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STATE OF MICHIGAN
DETROIT BOARD OF POLICE COMMISSIONERS
REGULAR MEETING

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PAGE 1 TO 44

Taken at 1300 Beaubien, Room 328-A,
Detroit, Michigan, 48206,
Commencing at 3:06 p.m.,
Friday, September 24, 2010,
Before Elizabeth Koller, CSR-7042.

1 APPEARANCES:

2 CELIA BANKS WASHINGTON (P54338)

3 Supervising Investigator/Attorney

4 1300 Beaubien, Room 328

5 Detroit, Michigan 48226

6 (313) 596-1835

7 Appearing on behalf of the City of Detroit and
8 Board of Police Commissioners.

9

10 COMMISSIONERS:

11 GEORGE ANTHONY, SECRETARY

12 JEROME WARFIELD, CHAIRMAN OF THE BOARD

13 ADELA RIVERA, VICE CHAIRPERSON

14 MICHAEL REEVES, COMMISSIONER

15

16 ALSO PRESENT:

17 ASSISTANT CHIEF LOGAN (Detroit Police Department.)

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1 Detroit, Michigan
2 September 24, 2010
3 About 3:06 p.m.

4 COMMISSIONER WARFIELD: Good afternoon,
5 ladies and gentlemen. We welcome you to the Board of
6 Police Commissioners regular meeting. Today is Friday,
7 September the 24th, 2010. And we thank those of you
8 who come out to our special session and happy to have
9 you all here. I am Jerome Warfield, Chairman of the
10 Board of Police Commissioners. Along with me today is
11 Vice-Chairman of the Board of Commissioners, Adela
12 Rivera. Also with me is Commissioner Reverend Michael
13 Reeves. We also have sitting in for the Chief,
14 Assistant Chief Chester Logan, as well as our Executive
15 Board Secretary George Anthony.

16 I'm going to ask if the Executive Secretary
17 will introduce the rest of our staff for us, please?

18 SECRETARY ANTHONY: Thank you, Mr. Chair.
19 George Anthony, for the record. Our staff members
20 include Ms. Ceila Banks-Washington who's sitting in the
21 front. She's our Attorney Supervising/Investigator.
22 Ms. Adel Watson who is our Director of Police
23 Personnel, also sitting in the front. We have
24 Ms. Leslie Griffin our Community Affairs Coordinator
25 sitting in the front row. We have Lieutenant Dan Allen

1 from our Office of the Chief Investigator. He is in
2 the back. We have Officer Kent Cooper, a member of our
3 staff who is situated in the back. Mr. Robert Brown
4 also in the back, and Officer Terrence Bell who is our
5 recorder, Ms. Elizabeth Koller from Hanson Reporting,
6 and Sergeant Allen Quinn who is our video-visual
7 recorder technician. I think that's our staff,
8 Mr. Chair.

9 COMMISSIONER WARFIELD: Thank you,
10 Mister Executive Secretary. At this time I'm going to
11 ask if Pastor Michael Robinson will step to the podium.
12 Pastor Robinson is the pastor of Ypsilanti Community
13 Church and he will give us our invocation for today.
14 Pastor Robinson, it's good to have you here, sir.

15 PASTOR ROBINSON: Well, I'm excited to be
16 here today, Mr. Warfield. I thank God for this
17 opportunity. I was invited by Miss Leslie Griffen. If
18 it's not asking too much could you just grab the
19 person's hand that's seated or standing next to you.
20 Because I'm a strong believer that when Jesus said when
21 there are two or three, got it together, touching and
22 agreeing in his name, he declared that he'll be in the
23 midst.

24 Father God, we certainly thank you. We
25 certainly want to acknowledge you for your grace, your

1 mercy, your kindness, Lord. We don't want to take it
2 for granted today. We ask you, Dear God, to have mercy
3 on his wonderful, wonderful Detroit Police Department,
4 Lord. We ask you to continue to bless them and lead
5 them, to guide them, to direct them, Lord God, to be
6 gatekeeper of this wonderful city. We know that you
7 got the power to do it, Lord. We ask you to bless this
8 meeting, Father. We ask you to lead it by the very,
9 very Chief Executive which is the Holy Spirit, Lord,
10 and we ask you to guide it by God.

11 We ask you to bless the civilians that's here
12 Lord God. Allow, my God, the Assistant Chief, my God,
13 this wonderful Commission of Board, Lord, to have the
14 wisdom to answer their concerns, Lord God, in the way
15 that you want them to be answered, Lord. Show them,
16 Lord God, that the power of the Holy Spirt have their
17 best interest at hand. In the mighty name of Jesus,
18 God, we need you, Lord God. We ask your blessings. We
19 ask your grace, your mercy. We ask your love, your
20 kindness, Lord. Help us to be on one accord.

21 In the mighty name of Jesus, Lord God, we ask
22 these blessings in the awesome majestic powerful name
23 of our Lord and our Savior Jesus Christ, and just give
24 him praise in Jesus' name. Amen.

25 COMMISSIONERS: Amen.

1 COMMISSIONER WARFIELD: Thank you, Pastor
2 Robinson. We appreciate you being here and certainly
3 you're welcome to stay. You don't have to leave unless
4 you have something else to do. We'd love to have you
5 stay with us if you can.

6 At this time I'm going to ask for approval
7 for the agenda?

8 COMMISSIONER RIVERA: Yes. So moved.

9 COMMISSIONER REEVES: Second.

10 COMMISSIONER WARFIELD: Thank you. It's been
11 properly moved and second that the agenda be adopted
12 for today. All those in favor, aye?

13 COMMISSIONERS: Aye.

14 COMMISSIONER WARFIELD: All those opposed?
15 Motion carried. We will also have a motion for the
16 approval of last week's minutes of Thursday, September
17 the 16th?

18 COMMISSIONER RIVERA: So moved.

19 COMMISSIONER REEVES: Second.

20 COMMISSIONER WARFIELD: It's been properly
21 moved and second that we approved the minutes from
22 Thursday, September the 16th meeting. All those in
23 favor?

24 COMMISSIONERS: Aye.

25 COMMISSIONER WARFIELD: All those opposed?

1 Motion carried. Once again I want to thank you all for
2 your patients and for your diligence on our behalf. We
3 were away this week at the National Association of
4 Citizen Oversight of Law Enforcement. And it was an
5 excellent opportunity for us to get some best practice
6 as it relates to how we can better do the jobs that we
7 have been selected to do. And at the same time we also
8 got an opportunity to see how really, how great of a
9 job we're doing compared to the rest of the country.
10 And so there will be some things that we will probably
11 implement in the months and days to come.

12 But I also want to congratulate one of our
13 investigators, Investigator Cromwell who was elected to
14 the National Board of NACO, so that is an esteem honor
15 and we're glad to have representation from Detroit on
16 that national board. It was a great meeting. And of
17 course while we were gone there were some fun things
18 happening. Certainly not fun for some of the citizens.

19 We want to see if we can get some
20 understanding as to what was going on especially as it
21 relates to -- I got a letter from Councilman Andre
22 Spivey and it's addressed to Commissioner Warfield from
23 Councilman Andre Spivey. It's dated September 22nd,
24 regarding towing on September the 20th, 2010. It
25 simply says: It is our understanding the Detroit

1 Police Department coordinated a towing sting downtown
2 Detroit, Monday evening, September the 20th, 2010. We
3 have received several complaints in our office. Could
4 you share us with the rational for the towing sting on
5 an evening where Downtown attracts a large number of
6 Detroit and Metropolitan Detroit residents? What were
7 the benefits of this towing sting?

8 Assistant Chief, did you know anything about
9 a towing sting or did that take place?

10 ASSISTANT CHIEF LOGAN: I don't know anything
11 about a towing sting. But I'll have DC Tolbert of
12 Patrol Operations give you --

13 COMMISSIONER WARFIELD: That will be helpful.
14 That will be very helpful.

15 DEPUTY CHIEF TOLBERT: Good afternoon.

16 COMMISSIONER WARFIELD: Good afternoon.

17 DEPUTY CHIEF TOLBERT: Deputy Chief Tolbert.

18 We received some complaints also and I think the crux
19 of this was a news report that was run by I believe one
20 of the local news stations, Channel 2. What we found
21 out, Commissioner, was that this was not a sting. This
22 was a normal operation that we conduct. What we find
23 is that we have individuals who park their vehicles
24 illegally and even on freeway on-ramps. So we have an
25 officer and that is his duty for these illegal parkers

1 that occur during these event such as the Tigers game,
2 and things of that nature. So in an attempt to, and
3 quite frankly most of these vehicles parked illegally
4 they eventually become a target of some theft also. So
5 what we do is we try to, first of all, we try to make
6 sure they don't park illegally. But when they do,
7 obviously the cars that come into the city what we do
8 is we ticket and tow the vehicles. The vehicles that I
9 am aware of were towed not only because they were
10 parked illegally, but they were also in a lane of
11 traffic the way they were parked coming out of the
12 parking garage over at Adams and Park.

13 So people coming out of the garage they would
14 affect the ingress and egress of traffic over there,
15 that was the reason they were towed. But it was not a
16 concerted sting. This is something that goes on at all
17 events to keep these streets clear and we don't have
18 anyone illegally parked.

19 COMMISSIONER WARFIELD: If you could stay one
20 second, Chief, because I actually video streamed Fox 2
21 News because someone called me that night to look at
22 the report. And what was interesting to me is that
23 some gentlemen were I guess giving out fake parking
24 passes for people to come and park and then they took
25 their money. A lot of these people, they took their

1 money and have them park there. What's interesting to
2 me is that this is not the first time that citizens
3 have been told to park at a certain designation whether
4 on the street or actually in somebody's lot, has
5 occurred also in someone's lot. And, I guess, were the
6 individuals who were selling the tickets investigated,
7 because they were caught on camera, as well?

8 DEPUTY CHIEF TOLBERT: Well, it's my
9 understanding that one of the individuals was known to
10 the gentleman from Central District and they were
11 trying to track him down. This is what we should do is
12 when we get these type of reports then we should
13 probably work with them where they can be -- we can be
14 there, right there and they catch it, we can come up
15 and do what we have to do.

16 Unfortunately this wasn't the case. I've
17 actually had a talk with PIL to see when these news
18 stations do something like that. I think if you saw
19 the other one about Lincoln Hall, I mean it would have
20 been perfect if we were there right at that time and we
21 would have been able to apprehend those individuals.
22 So it's something we need to work out.

23 And we also need to get the word out to
24 people who come into the city about how to park
25 legally. And obviously every person who works in that

1 parking lot has to be licensed. They should have a
2 badge on saying that they are licensed. So we need to
3 get that kind of information out so that people aren't
4 hoodwinked by these people who are charging to park on
5 a public street in a illegal location.

6 COMMISSIONER WARFIELD: I agree with you
7 100 percent that badges need to be displayed. Because
8 one of the things when you're coming down to Detroit
9 you're looking for a space and if someone is flagging
10 you all over the place. Unfortunately, you know,
11 without proper identification as you just said it's
12 hard to be able to discern if that person is
13 legitimately working or you're getting worked over. So
14 certainly we need to step up our efforts on that.
15 Commissioner Rivera?

16 COMMISSIONER RIVERA: Do we have any idea how
17 many people were towed because I understand it was
18 quite a bit because they had to pay cash to get their
19 cars out? There were quite a few cars.

