need no introduction but
5 I'm going to ask Commissioner Reginald Crawford to
6 introduce her. And we're going to hear from her later
7 on.

8 But would you just introduce our outstanding
9 prosecutor?

10 COMM. CRAWFORD: Yes, sir. Mr. Chair, we
11 have with us today Wayne County Prosecutor, Kym Worthy.

12 THE CHAIRPERSON: Is that Kym L. Worthy; is
13 there an "L" in there?

14 PROSECUTOR WORTHY: I'm sorry?

15 THE CHAIRPERSON: Is there an L in there?

16 PROSECUTOR WORTHY: Kym L. Worthy.

17 THE CHAIRPERSON: Give her props. I know the
18 name. I just want to recognize that.

19 PROSECUTOR WORTHY: Thank you.

20 THE CHAIRPERSON: Are there any other elected
21 officials or represented elected officials in the
22 house?

23 DR. DIVERS: I'm Arthur Divers, liaison in
24 the community for the Honorable George Cushingberry,
25 District Council.

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1 THE CHAIRPERSON: Okay. Thank you. And I'd
2 like to acknowledge anyone representing a police
3 community organization at this time. So would you
4 please introduce yourself.

5 Madam President and Chair Douglas.

6 MS. BUTLEY: Yes, I'm Freddie Butley,
7 community activist and the President of the 2nd
8 Precinct.

9 THE CHAIRPERSON: Okay. 2nd Precinct?

10 MS. BUTLEY: Yes.

11 THE CHAIRPERSON: Any others? Thank you.

12 MS. PARNELL: Sharon Parnell, 2nd Precinct.

13 THE CHAIRPERSON: Thank you. And the Past
14 President of City Wide.

15 MR. ROBO: Bill Robo, President of City Wide.

16 THE CHAIRPERSON: Thank you for all you VIPs
17 this afternoon. We really thank you for coming out on
18 a nice, nice, nice afternoon.

19 So did I leave anyone out?

20 COMM. MOORE: No, sir.

21 THE CHAIRPERSON: Okay. I guess the next
22 item would be my report. I have a brief report.

23 First of all, I just want to -- Item Number 1
24 this morning, there had been several reports in the
25 media about Carl Conyers, the 20-year-old son of our

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1 very own John Conyers. Carl has been missing for
2 several days and his family is expressing concern about
3 his safety. Carl is a student at the University of
4 Houston.

5 On behalf of the Board, we join with the
6 Conyers family, expressing our concern about the safety
7 of Carl Conyers and I hope that everything play out,
8 that they find him soon. I know this is a very
9 troubling time for the Conyers family so lift them up
10 in prayers. And I'm pretty sure that in Texas, Houston
11 PD and others, doing all they can, in terms of finding
12 this young man.

13 As we all know, John Conyers is dear to our
14 heart and the mother, Monica Conyers, is something that
15 the worst thing could happen being so far away in terms
16 of this particular situation. Hopefully, it play out
17 well.

18 Anything else?

19 Oh. Also, in a recent meeting we were told
20 about the death of Jermaine Tilman. I'm directing
21 staff to bear a resolution in his honor so that we can
22 share our concern to support his family.

23 Okay. Thank you. Just, basically, I want to
24 acknowledge last week we met in the community and I
25 failed -- I had a little note but I'm going to give it

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1 to my years of service to the community, forgot to lift
2 up the veterans. And I wanted to acknowledge we was on
3 Veterans weekend, there were several activities and I
4 just want to acknowledge -- what's that young man's
5 name who's serving part of the Tuskegee Airmen,
6 represent them and others who served so faithfully and
7 any other veterans in the community, especially on the
8 parliament?

9 I was very fortunate to receive in the mail,
10 I think on Monday morning, a note from Congressman
11 Peters and I received my 50-year Vietnam pin in the
12 mail and it just really was a nice note to appreciate.
13 Because you go back to 1966 when the Vietnam War
14 started. As I mentioned a couple weeks ago, I was in
15 DC and had an opportunity to visit a Vietnam memorial
16 wall and it's quite a few names there and several of my
17 Army buddies was there and a high school mate and my
18 wife's high school mate and among others. I could not
19 continue to go down that wall to look up names. I said
20 I would do it later.

21 But I think that the appreciation for
22 veterans is more recognized now than ever, when I came
23 home in 1968. So I just want to thank you for any
24 acknowledgment. I know quite a few served Vietnam in
25 the '70s on the police department but Vietnam veterans,

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1 I have quite a few friends, they have all retired at
2 this time, I think. And now we have other wars that
3 veterans are serving. So military and police had
4 always been somewhat connected. I just wanted to
5 acknowledge that any VA veterans or family members,
6 that type of acknowledgment.

7 I just want to -- here's a vet right here. I
8 know the 11th Precinct had a service for -- a parade.
9 I didn't get a chance to make it this year, I had in
10 the past. I just want to say thank you for service and
11 thank you for support of the families as we go forth in
12 terms of VA has improved a great deal to service those
13 who gave -- and some of them made the ultimate
14 sacrifice; that's why it's so important that we lift up
15 our veterans and our public servants, like police, fire
16 and EMS and others who serve in that capacity.

17 So I just want to thank you. I just want to
18 acknowledge that I think that's something we should do
19 quite often. I just read about in Police Magazine how
20 a young man served in World War II and how he served
21 New York PD and how they somewhat -- he was pretty much
22 by himself. He was going to end up, I guess, in a
23 cemetery with no markings and they recognized that he
24 was a veteran and a hero for the New York Police
25 Department and they stepped up, his precinct. And I

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1 didn't get all the tidbits but, just briefly, in terms
2 of coming into this meeting, I said something like that
3 is very, very crucial that we keep those who serve in
4 mind among others. So thank you. And I'll get off the
5 soapbox.

6 Let's see. Moore is nodding his head. And
7 now I'm going to -- and Commissioner Burton has arrived
8 from District 5.

9 Thank you for your attendance this afternoon.

10 Deputy Chief LeValley, I guess you're the
11 next item on -- no, no, I always do that. I had my
12 glasses on. I apologize. Deputy Chief
13 Pamela Davis-Drake, you have --

14 CHIEF INVESTIGATOR DRAKE: Thank you, sir.
15 And thanks for the promotion. Pamela Davis-Drake for
16 the record.

17 THE CHAIRPERSON: I'll tell you. I get on a
18 roll. Chief Investigator Drake.

19 CHIEF INVESTIGATOR DRAKE: And I'm a board
20 member and didn't even have to go through the academy.
21 That's scary is what it is. Thank you, sir.

22 THE CHAIRPERSON: Thank you.

23 CHIEF INVESTIGATOR DRAKE: And good
24 afternoon. Good afternoon, Board Members. For the
25 record, again, Pamela Davis-Drake, Chief Investigator.

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1 If the Board would indulge me, I'd like to personally
2 congratulate Senior Investigator Melanie White. She is
3 and was an outstanding member of the OCI family. She
4 is stellar. Her work is stellar. I know that because
5 I read all of the cases and I know what she's producing
6 and I know what she's able to do. I'm very, very happy
7 that she received this promotion. She is
8 well-deserving. It is long overdue. So I congratulate
9 you.

10 THE CHAIRPERSON: And thank you for those
11 kind remarks.

12 CHIEF INVESTIGATOR DRAKE: All true. All
13 right. And, also, for the indulgence, I did have an
14 opportunity to attend the last half of the community
15 forum for the Mayors and the Chiefs in the surrounding
16 communities on last Thursday. A more formal report,
17 written, is going to be forthcoming. But it was well
18 attended. Our Police Chiefs and our Mayors were
19 outstanding. They did an excellent job in addressing
20 the concerns and the questions from the community from
21 all over. So I will give you something, a little bit
22 more formal, something in writing --

23 THE CHAIRPERSON: Thank you.

24 CHIEF INVESTIGATOR DRAKE: -- probably before
25 the end of -- before Thanksgiving.

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1 THE CHAIRPERSON: And I appreciate you
2 attending that meeting. After coming to our meeting --

3 THE WITNESS: No problem.

4 THE CHAIRPERSON: -- you made a commitment to
5 go over there and represent the Board. Thank you.

6 THE WITNESS: Not a problem. Thank you, sir.

7 All right. Our report for OCI, today is
8 November 17th, Thursday, we have 178 cases that are
9 currently open, ten cases have been submitted to either
10 myself or to the supervisors for completion and
11 closing. And we have no cases over 90 days.

12 You also have in your packets the full report
13 for the Board and the -- the Excel spreadsheet that we
14 also provide you, which is kind of a corroborating
15 report to the full report. But, for October 2016, we
16 had 97 cases, which represents a ten percent increase
17 from last year at the same time. 88 cases was last
18 year in October.

19 At the end of October, we had 177 cases that
20 were open, 943 cases were filed and 939 cases were
21 closed.

22 Of the 97 cases that were filed in 2016, of
23 October 2016, 29 percent involved unknown officers. Of
24 the known units, the ones leading in complaints were
25 the 8th Precinct at 11 percent, the 6th and a 11th

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1 Precinct at 6 percent and the 7th, 12th Precincts and
2 the Training Unit at 4 percent.

3 And I thought that was a bit odd for Training
4 to be on there. But what I discovered is that the
5 cases involved actually four rookies, four folks that
6 had just left the academy in October and they were
7 paired with more seasoned individuals. And I thought
8 you might be interested in knowing the outcomes of
9 those cases with those particular individuals.

10 Again, all of them have October start dates
11 or assignment dates with their respective precincts.
12 And there are two administrative closures in that
13 number. One was unfounded, one case was unfounded and
14 one is pending investigation.

15 All right. Of those 97 cases filed in
16 October, they involved 189 allegations and the leading
17 areas of concern were as normal. Procedure and
18 demeanor were the top procedure at 35 percent, demeanor
19 at 23 percent, service at 15 percent and harassment at
20 7 percent.

21 93 cases were closed in October and they
22 involved allegations where the findings were as
23 follows: 35 percent were not sustained, 17 percent
24 were unfounded, 15 percent were exonerated and
25 11 percent were sustained. The leading areas of

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1 concern when those 93 cases that were closed are as
2 follows: Procedure, 36 percent; demeanor, 32 percent;
3 service at 11 percent; and force at 7 percent.

4 And that concludes my report.

5 THE CHAIRPERSON: Commissioners, question or
6 concerns?

7 COMM. BURTON: Question, Mr. Chair. Question
8 for Chief Investigator Drake. I'd like to take a look
9 at the complaints for the month of October for the 7th
10 precinct since we have issues with 7 and 12. The 7th
11 precinct is one of my precincts so I'd love to see
12 those cases for the month of October.

