

8/2/2012

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STATE OF MICHIGAN
DETROIT BOARD OF POLICE COMMISSIONERS
REGULAR MEETING

PAGE 1 TO 60

Taken at 1300 Beaubien, Room 328A,
Detroit, Michigan, 48226,
Commencing at 3:25 p.m.,
Thursday, August 2nd, 2012,
Before Elizabeth Koller, CSR-7042.

1 APPEARANCES:
2 CELIA BANKS WASHINGTON (P54338)
3 Attorney to the Board
4 Detroit Board of Police Commissioners
5 1300 Beaubien, Room 328
6 Detroit, Michigan 48226
7 (313) 596-1835
8 Appearing on behalf of the Board of Police
9 Commissioners.
10
11 COMMISSIONERS:
12 JEROME WARFIELD, CHAIRMAN
13 DONNELL WHITE, REGULAR MEMBER
14 JESSICA TAYLOR, VICE CHAIRPERSON
15 TONEY STEWART, REGULAR MEMBER
16
17 ALSO PRESENT:
18 GEORGE ANTHONY, SECRETARY
19 CHESTER LOGAN, ASSISTANT CHIEF
20
21
22
23
24
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1 Detroit, Michigan

2 August 2, 2012

3 About 3:25 p.m.

4 CHAIRMAN WARFIELD: Welcome to the Board of
5 Police Commissioner's Meeting. Glad to see you all
6 here. My name is Jerome Warfield, Chairman of the
7 Board of Police Commissioners. Serving with me today
8 is Vice Chairperson of the Board, Commissioner Jessica
9 Taylor, as well as Commissioner Donnell White and
10 Commissioner Toney Stewart.

11 Representing the Chief's Office is Assistant
12 Chief Chester Logan. We're going to ask if our Board
13 Secretary, Mr. George Anthony, will introduce you to
14 our office staff.

15 MR. SECRETARY: Thank you, Mr. Chair. For
16 the record, George Anthony, Secretary to the Board. We
17 have present Ms. Celia Banks Washington, who is our
18 Attorney to the Board, Ms. Dalph Watson, who is our
19 Personnel Director. We're blessed to have Ms. Pamela
20 Davis Drake who is our new Chief Investigator.

21 Mr. Robert Brown is our Office Manager,
22 Ms. Elizabeth Koller from Hanson Court Reporting
23 Service is recording our proceeding, and Sergeant Alan
24 Quinn is also a recorded, and that concludes the
25 introductions.

1 CHAIRMAN WARFIELD: Thank you, sir. At this
2 time I'll ask if Chaplain Taylor will come to the
3 podium if she's here, good to see you, and lead us in
4 our invocation for today's meeting. Good afternoon,
5 ma'am.

6 CHAPLAIN TAYLOR: Good afternoon. Let us bow
7 our heads. Father, we certainly thank and praise and
8 honor you today. We thank you for your presence that
9 we will be known in this place today. We ask for open
10 ears and hearts. We ask for fairness and justice. We
11 ask, God, that your presence will be known in every
12 crevasse of this place and every heart and mind.