20 DEPUTY CHIEF TOLBERT: I don't have the exact
21 numbers.

22 COMMISSIONER RIVERA: Can you in the future
23 make sure that we check those licenses before an event
24 because when they're coming to Detroit you're awestruck
25 by downtown and you're not thinking of this parking

1 guy. You're thinking I'm going to see the Tigers or
2 the Lions or someone. And the last thing you're
3 thinking about paying somebody for a parking space.
4 You're paying \$15.00 or \$20.00. And who checks their
5 ID? I mean, I certainly wouldn't and I'm a citizen.
6 So I think we need to have a little more enforcement on
7 the parking lots themselves before the citizens pull
8 in.

9 DEPUTY CHIEF TOLBERT: In this particular
10 case it wasn't a parking lot. They were parking on the
11 street.

12 COMMISSIONER RIVERA: They were actually on
13 the street?

14 DEPUTY CHIEF TOLBERT: On the street. And it
15 was clearly posted no parking, no standing, I should
16 say. So, you know, we kind of have to understand our
17 part we have to educate the people that shouldn't pay
18 to park on a public street, number one. So we get into
19 kind of a problem where because these individuals who
20 will do this they will put a tag on an individual's car
21 and when that person walks away they'll come back and
22 remove that tag. So when we come there is no tag.
23 There's nothing there. It's just the fact that we have
24 a car parked illegally.

25 COMMISSIONER WARFIELD: Well, thank you, sir.

1 I think you bring up a good point. Commissioner
2 Reeves?

3 COMMISSIONER REEVES: I was going to ask
4 through the Chair, just making sure that we -- and I
5 know that a lot of the actual officers are busy
6 patrolling the street as well, but have there been any
7 consideration for reserve officers helping out with the
8 parking and just managing the traffic?

9 DEPUTY CHIEF TOLBERT: Well, after the
10 articles I've had many conversations with Commander
11 Latrice at Central District and Commander Ken Williams
12 of Central Events, and we're putting something together
13 now so we can try to manage the illegal parking people
14 very closely, and we're in the process of putting that
15 together. Whatever resources we have to use to get
16 that done within confines of the collectively
17 bargaining agreement we will do.

18 COMMISSIONER WARFIELD: Okay. Thank you,
19 sir. I appreciate that.

20 COMMISSIONER RIVERA: Through the Chair I'd
21 like to acknowledge the Honorable Sheila Cockrel who
22 has joined us today. It's a pleasure to see you. We
23 miss you in the city, but we know you're still at Wayne
24 State.

25 MS. COCKREL: Keeping real busy. Thank you.

1 COMMISSIONER RIVERA: There you go.

2 COMMISSIONER WARFIELD: Good to have you
3 here.

4 MS. COCKREL: My pleasure.

5 COMMISSIONER WARFIELD: At this time,
6 Assistant Chief, is there anything from the Chief's
7 office?

8 ASSISTANT CHIEF LOGAN: Not at this time.

9 COMMISSIONER WARFIELD: Great. We would move
10 onto the New Business. At this time we have four
11 officers, I'm sorry, three officers who are up for a
12 promotion. At this particular time I believe that we
13 want to, Assistant Chief, we want to take these one by
14 one. And certainly I'll entertain a motion, and then
15 after we have the motion on the floor we'll entertain
16 any discussion to the motion. So is there a motion?
17 We'll do them one at a time.

18 COMMISSIONER RIVERA: Motion to approve.

19 COMMISSIONER REEVES: Second.

20 COMMISSIONER RIVERA: Let's start with
21 Commander Benjamin King.

22 COMMISSIONER WARFIELD: Again there's a
23 motion on the floor to approve the appointment of
24 Commander Benjamin King to the position of Deputy
25 Chief. Certainly the Commander actually has been

1 serving in the position for quite sometime and has been
2 doing an outstanding job and, sir, we thank you for
3 your services in Detroit and for what you mean to this
4 department. Any discussion concerning Commander King?
5 All those in favor?

6 COMMISSIONER RIVERA: Aye.

7 COMMISSIONER WARFIELD: Say aye?

8 COMMISSIONERS: Aye.

9 COMMISSIONER WARFIELD: All those opposed you
10 have the same rights and privilege. Thank you, sir.
11 Congratulations. We'll get pictures of everyone
12 together, okay, and individually, too. We'll take care
13 of that. All right. Can we have a motion for the
14 second candidate, please?

15 COMMISSIONER RIVERA: Motion to appoint
16 Commander Paul Wells to the position of Deputy Chief.

17 COMMISSIONER REEVES: Second.

18 COMMANDER WELLS: Good afternoon.

19 COMMISSIONER WARFIELD: Good afternoon.
20 Commander Wells, it certainly is a pleasure to have you
21 here and certainly we have certainly talked with the
22 Chief of Police and your background which is just
23 impeccable and the work you've done with this
24 department. So certainly we think that you are very
25 deserving to be promoted to the position of Deputy

1 Chief. All those in favor of the motion that's on the
2 floor to promote Commander Paul Wells to the position
3 of Deputy Chief do so by the normal sign aye?

4 COMMISSIONERS: Aye.

5 COMMISSIONER WARFIELD: All those opposed?
6 Motion carries. Thank you, sir, and congratulations.
7 We have one more motion, please.

8 COMMISSIONER RIVERA: Motion to approve the
9 appointment of Commander Janice Butler to the position
10 of Deputy Chief.

11 COMMISSIONER REEVES: Second.

12 COMMISSIONER WARFIELD: It's been properly
13 moved and second that Commander Janice Butler be
14 promoted to Deputy Chief. Commander Butler has worked
15 as the Chief of Staff for several Chief of Police. And
16 certainly your work has also been very impeccable and
17 the job that you're being promoted to is very important
18 to the city. Saying that, it will involve a lot of
19 consent decree work. And we thank you for what you
20 bring to this position. Is there anymore discussion or
21 concern of the promotion of Janice Butler to that of
22 Deputy Chief? All those in favor do so by the normal
23 sign aye?

24 COMMISSIONERS: Aye.

25 COMMISSIONER WARFIELD: All those opposed?

1 Motion carries. Congratulations. Commissioner Rivera
2 would like to say something before we take pictures and
3 all that.

4 COMMISSIONER RIVERA: I just want to say that
5 I'm sorry the Chief isn't here but you can convey this
6 to him. I've been very, very concerned over the last
7 few years that we have promoted several deputy chiefs
8 and that was due to the fact that we've had so many
9 different chiefs. We always like to give our Chief his
10 full support to get his team in place. I've heard
11 quite a few officers saying we have so many chiefs and
12 we need more officers. We are very cognizant of that
13 fact. And we're not just promoting to promote.

14 We wanted to make sure that each -- our Chief
15 has the personnel behind him with the same mind thought
16 that he has. So when we have promoted these different
17 deputy chiefs I don't want you to think that we're
18 forgetting the citizens and we know we're in budget
19 constrictions. I happen to know that these particular
20 three promotions are not going to affect the budget
21 very much. So with that being said, I want to
22 congratulate our three new deputy chiefs, and I want
23 the citizens to know that we are looking out.

24 COMMISSIONER WARFIELD: Thank you,
25 Commissioner Rivera. We also want to congratulate

1 Chief Ralph Godbee who was named while we were gone the
2 permanent Chief of Police of the City of Detroit.

3 I want to announce that Monday is a furlough
4 day, so our office will be closed on Monday. I also
5 want to announce that next Thursday's meeting will take
6 place here at police headquarters 3:00 p.m.

7 Do you want to do the oral comments first or?
8 Let's do the oral comments first. If you have comments
9 for the Board of Police Commissioners you may come to
10 the podium right here in the middle and give us your
11 name and we ask that you please limit your comments to
12 four minutes. Good afternoon, sir.

13 MR. ARMSTRONG: Good afternoon. With all due
14 respect, my name is José Armstrong, Senior, and I'm a
15 citizen of Detroit and have been for 39 years. Last
16 night I was at a scene where the officer hit a civilian
17 car on Queen and Whittier. I came out the bar Gracie's
18 and checked my car because it was two car length's from
19 where the accident happened. I noticed I had left my
20 car doors unlocked so I proceeded to lock my car and I
21 was approached by an officer.

22 At that time the officer did not say I
23 couldn't be in the scene or whatever it was that I was
24 interrupting because I was like I say two cars from
25 what happened. He told me that I could not lock my

1 car. I stated to him that it's a lot of people out
2 here. I'm going back in the bar. I'm going to lock my
3 car. At that point he pushed me and told me that I
4 could not lock my car. I locked it. I closed the
5 door, and I told him I had someone to call for this
6 type of circumstance. I proceeded to go towards the
7 bar to go back in and make that call. He told me he
8 didn't feel, what was the words he used, threatened.

9 He didn't like my threatening manner that I
10 used as far as telling him I had someone to call for
11 that. And three or four officers grabbed me, subdued
12 me, pushed me towards my car while another office
13 behind me hit me in my back three or four times. And
14 then his officers told him to stop evidentially, stop,
15 and they arrested me and took me to the 9th Precinct
16 and took my car because I went to lock my car doors.

17 I am a citizen that's in the trenches. I'm
18 out here touching our youth every day. The people
19 that's committing the crime, the people that's not
20 committing the crimes, all that. I'm touching them
21 every day. And I'm really tired of being a victim of
22 circumstance. And this is my second time being at this
23 podium and I will be here a lot more. But I'm tired of
24 being a victim of circumstance.

25 COMMISSIONER WARFIELD: Mr. Armstrong,

1 certainly I'm sorry for your experience last night, and
2 certainly we will look into that. Hopefully you were
3 able to get some information. If not, because you're
4 arrested we can certainly get the paperwork from there
5 and follow up. Dan Allen, our investigator, could you
6 raise your hand Commander, I mean Lieutenant Allen? He
7 will see you immediately as you leave the podium and
8 he'll get some critical information from you, and we'll
9 definitely follow up on this immediately.

10 MR. ARMSTRONG: Okay. And I wasn't told
11 where my car was. How do I locate that now? Because
12 two officers got in my car and drove it away which
13 they're not supposed to do that either.

14 COMMISSIONER WARFIELD: Assistant Chief?

15 ASSISTANT CHIEF LOGAN: Assistant Chief
16 Logan. To the Board, what we've started recently doing
17 is not only having your office take a look at these
18 complaints, but we've also started to take a look at
19 these complaints. Because part of it we can probably
20 bring faster resolution to if we -- like his car. I'm
21 going to DC Tolbert, Deputy Chief Tolbert, to get this
22 gentleman right now, not after the meeting, and see if
23 we bring some sense of satisfaction toward it.

24 COMMISSIONER WARFIELD: Is that policy for
25 the officers to drive the car away?

1 ASSISTANT CHIEF LOGAN: No.

2 COMMISSIONER WARFIELD: All right. So you
3 definitely need to see Deputy Chief Tolbert as the
4 Assistant Chief has said. We certainly, Mr. Armstrong,
5 get this taken care of.

6 MR. ARMSTRONG: Thank you and with all due
7 respect.

8 COMMISSIONER WARFIELD: Thank you, sir. We
9 appreciate you coming.

10 MR. MOORE: Good afternoon to the Chair, the
11 Board, our Chief and Detroit's finest and the community
12 that's here. My name is Edward Moore. I am liaison of
13 the Honorable Kwame Kenyatta, the Detroit City
14 Councilman. I'm bringing warm greetings from his
15 office. I'd like to congratulate and the councilman's
16 office would like to congratulate the new appointments
17 of the assistant chiefs. So congratulations to the
18 assistant chiefs from the office of Councilman
19 Kenyatta.