13 CHIEF INVESTIGATOR DRAKE: Okay. I can
14 provide you with a summary of those cases. Certainly,
15 sir.

16 COMM. BURTON: Thank you.

17 CHIEF INVESTIGATOR DRAKE: I'll be happy to
18 just kind keep in mind that bottom number. Usually
19 the -- we always look at the top four precincts and
20 that last group always changes so I wouldn't be too
21 concerned about it unless you saw a pattern. But I
22 will certainly provide you the information you
23 requested.

24 COMM. BURTON: Thank you.

25 CHIEF INVESTIGATOR DRAKE: You're welcome.

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1 THE CHAIRPERSON: Commissioners?

2 If not, I thank you for an outstanding
3 report --

4 CHIEF INVESTIGATOR DRAKE: You're welcome,
5 sir.

6 THE CHAIRPERSON: -- Chief Investigator
7 Drake --

8 CHIEF INVESTIGATOR DRAKE: Thank you, sir.

9 THE CHAIRPERSON: -- for reporting out and we
10 appreciate your work and work of the staff.

11 CHIEF INVESTIGATOR DRAKE: Thank you, sir.

12 THE CHAIRPERSON: The next item of business
13 would be --

14 CHIEF INVESTIGATOR DRAKE: I'm sorry, sir.
15 Again, indulge me. We also have one additional staff
16 person who just came in.

17 Senior Investigator Rosalia Magrigal, would
18 you please stand as well.

19 THE CHAIRPERSON: Yes.

20 CHIEF INVESTIGATOR DRAKE: Thank you.

21 THE CHAIRPERSON: Thank you, Deputy Chief. I
22 got your title right?

23 DEPUTY CHIEF FITZGERALD: Right.

24 THE CHAIRPERSON: Give me your name.

25 DEPUTY CHIEF FITZGERALD: Deputy Chief

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1 Charles Fitzgerald.

2 THE CHAIRPERSON: Okay. We got it. Sorry
3 about that.

4 DEPUTY CHIEF FITZGERALD: I'm going to be
5 brief. First and foremost, Chief sends his regards to
6 the Board. I'm going to report on that crime, like I
7 reported a few weeks ago.

8 Homicide seems to be our one number that
9 we're fighting this year. As of this morning, we have
10 271 criminal homicides, where at the same time last
11 year we had 249, which is about a nine percent
12 increase. Our nonfatal shootings are trending in the
13 right direction; this year we have 857, where last year
14 we had 932, which is a decrease of about 8 percent, 73
15 shootings over the same time period.

16 Our greatest instance is still the
17 carjackings; this year we had 303, last year we had
18 464. That's a 161 decrease, 35 percent, largely part
19 of our Green Light Initiative and the hard work of the
20 men and women.

21 Outside of crime, just a couple brief
22 announcements. Tomorrow morning we have a graduation
23 from our academy class coming out.

24 And, Director, please correct me if I'm wrong
25 because I'm going off of memory. It's at 10:30 a.m. at

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1 the Tabernacle Missionary Baptist Church, located at
2 2080 West Grand Boulevard.

3 And she left so I'm saying it's 10:30. Let's
4 go with 10:30.

5 One last item. Monday night we have the
6 fourth annual Above and Beyond at Cobo. It's
7 November 30th. There's a cocktail reception about
8 5:30.

9 THE CHAIRPERSON: Say that again now,
10 Fitzgerald.

11 DEPUTY CHIEF FITZGERALD: It's the Fourth
12 Annual Above and Beyond. The Public Safety Foundation
13 is hosting it at Cobo Arena or Cobo Hall.

14 THE CHAIRPERSON: Did we get an invitation to
15 that?

16 DEPUTY CHIEF FITZGERALD: I hope you did --
17 or I'm not sure that you did.

18 MR. BROWN: No, not yet.

19 THE CHAIRPERSON: Mr. Sanders?

20 COMM. SANDERS: No, Mr. Chair, we have not
21 received invitations. We have put in a request for
22 tickets, however, but we have not received an
23 invitation.

24 DEPUTY CHIEF FITZGERALD: I will check into
25 that with you.

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1 THE CHAIRPERSON: Okay. We appreciate that.
2 Because we want to be part of Above and Beyond.

3 DEPUTY CHIEF FITZGERALD: Absolutely,
4 celebrating the officers for the hard work they've
5 done. They've all gone above and beyond. I'm sorry.
6 It's Monday, on November 30th. The doors open around
7 5:30 at Cobo. I'm sorry. It helps to put to my
8 glasses on. Wednesday, November 30th. Excuse me.

9 THE CHAIRPERSON: Wednesday, November 30th.
10 Okay. And Mr. Hix would inform us of any other --

11 SECRETARY HIX: If we --

12 THE CHAIRPERSON: Okay, sir.

13 SECRETARY HIX: If we actually receive the
14 tickets, Mr. Chair, we will distribute them to the
15 Commissioners and try and do it in a way that maximizes
16 your attendance.

17 THE CHAIRPERSON: Okay. I appreciate that.
18 Since I'm having a problem with names and recognition,
19 could you introduce the Deputy Chief sitting over to my
20 left.

21 DEPUTY CHIEF FITZGERALD: Sure, I will.
22 Deputy Chief and Legal Advisor Cecilia Washington.

23 THE CHAIRPERSON: And you wanted to get a
24 clarification on that church?

25 DEPUTY CHIEF FITZGERALD: Director, 10:30

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1 tomorrow morning?

2 DIRECTOR OXENDINE: Yes.

3 THE CHAIRPERSON: Any other questions for
4 Deputy Chief Fitzgerald?

5 COMM. MOORE: Now, Deputy Chief, I sent an
6 e-mail out -- I don't know if you were privy to it --
7 to police officers shooting dogs in Detroit. I think
8 it was Reason Magazine. I'm not too familiar with that
9 magazine but there was an article in there regarding
10 police shootings as it relates to animals.

11 Do you have any feedback on that? Is there
12 an increase in it, the destruction of animal, Reports
13 DPD-669, an increase in those forms?

14 DEPUTY CHIEF FITZGERALD: I don't know. I
15 don't have an answer for you. I wasn't privy to the
16 e-mail or the article.

17 COMM. MOORE: Okay. Could you forward --

18 DEPUTY CHIEF FITZGERALD: Could you --

19 COMM. MOORE: The Chief has been briefed on
20 it as well as each Assistant Chief.

21 DEPUTY CHIEF FITZGERALD: Okay.

22 THE CHAIRPERSON: Any other comments or
23 questions?

24 COMM. MOORE: One other question. Officer of
25 Court of Programs, are they being canceled or do you

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1 know the status of those?

2 DEPUTY CHIEF FITZGERALD: No, they're still
3 going.

4 COMM. MOORE: We haven't had one in a while.

5 DEPUTY CHIEF FITZGERALD: Okay. I'll check
6 on that as well.

7 COMM. MOORE: Thank you.

8 THE CHAIRPERSON: Any further comments or
9 question for Deputy Chief?

10 If not, I'm going to ask Commissioner
11 Reginald Crawford from District 3 to introduce our
12 special guest this afternoon.

13 COMM. CRAWFORD: Yes, sir, Mr. Chair. It's
14 an honor to have in our presence the Wayne County
15 Prosecutor, Kym L. Worthy, who's here to speak on some
16 issues and give us an update on the -- on the rape kits
17 and also to -- to expound a little bit on the issue of
18 the Facebook postings.

19 PROSECUTOR WORTHY: Okay. Thank you very
20 much. It's my pleasure to be here. And, before I do
21 that, I just want to read, in part, a letter that we
22 sent to Captain Leann Miles of Homicide about one of
23 her officers that we think is probably one of the best
24 officers ever the Department's ever had, frankly.

25 And I want to just read portions to you about

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1 why we think it's very important for people to
2 understand why we commend this officer so much. I
3 don't know if the Chief has seen it. I know that it
4 went to Captain Miles and some others. Oh, it is
5 addressed to Chief.

6 "Dear Chief Craig, Commander Wilson and
7 Captain Miles, recently I met with my supervisor" --
8 this is the head of my Homicide, Cal Ushain (sp.) that
9 wrote this. "Recently I met with my Supervisor of the
10 Special Victims Unit and one of the subjects we
11 discussed is an invaluable and recent task work of
12 Sergeant Samuel Mackie of your Homicide Section and his
13 extraordinary dedication to the children of Detroit. A
14 suggestion" by me, "that I write this letter commending
15 Sergeant Mackie and detailing his invaluable
16 contributions. Please bear with me as this may be a
17 bit lengthy." I'm not going to read the whole thing.
18 "But this is only because Sam has done so much work for
19 kids over so many years, the members of our child abuse
20 unit and together we have been responsible for
21 submitting the sexual prosecutions.

22 The following, actually, will be just hitting
23 on a few highlights." And, again, I won't read them
24 all. "In 2013 Sergeant Mackie and I collaborated on
25 the prosecution of April Foster and David Harriston who

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1 was accused of mercilessly beating and torturing her
2 two young girls. Eventually, the 7-year-old was so
3 badly beaten that she could not move, got pneumonia and
4 died.

5 The child died in Flint. And, after the
6 police department failed to charge, it was discovered
7 that the beatings had occurred in Detroit, the tape
8 retained enabled Sergeant Mackie to figure out. As a
9 result of his hard work, we were able to charge and
10 convict both Foster and Harrison who are now serving
11 sentences for first degree murder. That was not an
12 easy case.

13 Sergeant Mackie proved to be equally
14 relentless and talented when we were called upon to
15 prosecute Samaria Green -- I think we all remember
16 that -- for inflicting one stab wound that killed her
17 young daughter. This was a murder that occurred in the
18 Martin Luther King Apartments. During that case, the
19 statement taken by Sergeant Mackie was the subject of
20 much litigation and, I mean, hours and hours and hours,
21 for the defense as they were determined to keep it from
22 the jury.

23 One day we watched the recording of the
24 statements with the late Dr. Charles Clark, who many of
25 us are aware he was a forensic psychologist that

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1 recently died. Dr. Clark was be probably the most
2 respected forensic psychiatrist in the state.
3 Dr. Clark had agreed to review the evidence and to
4 offer an opinion regarding the Defendant's mental state
5 and her competence to waive her Miranda Rights. Not
6 only --

7 (Cell phone ringing.)

8 PROSECUTOR WORTHY: Great, that's my
9 daughter.

10 Not only did Dr. Clark agree that the
11 Defendant was competent and her statement was voluntary
12 but he made a point to complement Sam in the way he
13 took a statement. Dr. Clark said to Sam, "You
14 certainly went into the right line of work" and said
15 that he was one of the best police officers he has ever
16 seen in his over 40-year career. He said the way he
17 took the statement was masterful. He modestly -- he
18 being Sam, Sergeant Mackie, modestly accepted the
19 complement and continued on with his work.