13 We love you. We give you praise and honor.
14 May every heart say amen.

15 AUDIENCE: Amen.

16 CHAIRMAN WARFIELD: Thank you, Chaplain
17 Taylor. We appreciate your presence here today.

18 I will entertain a motion to accept the
19 agenda for today.

20 COMMISSIONER WHITE: So move.

21 COMMISSIONER TAYLOR: Second.

22 CHAIRMAN WARFIELD: Any discussion? Seeing
23 none, all those in favor?

24 COMMISSIONERS: Aye.

25 CHAIRMAN WARFIELD: All those opposed?

1 Motion carries. I'll also entertain a motion to accept
2 the minutes from Thursday, July the 12th.

3 COMMISSIONER TAYLOR: So move.

4 COMMISSIONER WHITE: Support.

5 CHAIRMAN WARFIELD: All those in favor?

6 COMMISSIONERS: Aye.

7 CHAIRMAN WARFIELD: All those opposed?

8 Without objection will we accept a motion to approve
9 the minutes from July the 26th 2012.

10 COMMISSIONER TAYLOR: So move.

11 COMMISSIONER WHITE: Support.

12 CHAIRMAN WARFIELD: Any discussion? All
13 those in favor?

14 COMMISSIONERS: Aye.

15 CHAIRMAN WARFIELD: Thanks so very much.

16 Under Chairperson's Report we have a few things that I
17 want to share with you. First of all, I want to thank
18 Chief Ralph Godbee specifically and his team just for
19 what I believe was a very outstanding clear and concise
20 job this week in front of City Council as we are
21 petitioning City Council to put before the voters the
22 question of whether they should be able to determine
23 their own level of security in the neighborhoods by
24 proposing a millage that the voters will themselves
25 debate and make a decision.

1 The Chief answered every question that came
2 from every Council member that was there. He extended
3 the time that he was there a great deal, and because of
4 his leadership at the table that day made a tremendous
5 difference.

6 We will go back to City Council on Tuesday
7 asking again that City Council will vote not to raise
8 taxes but literally to allow the citizens to decide for
9 themselves the level of security they want in their
10 neighborhoods.

11 The Chief was very clear at best even if the
12 new work rule changes we went through that we only can
13 put about 124 more Officers on the street, and that's
14 in a perfect in society. But he said and indicated to
15 the Council and people there that we need a surge
16 because we're in a crisis as relates to crime and
17 safety in the City of Detroit.

18 And he indicated that there is a plan that he
19 wants to push forward that will put 500 Officers, at
20 least 60 Sergeants on the streets of the City of
21 Detroit that would only cost the citizens of the City
22 on average about a 160 to \$200.00 a year which is about
23 four to \$5.00 a week.

24 He also noted as other Council people noted
25 that as more Officers are retiring from the Department

1 we at this point are not able to hire any new Officers.
2 So if things stay the same we cannot get better. We
3 have to do something differently. And there are not
4 any other proposals on the table that add more Officers
5 to the streets. So why not let the citizens of this
6 City make the decisions. And if the citizens say yes,
7 so be it, if the citizens say no, so be it.

8 But the Chief and I, and Mr. Blackwell,
9 former Chair of the Body, were all in agreement and
10 Deputy Mayor Kirk Lewis are all in agreement the
11 citizens of this City need to be the ones to weigh in
12 on that debate so that they themselves can determine
13 what their level of security in the neighborhoods will
14 be moving forward over the next five years.

15 So on behalf of myself and the Board, I just
16 want to say thank you to the Chief's Office just for an
17 outstanding what I thought presentation that was just
18 down to the basics and gave the numbers and gave the
19 case scenario of why we need a surge today of Police
20 Officers on our streets again.

21 Our next meeting in front of City Council
22 will be Tuesday around 10:00 and hopefully we will get
23 an affirmative vote, at least a majority of Council
24 Members to move this initiative on the Detroit Ballot
25 for November.

1 Moving onto my report, I want to welcome
2 Ms. Pamela Davis Drake who is our new Chief
3 Investigator in charge of the Office of the Chief
4 Investigator. Can you give her a round of applause?
5 I'm going to ask her to come to the podium.

6 Ms. Pamela Davis Drake has just a wealth of
7 experience. We thank her. She was phenomenal in all
8 of her interviewing. She literally blew those away who
9 were there to interview her. She actually began
10 interviewing us. It was just a wonderful experience.

11 I've been in many interviews in my life.
12 Very seldom have I been in one where someone was so
13 capable, had the experience as relates to organization,
14 as relates to managing cases. Her experience -- she
15 literally was the manager of Court Services Division
16 out in Pontiac in the Sixth Judicial Court. She was
17 the coordinator in the Third Judicial Court, Family
18 Division, has just a plethora of accomplishments.

19 She has her Masters Degree, I can't locate it
20 quickly here, but I believe it's in Organizational
21 Management.

22 MS. DRAKE: Criminal Justice.

23 CHAIRMAN WARFIELD: But one of her degrees is
24 Organizational Management. And we're just pleased to
25 have her on Board. She will take over for where

1 Lieutenant Leach and our Attorney Celia Banks
2 Washington has moved and they will have a nice
3 transition period to keep on board. But she is ready
4 for the task. She's ready for the job that lies ahead.
5 She's excited about it and we're excited to have her.
6 And we want to say officially on behalf of the Board
7 welcome to the Office of the Chief Investigation.