20 Also, I'd like to say to the Board,
21 councilman's position as it's always been the past he's
22 going to a support totally the Board of Police
23 Commissioners. He's going to support the Chief and his
24 staff, Detroit's finest, and also the citizens of the
25 City of Detroit. And his position is as long as you

1 stay within law. Thank you.

2 COMMISSIONER WARFIELD: Thank you, Mr. Moore.

3 Always good to hear from you, sir.

4 MR. HERFORD: How's everybody doing?

5 COMMISSIONER WARFIELD: Thank you, sir.

6 MR. HERFORD: I'd like to thank you for
7 hearing my complaint.

8 COMMISSIONER WARFIELD: Your name?

9 MR. HERFORD: My name is Ron Herford. I and
10 my wife own Dolls Go-Cart Track on Oakman and Grand
11 River.

12 OFFICER BELL: Could you repeat the name of
13 your business?

14 MR. HERFORD: Dolls Go-Cart Track on Oakman
15 and Grand River.

16 OFFICER BELL: Thank you, sir.

17 MR. HERFORD: Me and my family been under
18 constant harassment from police to city officials. I
19 think August 5th, something like that, my car was towed
20 from my premises on my property. It was towed away and
21 they charged me \$75.00. On a Sunday when I paid for
22 them to tow it -- when I paid the money, the \$75.00
23 they said they towed it because it was blocking
24 traffic. There was no traffic Sunday on a vacant
25 street which half of that street I own anyway.

1 I been parking on the half of the vacated
2 street since '82. They towed my vehicle away. My
3 vehicle worked, running fine. When I got it back my
4 transmission was gone. So we -- I have a sheriff deed
5 where someone used some trickery mortgage and as it
6 stand they can come in take my property through a false
7 mortgage from a sheriff deed.

8 All this is corruption and it's no reason for
9 it except for there's harassment trying to run me off
10 my property. My kids and I are constantly harassed. I
11 would like someone to first look at this sheriff deed
12 that they're taking my property and then the constant
13 police harassment.

14 COMMISSIONER WARFIELD: Okay. Two things,
15 sir, and again, thank you for coming and sharing your
16 story with us. And certainly we understand the
17 emotions that you're going through and certainly we
18 want to do everything we can to help. I'm going to ask
19 if our investigator again will look into the towing
20 situation, because certainly we can get some
21 information about your vehicle and to ascertain the
22 condition of it, and we'll definitely do that and
23 you'll see our investigator before your leave.

24 But also I do have a couple city council
25 representatives here from -- I'm sorry, council

1 representative aids here who may be able to directed
2 you as it relates to the deed. I know I saw Pat Ford,
3 okay, and there's another gentleman. Say you're name
4 again, sir? I'm sorry.

5 MR. WEIR: Weir. Councilman Brown.

6 COMMISSIONER WARFIELD: From Councilman
7 Brown's office and so both of them will speak with you,
8 as well.

9 MR. HERFORD: Well, this deed is false.

10 So --

11 COMMISSIONER WARFIELD: I'm sorry.

12 MR. HERFORD: It is a fraudulent deed.

13 COMMISSIONER WARFIELD: Right.

14 MR. HERFORD: So I need the police department
15 to investigate this deed, the falseness of it.

16 COMMISSIONER WARFIELD: Unfortunately, we
17 don't investigate that, but they can direct you to
18 departments that do investigate that. They will
19 actually do that for you.

20 MR. HERFORD: Okay.

21 COMMISSIONER WARFIELD: Okay. Thank you,
22 sir.

23 REVEREND JOHNSON: I'm Reverend Johnson, with
24 the Morris Coalition against police brutality. And I'm
25 here for Mr. Herford and his family on multiple

1 complaints. But the one I would like to address at
2 this time was the attempted murder of Mr. Herford and
3 his two boys. I think it was on the 15th where they
4 went to recover two go-carts on Livernois and they were
5 beat by thirteen men. He has broke ribs. Mr. Herford
6 got through speaking, have broke ribs or fractured
7 ribs, had contusions in his face and all that kind of
8 stuff. His jaw was fractured. His son, Renaldo,
9 almost lost his eye from being beat and knocked out.
10 And the other son, Ronny, Junior, got cuts in his feet
11 and beat up real bad as well.

12 And in the commission of this before all this
13 stuff started they called 911. And it took over two
14 and a half hours before the police got there. This
15 incident took place before they came. And they were
16 about maybe a mile or two from 10th Precinct on
17 Livernois is where the incident took place and it
18 shouldn't have took that long for them to get a
19 response from the police down.

20 And in the commission of this beating while
21 the fight was going on three cruisers passed by which
22 they tried to stop and they would not stop while this
23 fight was going on. And then when the police did come
24 on the scene because the wife had parked the car, her
25 van, in the middle of Livernois and stopped the traffic

1 they refused to take the complaint. I mean this is
2 aggravated assault. And these type conditions you see
3 taking place. And the police said it was their word
4 against the people that assaulted them. And they
5 haven't -- since that time recovered their two go-carts
6 back which they had to insist that the police take into
7 custody.

8 These gentleman's was holding illegal sale of
9 stolen goods and according to the neighbors this was
10 something that was done on a constant basis at that
11 address. So I will be working on this with Mr. Herford
12 and his family and I also will be working with the FBI
13 and the Justice Department on it, as well. I hope that
14 you guys will step up to the plate and help get
15 something done in this regard. Thank you very much.

16 COMMISSIONER WARFIELD: Thank you, thank you,
17 Reverend Johnson. If you could also see our
18 investigator because we want to get the pertinent
19 information as well especially as it relates to the
20 incident that happened that night. So we can make sure
21 that all the due diligence is --

22 REVEREND JOHNSON: I have a copy of the
23 complaint that was filed with the law department and I
24 can give you that.

25 COMMISSIONER WARFIELD: Okay. Assistant

1 Chief, did you have anything you wanted to say?

2 ASSISTANT CHIEF LOGAN: Yes, sir. I'd like
3 to identify Commander Carlan and ask Commander Carlan
4 if he would like to take down the information also.

5 COMMISSIONER WARFIELD: Okay. Thank you,
6 Assistant Chief. Thank you, Reverend Johnson.

7 MS. HERFORD: Good afternoon. How you doing?

8 COMMISSIONER WARFIELD: Good afternoon.
9 Fine. How are you?

10 MS. HERFORD: My name is Darlene Herford.
11 Ronny Herford is my husband. We've been in business
12 with Dolls Go-Cart Track since 1982. We've done a lot
13 of things in the community a lot people know about
14 because we select individual families. We have taken
15 young men off the street never meeting the parents and
16 getting them back in school from gangs. We take
17 substantial amounts of our income although people
18 continue to break in and tear up and, you know, just
19 try to do us any kind of way, we still try to show
20 neighborhood compassion.

21 What's been happening to us lately is as if
22 something's going on, if not every month, every other
23 month. And quite often police officers are involved
24 and we don't understand why. We need to get down to
25 whether somebody wants our land. What it is because I

1 mean people have been offering, offering, offering. We
2 even heard that there were people in the neighborhood
3 talking about expanding and some type of community
4 hearing or meeting or something and we were never
5 invited to those things. What concerns me most is not
6 the go-cart; how many times we've been broken into.
7 It's the reception we get when we need help.

8 I was telling the officer, on the 15th of
9 September that it seems like we get more help from you
10 guys when we call Channel 2, 4 and 7. We on the news
11 and then you want to talk to us, which is not right.
12 We're taxpayers. I mean, keep it clean, clean family
13 atmosphere. What happened to my son and my husband,
14 what happened to my son and my husband the other day,
15 if you could seen them all the blood you wouldn't have
16 believed.

17 And I actually stopped my car and stopped,
18 parked my car in traffic going northbound and
19 southbound on Livernois. That's what got attention.
20 It shouldn't have been that way. They were beating my
21 husband and my sons in the street. And all they did --
22 like we always doing a neighbor or this was another
23 business owner this day that came and told us where the
24 cars were. So what we did was stand over. What we did
25 was go over. Well, my husband and my sons, one of them

1 ended up there. But what they did was go over, sit in
2 their cars. My husband standing on the sidewalk
3 waiting for police. And two and a half hours. 911 has
4 a tape where I'm allowing them to listen to the
5 beating, you know. It's -- I just don't understand
6 what do we have to do? I mean we have the right to be
7 business owners if we can only take care of the land.
8 So what do we do?

9 One more thing, when the tow truck came and I
10 have a tape for you to hear from Trumble and Boulevard
11 Towing, they charged me two trucks. And they put my
12 go-carts right, didn't take them but a second put them
13 on the trucks. And I ask them why? You know, this is
14 like cheating. Woman tells me you can call it what you
15 want. You got two go-carts. We going to charge you
16 for two trucks. So I have the bill. And I mean, I
17 have the receipt for the towing.

18 But the nights I have to spend up because my
19 husband is a afraid to come home because somebody's
20 going to come in our place and then when we make our
21 calls we never get answers. It worries me. It worries
22 me. Thank you.

23 COMMISSIONER WARFIELD: Miss Herford, we have
24 one question and comment.

25 COMMISSIONER REEVES: Through the Chair,

1 Ms. Herford, was an actual police report ever taken?

2 MS. HERFORD: When my son who they said could
3 lose his eye, ask about, well, what about my police
4 statement they told him that they didn't necessarily
5 need it. He said, well, I might charge, I might want
6 you to charge these people for what they did to us.
7 And he tells them, well, it's your word against his.

8 But more so, the people, this young man who
9 was telling us this stuff didn't have a vendor's
10 license. Okay. He didn't have proof or receipt for
11 anything. They have big commercial heavy-duty
12 equipment out there. No vendor's license. He claimed
13 to been waiting for the police also. But why would you
14 have somebody to bring a trailer in and a Bronco to
15 take everything away before the police got there.
16 That's when the fight got started. My husband and sons
17 blocked them so they couldn't move anything until the
18 police got there.

19 COMMISSIONER WARFIELD: Thank you,
20 Ms. Herford. Assistant Chief, do you have anything?

21 ASSISTANT CHIEF LOGAN: Yes.

22 COMMISSIONER WARFIELD: Ms. Herford --

23 ASSISTANT CHIEF LOGAN: Once again, through
24 the Chair, DC Tolbert is here. I believe he just spoke
25 to the Reverend. Would you get involved in this case

1 right now?

2 DEPUTY CHIEF TOLBERT: Yes, sir.

3 COMMISSIONER WARFIELD: And, Ms. Herford,
4 certainly our investigators will do everything we need
5 to as well. Because it is a concern of ours that every
6 business person is able to conduct their business and
7 own property within the City of Detroit and get the
8 proper service that they need and certainly we will
9 take a statement from you, as well, and do our
10 investigation, as well.

11 MS. HERFORD: One thing I need to say to you
12 before I leave. Southwest was the precinct at the
13 scene but someone from 10th -- Southwest and that's
14 going to be everything they said east -- I'm sorry,
15 south of 96 on Telegraph belongs to Southwest. And
16 what happened, 10th happened to come by and while they
17 were there they recalled those exact go-carts being in
18 an incident where I was there with them to identify a
19 young man got his arm cut off. A truck ran him over on
20 the street after we have reported, that we had
21 reported.