20 Samaria Green pled guilty to second degree
21 murder and was sentenced to 23 to 50 years in prison.

22 Just want to read one more paragraph, if I
23 can.

24 Sergeant Mackie's dedication to children has
25 proved invaluable when it comes to homicide cases with

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1 child witnesses. About two years ago, a five-year-old
2 girl witnessed the shotgun death of her mother and
3 three of her mother's friends. The child spent the
4 night in the home with the dead bodies. The little
5 girl said that the murders were committed by Kevin and
6 her brother. Sergeant Mackie developed rapport with
7 the child and was convinced that she could handle a
8 photo lineup and possibly identified the two suspects.
9 He had the foresight to present the six packs to her
10 and the kid talked about it on video. The little girl
11 quickly identified Kevin and Kevin's brother. And
12 Sam's instincts with children contributed to the
13 conviction of Shadell Love and Kevin Lewis and who are
14 now serving sentences for first and second degree
15 murder.

16 Again, I could go on and on and on. We sent
17 the Chief many, many examples of his extraordinary
18 work. This is an officer that goes above and beyond.
19 And she says later in the letter, she says that the
20 only thing he ever asked her is, "What else can I do?
21 What more can I do?" And I just think he's a shining
22 example and deserves all the accolades and many others
23 that we send his way on a daily basis.

24 THE CHAIRPERSON: Thank you. And, perhaps,
25 to the Board, you shared that with our board secretary.

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1 I think it's appropriate that we obtain a resolutions
2 for this young man, in terms of this type of
3 recognition. So we can interact with you afterwards.
4 I think we have the name and it's Homicide. I think we
5 can do a follow-up on that. And thank you for sharing
6 that with us.

7 PROSECUTOR WORTHY: Yeah, I've been around
8 and long time --

9 THE CHAIRPERSON: I know.

10 PROSECUTOR WORTHY: -- and worked with many,
11 many, many police officers.

12 THE CHAIRPERSON: Right.

13 PROSECUTOR WORTHY: And he just goes above
14 and beyond. I can't tell you how many cases he's
15 saved --

16 THE CHAIRPERSON: We appreciate that.

17 PROSECUTOR WORTHY: -- for people literally
18 getting away with murder. I want to just address the
19 two issues that you wanted me to address. I want to
20 first talk about the update on the rape kits. As you
21 know, there were 11,341 found in the Detroit Police
22 Department back in 2009. And I'm not going to give you
23 the long history in between but I wanted to let you
24 know where you were. We are now up to 65 convictions.
25 And 65 convictions is really a modest number because

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1 those are the Defendants. Those are the Defendants.

2 Many of them have many, many victims that
3 we've also convicted. So it's many more victims than
4 65 Defendants. I should also tell you that we still
5 have -- and I think all of you know that we had 400
6 that were tested through Project 400 that was paid for
7 by the Office of Violation Against Women. We had
8 another 1,600. The testing was paid for by the
9 National Institute of Justice, which is an arm of the
10 Department of Justice.

11 There is a theme, the Justice Department
12 under Barak Obama and former and current Attorney
13 Generals, Holder and Lynch, and the personal
14 involvement of Vice-president Biden has allowed us to
15 finance a lot of these.

16 We also, years later, though, received help
17 from the State who has granted \$4 million and another
18 8,000 were tested. And then more money is being raised
19 as we speak and we've continued to raise money through
20 public and private partnerships that has caused us to
21 be able to test many more.

22 Now there are only 700 that are left to be
23 tested and we hope that that's going to be completed
24 soon. Through all of that, we still have thousands and
25 thousands of cases that are waiting to be investigated.

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1 We have 2,616, I believe it is, CODIS hits and
2 associations. And so we continue to work on this each
3 and every day.

4 And we have over 770 identified serial
5 rapists. Now, when we got to over a hundred identified
6 serial rapists, I thought that was a lot. When we got
7 to 500, I was astounded. But now we're up over 770
8 identified serial rapists. That means that we have
9 more than one hit in the database for over 770. And
10 over 50 of them have ten to fifteen hits apiece. So
11 over 50 of the over 770 identified serial rapists, over
12 50 of them have ten to fifteen or more hits apiece. So
13 that doesn't even deal with the ones that only have one
14 hit. But these are the serial rapists.

15 What's even more astounding than that is
16 that, because of the work that we've done and because
17 of our partner, not only with the Detroit Police
18 Department -- I don't want to start naming names,
19 because I'll leave somebody out but I'll try. Detroit
20 Police Department; the Wayne County Safe, those are the
21 forensic nurses that perform the exams; the Michigan
22 State Police; the Michigan State University Researcher.
23 And, again, I'm blanking on the others right now. Oh,
24 the Joyful Heart Foundation, which Mariska Hargitay
25 from the Law & Order SVU Foundation and others, we

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1 worked in collaboration with them for years.

2 So we have now, through the testing that's
3 been done, we have hits to crime scenes in 39 other
4 states. And that means, with Michigan being the 40th
5 state, there are only ten states in the United States
6 that haven't been impacted by the rape kits that were
7 found back in August of 2009.

8 We have many, many jurisdictions that have
9 discovered this issue, some before, some after. Many
10 who have not done anything about it, which is very sad
11 because they're not being addressed to these victims.
12 These victims really have a double hit in that the
13 system failed them the first time. And now, if they're
14 not going to do anything about it, they're going to
15 fail them again.

16 So our goal is to make sure we bring justice
17 to as many survivors we can. And the other goal that
18 we had early on is to make sure this didn't happen
19 again. We have a protocol with the Detroit Police
20 Department now and every kit goes to lab to be tested.
21 We also wanted to make sure it didn't happen again, in
22 that there was legislation that everyone worked hard on
23 and the task that the governor signed last year, which
24 gives a time standard that must be performed when you
25 have a sexual assault kit that's been done.

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1 And, basically, this is statewide. It's not
2 just Detroit, it's statewide. So whenever a woman --
3 usually a woman -- even though we do have men and
4 children as some of our survivors, whenever a rape kit
5 is performed, the local jurisdiction, be it Detroit or
6 Wyandotte or Lansing or Ishpeming, wherever you may be
7 in the State of Michigan, that police station that has
8 jurisdiction, has 14 days to pick up that kit from the
9 safe nurses or hospitals in other jurisdictions. We
10 have the nurses here but some have to go to hospitals.

11 There's an additional 14 days that that local
12 police department has to get it to the lab to be
13 tested. That lab has three months or 90 days to test
14 that kit with a huge caveat that they have the
15 resources to do so. And then the kit, of course, must
16 be returned to local law enforcement. Whoever has the
17 jurisdiction across the state, it must be returned to
18 them for storage.

19 The other thing that we did to make sure,
20 hopefully, this never happen again certainly here or
21 anywhere, is that we said from the very beginning, if
22 you can track a rape -- if you can track a package that
23 you order online -- let's say you order from Amazon.com
24 or any online service, you certainly can track that
25 package after it's shipped to wherever you want it

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1 shipped to. If it hadn't gotten to you in the first --
2 the three days or five days or whatever day they have
3 assured, you can literally go online and see where that
4 package is.

5 So we figured, when we realized that, we
6 thought, we ought to be able to track a rape kit
7 through the criminal justice system much easier. So,
8 instead of trying to reinvent the wheel, we were put in
9 touch with UPS, who does logistics already. And so,
10 since February of last year, we know where -- or is it
11 this year? I think it's February of this year -- we
12 know where each and every kit is that's been done and
13 performed. Because whenever it's done at the forensic
14 nurses or hospitals in other jurisdictions, when the
15 police department picks it up whatever -- the pilot
16 program in Detroit is not costing the taxpayers
17 anything, it's funded by Dan Gilbert and Quicken Loans
18 and also by UPS. And so it's not costing the taxpayers
19 anything, it's a pilot program that we hope will go
20 statewide.

21 In any event, the Detroit Police Department
22 picks it up and they scan it with their scanners that
23 they've been given. When they take it to the lab, it's
24 scanned by Detroit Police and the lab. When Detroit
25 Police picks it up, it's scanned again. So we know

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1 exactly where these kits are that's been done, post the
2 finding of these kits. So everyone is committed to
3 this particular project from the Chief on down and we
4 have good partnership. And, even though it's a lot of
5 work, we haven't always agreed on how to get there but
6 we've always agreed that it's not about us, it's about
7 bringing justice to these women.

8 So that's where we are; 65 convictions, many
9 more victims than that, over 770 serial rapists with
10 links to crime scenes in other states. It's important
11 to note -- and I know everybody in this room knows it.
12 But it's important to note, if only for the record, if
13 everybody knows, everybody thinks that these CODIS hits
14 or these DNA hits are just to solve sexual assaults.
15 We all know that, once the database is populated, that
16 it helps law enforcement here in Detroit and across the
17 State and across this country solve other crimes,
18 whether it's homicide or carjackings or breaking and
19 entering or whatever, any array of crime it helps
20 solve.

21 So those crime scenes that I talked about
22 connected to other states, they weren't all sexual
23 assaults. Some were many other crimes as well. So it
24 helps law enforcement all over the country. So that's
25 where we are, kind of, in a nutshell. We started out

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1 with two in-house investigators. And it's important to
2 know, if you don't know, we have six Detroit Police
3 officers that are embedded in my office with the rest
4 of the -- I don't want to call it a taskforce -- but
5 the rest of the people that work on this case; that
6 includes prosecutors, advocates, clerical personnel, my
7 investigators, their investigators. And we work
8 collective as a unit.

9 The County gave us and is not charging us for
10 space in the Guardian Building. We are on one floor.
11 We are expanding, due to fundraising efforts and
12 grants. We are expanding to another floor. So we are
13 looking for and are hiring investigators because we
14 made a decision very early on, we only give each of our
15 investigators about eight to ten cases apiece.

16 We made a decision that we don't want to
17 contact the victim of the case where there's been a
18 hit. We don't want to contact them until we have an
19 investigator assigned. And we want that investigator
20 to be able to focus on these kits. These are all cold
21 cases. Sometimes the investigators who are wonderful
22 have success in one phone call, they can find the
23 victim. And these cases go back 35 years now. And
24 sometimes it takes a very protracted series of
25 investigation by talented investigators that we have.

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1 Let me end by saying that we are -- I'm
2 still -- she's in the lobby, one of our -- and I'm
3 blanking on her name and that's very, very bad. We
4 have a female investigator from Detroit that's recently
5 been promoted and we are being told that we are going
6 to lose her. We talked to the Chief about this. We
7 would like to keep her. She's one of our best. She's
8 dedicated to the work. And I wish I could think of her
9 name. I will look up her name and I will give it to
10 you before I leave.

11 So that's where we are. We had some shaky
12 moments at first with the right investigator assigned.
13 As you can imagine, not every investigator likes to
14 work on these kind of cases. And so we have a good
15 group now that are basically on -- I don't want to say
16 on loan because I consider us partners, that DPD is
17 footing the bill for them to be in our group. So I
18 wanted to mention that. I should have brought their
19 names so I could read them publicly. So that's where
20 we are with that.