8 MS. DRAKE: Thank you. I very much
9 appreciate that warm welcome.

10 CHAIRMAN WARFIELD: For the record could you
11 say your name?

12 MS. DRAKE: Absolutely. Pamela Davis Drake,
13 for the record. I'm looking forward to working here in
14 the City of Detroit. My background is in Wayne County.
15 And for the last eight years as Commissioner Warfield
16 pointed out I've been in Oakland County and I am very
17 much looking forward to being back here and serving
18 you, the citizens.

19 Just to give you a little bit more about my
20 background, I have been working with the Michigan
21 Department of Corrections. I worked with them for a
22 number of years, the State Department of Corrections,
23 and most recently with Oakland County. The majority of
24 my career has been in Wayne County and I am very much
25 looking forward to working with you. Anything I can do

1 for you I will be happy to do so, please.

2 I also want to commend the Board and Attorney
3 Banks Washington and also Lieutenant Leach for all of
4 the hard work. You need to know these people have
5 worked very hard to manage that department in the
6 absence of the Chief and they have done a phenomenal
7 job. So if you don't mind, I would like to commend
8 them.

9 (Applause.)

10 MS. DRAKE: Thank you.

11 CHAIRMAN WARFIELD: Let me say this while
12 you're there standing at the mic that the Office of the
13 Chief Investigator, and George you might want to print
14 this one up, that we are down to four cases over
15 90 days. And if you remember a few years ago we had
16 over 1,300 cases in that office.

17 And so just the outstanding work that this
18 Office has done has been just phenomenal. And each
19 case has been investigated thoroughly and so you are
20 taking over at a good period, and so if there's any
21 slippage --

22 MS. DRAKE: No pressure, no pressure.

23 CHAIRMAN WARFIELD: So thank you so very much
24 for being here, just an outstanding job to our team.

25 SPEAKER: Do you reside in our county?

1 MS. DRAKE: I do not currently reside in
2 Wayne County, no.

3 CHAIRMAN WARFIELD: Thank you so very much.
4 At this time I'm going to the Secretary's Report. Is
5 there a Secretary's Report, sir?

6 MR. SECRETARY: No, sir.

7 CHAIRMAN WARFIELD: No Standing Committee
8 Reports. We do have a resolution, and I'm going to
9 ask -- no resolution. I'm sorry. Let's go to the
10 Chief's Office. I'm sorry, Assistant Chief. We'll
11 hear from the Chief's Office at this point. Assistant
12 Chief Chester Logan.

13 ASSISTANT CHIEF LOGAN: Assistant Chief
14 Logan, through the Chair, we have no report as such
15 from the Chief's office this week.

16 CHAIRMAN WARFIELD: Okay. Thank you, sir.
17 Moving now to New Business, there is a resolution. Is
18 this the one regarding the RFP?

19 MR. SECRETARY: ARD, yes.

20 CHAIRMAN WARFIELD: Yes, I want to ask if
21 Vice Chairperson Taylor will read the recommendation
22 that we're offering to City Council regarding the RFP
23 of ARD. Yes, the whole recommendation.

24 COMMISSIONER TAYLOR: Whereas, on
25 January 22nd, 2009 the Board of Police Commissioners

1 passed a resolution to form a city-wide task force
2 regarding the Detroit Police Department's Police
3 Authorized Towing process.

4 And whereas, the Board believed that it was
5 in the best interest of the citizens of the City of
6 Detroit that towers and the Department to establish two
7 working groups whose mission was to Number 1, review
8 the existing Police Authorized Towing Process Policies
9 and Procedures.

10 Number 2, review the City's Management --

11 CHAIRMAN WARFIELD: I'm sorry, can we strike
12 that from the record? That was an old rendition. The
13 one that's dated August 2nd.

14 COMMISSIONER TAYLOR: Okay. Whereas as the
15 Board of Police Commissioners held a community meeting
16 on April 12th, 2012, in the Northeastern District, and
17 whereas Mr. Andre DuPerry from the City of Detroit's
18 Purchasing Department made a presentation to the Board
19 and the community regarding the City's effort to
20 establish a centralized towing management system for
21 police authorized towing in the City.