22 Now, what I'm getting for 10th and Southwest
23 Precinct, Southwest started initiated the interviews
24 and everything. But 10th Precinct for some reason
25 they're trying to transfer it over to it them. And

1 10th Precinct doesn't feel like they have to deal with
2 it because it's not their district. So they been
3 having me run back and forth.

4 COMMISSIONER WARFIELD: DC Tolbert will
5 definitely help you with that. And also please make
6 sure you mention to our investigators the towing
7 incident with the go-carts. We certainly need all that
8 information.

9 MS. HERFORD: I have the tape if you'd like
10 to hear it.

11 COMMISSIONER WARFIELD: If you can give it to
12 our investigator. We certainly want to hear that.
13 Thank you. Lieutenant Allen? Thank you, sir. Good
14 afternoon.

15 MS. HERNANDEZ: Hi. Phyllis Hernandez,
16 Casino Towing. Just very quickly I have two questions.
17 I wanted to know what or how the Board of Police
18 Commissioners felt about the current Mayor's RFP, the
19 towing RFP? I wondered if they felt that this RFP was
20 within the scope of Detroit City Code, and I also
21 wanted to know if there still would be a vote on the
22 Board of Police Commissioners Rules and Regulations
23 that they developed?

24 COMMISSIONER WARFIELD: Sure. For both of
25 your questions, Mrs. Hernandez, as it relates to the

1 RFP we actually sent a letter to the Detroit City
2 Council and to others asking them to hold that RFP
3 because we did not have an opportunity to weigh in on
4 it or work on it at all. So we were uncomfortable with
5 it being released especially before the rules were
6 voted on. So that was the first thing.

7 Second of all, we are going to vote on the
8 rules. Unfortunately we cannot vote as soon as we want
9 to because we have to just follow the processes that
10 are in place. If we voted on the rules today, as most
11 of those probably would like to, what would have happen
12 is we would get sued and probably rightfully so. We
13 have to post the rules for thirty days, and after that
14 thirty-day period hold a hearing and we will vote on
15 those rules. So we will vote on those rules after
16 they're posted.

17 We're waiting to hear from a couple more
18 people from the work group on our final draft from the
19 discussion draft that we passed out two weeks ago,
20 three weeks ago, and then we will vote as soon as that
21 thirty-day period is up. So, yes, we will vote on
22 those rules.

23 MS. HERNANDEZ: So you expect that the RFP
24 will be pulled before it's deadline?

25 COMMISSIONER WARFIELD: I have no idea what's

1 going to happen. I know we made our requests known to
2 them, and so we'll just, we'll just wait and see.

3 MS. HERNANDEZ: Thank you.

4 COMMISSIONER WARFIELD: Thank you. Any other
5 questions or comments for the Board of Police
6 Commissioners? You can come at this time. Yes, sir?

7 MR. PANE: How you doing?

8 COMMISSIONER WARFIELD: Good.

9 MR. PANE: My name is Terry Pane. I stay in
10 Harper Woods. And that's the evening, it was around
11 late, around 11:30, and I stopped. I was riding with
12 one of my friends, Sammy. So pull over at Rouge Park.
13 And we just pulled over. I'm standing outside of the
14 car and I'm talking to the lady and the officer pulled
15 up on me. And they didn't ask me to leave or anything.
16 They just ask me for my ID. And then they said that
17 the park was closed.

18 And I said, oh, I did not know that. So they
19 just ask me for ID. Wrote me a ticket for being in the
20 park at 11:30. I think they should have just ask me to
21 leave before they gave me the ticket.

22 COMMISSIONER WARFIELD: Assistant Chief, do
23 you want to comment? Because I do know that all of the
24 Detroit owned city parks close at sunset, at dusk. And
25 so there cannot be any loitering in the parks at that

1 time. But Assistant Chief, do you want to take that?

2 ASSISTANT CHIEF LOGAN: Yes, sir, I'll
3 amplify on that. Actually all city parks close at
4 exactly 10:00.

5 COMMISSIONER WARFIELD: 10:00, I'm sorry.

6 ASSISTANT CHIEF LOGAN: 10:00 at night, and
7 that's every park in Detroit. And if you notice we've
8 been for the last numbers of years we've been closing
9 Belle Isle at 10:00. Rouge Park we've been having a
10 number of problems there. We had a number of people
11 shot there and I'm talking about with the last several
12 weeks.

13 So one of the things that we insisted
14 officers do is step up their enforcement at these
15 parks. And in this particular case I don't know, I'll
16 try to get an answer for you, sir. If you'll be
17 patient I'll have DC Tolbert get you an answer to your
18 question. But Rouge Park does, in fact, close at
19 10:00.

20 MR. PANE: Okay. I was just standing
21 outside, though. I wasn't in no vehicle or nothing,
22 just standing there talking, so.

23 ASSISTANT CHIEF LOGAN: That part we'll have
24 to look into that.

25 COMMISSIONER WARFIELD: We'll look into that

1 for you, sir. Thank you, Mr. Pain.

2 MS. BEER: Hi.

3 COMMISSIONER WARFIELD: Hi.

4 MS. BEER: Yes, I am Denise Beer. And I
5 coming back because --

6 COMMISSIONER WARFIELD: Ms. Beer, could you
7 pick up the mike because that way we won't get the
8 ringing. Thank you.

9 MS. BEER: I'm come back because I had an
10 issue with the findings of a person I had filed a
11 complaint with. And I remember Chief Godbee was
12 telling me to give him a chance and he would, you know,
13 look into it, but I haven't heard anything from anyone.
14 I even went to Tolbert, Talbert. What's his --

15 COMMISSIONER WARFIELD: Deputy Chief Tolbert.

16 MS. BEER: Yeah, last week, and he said he
17 was going to look into it, but I haven't heard
18 anything. It's like I'm just getting the runaround.

19 COMMISSIONER WARFIELD: Do you know about
20 that Assistant Chief?

21 ASSISTANT CHIEF LOGAN: No, I don't, ma'am.
22 Before you leave today see me or DC Tolbert. He's in
23 with another citizen, and he'll get you some kind of
24 answer, okay. I do promise.

25 MS. BEER: All right. Thank you.

1 COMMISSIONER WARFIELD: Just so that you
2 know, Ms. Beer, certainly I witnessed the Chief
3 following up on many citizen complaints, and if he said
4 he's going to do it, he's definitely going to do it.
5 So I don't know if from a time standpoint getting the
6 information he needs to gather is taking a little bit
7 longer, but I do believe progress is being made on your
8 case.

9 MS. BEER: Okay. All right. Thank you.

10 COMMISSIONER WARFIELD: Thank you. Ma'am.

11 MS. MORRIS: Good afternoon, Commissioners.

12 COMMISSIONER WARFIELD: Good afternoon.

13 MS. MORRIS: Tawana Morris, Fight for Your
14 Rights Investigations, and a member of the Detroit
15 Coalition Against Police Brutality, retired Detroit
16 Police Officer. Over the Labor Day weekend, as
17 everyone knows I'm recovering so I'm, you know, trying
18 to take it easy. But it was an emergency situation
19 where we've brought the Evans family to this Board for
20 them to explain their situation.

21 Well, it's a situation where they had no
22 representation in court. They had no representation.
23 And in the ninth hour I even went to court as a favor
24 to the family. And the judge explained to their court
25 appointed attorney that he would have to pick from

1 their group of investigators for the defense. This is
2 in Recorders Court. There are only seven investigators
3 that the Recorders Court use. And as we all know
4 there's a lot of cases. So when the court appointed
5 attorney called me in the ninth hour, he called me on a
6 Friday, Monday was the holiday, Tuesday was the day
7 they was supposed to be in court.

8 I went back and my assistant and I gathered
9 all the information, gathered the witnesses and we went
10 to court. We went to court and to only find out the
11 officer that charged the young man with a weapon, which
12 we all knew this is a very serious situation. If the
13 young man didn't have it, he didn't have it. And was
14 facing two to ten. And with the witnesses there armed
15 and we're prepared there was no officer to show.

16 The judge had to dismiss the case. I don't
17 know if it was with prejudice or without. But the
18 judge demanded that somebody come and explain why no
19 one was there to represent them for the case when we
20 were prepared. So I'm just apprising the body.

21 COMMISSIONER WARFIELD: I'm just a little
22 confused, so help me out a little.

23 MS. MORRIS: Yeah.

24 COMMISSIONER WARFIELD: You said that they
25 had no representation?

1 MS. MORRIS: Right.

2 COMMISSIONER WARFIELD: But you said they had
3 a court appointed attorney?

4 MS. MORRIS: I'm saying that the attorney
5 called me in the ninth hour. He called me on Friday.
6 The holiday was Monday. He had no investigator. They
7 had no witnesses. I made sure the young man had
8 representation. That's only part one. Part two is
9 when we did go to court the officers, there was no
10 officers to even explain why the officer that filed the
11 complaint was not there. The judge ordered the
12 prosecution to have police officers there to explain
13 how come there was no officer there to represent the
14 case.

15 COMMISSIONER WARFIELD: Okay. So you're
16 asking us to make sure --

17 MS. MORRIS: No, I'm just apprising, I'm just
18 apprising.

19 COMMISSIONER WARFIELD: No, no, no, no, no.
20 I'm walking with you on this.

21 MS. MORRIS: He's pulling his cart.

22 COMMISSIONER WARFIELD: No, no, no, no, no.
23 So if I understand you correctly your question is --

24 MS. MORRIS: There's no question. It's just
25 a statement.

1 COMMISSIONER WARFIELD: I think it's a valid
2 question, though, if I think I got it right. How come
3 the officer who had charged or wrote the report --

4 MS. MORRIS: Right.

5 COMMISSIONER WARFIELD: -- was not there in
6 court to defend him --

7 MS. MORRIS: Or somebody represent him,
8 correct.

9 COMMISSIONER WARFIELD: -- that this guy did
10 or did not have a weapon?

11 MS. MORRIS: To represent the case in and of
12 itself.

13 COMMISSIONER WARFIELD: Okay.

14 MS. MORRIS: And I don't know what the
15 findings are, but the judge did order for someone to
16 come and explain to her how come they were not
17 prepared.

18 COMMISSIONER WARFIELD: I'm sure that's
19 something the Chief, the Assistant Chief will take
20 under consideration and make sure that that officer --
21 and you can make sure DC Tolbert knows about it, and
22 they'll get somebody there.

23 MS. MORRIS: And if they need my report and
24 statements give me a call.

25 COMMISSIONER WARFIELD: They made need it.

1 MS. MORRIS: Also remember the last time we
2 were talking and you was asking for a annual report
3 from the -- well, this is my annual report what I did
4 for the coalition.

5 COMMISSIONER WARFIELD: Is that regarding --

6 MS. MORRIS: We were talking earlier about
7 it. You wanted to see.

8 COMMISSIONER WARFIELD: Refresh me, because,
9 you know, we talk more than once.

10 MS. MORRIS: All the time. Yes, I believe
11 about three months ago.

12 COMMISSIONER WARFIELD: What's the subject
13 matter?

14 MS. HARRIS: How many police shootings, and.

15 COMMISSIONER WARFIELD: Okay. There's
16 supposed to be a presentation made from what I
17 understand, not today, but there's supposed to be a
18 presentation from your office.