21 With the Facebook cases, I'll say this:
22 There were some issues, many issues with the cases.
23 But the biggest issue that we had was jurisdiction.
24 The statute, that is a very vague and kind of vague and
25 overboard, if they can be at the same time, statute,

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1 the terrorism statute, that's a 20-year felony. It's
2 very, very difficult to charge under that statute.
3 But, certainly, if it doesn't have jurisdiction within
4 Wayne County, I have no jurisdiction and none of the
5 actors were inside the County at the time that this
6 occurred.

7 And we had many other issues that I'm not
8 going to mention now, but I don't want to poke the
9 beehive again. There have been some differences
10 between my office and the Department on that case.
11 But, basically, we cannot charge, we have no
12 jurisdiction. But there is a substantive issue with
13 that particular law that we've been working on now for
14 three years and we haven't been able to get any
15 movement.

16 For example, another way that we used that
17 particular statute is if a student calls in a bomb
18 threat, let's say they have a test that day. And this
19 has happened multiple times in the county, not just
20 Detroit, all over the county. A student calls in a
21 bomb threat, thinking that school is canceled if
22 there's a threat, they don't have to take a test that
23 day or for whatever reason. And only thing we can
24 charge that student with is a 20-year felony. And it's
25 even harder to do that under those circumstances and

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1 that's not right; there should be other avenues. So
2 that's just one other area where we use it.

3 So, again, the Facebook cases are very hard,
4 very protracted. People think that just because
5 there's a threat that it can be charged. It has to be
6 a threat under the auspices of the law. There has to
7 be proper investigation. There must be proper Miranda
8 and a proper things must be done. And I will continue,
9 on any case, not just these cases, on any case that we
10 cannot legally charge, we are not going to charge them.

11 The prosecutors are the gatekeepers to the
12 system and we can't just throw cases into the system
13 because we want to or because everyone's clamoring for
14 them to be there. So it doesn't matter if the universe
15 wants a case charged, if we can't prove that case, any
16 case, beyond a reasonable doubt, we cannot charge it.
17 I am not ever going to be in a position that some of my
18 colleagues are, and I will mention no names, that throw
19 a case into the system, even they know can't prove it.
20 But they don't have to face the political heat of
21 charging that case. That's not right, that's not fair
22 and it's not just. And we are never going to do it.

23 Obviously, sometimes things happen in cases
24 that we charge. We charge based on the information
25 that we have at the time. And sometimes we may find

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1 either the witness was falsely -- and this doesn't
2 happen very often but it happens. A witness is faulty,
3 a witness recants. And sometimes we even have to go in
4 and dismiss cases that we've charged with the utmost of
5 care.

6 So anytime you have a job like this or any of
7 my assistant prosecutors can sign an arrest warrant or
8 a search warrant or anything, the stroke of their pen
9 can substantially change people's lives. And, of
10 course, if you committed a crime, your life should be
11 changed. But, if something happens to the case and
12 something falls apart -- let's take a child molestation
13 case, that stigma, even if that person is never
14 convicted, is always there.

15 And so that's why we have the most, utmost of
16 care when we charge these cases. And, when we find out
17 we cannot continue a case -- the charge may have been
18 right. When we find out we cannot continue a case for
19 whatever reason, even if we believe that person is
20 guilty as sin but we cannot legally charge it, we will
21 dismiss it or either ask for more evidence or whatever
22 we need to do; that's the proper way to proceed.

23 When you have this job, you cannot look at
24 the way the wind is blowing and decide to give a charge
25 based on that. You have to charge based on the law.

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1 And that means if you're the mayor, if you're a police
2 officer, a civilian, an elected official, no one's
3 above the law. We got to try to do it the right way
4 every time. So we do the best that we can.

5 So I'm not going to expound on those cases
6 any more than that. Again, I don't want to poke the
7 beehive. But I just wanted you to understand that we
8 charge cases that we can prove beyond a reasonable
9 doubt. It's not if we think a person is guilty. It's
10 not probable cause. Probable cause is for arrest, it's
11 not for charging. And we have to do it properly and we
12 have to go by the evidence properly maintained.

13 I wanted to start with Sergeant Mackie
14 because I wanted to illustrate that, at the
15 prosecutor's office, we try to recognize when we see
16 exemplary work. We see good work every day by the
17 Detroit Police Department. We see some work that's not
18 so good in every profession. In my office, there are
19 mistakes that are made sometimes. And so we don't
20 claim to be perfect in any way, shape or form. But we
21 want you to know that we appreciate officers like
22 Sergeant Mackie and work that you've done, the
23 extraordinary work that he's done and we look forward
24 to appreciating the work of many more as well.

25 THE CHAIRPERSON: Thank you. And

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1 Commissioners, questions or concerns to the prosecutor?

2 COMM. MOORE: Yes, sir.

3 THE CHAIRPERSON: Commissioner.

4 COMM. MOORE: Thank you for your
5 presentation, Madam Prosecutor. Just a brief request.
6 You had mentioned a timeline, like 14 days that a
7 police agency has?

8 PROSECUTOR WORTHY: Yes.

9 COMM. MOORE: Is that an MOU, a memorandum
10 of --

11 PROSECUTOR WORTHY: No, it's State law.

12 COMM. MOORE: State law. Okay.

13 PROSECUTOR WORTHY: It was a legislation that
14 we had recently wrote. We had the benefit of other
15 states -- and not very many. We had the benefit of
16 other states in looking at legislation and actually
17 contacting either the Attorney Generals or the elected
18 prosecutor or DA in that particular jurisdiction. So
19 we had the benefit of looking the states like Colorado
20 and Illinois and some others that had these kinds of
21 acts.

22 We met extensively. We didn't just do this
23 on a whim. We met extensively with the statewide
24 police officers' organization as well as the statewide
25 sheriffs' organizations and other advocacy youth and

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1 everyone that had an interest in this issue that worked
2 with this issue. And we debated for quite a while,
3 mostly up in Lansing at Michigan State Police
4 Headquarters, about what we wanted. And it was not
5 perfect because there should be some accountability for
6 those police departments that don't report, post this
7 issue.

8 I think everybody's been educated. We are
9 not in the business of wanting to out people but we
10 just want police departments to know, and not just me,
11 everybody, that, when we have these issues, please let
12 us know, let's get them tested. We can be of
13 assistance, and, certainly, my office has been through
14 this for the last seven years, has a great degree of
15 expertise in what should be done and what shouldn't be
16 done according to the culture of that community.

17 So it's a State law. We -- and I'll tell you
18 what really did it. If you want to know what really
19 did it is we brought in -- Mariska Hargitay came in.
20 And we hosted -- and this was March of a couple of
21 years ago -- we hosted all of the legislatures for
22 breakfast and she spoke. The night before, we had a
23 fundraising operation where we invited many leaders, we
24 invited businessmen and women, we invited everybody who
25 helped with that project.

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1 But we had her speak at an early morning
2 breakfast. And, quite frankly, I attribute that but
3 this sailed through the legislature faster than
4 anything that I've ever seen sail through legislature.
5 And I've been doing this for a very long time, since an
6 assistant prosecutor back in -- I'm not going to say
7 because I have a birthday with a "0" coming up in a few
8 days. But for a very long, long time I've never seen
9 anything like it.

10 The Democrats, Republicans, Tea Partiers,
11 everybody, it didn't have any resistance. We made sure
12 we had the support of key figures. I didn't do the
13 lobbying in that. That was through a statewide
14 organization so I can't take credit for that. And we
15 also hoped, at some point, it's going to be a state
16 law, to answer your question.

17 COMM. MOORE: Okay. My second question,
18 Madam Prosecutor, was not specifically State Police but
19 as a whole, what issues do you have with law
20 enforcement cases that are presented to your office?

21 PROSECUTOR WORTHY: We have -- I don't know
22 if "issues" is the right word. We have -- and I'll
23 talk about the whole County, I'm not going to single
24 out any department.

25 COMM. MOORE: Right.

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1 PROSECUTOR WORTHY: Because it's certainly
2 not limited to Detroit or any other large city. And,
3 certainly, in any small city we have in the County, we
4 have similar issues. We have some issues with some
5 departments that we don't have with others. We have
6 serious issues with the quality of investigation. We
7 get accused all the time of not wanting to issue a
8 perfect case. No, it's not a perfect case. But we
9 have to prove each and every element beyond a
10 reasonable doubt. And any police officer in this
11 country, it's long been kind of the feeling -- and I
12 can understand it -- because investigators on the
13 street -- my point is why spend all this time
14 investing, putting your life at risk every day of the
15 week in investigating these cases and arresting the
16 perpetrators if you're not going to give us a good case
17 to prosecute? The person is going to be back on the
18 street and it's all for not. So then you put your life
19 at risk for nothing. So we need to make sure -- we get
20 accused of not wanting the perfect case. But we have
21 to prove each case beyond a reasonable doubt. As I
22 said before, we're not going to charge it if we can't
23 prove it.

24 It doesn't have to be a perfect case.
25 Nothing is perfect. We take some very, very hard cases

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1 to prove to trial every single day. But that's one of
2 the main problems is the quality of the investigation.
3 And we are trying to work some issues out.

4 Another big issue is we take a long time to
5 investigate police shootings and police misconduct and
6 we get accused of that, we take too long. Well, again,
7 our protocol on those cases -- and this is -- again,
8 this is County-wide. Our protocol on those cases is we
9 take the information that the police had given us, we
10 hope that and we encourage police departments, police
11 chiefs to -- and Detroit's very good about this. We
12 encourage police chiefs to make sure you bring an
13 independent investigatory agency if one of your own
14 officers is involved.

15 We use Michigan State Police who does a very
16 nice job on these cases. And it takes time. So,
17 basically, it's usually IA or something like that will
18 bring us information. We have a very good working
19 relationship with Detroit Internal Affairs. But then,
20 get the investigation from the independent agency, we
21 get the investigation and it might take two, three,
22 however long it takes them. And then, when we get it
23 back, we still reinterview everybody; the civilians,
24 the police officers involved. We look at the
25 investigations that the independent agency, usually the

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1 Michigan State Police has brought us, and we make a
2 decision from there.

3 And it's not unusual for these case to take
4 six to nine months. And so that -- I know it's hard on
5 the potential officer that may be charged, not knowing
6 what's going to happen. But, again, I am sure that
7 they want us to make a correct decision. And, if they
8 are going to be exonerated, I'm sure they want us to
9 make a correct decision. If they're going to be
10 charged, they certainly have the victim's family as
11 someone for to make a correct decision. And the public
12 expects us to make a thorough decision.

13 Sometimes, in these cases, the people are
14 going to like the result and sometimes they're not.
15 That's just the nature of the business.

16 COMM. MOORE: My third question, the Dearborn
17 police shooting --

18 PROSECUTOR WORTHY: We are going to make an
19 announcement on that shortly. Now, don't ask me how
20 long "shortly" is but certainly before the end of this
21 year.