22 And whereas, Mr. Duperry informed the Board
23 and community the company Auto Return of San Francisco,
24 California, also known as Auto Return Detroit was
25 negotiating a contract with the Purchasing Department

1 for this purpose.

2 And whereas, ARD is a limited liability
3 corporation that was formed by Auto Return and the
4 Detroit Law Firm of Lewis and Munday.

5 And whereas, the Board has considered and
6 discussed ARDs proposal, conducted its own analysis and
7 research on the issue and has made an extensive record
8 of its findings during regularly scheduled meetings of
9 the Board.

10 And whereas, the Board believes that
11 implementing a comprehensive towing software program is
12 a better alternative to the "management model" offered
13 by ARD.

14 And whereas, the Board desires to make
15 recommendations to the Detroit City Council, chief
16 among them is the recommendation to reject the contract
17 bid of Auto Return and/or Auto Return Detroit.

18 Now, therefore be it resolved that the Board
19 of Police Commissioners recommends to the Detroit City
20 Council that it reject the contract bid of Auto Return
21 and/or Auto Return Detroit for the centralized
22 management of Police Authorized Towing in the City of
23 Detroit.

24 And be it further resolved that the Board
25 recommends to the Detroit City Council that the City

1 conduct a sole source process to secure a comprehensive
2 towing software package for Police Authorizing Towing
3 in the City of Detroit.

4 CHAIRMAN WARFIELD: Is there a motion in
5 regards to the recommendation to City Council regarding
6 the request for proposal from Auto Return?

7 COMMISSIONER WHITE: Mr. Chair, if it would
8 be appropriate before we do hear the motion, this Body
9 did ask of the Department's recommendation as related
10 to the management company versus a software option may
11 be appropriate to hear that recommendation prior to our
12 vote up or down of this resolution.

13 CHAIRMAN WARFIELD: Sure. If it's okay with
14 you can we do that during the discussion period here
15 from the Department during the discussion period on the
16 motion?

17 COMMISSIONER WHITE: Just as a
18 recommendation, you may offer whether one may want to
19 vote in favor or?

20 CHAIRMAN WARFIELD: The discussion will come
21 before the vote.

22 COMMISSIONER WHITE: Okay.

23 CHAIRMAN WARFIELD: So is there a
24 recommendation regarding the motion? Is there a
25 recommendation?

1 COMMISSIONER TAYLOR: I'm going to recommend
2 it. Accept it.

3 CHAIRMAN WARFIELD: It's been moved that we
4 accept the recommendation to send to City Council. Is
5 there a second to support?

6 COMMISSIONER TAYLOR: Support.

7 COMMISSIONER STEWART: Second.

8 CHAIRMAN WARFIELD: It been recommended and
9 supported that we send this to City Council. As part
10 of our discussion for this I'm going to ask if Deputy
11 Chief Tolbert will come to the mic and report out on
12 the information that we requested last week as relates
13 to the Department's finding on software packages as
14 related to towing and what is the Department's stance
15 as relates to software.

16 D.C. TOLBERT: Good afternoon. Deputy Chief
17 James W. Tolbert. In response to the request by the
18 Board, specifically Commissioner White, we did some
19 digging and I was able to determine that in 2010 there
20 was an RFP issued and during that time there were
21 several individual companies that presented responses
22 to that RFP.

23 There was a committee that narrowed it down
24 to a company and that is Auto Recovery.

25 CHAIRMAN WARFIELD: Auto Return.

1 D.C. TOLBERT: Auto Return, I'm sorry, Auto
2 Return, and they were awarded the bid. During that
3 process members from Management Services were able to
4 review software solutions and the software did, in
5 fact, have some value from my interview with some of
6 the members of Management Services.

7 However, obviously the Detroit Police
8 Department does not have the ability to pick a vendor
9 and that was where the process went through the
10 process. The question is does the Department believe
11 there's a software solution as opposed to a management
12 company? It seems that both are feasible. But a
13 software solution we know that they exist, so, yes,
14 there are software solutions out there.