19 MS. MORRIS: Right. Well, I'm only
20 explaining the part where Ron explained it to me that
21 this is not the whole report. He has his portion. But
22 this is my portion.

23 COMMISSIONER WARFIELD: We're all ready,
24 we're ready for you all. All right. Thank you, thank
25 you, ma'am. Always good to see you.

1 MS. MORRIS: All right. Thank you.

2 COMMISSIONER WARFIELD: Are there any other
3 comments for the Board of Police Commissioners?

4 ASSISTANT CHIEF LOGAN: Through the Chair,
5 sir, I've asked newly appointed Deputy Chief Paul Wells
6 who's in charge of our detectives to look into this
7 case so we can find out why the officer didn't show up
8 in court.

9 COMMISSIONER WARFIELD: Sister Morris?

10 MS. MORRIS: Yes.

11 COMMISSIONER WARFIELD: Newly promoted Deputy
12 Chief Paul Wells --

13 ASSISTANT CHIEF LOGAN: His first assignment.

14 COMMISSIONER WARFIELD: His first assignment
15 is you. So he's going to help you sort that out. He's
16 going to help you sort that out and get the answers
17 that you need. Thank you. Thank you, Assistant Chief.
18 I appreciate that. Are there any more comments for the
19 Board of Police Commissioners? I will entertain a
20 motion for adjournment?

21 COMMISSIONER RIVERA: Motion to adjourn.

22 COMMISSIONER REEVES: Second.

23 COMMISSIONER WARFIELD: All in favor?

24 COMMISSIONERS: Aye.

25 COMMISSIONER WARFIELD: Thank you, ladies and

1 gentleman. Looking forward to seeing you next week.

2 (The hearing concluded at 3:52 p.m.)

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CERTIFICATE OF NOTARY

STATE OF MICHIGAN)
) SS
COUNTY OF WAYNE)

I, Elizabeth Koller, Certified Shorthand Reporter,
a Notary Public in and for the above county and state,
do hereby certify that the above deposition was taken
before me at the time and place hereinbefore set forth;
that the witness was by me first duly sworn to testify
to the truth, and nothing but the truth, that the
foregoing questions asked and answers made by the
witness were duly recorded by me stenographically and
reduced to computer transcription; that this is a true,
full and correct transcript so taken; and that I am not
related to, nor of counsel to either party nor
interested in the event of this cause.



Elizabeth Koller _____

Elizabeth Koller
CSR 7042, Notary Public,
Wayne County, Michigan

My Commission expires: June 1st, 2012

A			
able 10:21 11:12 20:3 24:1 31:6	13:19 21:9 42:18	badge 11:2	31:6
accident 18:19	apprehend 10:21	badges 11:7	busy 13:5,25
accord 5:20	apprising 38:20 39:17,18	BANKS 2:2	Butler 16:9,13,14 16:21
acknowledge 4:25 13:21	approached 18:21	Banks-Washington 3:20	C
actual 13:5 30:1	approval 6:6,16	bar 18:17 19:2,7	call 19:5,7,10 28:10 29:14 40:24
Adams 9:12	approve 14:18,23 16:8	bargaining 13:17	called 9:21 25:13 38:5,5 39:5,5
address 25:1 26:11	approved 6:21	basis 26:10	calls 29:21
addressed 7:22	arm 31:19	beat 25:5,9,11	camera 10:7
Adel 3:22	armed 38:14	beating 25:20 28:20 29:5	candidate 15:14
Adela 2:13 3:11	Armstrong 18:13,14 19:25 20:10 21:4 21:6	Beaubien 1:16 2:4	car 12:20,24 18:17 18:18,18,20,20 19:1,3,4,12,16 19:16 20:11,12 20:20,25 22:19 25:24 28:17,18 34:14
adjourn 42:21	arrested 19:15 20:4	Beer 36:2,4,4,6,9 36:16,25 37:2,9	care 15:12 21:5 29:7
adjournment 42:20	articles 13:10	behalf 2:7 7:2	Carlan 27:3,3
adopted 6:11	ascertain 23:21	believe 8:19 14:12 30:24 37:7 41:10	carried 6:15 7:1
Affairs 3:24	asked 42:5 44:11	believed 28:16	carries 16:6 17:1
affect 9:14 17:20	asking 4:18 33:2 39:16 41:2	believer 4:20	cars 9:7 11:19,19 18:24 28:24 29:2
afraid 29:19	assault 26:2	Bell 4:4 22:12,16	cart 39:21
afternoon 3:4 8:15 8:16 15:18,19 18:12,13 21:10 27:7,8 32:14 37:11,12	assaulted 26:4	Belle 35:9	case 10:16 12:10 30:25 35:15 37:8 38:16,19 39:14 40:11 42:7
agenda 6:7,11	assignment 42:13 42:14	belongs 31:15	cases 38:4
aggravated 26:2	assistant 2:17 3:14 5:12 8:8,10 14:6,8,13 20:14 20:15,15 21:1,4 21:17,18 26:25 27:2,6 30:20,21 30:23 34:22 35:1 35:2,6,23 36:20 36:21 38:8 40:19 42:4,13,17	benefits 8:7	cash 11:18
ago 33:19,20 41:11	Association 7:3	Benjamin 14:21,24	Casino 32:16
agree 11:6	atmosphere 28:13	best 5:17 7:5	catch 10:14
agreeing 4:22	attempt 9:2	better 7:6	caught 10:7
agreement 13:17	attempted 25:2	big 30:11	cause 44:16
aids 24:1	attention 28:19	bill 29:16	Ceila 3:20
Allen 3:25 4:6 20:5,6 32:13	attorney 3:21 37:25 38:5 39:3 39:4	bit 11:18 37:6	CELIA 2:2
Allow 5:12	attracts 8:5	bliss 5:4,7,11	Central 10:10 13:11,12
allowing 29:4	August 22:19	blockings 5:18,22	certain 10:3
Amen 5:24,25	aware 9:9	blocked 30:17	certainly 4:24,25 6:2 7:18 11:14 12:5 14:14,25 15:20,21,21,24 16:16 20:1,2,4 21:4 23:16,17,20 31:4,8 32:7,12 37:2
amounts 27:17	awesome 5:22	blocking 22:23	Casino 32:16
amplify 35:3	awestruck 11:24	blood 28:15	catch 10:14
Andre 7:21,23	aye 6:12,13,24 15:6,7,8 16:3,4 16:23,24 42:24	board 1:2 2:8,12 3:5,10,11,15 5:13 7:14,16 18:9 20:16 21:11 21:20,22 32:17 32:22 34:5 37:19 42:3,19	caught 10:7
announce 18:3,5	Association 7:3	body 38:20	cause 44:16
annual 41:2,3	atmosphere 28:13	Boulevard 29:10	Ceila 3:20
answer 5:14 35:16 35:17 36:24	attempt 9:2	boys 25:3	Central 10:10 13:11,12
answered 5:15	attempted 25:2	break 27:18	certain 10:3
answers 29:21 42:16 44:11	attention 28:19	bring 13:1 16:20 20:20,23 30:14	certainly 4:24,25 6:2 7:18 11:14 12:5 14:14,25 15:20,21,21,24 16:16 20:1,2,4 21:4 23:16,17,20 31:4,8 32:7,12 37:2
Anthony 2:11 3:15 3:18,19	attorney 3:21 37:25 38:5 39:3 39:4	bringing 21:14	Casino 32:16
anymore 16:20	attracts 8:5	broke 25:5,6	catch 10:14
anyway 22:25	August 22:19	broken 28:6	caught 10:7
APPEARANCES 2:1	aware 9:9	Bronco 30:14	cause 44:16
Appearing 2:7	awesome 5:22	brought 37:19	Ceila 3:20
appoint 15:15	awestruck 11:24	Brown 4:3 24:5	CELIA 2:2
appointed 37:25 38:4 39:3 42:5	aye 6:12,13,24 15:6,7,8 16:3,4 16:23,24 42:24	Brown's 24:7	Central 10:10 13:11,12
appointment 14:23 16:9	back 4:2,3,4 12:21 19:2,7,13 23:3 26:6 27:16 32:3 36:5,9 38:8	brutality 24:24 37:15	certain 10:3
appointments 21:16	background 15:22	budget 17:18,20	certainly 4:24,25 6:2 7:18 11:14 12:5 14:14,25 15:20,21,21,24 16:16 20:1,2,4 21:4 23:16,17,20 31:4,8 32:7,12 37:2
appreciate 6:2	bad 25:11	business 14:10 22:13 27:11 28:23 29:7 31:6	Casino 32:16

CHAIRPERSON 2:13	closed 18:4 19:4	39:19,22 40:1,5	copy 26:22
chance 36:12	34:17	40:9,13,18,25	correct 40:8 44:14
Channel 8:20 28:10	closely 13:14	41:5,8,12,15,23	correctly 39:23
charge 29:15 30:5	closing 35:8	42:2,9,11,14,21	corruption 23:8
30:6 42:6	coalition 24:24	42:22,23,25	council 23:24,25
charged 22:21	37:15 41:4	Commissioners 1:2	33:2
29:11 38:11 40:3	Cockrel 13:21,25	2:8,10 3:6,10,11	Councilman 7:21,23
charging 11:4	14:4	5:25 6:13,24	21:14,18 24:5,6
cheating 29:14	Code 32:20	15:8 16:4,24	councilman's 21:15
check 11:23	cognizant 17:12	18:9 21:23 32:18	21:21
checked 18:18	collectively 13:16	32:22 34:6 37:11	counsel 44:15
checks 12:4	come 3:8 7:11 9:7	42:3,19,24	country 7:9
Chester 3:14	9:24 10:14,24	committing 19:19	county 44:4,6,22
Chief 2:17 3:13,14	12:21,22 18:9	19:20	couple 23:24 33:17
4:1 5:9,12 8:8	23:6 25:23 29:19	community 3:24	course 7:17
8:10,15,17,17	29:20 31:16 34:6	4:12 21:11 27:13	court 37:22,23,24
9:20 10:8 11:20	36:9 38:18 39:13	28:3	38:2,3,4,7,10,10
12:9,14 13:9	40:2,16,16	compared 7:9	39:3,9 40:6 42:8
14:6,8,13,25	coming 9:11,13	compassion 27:20	crime 19:19
15:16,22 16:1,3	11:8,24 21:9	complaint 22:7	crimes 19:20
16:10,14,15,15	23:15 36:5	26:1,23 36:11	critical 20:8
16:22 17:5,9,14	Commander 13:10,11	39:11	Cromwell 7:13
18:1,2 20:14,15	14:21,24,25 15:4	complaints 8:3,18	cruisers 25:21
20:15,21 21:1,3	15:16,18,20 16:2	20:18,19 25:1	crux 8:18
21:4,11,23 27:1	16:9,13,14 20:6	37:3	CSR 44:21
27:2,6 30:20,21	27:3,3	computer 44:13	CSR-7042 1:20
30:23 31:2 34:22	Commencing 1:18	concern 16:21 31:5	current 32:18
35:1,2,6,23	comment 29:24	concerned 17:6	custody 26:7
36:11,15,20,21	34:23	concerning 15:4	cut 31:19
37:2 40:19,19	comments 18:7,8,8	concerns 5:14 28:5	cuts 25:10
42:4,5,12,13,17	18:11 34:5 42:3	concerted 9:16	
chiefs 17:7,9,11	42:18	concluded 43:2	D
17:17,22 21:17	commercial 30:11	condition 23:22	Dan 3:25 20:5
21:18	commission 5:13	conditions 26:2	Darlene 27:10
Chief's 14:6	25:12,20 44:23	conduct 8:22 31:6	dated 7:23
Christ 5:23	Commissioner 2:14	confines 13:16	day 18:4 19:18,21
Church 4:13	3:4,12 4:9 6:1,8	confused 38:22	28:14,23 37:16
circumstance 19:6	6:9,10,14,18,19	congratulate 7:12	38:6
19:22,24	6:20,25 7:22	17:22,25 21:15	days 7:11 33:13
citizen 7:4 12:5	8:13,16,21 9:19	21:16	DC 8:11 20:21
18:15 19:17	11:6,15,16,22	congratulations	30:24 32:4 35:17
36:23 37:3	12:12,25 13:1,3	15:11 16:6 17:1	36:22 40:21
citizens 7:18 10:2	13:18,20 14:1,2	21:17	deadline 33:24
12:7 17:18,23	14:5,9,18,19,20	consent 16:19	deal 32:1
21:24	14:22 15:6,7,9	consideration 13:7	Dear 5:2
city 2:7 5:6 9:7	15:15,17,19 16:5	40:20	declared 4:22
10:24 13:23	16:8,11,12,25	constant 22:18	decree 16:19
16:18 18:2 21:13	17:1,4,24,25	23:12 26:10	deed 23:4,7,11
21:25 22:18	19:25 20:14,24	constantly 23:10	24:2,9,12,15
23:24 31:7 32:20	21:2,8 22:2,5,8	constrictions	defend 40:6
33:1 34:24 35:3	23:14 24:6,11,13	17:19	defense 38:1
civilian 18:16	24:16,21 26:16	continue 5:4 27:18	definitely 20:9
civilians 5:11	26:25 27:5,8	contusions 25:7	21:3 23:22 32:5
claimed 30:12	29:23,25 30:19	conversations	37:4
clean 28:12,12	30:22 31:3 32:4	13:10	demanded 38:18
clear 9:17	32:11,24 33:25	convey 17:5	Denise 36:4
clearly 12:15	34:4,8,22 35:5	Cooper 4:2	department 2:17
close 34:24 35:3	35:25 36:3,6,15	coordinated 8:1	5:3 8:1 15:4,24
35:18	36:19 37:1,10,12	Coordinator 3:24	24:14 26:13,23
	38:21,24 39:2,15		