22 COMM. MOORE: Okay. Thank you, ma'am.

23 PROSECUTOR WORTHY: There were major issues,
24 not having to do with the police departments, major
25 issues with other places in those cases that we had to

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1 look into them to make sure that we thoroughly looked
2 at that. And we'll make those clear. And you'll
3 understand perfectly when we make that clear exactly
4 why it took so long, especially one of them in
5 particular.

6 COMM. MOORE: Thank you.

7 COMM. VANN: Mr. Chair.

8 THE CHAIRPERSON: Yes, sir?

9 COMM. VANN: Let me, first of all, thank you,
10 Madam Prosecutor, for coming and sharing with us. I
11 know that you are a very, very busy person. And I've
12 always admired your passion for the law. And so thank
13 you so very much for coming.

14 PROSECUTOR WORTHY: You're welcome. Thank
15 you very much.

16 COMM. VANN: I wanted to ask you about the
17 rape kits. Again, as, of course, you know, I've been
18 involved on the fundraising --

19 PROSECUTOR WORTHY: Yes, you have.

20 COMM. VANN: -- very heavily with the rape
21 kits. And I know that there were 11,000 at first. I'm
22 trying to figure out where are we financially, in terms
23 of funding and or financing the rest of the kits that
24 you need to --

25 PROSECUTOR WORTHY: We have --

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1 COMM. VANN: -- process.

2 PROSECUTOR WORTHY: We're in the process, as
3 you -- and, yes, I must say, Bishop Vann and quite a
4 number of the African-American church members and
5 leaders have been very instrumental. And the first
6 ladies, maybe even more so, have been instrumental.
7 I've never seen anything like it, frankly; the people,
8 the level of involvement. And we received donations
9 from every state in the union for this project and from
10 12 foreign countries have made donations, anywhere from
11 five dollars to -- we have one donator and she has
12 given me permission to use her name, Gretchen Valade,
13 who is the CEO of Carhartt, has donated 100,000 per
14 year for five years. I recently had lunch with her and
15 picked up the third \$100,000 check, just last month.

16 COMM. VANN: How about that?

17 PROSECUTOR WORTHY: Business owners -- but
18 now I'm getting older and forgot your question.

19 COMM. VANN: Well, I knew there was \$600,000
20 in excess --

21 PROSECUTOR WORTHY: Yeah.

22 COMM. VANN: -- in the beginning and that's
23 what we've been working --

24 PROSECUTOR WORTHY: Okay.

25 COMM. VANN: -- to put a dent in. Where are

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1 we right now; what do you need to finish?

2 PROSECUTOR WORTHY: We need to finish testing
3 those kits, the 700 kits. And we do have, I think,
4 probably pretty close to all the money to test them.
5 But, then again, as I tell people all the time, it
6 doesn't do any good to test them all and do nothing
7 else, they must be investigated and prosecuted. An
8 investigation is where the real time is. Like I said
9 before, it can take a very short time to a very long
10 time to investigate each and every case.

11 And so, with this, we have been able to hire
12 more and more investigators. We started with two. We
13 have the six from the City of Detroit and now we have
14 over 20 because of the fundraising efforts of you and
15 many others.

16 And so we hired some prosecutors as well but,
17 in this process, more investigators. Investigators are
18 much more important because they're the ones with their
19 feet on the ground, as usual, and getting out there and
20 doing the work. Any police officer who may be
21 interested after they retire to come and work with us?

22 To the letter -- and we have some very
23 talented investigators, some from Detroit and some from
24 many of the other Wayne county jurisdictions, after
25 they retire come to work with us. We had one that came

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1 and left in that day because he said he didn't want to
2 work that hard. But we have -- that wasn't from
3 Detroit. But we have -- I'm not going to name the
4 city. But anyway --

5 But we have -- for the most part, they have
6 come to join us. They have, to the letter, saying that
7 this is the most rewarding work that they've ever done.
8 So we use it for a testing for hiring investigators.
9 We would like up to 35. We're now moving into another
10 space. We can hire more as we get more money in,
11 eventually more prosecutors to prosecute these cases.

12 And then it's important to note, as you know,
13 one of the things why there was a very unpopular
14 view -- I was pushing to have them all tested and
15 people were, "Why test the ones where there's already
16 convictions and have already been adjudicated? Why
17 test the ones that are beyond the statute of
18 limitations that you can't try anymore?"

19 Because, number one, it hasn't happened yet
20 but it's a possibility that the results of these kits
21 are going to exonerate someone who has already been
22 convicted. So that was very, very important to me that
23 that be done.

24 And secondly, basically, we can use some of
25 the evidence with very strict judicial review. We're

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1 very limited on how I can use it from cases where the
2 victim's cases are beyond the statute of limitation. A
3 serial rapist, for example, the same scheme, plan
4 identification, and that helps us prove the case, that
5 this particular person was the same person that did
6 this one that we can prosecute and this one we can't.

7 That's why it's important for all of the
8 cases to be tested. So now that's the national order.
9 But that wasn't at the time when we first started. So
10 we're projecting, Bishop Vann, three to five years
11 before we've completed this.

12 COMM. VANN: Thank you.

13 COMM. DEWAELSHE: Mr. Chair, if I may.

14 Thank you, again, very informative
15 information on this testing. I just have a real --
16 probably a simple question you may have answered. What
17 is -- is -- what is the definition of a tested kit?

18 Does that mean you have identified what the
19 DNA is and you're -- you have inventoried it? Does,
20 say, it have a numerical identification until you match
21 it?

22 PROSECUTOR WORTHY: Well, the process, as
23 best -- the best that I can explain it to you -- and I
24 hope I can do it justice because I'm not the forensic
25 scientist that's doing the work. But, basically, what

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1 happens is there's a kit that's taken, it's a four- to
2 ten-hour exam. The forensic nurse will examine and
3 pluck and pull and look at every orifice of a woman's
4 body, as well as all the skin, to see if they can get
5 any kind of evidence that will help identify the
6 perpetrator. So that means skin cells, it means semen,
7 it means anything, hairs, fibers, anything that have
8 been left on the victim.

9 We have convicted several in the past with
10 saliva where -- there's no children here -- where,
11 actually, the rapist licked the breasts of a woman and
12 the forensic was able to get enough DNA to make a
13 profile and to enter the code to see if there is a hit
14 that's already there.

15 So, by definition, there's two kinds of CODIS
16 hits. There's one that will say -- it's not like TV.
17 You may see a typical legal procedure and two
18 detectives go out to the scene of a homicide, they see
19 the body, five minutes later they'll run over to the
20 medical examiner's office. The medical examiner, who
21 doesn't, by the way, have anything to do with pulling
22 out the DNA. To medical examiner they'll say, "Is the
23 DNA ready?" It happened five minutes ago. And the
24 medical examiner will say, "Yes, it's ready."

25 That's what happens on TV. So they turn to

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1 the machine and they start frantically typing in the
2 machine. It's ready. Let me get the report for you.
3 And the name of the person will come up and a picture
4 of a person on TV will come up that the DNA is from.
5 We know that doesn't happen that way. That's
6 completely Hollywooded out.

7 So what happens is they try to get enough DNA
8 material from the rape kit to do -- to have a profile.
9 They won't always get enough DNA material to make a
10 profile. But, when they do, they will enter it into
11 CODIS to see if there's going be to enough to get a
12 hit.

13 There are two types of DNA hits. One is you
14 enter it into CODIS and it matches to a name. So we
15 know the name of the person because, obviously, their
16 profile is already in CODIS. There's another one
17 that's a little uncommon, it's called case-to-case
18 association. And that means, if there's a sexual
19 assault that happens in Detroit and the Detroit Police
20 collect a nightgown, which also has, you know,
21 potential DNA on it. And there's another sexual
22 assault that happens in Phoenix, Arizona and bed sheets
23 are collected. So profiles are done on both, they're
24 entered into CODIS and they match. So we know we have
25 the same person that left whatever, let's say, semen on

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1 the bed sheets in Arizona is the same person that left
2 the forensic material on the nightgown in Detroit. But
3 we don't know who it is, we just know that the evidence
4 matches each other. And that's also a hit, a
5 case-to-case association.

6 COMM. DEWAELSHE: Thank you. Thank you.

7 COMM. CRAWFORD: Mr. Chair.

8 THE CHAIRPERSON: Yes?

9 COMM. CRAWFORD: Yes, sir. Through the
10 Chair, thank you, Madam Prosecutor. I really
11 appreciate you coming here today. Your presentation
12 was great on the information. Of course, on your
13 Facebook posting, I wanted to thank you -- or your
14 office, really, and your media for the eight-page press
15 release, which in detail documents with the analysis
16 and conclusion of each particular case as to why you
17 didn't proceed.

18 PROSECUTOR WORTHY: Yeah, we did not take
19 that lightly. That was gut-wrenching. As a matter of
20 fact, one of the reasons why -- and that took a long
21 time for us to do, too. And one of the reasons it took
22 so long -- because I will admit that we were looking
23 for a way to charge. Normally, we don't look for a way
24 to charge. If we know we can't charge, then we don't
25 charge it. In this case, we were looking.

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1 And when I say "looking", I don't mean
2 manufacturing. What I mean is, we were looking at the
3 law, looking at the legality, trying to figure out if
4 there was a way that we could charge them legally. So
5 not manufacturing, I don't want anybody to say that.
6 We were looking for a way -- it's really a case of new
7 impression.

8 COMM. CRAWFORD: And I just wanted to add, I
9 e-mailed this to all the Commissioners back in August.

10 PROSECUTOR WORTHY: Okay.

11 COMM. CRAWFORD: So everyone would have the
12 information. And, in terms of charging, I worked in
13 the State for five years, the State of Georgia, and on
14 the -- the law is there that you can charge one with
15 terrorism.

16 PROSECUTOR WORTHY: Yep.

17 COMM. CRAWFORD: And that was back in the
18 '80s, the early '80s.

19 PROSECUTOR WORTHY: Other state laws are
20 different.

21 COMM. CRAWFORD: Yes, ma'am. California.

22 PROSECUTOR WORTHY: California, Georgia.

23 COMM. CRAWFORD: California are the same and
24 I do understand there's some difficulty here in the
25 State of Michigan.

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1 PROSECUTOR WORTHY: That's why we've been
2 trying for three years to change this law.

3 COMM. CRAWFORD: Yes, ma'am.

4 PROSECUTOR WORTHY: And we've been
5 unsuccessful so far.

6 COMM. CRAWFORD: And my concern, as a
7 commissioner and departmentally, with the Detroit
8 Police Department is we just came out of the consent
9 decree. Eleven years we had a consent decree that cost
10 us well over \$10 million. And, in reading this and
11 also just a concern of those, I guess one might say
12 may -- may allegedly violate policy, violate one's
13 Constitutional Rights by not doing what they need to
14 do, in terms of bringing forth these cases and the
15 investigation, et cetera. Is it -- my concern was --
16 and I expressed this to the other Commissioners -- that
17 we not go back. That, for anything to take us back
18 into what we just got out of almost two years ago, a
19 year and a half ago, another consent decree. So -- and
20 that's why I was concerned when I looked at this.