15 But, again, because of the process the
16 Department does not pick a software solution over a
17 management company. It has to go through the process
18 like any other vendor for the City. That will be our
19 position.

20 CHAIRMAN WARFIELD: Any questions for Deputy
21 Chief? Commissioner Taylor?

22 COMMISSIONER TAYLOR: So you're saying that
23 you would have to go through the process as if you were
24 a vendor to get the software package?

25 D.C. TOLBERT: And it seems to me if we're

1 going to use a software package and I don't know what
2 kind of human resources would go with that, but if
3 we're going to use a software package, if we're going
4 to pick a software package I will imagine there would
5 have to be a Request For Proposal for the software
6 package and then have to go through the normal bidding
7 process that the City uses, yes, ma'am.

8 CHAIRMAN WARFIELD: Commissioner White?

9 COMMISSIONER WHITE: Deputy Chief,
10 specifically is that a process from your perspective
11 the Department wants to manage if we had our own
12 software package?

13 D.C. TOLBERT: I will say, Commissioner, that
14 if we're going to look at core services we want to
15 relieve ourselves of having Police Officers perform
16 administrative functions. We probably would get away
17 from using any sworn police personnel in a process such
18 as the towing of vehicles, the recovery, and things of
19 that nature. But, again, that's a decision for the
20 Chief, and I could defer to the Assistant Chief.

21 A.C. LOGAN: Through the Chair, Assistant
22 Chief Logan. I think this whole issue in terms of
23 which is better than the other would be something that
24 we would have to sit down and take a look at and then
25 make a recommendation to the Chief and the Chief would

1 bring it back to this Body.

2 Now I don't think we're in a position today
3 to say one way or the other.

4 CHAIRMAN WARFIELD: Thank you, sir. Anymore
5 questions? Commissioner Stewart? Thank you, sir.
6 While you're standing there, and I don't know if you
7 were here when Purchasing came at our Community
8 Meeting, I think it was back in April and made the
9 presentation for Auto Return for us to consider Auto
10 Return to receive the bid.

11 But one of the things or several things I
12 think that were concerning and the fact that, one, was
13 the fees that would have been incurred on the towers as
14 relates to auction expense and the fees that would have
15 been occurred on the actual residents who were going to
16 auctions and they were starting off if I'm not mistaken
17 with Mr. DuPerry saying in the regular minutes there
18 would have been at least \$250.00 fee to even bid on the
19 cars themselves which of course is not in place.

20 We do know that the Police right now
21 currently are involved as relates to pulling cars out
22 and putting cars into the LEIN system.

23 To your understanding, would that still need
24 to be done as relates to pulling cars out of the LEIN
25 system and putting them into the LEIN system or could

1 you use law enforcement personnel or does it
2 necessarily have to be a Police Officer, do you know
3 the answer to that?

4 D.C. TOLBERT: As far as I'm aware of any
5 individual using the LEIN has to be certified by the
6 state to use LEIN, and I do not know the specifics of
7 that certification.

8 CHAIRMAN WARFIELD: Gotcha. Okay. Great.
9 Anymore questions for Deputy Chief on this issue?
10 Okay. Thank you, sir, appreciate getting back with us
11 so quickly on the information. Any discussion on the
12 motion on the recommendation that's in front of us?
13 Anymore discussion on the recommendation?

14 I just want to refresh those who were maybe
15 not here last time. We had brought this recommendation
16 back because again this is the proposal that Auto
17 Return offered to the City of Detroit which basically
18 the City will make about 1.5 million according to their
19 figures, 1.5 million if they took over the bid.

20 This Board passed recommendations last week
21 that would offer about 2.3 million if we just entered
22 into a software package agreement with someone. So in
23 listening to the various proposals and looking at those
24 who pay taxes in the City of Detroit and looking at the
25 potential for job loss as relates to this RFP, I think,

1 you know, it's incumbent upon us to look out for the
2 Detroiters who've done this job. I've said it, and
3 this is my personal research, and I said in my own
4 report at the beginning of July that we have about
5 917 years' worth of towing experience amongst our
6 twenty-seven towers who tow for us. I believe the
7 company ARD has about seven years of experience.