departments 24:18
deposition 44:7
deputy 8:15,17,17
 10:8 11:20 12:9
 12:14 13:9 14:24
 15:16,25 16:3,10
 16:14,22 17:7,17
 17:22 20:21 21:3
 31:2 36:15 42:5
 42:11
deserving 15:25
designation 10:3
detectives 42:6
Detroit 1:2,17 2:5
 2:7,17 3:1 5:3
 7:15,25 8:2,6,6
 11:8,24 15:3
 18:2,15 21:13,25
 31:7 32:20 33:1
 34:24 35:7 37:14
 37:15
Detroit's 21:11,24
developed 32:23
different 17:9,16
diligence 7:2
 26:21
direct 5:5 24:17
Directed 24:1
Director 3:22
discern 11:12
discussion 14:16
 15:4 16:20 33:19
dismiss 38:16
displayed 11:7
district 10:10
 13:11 32:2
doing 7:9 15:2
 20:16 22:4 27:7
 28:22 34:7
Dolls 22:10,14
 27:12
door 19:5
doors 18:20 19:16
downtown 8:1,5
 11:25
draft 33:18,19
drive 20:25
drove 20:12
due 17:8 18:13
 21:6 26:21
duly 44:9,12
dusk 34:24
duty 8:25

E

earlier 41:6
east 31:14
easy 37:18
educate 12:17

Edward 21:12
efforts 11:14
egress 9:14
either 20:13 44:15
elected 7:13
Elizabeth 1:20 4:5
 44:5,20
emergency 37:18
emotions 23:17
ended 29:1
enforcement 7:4
 12:6 35:14
entertain 14:14,15
 42:19
equipment 30:12
especially 7:20
 26:19 33:5
esteem 7:14
Evans 37:19
evening 8:2,5
 34:10
event 9:1 11:23
 44:16
events 9:17 13:12
eventually 9:4
everybody 22:4
evidentially 19:14
exact 11:20 31:17
exactly 35:4
excellent 7:5
excited 4:15
Executive 3:14,16
 4:10 5:9
expanding 28:3
expect 33:23
experience 20:1
expires 44:23
explain 37:20
 38:18 39:10,12
 40:16
explained 37:24
 41:20
explaining 41:20
eye 25:9 30:3

F

face 25:7
facing 38:14
fact 12:23 17:8,13
 35:18
fake 9:23
false 23:6 24:9
falseness 24:15
families 27:14
family 22:17 24:25
 26:12 28:12
 37:19,24
far 19:10
faster 20:20

Father 4:24 5:8
favor 6:12,23 15:5
 16:1,22 37:23
 42:23
FBI 26:12
feel 19:8 32:1
feet 25:10
felt 32:18,19
fight 25:21,23
 30:16 37:13
filed 26:23 36:10
 39:10
final 33:18
find 8:22 38:10
 42:7
findings 36:10
 40:15
fine 23:3 27:9
finest 21:11,24
first 9:5 10:2
 18:7,8 23:11
 33:6 42:13,14
 44:9
flagging 11:9
floor 14:15,23
 16:2
follow 20:5,9 33:9
following 37:3
Ford 24:2
foregoing 44:11
forgetting 17:18
forth 32:3 44:8
forward 43:1
found 8:20
four 14:10 18:12
 19:11,13
Fox 9:20
fractured 25:6,8
frankly 9:3
fraudulent 24:12
freeway 8:24
Friday 1:19 3:6
 38:6 39:5
friends 34:12
front 3:21,23,25
full 17:10 44:14
fun 7:17,18
furlough 18:3
future 11:22

G

game 9:1
gangs 27:16
garage 9:12,13
gatekeeper 5:6
gather 37:6
gathered 38:8,9
gentleman 10:10
 20:22 24:3 43:1

gentleman's 26:8
gentlemen 3:5 9:23
George 2:11 3:15
 3:19
getting 11:13
 27:16 31:22
 36:18 37:5
give 4:13 5:23
 8:12 17:9 18:10
 26:24 32:11
 36:12 40:24
giving 9:23
glad 7:15
go 14:1 19:6,7
 28:25 29:1 39:9
God 4:16,24 5:2,5
 5:10,12,12,12,14
 5:16,18,18,21
Godbee 18:1 36:11
goes 9:16
going 3:16 4:10
 6:6 7:20 12:1
 13:3 17:20 19:2
 19:2 20:21 21:22
 21:23 23:17,18
 25:21,23 27:22
 28:18 29:15,20
 31:14 33:7 34:1
 36:17 37:4,4
 42:15,16
good 3:4 4:14 8:15
 8:16 13:1 14:2
 15:18,19 18:12
 18:13 21:10 22:3
 27:7,8 32:13
 34:8 37:11,12
 41:25
goods 26:9
go-cart 22:10,14
 27:12 28:6
go-carts 25:4 26:5
 29:12,15 31:17
 32:7
grab 4:18
grabbed 19:11
grace 4:25 5:19
Gracie's 18:17
Grand 22:10,15
granted 5:2
great 7:8,16 14:9
greetings 21:14
Griffen 4:17
Griffin 3:24
group 33:18 38:1
guess 9:23 10:5
guide 5:5,10
guy 12:1 40:9
guys 26:14 28:10

H			
half 22:25 23:1 25:14 29:3	hope 26:13	23:23 26:18	44:5,20
Hall 10:19	Hopefully 20:2	32:12 39:6	Kwame 21:13
hand 4:19 5:17 20:6	hour 37:23 38:5 39:5	investigators 7:13 31:4 32:6 38:1,2	L
Hanson 4:5	hours 25:14 29:3	Investigator/A... 2:3	Labor 37:16
happen 17:19 33:11 34:1	How's 22:4	invited 4:17 28:5	ladies 3:5 42:25
happened 18:19,25 26:20 28:13,14 31:16,16	husband 27:11 28:13,14,21,25 29:2,19 30:16	invocation 4:13	lady 34:14
happening 7:18 27:21	I	involve 16:18	land 27:25 29:7
happy 3:8	ID 12:5 34:16,19	involved 27:23 30:25	lane 9:10
harassed 23:10	idea 11:16 33:25	Isle 35:9	large 8:5
harassment 22:18 23:9,13	identification 11:11	issue 36:10	late 34:11
hard 11:12	identify 27:3 31:18	J	lately 27:21
Harper 34:10	illegal 8:25 11:5 13:13 26:8	Janice 16:9,13,21	Latrice 13:11
HARRIS 41:14	illegally 8:24 9:3 9:6,10,18 12:24	jaw 25:8	law 7:4 22:1 26:23
headquarters 18:6	immediately 20:7,9	Jerome 2:12 3:9	lead 5:4,8
hear 22:3 29:10 32:10,12 33:17	impeccable 15:23 16:16	Jesus 4:20 5:17,21 5:23,24	leave 6:3 20:7 23:23 31:12 34:15,21 36:22
heard 17:10 28:2 36:13,17	implement 7:11	job 7:9 15:2 16:17	left 18:19
hearing 22:7 28:4 33:14 43:2	important 16:17	jobs 7:6	legally 10:25
heavy-duty 30:11	incident 25:15,17 26:20 31:18 32:7	Johnson 24:23,23 26:17,22 27:6	legitimately 11:13
help 5:20 23:18 26:14 28:7,9 32:5 38:22 42:15 42:16	include 3:20	joined 13:22	length's 18:18
helpful 8:13,14	income 27:17	José 18:14	Leslie 3:24 4:17
helping 13:7	individual 27:14	judge 37:24 38:16 38:18 39:11 40:15	letter 7:21 33:1
hereinbefore 44:8	individually 15:12	June 44:23	Let's 14:20 18:8
Herford 22:4,6,9,9 22:14,17 24:9,12 24:14,20,25 25:2 25:5 26:11 27:7 27:10,10,11 29:23 30:1,2,20 30:22 31:3,11 32:9	individuals 8:23 10:6,9,21 12:19	Junior 25:10	liaison 21:12
Hernandez 32:15,15 32:25 33:23 34:3	individual's 12:20	Justice 26:13	license 30:10,12
he'll 4:22 20:8 36:23	information 11:3 20:3,8 23:21 26:19 27:4 32:8 37:6 38:9	K	licensed 11:1,2
Hi 32:15 36:2,3	ingress 9:14	keep 9:17 28:12	licenses 11:23
hit 18:16 19:13	initiated 31:23	Keeping 13:25	Lieutenant 3:25 20:6 32:13
hold 33:2,14	insist 26:6	Ken 13:11	limit 18:11
holding 26:8	insisted 35:13	Kent 4:2	Lincoln 10:19
holiday 38:6 39:6	interest 5:17	Kenyatta 21:13,19	Lions 12:2
Holy 5:9,16	interested 44:16	kids 23:10	listen 29:4
home 29:19	interesting 9:22 10:1	kind 11:3 12:16,19 25:7 27:19 36:23	little 12:6 37:6 38:21,22
honor 7:14	interrupting 18:24	kindness 5:1,20	Livernois 25:4,17 25:25 28:19
Honorable 13:21 21:13	interviews 31:23	King 14:21,24 15:4	local 8:20
hoodwinked 11:4	introduce 3:17	knew 38:12	locate 20:11
	investigate 24:15 24:17,18	knocked 25:9	location 11:5
	investigated 10:6	know 5:6 8:8,10 11:10 12:16 13:5 13:23 17:18,19 17:23 24:2 27:13 27:18 29:5,13 32:17,21 34:1,18 34:23 35:15 36:12,19 37:2,5 37:17 38:3,17 40:14 41:9	lock 18:20,25 19:2 19:4,16
	investigation 31:10	known 10:9 34:1	locked 19:4
	Investigations 37:14	knows 37:17 40:21	Logan 2:17 3:14 8:10 14:8 20:15 20:16 21:1 27:2 30:21,23 35:2,6 35:23 36:21 42:4 42:13
	investigator 4:1 7:13 20:5 23:19	Koller 1:20 4:5	loitering 34:25