21 PROSECUTOR WORTHY: Yeah, we really, really
22 try to get it right. They were not -- certainly the
23 criminal -- you know, I believe the American system of
24 justice is the most perfect imperfect system that there
25 is in the world. And the reason why it's an imperfect

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1 system is because human beings are flawed and human
2 beings are not perfect; and that's what makes the
3 system imperfect.

4 And so we really try to do our best with
5 these cases. And it's not like we hold certain cases
6 more important than others. But there are certain
7 cases that either there's not a lot of law on or the
8 law is flawed or many other reasons why sometimes it
9 just takes longer.

10 COMM. CRAWFORD: Yes, ma'am. And I just have
11 one other question, too. Has the DPOA President,
12 Mark Diaz, reached out to you or your office in
13 reference to this particular issue of the -- the
14 Facebook postings?

15 I read the comments in the media and I just
16 wanted to know if there was any kind of communication
17 prior to this --

18 PROSECUTOR WORTHY: No, he's not going to
19 talk.

20 COMM. CRAWFORD: -- or after?

21 PROSECUTOR WORTHY: No.

22 COMM. CRAWFORD: Okay.

23 PROSECUTOR WORTHY: No, and I don't suspect
24 there to be. But I will say that we reached out to the
25 statewide organization. We reached out to other police

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1 organizations in the state that we deal with on a
2 regular basis and explained to them what our decision
3 was. And let me tell you, no one really had any issue.
4 Once they read the press release, no one had an issue,
5 they understood it. So we did reach out to other
6 police organizations across the state.

7 COMM. CRAWFORD: Yes, ma'am. Okay. Thank
8 you.

9 PROSECUTOR WORTHY: We reached out to them.

10 COMM. CRAWFORD: Also, to -- and I do
11 understand it's a very difficult issue because of free
12 speech. And, you know, there's a difference between
13 free speech and what I call hate speech. And then
14 there's, you know, threats, you know, where one wants
15 to do harm, not only against police officers but also
16 citizens, threatening other citizens' lives, too.

17 PROSECUTOR WORTHY: That's one of the reasons
18 why one of the difficulties in this law is we have to
19 prove that it's a real threat and is this a real threat
20 the way a laypersons may think. It may be the most
21 horrendous of things that come out of someone's
22 mouth --

23 COMM. CRAWFORD: Yes, ma'am.

24 PROSECUTOR WORTHY: -- about anybody, not
25 just police officers. But, if we don't meet the

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1 standards of the law, we can't charge it, no matter if
2 we want to charge it or not. And again, there are some
3 people that will charge cases without really thinking
4 about what the magnitude is. And I just don't think --
5 and I never want to be a part of knowingly violating
6 our oath and violating what we're supposed to do.
7 Prosecutors have such an important role in the criminal
8 justice system and no case gets tried unless a
9 prosecutor puts it into the system.

10 COMM. CRAWFORD: Yes, ma'am.

11 PROSECUTOR WORTHY: And so we try our level
12 best not to. And, you know, sometimes we push our
13 police officers or our own people to just bring us the
14 information and gets it right, we ask for something
15 that we need. And most officers are great about this,
16 Detroit included, everybody, most officers. Some
17 officers aren't -- everybody in the county -- and get
18 frustrated with the things that we ask them to do. And
19 they may think -- I didn't finish with this earlier:

20 A lot of police officers think, and this is
21 Title Memorial across the country, that once an
22 arrest's made, the case is closed. But no, it's not.
23 It's still alive. And, again, we want your work to be
24 through to fruition. So, for a lawyer or for a
25 prosecutor to look at that, the case is not closed

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1 until a jury comes back or the judge comes back one way
2 or the other and the case is charged. And so we don't
3 have all the information, the best information we can
4 have at the time. We're not looking for perfection,
5 we're just looking for good police work.

6 COMM. CRAWFORD: Yes, ma'am. I know you may
7 recall a day when yourself and Lieutenant Lawrence and
8 organizations came to you as a judge.

9 PROSECUTOR WORTHY: Yes.

10 COMM. CRAWFORD: And we talked about this
11 very issue, about police officers and the case
12 preparation, the demeanor, courtroom appearance, et
13 cetera. And I want to thank you again because you put
14 together a panel of prosecutor, judges -- Judge Kenny
15 was one of them -- defense attorneys, I believe it was
16 Jeff Addison, and so many others who participated in
17 that workshop that we did, I think, several times
18 annually.

19 PROSECUTOR WORTHY: And we also --

20 COMM. CRAWFORD: Just because that was our
21 concern as officers, you know, from working the street
22 and working various units in the Detroit Police
23 Department, that we do things correctly and properly
24 and -- and understand.

25 PROSECUTOR WORTHY: And we always -- and I

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1 think every police Chief in the county of Wayne knows
2 this:

3 We always are willing to train free of
4 charge. We have trained on what we look for legally in
5 confessions. We have trained on proper technique. And
6 I know this is done in the police academy. But this is
7 from a prosecutorial perspective about what we need to
8 be successful in court. We offer that training at any
9 time free of charge.

10 COMM. CRAWFORD: Yes, ma'am. Thank you very
11 much.

12 COMM. MOORE: Through the Chair, are you
13 currently in the police academy helping the Detroit
14 Police?

15 PROSECUTOR WORTHY: Well, we have assistants
16 that are called over. I don't know how often but we
17 have one person, Emily Wolf, and it's her job to do
18 that. She does training on domestic violence. She
19 does training on child abuse. She does training on any
20 issue -- or puts together training on any issues that
21 any department should want.

22 We're in the process now of putting together
23 training on the body cameras and the legal issues that
24 are entailed with that. We're in the process of
25 putting together some training for -- again, we have

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1 constant issues -- not just Detroit, again, let me just
2 say. Let me just say that I'm talking about all
3 officers, I'm not just talking about Detroit. We are
4 putting together -- we've seen many, many problems on
5 dealing with the media and things that can or cannot be
6 said because the prosecutor's responsible. It's in our
7 ethical rules, Rule 3.6, it is our duty, it is our
8 duty, and we failed at our duty if we don't do it, to
9 advise police officers, mostly police chiefs, on what
10 they can and cannot say.

11 Sometimes, what a police chief may
12 unwittingly say can take a case from the very
13 beginning. And so it's our job and most chiefs don't
14 like that. They don't like me coming in and saying,
15 you know, "This is what you said. This is why you
16 can't say it. Please don't do it again."

17 COMM. MOORE: What's that law again?

18 PROSECUTOR WORTHY: It's one of our ethical
19 rules, prosecutorial ethical rule.

20 COMM. MOORE: Oh, okay.

21 PROSECUTOR WORTHY: 3.6 and I can give you
22 the text on that if you would like.

23 COMM. MOORE: Okay. Thank you.

24 PROSECUTOR WORTHY: And we sent out a letter
25 about -- whenever a new chief comes, we sent out a

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1 lengthy letter that my Director of Communication wrote.
2 She gives -- she provides only about five or ten
3 examples on how cases can go wrong. We don't name any
4 departments. We don't name a police chief. We just
5 name the facts of the case without identifying what the
6 case is. And we don't put enough facts in there so
7 that people can figure out what the case is. We deal
8 with the legal issues.

9 And these cases are cases where, literally,
10 either we weren't able to charge on what was said or
11 left the defendants free, and that really happens. Or
12 evidence we couldn't use, eventually, because of what
13 was said or it causes a great difficulty in picking the
14 jury in those cases.

15 And it's my view that -- I'm the Wayne County
16 Prosecutor. It's my view that the cases that happen
17 here should be tried in Wayne County and I'm not
18 looking to have them go anyplace else. So -- but
19 police chiefs in the universe don't like that. But
20 that's part of my duty. I didn't make that rule up,
21 that's the rule.

22 So there are issues that we train. We train
23 on that issue. We had a big training in Canton a
24 couple years ago where we invited all the police
25 chiefs, we probably had 75 percent compliance, and we

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1 literally had a training with the police chief and
2 designee about media issues. And it's not just
3 statements, there are many kind of issues. Of course
4 the rules change when you're looking for perpetrators
5 or trying to identify people that are extremely armed
6 and dangerous.

7 You can't state a person's record, for an
8 example; that's a big one. You can't say they've been
9 convicted five times. You can't un-ring that bell once
10 it's out there. So things like that that happen.
11 They're, for the most part, innocent.

12 THE CHAIRPERSON: Commissioners have any
13 other comments or a question for the Madam Prosecutor?

14 If not, I just want to thank you for your
15 body of work and your quality of work. And we are very
16 fortunate to have you. My experience go back with you
17 with the Malice Green case. I was working precinct
18 narcotics and had an opportunity to see the particle,
19 the particle that came in that night. And I had an
20 interview with you. And I had a closed viewpoint of
21 that case. And I just want to commend you over the
22 years that you have an outstanding career. And I think
23 I speak for this Board, in terms of appreciating you
24 and your ongoing. May God continue to bless you in
25 your endeavors. And I'm very fortunate I live in Wayne

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1 County that you are the prosecutor.

2 PROSECUTOR WORTHY: Thank you.

3 THE CHAIRPERSON: And thank you.

4 PROSECUTOR WORTHY: Thank you very much.

5 COMM. SANDERS: Thank you.

6 COMM. DEWAELSHE: Mr. Chair, could I just --

7 THE CHAIRPERSON: Yes, ma'am?

8 COMM. DEWAELSHE2: -- introduce somebody?

9 We have Rico Razo here, who is with the
10 Mayor's office. And I just wanted to introduce him,
11 District 6. Thank you.

12 THE CHAIRPERSON: He is the young man with
13 the bow tie that was so shiny when he was the MC.

14 COMM. DEWAELSHE: The MC.

15 THE CHAIRPERSON: He did an outstanding job
16 and I know he's outstanding in terms of his community
17 endeavors.

18 So appreciate you, young man.

19 MR. RAZO: Thank you.

20 THE CHAIRPERSON: And we have another
21 representative from DPD. And that is June? Are you
22 still in Labor Relation?

23 UNIDENTIFIED WOMAN: Thank you.

24 THE CHAIRPERSON: Thank you for coming out.

25 And the Lieutenant, thank you for your

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1 attendance. I can't think of your name.

2 LIEUTENANT JOHNSON: Johnson.

3 THE CHAIRPERSON: Johnson. Appreciate it.

4 So, as we move forward, the next item of business would
5 be any other standing committee reports, if not, ad hoc
6 committee reports.