8 It seems to me that, again, considering the
9 enormous amount of progress that we've made with the
10 issues that came up in the tow rate audit that we had
11 eradicated about 90 to 95 percent of the issues just
12 through the tow rules. And right now the only five
13 percent is software issues, not necessarily processing
14 issues. And I think we've done a good job with that.
15 So as we vote I just ask that we vote understanding the
16 fullness of what is in front of us.

17 Anymore discussion on this particular
18 recommendation? Anymore discussion on this particular
19 recommendation? All those in favor of the
20 recommendation and the motion that is before us to send
21 this recommendation over to the Detroit City Council
22 those in favor please say aye?

23 COMMISSIONERS: Aye.

24 CHAIRMAN WARFIELD: Those opposed you have
25 the same right and privilege. Motion carries. Thank

1 you, ladies and gentlemen.

2 (Applause.)

3 CHAIRMAN WARFIELD: Moving right along we are
4 going to ask if Attorney Celia Banks Washington comes
5 up so we can move forward with the questions that we
6 had last week as relates to proposed amendments.

7 And as she's coming up let me state once
8 again what our plans are with these rule changes.
9 We're going to have one more public hearing that's
10 going to happen approximately thirty days or so from
11 now or after we approve of these final proposed
12 amendments.

13 After that public hearing we will convene and
14 if there are not any other major changes we will vote
15 to put these new changes or new rules or new
16 recommendations either or not into play. But we have
17 one more public hearing that will happened about
18 30 days or so from now.

19 ATTORNEY WASHINGTON: Celia Washington,
20 Attorney for the Board. Last week there were some
21 concerns, I don't believe we went through all of the
22 amendments or proposed amendments, excuse me, to the
23 rules. There was one section, Section A and it was
24 bifurcated A and B which I believe is the only section
25 that I need to speak to today.

1 Commissioner White had some concerns with
2 regard to whether tow operators were prohibited from
3 owning trucks, I believe was the concern.

4 COMMISSIONER WHITE: As a owner if that
5 individual would be precluded by the then recommended
6 language from driving their own truck in service was
7 the concern.

8 ATTORNEY WASHINGTON: Okay. As a solution to
9 that I prepared some proposed revisions. One of which,
10 and it would probably be better if I read it into the
11 record.

12 CHAIRMAN WARFIELD: Can you do that for us,
13 please?

14 ATTORNEY WASHINGTON: I certainly will. But
15 in essence what it does, previously there was an and/or
16 that was proposed and what we've basically done, again,
17 if this gets to what your concern is, fine, if not, we
18 can discuss it further, we've done away with the and/or
19 portion and combined it into one rule. So there's no
20 longer a 7A and 7B. It's just 7. Okay.

21 Every tow truck operator including the owners
22 of the towing company must be an employee of the towing
23 company. A tow truck operator is an employee within
24 this section colon A that tow truck operator is the
25 owner of the towing company, or B all of the following

1 apply. One, the person is an individual, and, two, the
2 towing company has the right to control or direct both
3 the result of the individual's work and how it will be
4 done; that has been footnoted and comes directly from
5 the IRS guidelines defining independent contractors,
6 and, three, the towing company has the individual on
7 its payroll, withholds federal, state, and city income
8 taxes, Medicare taxes and Social Security taxes and
9 pays unemployment taxes and Workers' Compensation
10 insurance for that individual, and, four, the
11 individual does not own directly or indirectly an
12 interest in a tow truck that any towing company
13 utilizes for services performed pursuant to a towing
14 permit.

15 An individual has an indirect interest in a
16 tow truck if he slash she or any person within a third
17 degree of consanguinity of that person. We defined as
18 a footnote the term consanguinity owns a tow truck or
19 has an interest in an entity that owns a tow truck,
20 paragraph.

21 Selected towing companies may not directly or
22 indirectly lease a tow truck from an employee period.
23 A selected towing company indirectly leases a tow truck
24 from an employee if the towing company, one, provides
25 consideration to an entity owned or controlled by

1 either the employee or any person within the third
2 degree of consanguinity of the employee on account of a
3 tow company using a tow truck or, two, pays the
4 employee a reduced wage due to lease payments
5 associated with the tow truck or tow trucks that a tow
6 company utilizes.