43:1
Lord 5:1, 4, 5, 7, 9
 5:12, 13, 14, 15, 16
 5:18, 20, 21, 23
lose 30:3
lost 25:9
lot 9:25 10:4, 5
 11:1 12:10 13:5
 16:18 19:1, 23
 27:12, 13 38:4
lots 12:7
love 5:19 6:4

M

majestic 5:22
making 13:4
man 30:8 31:19
 38:11, 13 39:7
manage 13:13
managing 13:8
manner 19:9
matter 41:13
Mayor's 32:18
ma'am 36:21 37:10
 41:25
mean 10:19 12:5
 15:3 20:6 26:1
 28:1, 12 29:6, 16
meeting 1:3 3:6
 5:8 6:22 7:16
 18:5 20:22 27:15
 28:4
member 4:2 37:14
members 3:19
men 25:5 27:15
mention 32:6
mercy 5:1, 2, 19
Metropolitan 8:6
Michael 2:14 3:12
 4:11
Michigan 1:1, 17
 2:5 3:1 44:2, 22
middle 18:10 25:25
midst 4:23
mighty 5:17, 21
mike 36:7
mile 25:16
mind 17:15
minutes 6:16, 21
 18:12
Mister 4:10
Monday 8:2 18:3, 4
 38:6 39:6
money 9:25 10:1
 22:22
month 27:22, 23
months 7:11 41:11
Moore 21:10, 12
 22:2

Morris 24:24 37:11
 37:13, 13 38:23
 39:1, 4, 17, 21, 24
 40:4, 7, 11, 14, 23
 41:1, 6, 10, 19
 42:1, 9, 10
mortgage 23:5, 7
motion 6:15, 15 7:1
 14:14, 15, 16, 16
 14:18, 23 15:13
 15:15 16:1, 6, 7, 8
 17:1 42:20, 21
move 14:9 30:17
moved 6:8, 11, 18, 21
 16:13
multiple 24:25
murder 25:2

N

NACO 7:14
name 4:22 5:17, 21
 5:22, 24 18:11, 14
 21:12 22:8, 9, 12
 24:3 27:10 34:9
named 18:1
national 7:3, 14, 16
nature 9:2
necessarily 30:4
need 5:18 10:22, 23
 11:2, 7, 14 12:6
 17:12 21:3 24:14
 27:24 28:7 30:5
 31:4, 8, 11 32:7
 40:23, 25 42:17
needs 37:6
neighbor 28:22
neighborhood 27:20
 28:2
neighbors 26:9
never 27:15 28:4
 29:21
new 14:10 17:22
 21:16
newly 42:5, 11
news 8:19, 20 9:21
 10:17 28:10
night 9:21 18:16
 20:1 26:20 35:6
nights 29:18
ninth 37:23 38:5
 39:5
normal 8:22 16:3
 16:22
northbound 28:18
Notary 44:1, 6, 21
notice 35:7
noticed 18:19
number 8:5 12:18
 35:10, 10

numbers 11:21 35:8

O

Oakman 22:10, 14
obviously 9:7
 10:25
occur 9:1
occurred 10:5
offering 28:1, 1, 1
office 4:1 8:3
 14:7 18:4 19:12
 20:17 21:15, 16
 21:18 24:7 41:18
officer 4:2, 4 8:25
 18:16, 21, 22
 22:12, 16 28:8
 34:14 37:16
 38:11, 15 39:10
 39:13 40:3, 20
 42:7
officers 13:5, 7
 14:11, 11 17:11
 17:12 19:11, 14
 20:12, 25 27:23
 35:14 39:9, 10, 12
officials 22:18
oh 34:18
okay 13:18 15:12
 20:10 23:14 24:3
 24:20, 21 26:25
 27:5 30:10 35:20
 36:24 37:9 39:15
 40:13 41:15
once 7:1 30:23
 41:9
on-ramps 8:24
operation 8:22
Operations 8:12
opportunity 4:17
 7:5, 8 33:3
opposed 6:14, 25
 15:9 16:5, 25
oral 18:7, 8
order 40:15
ordered 39:11
outside 34:13
 35:21
outstanding 15:2
Oversight 7:4
owned 34:24
owner 28:23
owners 29:7

P

PAGE 1:14
paid 22:21, 22
Pain 36:1
Pane 34:7, 9, 9
 35:20

paperwork 20:4
parents 27:15
park 8:23 9:6, 12
 9:24 10:1, 3, 24
 11:4 12:18 34:12
 34:17, 20 35:7, 9
 35:18
parked 9:3, 10, 11
 9:18 12:24 25:24
 28:18
parkers 8:25
parking 9:12, 23
 11:1, 25 12:3, 7
 12:10, 10, 15 13:8
 13:13 23:1
parks 34:24, 25
 35:3, 15
part 12:17 20:19
 35:23 39:8, 8
 41:20
particular 12:9
 14:12 17:19
 35:15
party 44:15
passed 25:21 33:19
passes 9:24
pastor 4:11, 12, 12
 4:14, 15 6:1
Pat 24:2
patient 35:17
patients 7:2
Patrol 8:12
patrolling 13:6
Paul 15:16 16:2
 42:5, 12
pay 11:18 12:17
paying 12:3, 4
people 9:13, 24, 25
 10:24 11:3, 4, 17
 12:17 13:13 19:1
 19:18, 19 26:4
 27:13, 17 28:1, 2
 30:6, 8 33:18
 35:10
percent 11:7
perfect 10:20
period 33:14, 21
permanent 18:2
person 10:25 11:12
 12:21 31:6 36:10
personnel 3:23
 17:15
person's 4:19
pertinent 26:18
Phyllis 32:15
pick 36:7 37:25
pictures 15:11
 17:2
PIL 10:17

place 8:9 11:10
 17:10 18:6 25:15
 25:17 26:3 29:20
 33:10 44:8
plate 26:14
please 3:17 15:14
 16:7 18:11 32:5
pleasure 13:22
 14:4 15:20
podium 4:11 18:10
 19:23 20:7
point 13:1 19:3
police 1:2 2:8,17
 3:6,10,22 5:3
 8:1 15:22 16:15
 18:2,6,9 21:22
 22:18 23:13
 24:14,24 25:14
 25:19,23 26:3,6
 27:23 29:3 30:1
 30:3,13,15,18
 32:17,22 34:5
 37:15,16 39:12
 41:14 42:3,19
policy 20:24
portion 41:21,22
position 14:24
 15:1,16,25 16:2
 16:9,20 21:21,25
post 33:13
posted 12:15 33:16
power 5:7,16
powerful 5:22
practice 7:5
praise 5:24
precinct 19:15
 25:16 31:12,23
 31:24 32:1
prejudice 38:17
premises 22:20
prepared 38:15,20
 40:17
PRESENT 2:16
presentation 41:16
 41:18
privilege 15:10
probably 7:10
 10:13 20:19
 33:11,12
problem 12:19
problems 35:10
proceeded 18:20
 19:6
process 13:14
processes 33:9
progress 37:7
promise 36:24
promote 16:2 17:13
promoted 15:25
 16:14,17 17:7,16

42:11
promoting 17:13
promotion 14:12
 16:21
promotions 17:20
proof 30:10
proper 11:11 31:8
properly 6:11,20
 16:12
property 22:20
 23:6,10,12 31:7
prosecution 39:12
public 11:5 12:18
 44:6,21
pull 12:7 34:12
pulled 33:24 34:13
 34:14
pulling 39:21
pushed 19:3,12
put 12:20 29:11,12
putting 13:12,14
p.m 1:18 3:3 18:6
 43:2
P54338 2:2

Q

Queen 18:17
question 29:24
 35:18 39:23,24
 40:2
questions 32:16,25
 34:5 44:11
quickly 32:16
Quinn 4:6
quite 9:3 11:18,19
 15:1 17:11 27:23

R

raise 20:6
Ralph 18:1
ran 31:19
rational 8:4
ready 41:23,24
real 13:25 25:11
really 7:8 19:21
reason 9:15 23:8
 31:24
recalled 31:17
receipt 29:17
 30:10
received 8:3,18
reception 28:7
record 3:19
recorded 44:12
recorder 4:5,7
Recorders 38:2,3
recover 25:4
recovered 26:5
recovering 37:17

reduced 44:13
Reeves 2:14 3:13
 6:9,19 13:2,3
 14:19 15:17
 16:11 29:25
 42:22
Refresh 41:8
refused 26:1
regard 26:15
regarding 7:24
 41:5
regular 1:3 3:6
Regulations 32:22
related 44:15
relates 7:6,21
 24:2 26:19 32:25
released 33:5
remember 36:11
 41:1
remove 12:22
Renaldo 25:8
repeat 22:12
report 8:19 9:22
 30:1 40:3,23
 41:2,3,21
reported 31:20,21
Reporter 44:5
Reporting 4:5
reports 10:12
represent 38:19
 39:13 40:7,11
representation
 7:15 37:22,22
 38:25 39:8
representative
 24:1
representatives
 23:25
requests 34:1
reserve 13:7
residents 8:6
resolution 20:20
resources 13:15
respect 18:14 21:7
response 25:19
rest 3:17 7:9
retired 37:15
Reverend 3:12
 24:23,23 26:17
 26:22 27:6 30:25
RFP 32:18,19,19
 33:1,2,23
ribs 25:5,6,7
riding 34:11
right 10:14,20
 15:13 18:10
 20:22 21:2 24:13
 28:11 29:6,12
 31:1 36:25 37:9
 39:1 40:2,4

41:19,24 42:1
rightfully 33:12
rights 15:10 37:14
ringing 36:8
River 22:11,15
Rivera 2:13 3:12
 6:8,18 11:15,16
 11:22 12:12
 13:20 14:1,18,20
 15:6,15 16:8
 17:1,4,25 42:21
Robert 4:3
Robinson 4:11,12
 4:14,15 6:2
Ron 22:9 41:20
Ronny 25:10 27:11
Room 1:16 2:4
Rouge 34:12 35:18
Rough 35:9
row 3:25
rules 32:22 33:5,8
 33:10,13,15,15
 33:22
run 8:19 23:9 32:3
runaround 36:18
running 23:3