7 Madam Brooks?

8 COMM. BROOKS: Yes. We are recruiting as
9 hard as we can. Graduation is tomorrow. But we did
10 not reach that 40 goal but we're working hard. Our
11 last committee meeting, Commissioner Dewaelshé and I
12 met with Lieutenant Gardner and Sergeant Star Gonzales
13 to discuss how we can really get out here and recruit
14 people.

15 And we found out, at Cody High School, at the
16 Police Cadet Academy, that young people can't get their
17 driver's license. You need your license. So we sat
18 around and we talked about what could we do. And
19 Lieutenant Gardener -- I said, "Let's put a project
20 together" and Lieutenant Gardener came up, as usual,
21 with the best thing we could use for a proposal. And
22 it's called Drive to Success.

23 And Lieutenant Gonzales -- or Sergeant
24 Gonzales and I met with the principal at Cody and the
25 Assistant Principal and one of their partners from

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1 United Way and we learned everything we needed to know
2 about how to go about and put this into effect.

3 Well, it's already moving. I have already
4 met with four funders. I'm asking for two- to
5 four-year commitments. Drivers training cost \$280 per
6 student, multiply that by 30 students, the cost is
7 8,400. And so, when you put -- a lot of times, when
8 you're funding, you're asking for a ton of money.
9 Well, \$8,400 is not considered a lot of money.

10 So it's taking off. We feel good about it.
11 And, from our last meeting, community meeting last
12 week, I talked with and I have to get his -- Minister
13 A. Reginald Best, the minister of the church, he has
14 asked us to come back and discuss with him so that he
15 can recruit. And Lieutenant Gardener and I have a
16 meeting with him coming up. So we feel very good about
17 that.

18 December the 5th is recruiting day, Michigan
19 Avenue One Stop in southwest; December the 13th,
20 Samaritan Center One Stop on the east side; December
21 the 15th, Northwest Activities One Stop. And those are
22 going to happen. And we're also looking to recruit in
23 other areas. So I'm still asking you all again, if you
24 know of any church, any community organizations, any
25 place where we could do recruiting, we really would

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1 appreciate it.

2 The Bing Group was a success. I understand
3 that -- I think I wrote all of these down, that these
4 young people, the students that came. The Bing Group,
5 they had a chance to look at the helicopter. The
6 canine dogs were there, the bomb squad, traffic
7 enforcement, air support and SRT. And I had no idea
8 what SRT was but I found out. That's the Special
9 Response Team.

10 I understand that the young people were just
11 the greatest and they really enjoyed it. And one of
12 the officers has asked to be a mentor in their program.
13 So, you see, we're all working together for the better
14 of the good. So I'm going to let Commissioner
15 Dewaelshe talk about the -- my Brothers Keeper.

16 COMM. DEWAELSHE: So -- yes, Monday, My
17 Brother's Keeper, Sir Metro is on the steering
18 committee and we worked with the coalition of groups
19 and churches, et cetera, that put the project together
20 for Cobo Hall, along with My Brother's Keeper alliance,
21 which is a national organization, and got us altogether
22 and actually funded the project with a lot of support.

23 But it is a project that brings young men of
24 color to the setting where there are going to be
25 opportunities for employment. It's not just a career

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1 fair or a job fair, it's a -- a summit that brings in
2 employers that actually have jobs and are ready to hire
3 people on the spot.

4 But the idea is that the individuals or the
5 youth that are being referred are going to have some
6 kind of pre-training, workforce readiness training.
7 And so Sarah was able to train about 400 kids to go but
8 there were 1,400 young men of color that went to this
9 event. And it was so wonderful.

10 In fact, they've been doing this nationally
11 around the country and they actually just had a summit
12 in Oakland, California. And they said Detroit's was
13 much bigger and better, and better organized and a lot
14 more partners were involved. So there were 1,400
15 people that attended, there were 40 employers and our
16 recruiting officers, Sergeant Gonzales was there along
17 with DPT recruiting.

18 And I'm sorry that I don't have the numbers.
19 I thought I was going to see her today, in terms of how
20 many interest cards they got. But young people were
21 being hired on the spot so it was really great. And
22 this is a part of the Mayor's initiative as well. And
23 the Mayor wanted 400 young men of color to be hired on
24 the spot. So, hopefully, they reached that goal.

25 And that's -- that's my report.

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1 COMM. BROOKS: Okay. And the Police Chief
2 was there also.

3 COMM. DEWAELSHE: Everybody, yeah, from the
4 department was there, yes.

5 COMM. BROOKS: Okay. Just one more. Cody is
6 the school that he have the police cadet. I feel that
7 we should have that in every school. If we could have
8 ROTC, the people can go off to war, we can have a
9 police cadet in every school. So I'm -- we're working
10 hard to see if we can do that. This is our only
11 school. I -- we have Osborn?

12 LIEUTENANT JOHNSON: Osborn, yes.

13 COMM. BROOKS: Would you please tell us how
14 many? Thank you.

15 LIEUTENANT JOHNSON: Yes, ma'am, it's going
16 to be -- we have another school already, University
17 Prep --

18 COMM. BROOKS: That's right.

19 LIEUTENANT JOHNSON: -- is the other Magna
20 school. And we are working with expanding the program.

21 COMM. BROOKS: Okay. Thank you.

22 LIEUTENANT JOHNSON: So we don't have any
23 other additional ones right now. But we are working to
24 expand the program.

25 COMM. BROOKS: Thank you very much.

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1 Thank you. That completes my report.

2 COMM. VANN: Mr. Chair.

3 THE CHAIRPERSON: Yes?

4 COMM. VANN: I'd just like to -- what a
5 glowing report from Commissioner Brooks. And I have a
6 date as well coming up for recruitment at my church, at
7 Second Ebenezer, on December 10th. That's the day that
8 I'm giving out 6,000 coats to the community. And I had
9 already arranged with Director Oxendine but maybe you
10 were not aware of it so please add me to your list.

11 COMM. BROOKS: Thank you. Thank you very
12 much.

13 THE CHAIRPERSON: Commissioner Moore?

14 COMM. MOORE: Yes, sir. I don't want to let
15 the cat out of the bag but on December 13th there's
16 going to be a special presentation at the 4th Precinct
17 regarding the Detroit Police Department Recruiting
18 Unit. I'll advise commissioners off line what that is.
19 I don't want to ruin the surprise.

20 COMM. BROOKS: What day is that?

21 COMM. MOORE: That should be a Tuesday.

22 THE CHAIRPERSON: A community meeting, right?

23 COMM. MOORE: A community meeting.

24 COMM. DEWAELSHE: Is that in the evening?

25 COMM. MOORE: Yes.

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1 COMM. DEWAELSHE: I thought he said
2 December 14th.

3 COMM. MOORE: 13th.

4 THE CHAIRPERSON: Committee meeting is
5 December the 8th but we'll get the date straight.

6 COMM. MOORE: Not one of our community
7 meetings, it's a community meeting in southwest
8 Detroit.

9 THE CHAIRPERSON: Okay.

10 COMM. BROOKS: I'm doing very well with
11 funders. I'm not going to call their names out but
12 they are really -- they really, really want to help and
13 they think that this is a wonderful thing to do. So I
14 will speak of one. I met with Keith Mobley from AAA.
15 And AAA has their own drivers ed. But they do give out
16 scholarships each year to schools and DPS. So he's
17 making sure that I get X amount of those scholarships
18 for drivers ed. And he said it was okay if I said it.
19 So thank you.

20 COMM. MOORE: Just a point of clarification.
21 That's Tuesday, December 13th. Tuesday, December 13th.

22 THE CHAIRPERSON: Okay. I just want to thank
23 you and Commissioner Brooks and Commissioner Dewaelshe
24 for outstanding, as Commissioner Vann said, glowing
25 visionary work in the area of recruiting. Because we

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1 get those numbers from the Director of Personnel and we
2 talked about it six months ago. And you have taken
3 this committee to beyond my expectation, our
4 expectation, in terms of dealing with a hard-core issue
5 in terms of recruiting. Recruiting's always been
6 extremely difficult. Now, we're competing nationally
7 and with full officers.

8 So I just want to thank you and I can't say
9 thank you enough for that type of reporting and that
10 type of commitment. That's why you're here and we
11 appreciate --

12 COMM. BROOKS: Thank you.

13 THE CHAIRPERSON: -- you in terms of she
14 carry a big stick and I just love her. And
15 Commissioner or Co-chair, you guys are doing a great
16 job.

17 COMM. DEWAELESHE: Thank you.

18 THE CHAIRPERSON: So we just have to live up
19 to your expectation, in terms of helping out, in terms
20 of recruiting. Commissioner Vann is stepping up. And
21 anything we could do in our respective areas, a church,
22 our community, we really need to really toot that horn
23 because we should be the personnel that understand what
24 it -- what the department's all about. And it's an
25 easy sell once you convey that to people. And thank

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1 you. Enough.

2 So -- any other committee reports?

3 COMM. DEWAELSHE: Yes, Mr. Chair.

4 THE CHAIRPERSON: Yes?

5 COMM. DEWAELSHE: I have a report of the
6 Personnel and Training Committee.

7 THE CHAIRPERSON: Yes, ma'am.

8 COMM. DEWAELSHE: The Board Personnel and
9 Training Committee have reviewed eight DPD disqualified
10 applicant appeals.

11 THE CHAIRPERSON: Yes?

12 COMM. DEWAELSHE: And the appeals were
13 referred to the committee. The subcommittee has
14 reviewed each appeal and the recommendation is to
15 sustain seven of the findings that the Department had
16 and to grant one appeal. And a list of these appeals
17 are filed with this report. And staff is directed to
18 communicate by certified letter the results of the work
19 of the Board of Appeals. And the Board are to be held
20 by the Committee of the whole and in closed session --
21 those appeals, I mean, are to be held by the Board and
22 a Committee of the whole.

23 Therefore, staff is directed to contact
24 applicants who have been granted appeals and arrange a
25 date and time and location. And staff is also directed

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1 to contact the appropriate staff within the department
2 with information on the appeal. So the information
3 surrounding the appeal can be directly shared with
4 commissioners at the time of the appeal. Thank you.

5 THE CHAIRPERSON: Thank you.

6 COMM. DEWAELSHE: Oh, Mr. Chair, I need a
7 motion to accept.

8 COMM. VANN: Mr. Chair, I so move.

9 COMM. MOORE: Support.

10 THE CHAIRPERSON: It's been properly moved
11 and supported to receive the Personnel Committee report
12 and I would like to also entertain a -- well, we'll do
13 one at a time. It's been properly moved and seconded.
14 For the question, those in favor, "aye".

15 BOARD MEMBERS: Aye.

16 THE CHAIRPERSON: Those opposed?
17 Motion carries.

18 COMM. DEWAELSHE: Thank you.

19 THE CHAIRPERSON: The next would be to
20 entertain a recruitment report, to receive that report.

21 COMM. MOORE: So move.

22 COMM. VANN: Support.

23 THE CHAIRPERSON: It's been properly moved
24 and supported. Discussion?

25 Those in favor, "aye".

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1 BOARD MEMBERS: Aye.