7 As part of the footnote it just defines the
8 first, second, and third degree of consanguinity.

9 CHAIRMAN WARFIELD: Any questions for
10 Attorney Washington on what she just reviewed? Okay.
11 Thank you, ma'am, appreciate it.

12 All right. This is I believe was the last
13 proposed amendment change to the rules that we had not
14 acted upon before we go ahead and reprint these changes
15 and post them for 30 days. What is the pleasure of the
16 Body?

17 COMMISSIONER WHITE: Mr. Chair, I move that
18 the previous recommended Amendments 7A and 7B be
19 combined into the newly recommended version of
20 Amendment 7 which speaks to the use of brokers and
21 independent contract -- I'm sorry, which speaks to the
22 proposed language which is prohibiting the use of
23 brokers and independent contractors.

24 COMMISSIONER TAYLOR: Support.

25 CHAIRMAN WARFIELD: It's been properly moved

1 and supported. Discussion? I think we've already had
2 some discussions certainly from Counsel as relates to
3 that and certainly will combine this into one
4 amendment. It just makes us be very clear as to
5 relates to the definition of who is whom, whatever,
6 something like that, in our rules so that we are very
7 clear and very determined about moving forward. Any
8 other discussion about this proposed amendment?

9 Hearing and seeing none, all those in favor
10 or accepting the proposed amendment, please say aye.

11 COMMISSIONERS: Aye.

12 CHAIRMAN WARFIELD: All those opposed?
13 Motion carries. Again, we will publish all of the
14 proposed amendments and we will also publish the date
15 that we will have our next hearing. Do you have a date
16 for us?

17 ATTORNEY WASHINGTON: I need a discussion.

18 CHAIRMAN WARFIELD: Okay. Let us discuss
19 that now if that's good, what date might be good. We
20 know today is the 2nd. Mr. Brown, do you know where
21 we're supposed to be on the 13th? In the community?

22 MR. BROWN: Eastern District.

23 CHAIRMAN WARFIELD: 13th of September?

24 MR. BROWN: No, we're going to be at the
25 Northeastern.

1 CHAIRMAN WARFIELD: Because we're in August
2 now, right, I'm looking 30 days ahead. We're going to
3 be at what district?

4 MR. BROWN: Northeast.

5 CHAIRMAN WARFIELD: I'm wondering for this
6 Board, do you want to do it at the meeting on the 13th
7 or the 20th of September? Do you want to do it at the
8 community meeting or do we want to do it at a regularly
9 scheduled meeting?

10 MR. SECRETARY: Mr. Chair, if I may, I would
11 like to invite some of those law enforcement entities
12 to come in on the 13th to discuss --

13 CHAIRMAN WARFIELD: Oh, what we had talked
14 about before. Gotcha. So we're probably looking at
15 close to the 20th, maybe. Is that okay with the Body,
16 the 20th of September?

17 COMMISSIONER TAYLOR: That's okay with me.

18 COMMISSIONER WHITE: Yes.

19 CHAIRMAN WARFIELD: The 20th of September
20 will be the public hearing. Counsel, does that seem
21 good enough?

22 ATTORNEY WASHINGTON: I think the first
23 concern there needs to be a discussion on when it will
24 be published in the newspaper.

25 CHAIRMAN WARFIELD: Okay.

1 ATTORNEY WASHINGTON: And having said that,
2 we do need to make sure because this is an open meeting
3 that we have taken care of the invoice from previous
4 publishings. So having said that, we need to be
5 sure --

6 CHAIRMAN WARFIELD: From Management Services.

7 ATTORNEY WASHINGTON: Because we do publish
8 it in the Detroit Legal News and we did have a balance,
9 so before we commit to a date on the publishing. But I
10 would like for there to be a discussion about the date
11 and we can let you know if that date is acceptable.

12 CHAIRMAN WARFIELD: Since today is the 2nd,
13 I'm hoping that by within a week we would know and/or
14 could be able to clear it up.