S

sale 26:8
Sammy 34:12
satisfaction 20:23
Savior 5:23
saw 10:18 24:2
saying 11:2 16:18
 17:11 39:4
says 7:25
scene 18:16,23
 25:24 31:13
school 27:16
scope 32:20
seated 4:19
second 6:9,11,19
 6:21 9:20 14:19
 15:14,17 16:11
 16:13 19:22
 29:12 33:7 42:22
Secretary 2:11
 3:15,16,18 4:10
see 7:8,19 10:17
 12:1 13:22 20:7
 20:22 21:3 23:23
 26:2,17 34:2
 36:22 41:7,25
seeing 43:1
seen 28:15
select 27:14
selected 7:7
selling 10:6
Senior 18:14

sense 20:23	Southwest 31:12, 13	sunset 34:24	37:10 41:24, 24
sent 33:1	31:15, 22, 23	Supervising 2:3	42:1, 17, 17, 25
September 1:19 3:2	space 11:9 12:3	Supervising/In...	theft 9:4
3:7 6:16, 22 7:23	speak 24:7	3:21	thing 12:2 29:9
7:24 8:2 28:9	speaking 25:6	support 17:10	31:11 33:6
Sergeant 4:6	special 3:8	21:22, 23	things 7:10, 17 9:2
serious 38:12	spend 29:18	supposed 20:13	11:8 23:14 27:13
service 31:8	Spirit 5:9	38:7 41:16, 17	28:5 35:13
services 15:3	Spirt 5:16	sure 9:6 11:23	think 4:7 8:18
serving 15:1	Spivey 7:22, 23	13:4 17:14 26:20	10:18 12:6 13:1
session 3:8	spoke 30:24	32:6, 24 39:7, 16	15:24 17:17
set 44:8	SS 44:3	40:18, 20, 21	22:19 25:3 34:20
seven 38:2	staff 3:17, 19 4:3	sworn 44:9	40:1, 2
share 8:4	4:7 16:15 21:24		thinking 11:25
sharing 23:15	stand 23:6 28:24	T	12:1, 3
Sheila 13:21	standing 4:19	tag 12:20, 22, 22	thirteen 25:5
sheriff 23:4, 7, 11	12:15 29:2 34:13	take 5:1 8:9 14:13	thirty 33:13
shootings 41:14	35:20, 22	15:12 17:2 18:5	thirty-day 33:14
Shorthand 44:5	standpoint 37:5	20:17, 18 23:6	33:21
shot 35:11	start 14:20	26:1, 6 27:4, 16	thought 17:15
show 5:15 27:19	started 20:16, 18	29:7, 12 30:15	threatened 19:8
38:15 42:7	25:13 30:16	31:9 35:1 37:18	threatening 19:9
sidewalk 29:2	31:23	40:19	three 4:21 14:11
sign 16:3, 23	state 1:1 13:24	taken 1:16 21:5	17:20, 22 19:11
simply 7:25	44:2, 6	27:14 30:1 44:7	19:13 25:21
sir 4:14 12:25	stated 19:1	44:14	33:20 41:11
13:19 15:2, 10	statement 30:4	Talbert 36:14	Thursday 6:16, 22
16:6 18:12 21:8	31:9 39:25	talk 10:17 28:11	Thursday's 18:5
22:3, 5, 16 23:15	statements 40:24	41:9	ticket 9:8 34:19
24:4, 22 27:2	stations 8:20	talked 15:21	34:21
31:2 32:13 34:6	10:18	talking 28:3 34:14	tickets 10:6
35:2, 16 36:1	stay 6:3, 5 9:19	35:11, 22 41:2, 6	Tigers 9:1 12:1
42:5	22:1 34:9	tape 29:4, 10 32:9	time 4:10 6:6 7:7
Sister 42:9	stenographically	target 9:4	10:2, 20 14:5, 8
sit 29:1	44:12	Tawana 37:13	14:10, 12, 17
sitting 3:13, 20, 23	step 4:11 11:14	taxpayers 28:12	18:22 19:22 25:2
3:25	26:14 35:14	team 17:10	26:5 34:6 35:1
situated 4:3	sting 8:1, 4, 7, 9, 11	tear 27:18	37:5 41:1, 10
situation 23:20	8:21 9:16	technician 4:7	44:8
37:18, 20, 21	stolen 26:9	Telegraph 31:15	times 19:13 28:6
38:12	stop 19:14, 14	telling 19:10 28:8	tired 19:21, 23
somebody 12:3	25:22, 22	30:9 36:12	today 3:6, 10 4:13
27:25 30:14	stopped 25:25	tells 29:14 30:7	4:16 5:2 6:12
38:18 40:7, 22	28:17, 17 34:11	ten 38:14	13:22 33:10
somebody's 10:4	story 23:16	Terrance 4:4	36:22 41:17
29:19	streamed 9:20	Terry 34:9	Tolbert 8:11, 15, 17
someone's 10:5	street 10:4 11:5	testify 44:9	8:17 10:8 11:20
something's 27:22	12:11, 13, 14, 18	thank 3:7, 18 4:9	12:9, 14 13:9
son 25:8, 10 28:13	13:6 22:25, 25	4:16, 24 6:1, 10	20:21, 21 21:3
28:14 30:2	23:2 27:15 28:21	7:1 12:25 13:18	30:24 31:2 32:4
sons 28:21, 25	31:20	13:25 15:2, 10	35:17 36:14, 15
30:16	streets 9:17	16:6, 19 17:24	36:22 40:21
soon 33:8, 20	strong 4:20	21:6, 8 22:1, 2, 5	told 10:3 18:25
sorry 14:11 17:5	stuff 25:8, 13 30:9	22:6, 16 23:15	19:3, 5, 7, 14
20:1 23:25 24:4	subdued 19:11	24:21 26:15, 16	20:10 28:23 30:4
24:11 31:14 35:5	subject 41:12	26:16 27:5, 6	totally 21:22
sort 42:15, 16	substantial 27:17	29:22 30:19	touching 4:21
south 31:15	sued 33:12	32:13, 13 34:3, 4	19:18, 20
southbound 28:19	Sunday 22:21, 24	36:1, 8, 25 37:9	tow 9:8 22:22 29:9

towed 9:9,15 11:17
 22:19,20,23 23:2
towing 7:24 8:1,4
 8:7,9,11 23:19
 29:11,17 32:6,16
 32:19
track 10:11 22:10
 22:14 27:12
traffic 9:11,14
 13:8 22:24,24
 25:25 28:18
trailer 30:14
transcript 44:14
transcription
 44:13
transfer 31:25
transmission 23:4
trenches 19:17
trickery 23:5
tried 25:22
truck 29:9 31:19
trucks 29:11,13,16
true 44:13
Trumble 29:10
truth 44:10,10
try 9:5,5 13:13
 27:19,19 35:16
trying 10:11 23:9
 31:25 37:17
Tuesday 38:6
two 4:21 18:18,24
 20:12 23:14 25:3
 25:4,13,16 26:5
 29:3,11,15,16
 32:16 33:19
 38:14 39:8
type 10:12 19:6
 26:2 28:3

U

uncomfortable 33:4
understand 11:17
 12:16 23:16
 27:24 29:5 39:23
 41:17
understanding 7:20
 7:25 10:9
Unfortunately
 10:16 11:10
 24:16 33:8
unlocked 18:20
use 13:15 38:3

V

vacant 22:24
vacated 23:1
valid 40:1
van 25:25
vehicle 23:2,3,21

35:21
vehicles 8:23 9:3
 9:8,8
vendor's 30:9,12
VICE 2:13
Vice-Chairman 3:11
victim 19:21,24
video 9:20
video-visual 4:6
vote 32:21 33:7,8
 33:14,15,20,21
voted 33:6,10

W

wait 34:2
waiting 29:3 30:13
 33:17
walking 39:20
walks 12:21
want 4:25 5:1,15
 7:1,12,19 14:13
 14:13 17:4,17,21
 17:22,25 18:3,5
 18:7 23:18 26:18
 28:11 29:15 30:5
 32:12 33:8 34:23
 35:1
wanted 17:14 27:1
 32:17,21 41:7
wants 27:25
Warfield 2:12 3:4
 3:9 4:9,16 6:1
 6:10,14,20,25
 7:22 8:13,16
 9:19 11:6 12:25
 13:18 14:2,5,9
 14:22 15:7,9,19
 16:5,12,25 17:24
 19:25 20:14,24
 21:2,8 22:2,5,8
 23:14 24:6,11,13
 24:16,21 26:16
 26:25 27:5,8
 29:23 30:19,22
 31:3 32:4,11,24
 33:25 34:4,8,22
 35:5,25 36:3,6
 36:15,19 37:1,10
 37:12 38:21,24
 39:2,15,19,22
 40:1,5,9,13,18
 40:25 41:5,8,12
 41:15,23 42:2,9
 42:11,14,23,25

warm 21:14
WASHINGTON 2:2
wasn't 10:16 12:10
 20:10 35:21
Watson 3:22

way 5:14 9:11
 27:19 28:20 36:7
Wayne 13:23 44:4
 44:22
weapon 38:11 40:10
week 7:3 36:16
 43:1
weekend 37:16
weeks 33:19,20
 35:12
week's 6:16
weigh 33:3
Weir 24:5,5
welcome 3:5 6:3
Wells 15:16,18,20
 16:2 42:5,12
went 19:16 25:4
 36:14 37:23 38:8
 38:9,10
we'll 14:15,17
 15:11,12 20:8
 23:22 34:2,2
 35:23,25
we're 7:9,15 13:12
 13:14 17:13,17
 17:18 28:12
 33:17 38:15
 41:23,24
we've 17:8 20:16
 20:18 27:11,12
 28:6 35:7,8,9
 37:19

Whittier 18:17
wife 22:10 25:24
Williams 13:11
wisdom 5:14
witness 44:9,12
witnessed 37:2
witnesses 38:9,14
 39:7
Woman 29:14
wondered 32:19
wonderful 5:3,3,6
 5:13
Woods 34:10
word 10:23 26:3
 30:7
words 19:8
work 10:13,22
 15:23 16:16,19
 33:4,18
worked 11:13 16:14
 23:3
working 11:13
 26:11,12
works 10:25
worries 29:21,21
wouldn't 12:5
 28:15

wrote 34:19 40:3

Y

Yeah 36:16 38:23
years 17:7 18:15
 35:8
young 27:15 30:8
 31:19 38:11,13
 39:7
youth 19:18
Ypsilanti 4:12

\$

\$15.00 12:4
\$20.00 12:4
\$75.00 22:21,22

1

1 1:14
1st 44:23
10th 25:16 31:13
 31:16,22,24 32:1
10:00 35:4,5,6,9
 35:19
100 11:7
11:30 34:11,20
1300 1:16 2:4
15th 25:3 28:8
16th 6:17,22
1982 27:12

2

2 8:20 9:20 28:10
20th 7:24 8:2
2010 1:19 3:2,7
 7:24 8:2
2012 44:23
22nd 7:23
24 1:19 3:2
24th 3:7

3

3:00 18:6
3:06 1:18 3:3
3:52 43:2
313 2:6
328 2:4
328-A 1:16
39 18:15

4

4 28:10
44 1:14
48206 1:17
48226 2:5

5

5th 22:19
596-1835 2:6

7

7 28:10
7042 44:21

8

82 23:2

9

9th 19:15
911 25:13 29:3
96 31:15