2 THE CHAIRPERSON: Those opposed?

3 Motion carries.

4 Thank you and I'm glad that you're working
5 that out. That was somewhat longstanding in terms of
6 old business, so we appreciate the work of staff and
7 the personal commitment.

8 COMM. DEWAELSHE: Thank you.

9 COMM. BROOKS: Mr. Chair?

10 THE CHAIRPERSON: Yes, ma'am.

11 COMM. BROOKS: I do want to repeat something
12 that has been told to me, that police -- the Police
13 Chief was at the Bing Group and he spoke, and he spoke
14 and the young people eyes got bigger and bigger. They
15 was just so -- it was just a wonderful event to have
16 these young people listen to the Police Chief who was
17 only supposed to speak so long.

18 THE CHAIRPERSON: What chief are you talking
19 about?

20 COMM. BROOKS: Our police chief.

21 THE CHAIRPERSON: Chief Craig?

22 COMM. BROOKS: Chief Craig.

23 THE CHAIRPERSON: Okay.

24 COMM. BROOKS: And I just wanted to say that
25 the feedback I'm getting if Bob Warfield and all the

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1 others that work with them is just that they are so
2 pleased and they feel that we have the best Police
3 Chief in the United States. So I just want to let you
4 all know that. And also Commander Fountain, who was
5 the second speaker.

6 THE CHAIRPERSON: We're promoting him, too.
7 I'm not the only one promoting people.

8 COMM. BROOKS: They were very good at
9 explaining to the young people what do you do when
10 you're approached by police? What's your career?
11 Where are you and what are you going to be? So I can't
12 leave that off.

13 THE CHAIRPERSON: Thank you for sharing that.
14 And I'm glad to hear the accolades from the Chief. And
15 is that Sergeant --

16 COMM. SANDERS: In the back.

17 THE CHAIRPERSON: No, I mean the name. You
18 just mentioned --

19 DEPUTY CHIEF FITZGERALD: Investigator.

20 THE CHAIRPERSON: Investigator Fitzgerald.

21 COMM. BROOKS: Investigator.

22 THE CHAIRPERSON: He's all right now. As
23 long as it's not in his check, he's okay. Because he
24 would be out of budget, wouldn't he? Thank you. Thank
25 you. Thank you. Mr. -- I'm sorry.

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1 Mr. Hix.

2 SECRETARY HIX: Yes, Mr. Chair. Thank you.

3 I really don't have a report. A lot of the work in
4 which we do, you see them coming up through the
5 committee reports. I would like to indicate, on the
6 agenda, there is a notation that our offices will be
7 closed from November 21st through the 25th. And that
8 is the case. But staff will be around in order to
9 receive, on the 22nd, the budget for the -- because I
10 don't want the impression to be left flowing from this
11 meeting that, because our offices were closed, that we
12 will not be available in order to receive the budget on
13 the 22nd. That is the date in which we're expecting to
14 receive the budget.

15 THE CHAIRPERSON: Thank you. Appreciate that
16 commitment.

17 COMM. MOORE: Through the Chair, just a quick
18 question.

19 THE CHAIRPERSON: Yes, sir?

20 COMM. MOORE: So in the case of, I guess, an
21 urgent complaint, how would a citizen file a complaint,
22 they wouldn't or --

23 THE CHAIRPERSON: Online, 24 hours.

24 COMM. MOORE: Online?

25 THE CHAIRPERSON: Always 24 hours.

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1 CHIEF INVESTIGATOR DRAKE: They're still
2 working.

3 COMM. MOORE: Okay. That's what I needed to
4 hear, that you're still working.

5 THE CHAIRPERSON: It's never shut down.

6 COMM. MOORE: Right.

7 THE CHAIRPERSON: It's always easy through
8 the department, you know, it's always there. I know
9 that I used to work in that area.

10 COMM. MOORE: Right.

11 SECRETARY HIX: Mr. Chair, I think a little
12 bit of expansion on that, even though the notation in
13 the agenda --

14 THE CHAIRPERSON: Yes.

15 SECRETARY HIX: -- indicates the office is
16 closed, given the work that we do --

17 THE CHAIRPERSON: Yes, sir?

18 SECRETARY HIX: -- we are oftentimes in the
19 office outside of the normally posted hours of the
20 organization. And that is the case with OCI as well as
21 the case with the balance of the organization. But we
22 did want the public to know --

23 THE CHAIRPERSON: Right.

24 SECRETARY HIX: -- that we will be there in
25 the case of a budget, which is essential to us. And in

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1 the case of OCI, they still will have a very similar
2 process to in-taking cases, exact process in taking in
3 cases that they don't normally have.

4 THE CHAIRPERSON: Thank you for sharing that
5 information. Thank you for due diligence. You know,
6 that's great.

7 Any other announcement before I move on to
8 the next meeting will be -- we'll not be here next
9 week. We all know that, right? But the building's
10 open 24 -- I mean, the building will be open but we'll
11 not be here, I guess. Is that right, the building is?

12 No, the building is shut down, it's closed,
13 too, so you have to have access to the building. Thank
14 you. I'm thinking about the old 1300; that's not the
15 case here.

16 On Thursday, December the 1st, 2016, at
17 3:00 p.m. will be our next meeting, that's December the
18 1st. Our next community meeting will be on December
19 the 8th, 2016, 6:00 p.m. in the second precinct,
20 location forthcoming. Those are the two major
21 announcements, as far as our meetings.

22 To our friends from neighborhoods -- no, it's
23 business manager. Do you have any remarks you want to
24 chair with us?

25 UNIDENTIFIED MALE: I don't.

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1 THE CHAIRPERSON: Very good.

2 UNIDENTIFIED MALE: It will be back in the
3 saddle after I leave.

4 THE CHAIRPERSON: At this time, it will be
5 oral communication from the audience. Please give your
6 name and limit your comments to two minutes. We ask
7 that you be respectful of the Board because we respect
8 you to have this time allotted to you. Thank you.

9 DEPUTY CHIEF FITZGERALD: Mr. Chair, if I
10 may.

11 THE CHAIRPERSON: Yes, sir?

12 DEPUTY CHIEF FITZGERALD: I spoke earlier
13 about the Above and Beyond ceremony. And through the
14 power of influence of Deputy Chief Washington, within
15 minutes she had tickets for the entire Commission. So
16 I'll give them to Secretary Hix immediately following.

17 THE CHAIRPERSON: Thank you. I appreciate
18 that.

19 DEPUTY CHIEF FITZGERALD: I know who to call.

20 THE CHAIRPERSON: Thank you. Appreciate
21 that, that type of initiative.

22 Okay. Yes, sir?

23 MR. WILBURN: Good evening. My name is
24 Bill Wilburn. I'm the membership chair for the
25 Tuskegee Airmen, Detroit Chapter. You brought up

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1 Veterans Day and I just wanted to let everybody know a
2 few things that happened on Veterans Day weekend.

3 First of all, we got -- I had a -- I'll say
4 this in our report. I feel that an enlisted man,
5 Tuskegee Airman, or anybody, don't get the recognition
6 they should get. Myself, I've always fought for this.
7 I think I'm the kind of guy that I've always told
8 Generals, "I don't care if you got four stars or second
9 lieutenant, you're nothing without me." Because I was
10 the aircraft mechanic. "If I don't fix your aircraft,
11 you can't fly." And I believe in that. I stuck to
12 that all my life. See, I don't care who they were.

13 But anyway, we had one of our Tuskegee
14 Airmen, Mr. Fred Henry, he was one of the first people
15 promoted to Morgan Field in Tuskegee in '41. They went
16 to Grand Rapids, him and his wife went to Grand Rapids
17 to be Grand Marshall in the parade.

18 And after the parade was over, two hours
19 later, his wife died while he was there. So I'd like
20 for everybody to offer their prayers, keep him in your
21 prayers because Fred's a good friend of mine. And he
22 should have been a comedian; that's what he should have
23 been. Because he's a heck of a guy.

24 And also Colonel Jefferson, he is -- he was
25 shot down in World War II and spent nine months in a

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1 concentration camp. He even spent in the concentration
2 camp with -- Dachau? I think that's how you pronounced
3 it. Where they killed all the Jewish people up there,
4 he saw all this. But, anyway, he received a special
5 metal from the French Council that came over here to
6 give him and three other guys a special metal.

7 And yesterday Colonel Jefferson celebrated
8 his 95 birthday. And he gets around like he's about
9 70. I mean, there's no grass growing on his feet. He
10 keeps moving. He's busy all the time. Even though
11 he's 95 years old, he don't drive anymore but he still
12 does a lot. So, if everybody could wish him happy
13 birthday on Facebook and keep him and Fred in your
14 prayers. Thank you.

15 THE CHAIRPERSON: How old is he now?

16 LIEUTENANT JOHNSON: Colonel Jefferson?

17 THE CHAIRPERSON: Yes.

18 LIEUTENANT JOHNSON: He's 95. Fred's 94.

19 THE CHAIRPERSON: He was around three or four
20 years ago, one of our Tuskegee note speakers that had
21 come to the United Church of Christ. And what a
22 fantastic man to be able to articulate and share his
23 experience. And he was a motivating factor. And just
24 bless him on his birthday and many, many more years.
25 And let's lift him up.

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1 LIEUTENANT JOHNSON: Mr. Chair.

2 THE CHAIRPERSON: Yes?

3 LIEUTENANT JOHNSON: He's my idol.

4 THE CHAIRPERSON: He's mine.

5 LIEUTENANT JOHNSON: And that's why I keep
6 everything going about the Tuskegee Airmen at different
7 schools and tell the kids about the Tuskegee Airmen
8 because most black kids don't know anything about it.
9 I want to make sure they know about it.

10 THE CHAIRPERSON: Continue to tell the story.

11 PROSECUTOR WORTHY: Thank you.

12 THE CHAIRPERSON: Thank you for sharing that
13 information with us.

14 Any others?

15 If not, Commissioners, any other comments or
16 remarks?

17 If not, the Chair would entertain a motion
18 for adjournment.

19 COMM. SANDERS: I move.

20 COMM. MOORE: Support.

21 THE CHAIRPERSON: It's been properly moved
22 and supported. Those in favor, "aye".

23 BOARD MEMBERS: Aye.

24 THE CHAIRPERSON: Thank you for coming out
25 this afternoon. Have a great afternoon and a great day

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and a great Thanksgiving.

(Meeting was concluded at 4:32 p.m.)

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C E R T I F I C A T E

I, Mona Storm, do hereby certify that I have recorded stenographically the proceedings had and testimony taken in the meeting, at the time and place hereinbefore set forth, and I do further certify that the foregoing transcript, consisting of (89) pages, is a true and correct transcript of my said stenographic notes.

Date



Mona Storm
CSR-4460

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