15 ATTORNEY WASHINGTON: Before that, sir.

16 CHAIRMAN WARFIELD: Before that?

17 ATTORNEY WASHINGTON: If you give me a date
18 we can certainly check with the Detroit Legal News.

19 CHAIRMAN WARFIELD: What about Tuesday the
20 7th?

21 ATTORNEY WASHINGTON: Absolutely.

22 CHAIRMAN WARFIELD: Board, please chime in
23 with me. By Tuesday the 7th we can check to make sure
24 if we still have a balance from the last time we
25 posted.

1 ATTORNEY WASHINGTON: Last two times.

2 CHAIRMAN WARFIELD: Oh, Lord. And then let
3 us use all of our persuasive powers to get that invoice
4 paid and we'll certainly do that and then if it can be
5 posted in the paper -- no, I will say posted no later
6 than the 16th, if we can get it posted sooner fine, but
7 no later than the 16th because if it's posted after
8 that I think we need to come and meet although we still
9 have some days I want us to come back and meet because
10 I want to make sure it's out there and everybody has a
11 chance to see it.

12 ATTORNEY WASHINGTON: Yes, sir.

13 CHAIRMAN WARFIELD: Is that okay with the
14 Body?

15 COMMISSIONER WHITE: Just to be clear,
16 Mr. Chair, the August 7th date was for?

17 CHAIRMAN WARFIELD: The August 7th date is
18 for our staff to check with the Legal News to make sure
19 past invoices have been taken care of and to get them
20 taken care of between then and again the minimum have
21 it cleared up by the 16th so the new amendment changes
22 can be posted by the 16th.

23 ATTORNEY WASHINGTON: Actually, Mr. Chair, it
24 would be not just the amendment. By Charter we have to
25 produce or to publish the whole thing.

1 CHAIRMAN WARFIELD: Absolutely, all of them.
2 Any other discussion on that? All right. So without
3 objection, I will ask that this body will agree with
4 the consent that we will check to make sure what our
5 previous balances may or may not be by the 7th and that
6 by the 16th all of our rules will be posted if we're
7 able to take care of those things and that we will have
8 our hearing on September the 20th, is that okay?

9 COMMISSIONER TAYLOR: That's okay with me.

10 COMMISSIONER WHITE: Good. All in consent
11 and agreement, that's what we'll do. Thank you, ma'am.
12 Thank you, Board.

13 Out next meeting will be Thursday,
14 August 9th, 2012 at 6:30 p.m. in the Eastern District
15 at Jesus Tabernacle of Deliverance which is located at
16 1100 Chalmers over on the Eastside.

17 Also I want to read an announcement and we
18 have all cried earlier so I'll try to read this without
19 crying again. Ms. Dalph L. Watson, Esquire, to the
20 Board of Police Commissioners. Dear Chairman Warfield,
21 it is with mixed emotions that I notify you of my
22 intention to resign from my position as Director of
23 Police Personnel for the Detroit Police Department
24 effective September the 3rd of 2012.

25 Thank you for the opportunities for

1 professional and personal development that you have
2 provided me during the last three years. I have
3 enjoyed working for the Department and appreciate the
4 support provided me during my tenure with the
5 organization. Prior to my departure I will finish
6 those matters that are outstanding and develop a
7 transition plan that will assist with the on boarding
8 of my successor.

9 After my departure, if I can be of any
10 assistance please feel free to contact me at the number
11 listed above. Respectively submitted, Dalph L. Watson,
12 Esquire.

13 Certainly we want to say to our Personnel
14 Director we don't want you to go, but we understand.
15 We definitely understand opportunities sometimes come
16 once in a lifetime and you've got to jump on it. But
17 we appreciate you so very much for all of the hard work
18 that you've done.

19 This is bittersweet for me because we came on
20 the exact same week in our responsibilities and duties
21 here. So certainly you've handled your job
22 professionally and you've done it well, extremely well.

23 So on behalf of the Board, I want to thank
24 you from the bottom of my heart for the services that
25 you've provided. And if any of the Board Members want

1 to chime in, certainly you can.

2 COMMISSIONER WHITE: I'll let it simmer for a
3 few weeks. We still have her for a little while.

4 CHAIRMAN WARFIELD: Absolutely. But thank
5 you so very much. At this time we'll open up our floor
6 for oral communication. If you wish to address the
7 Board of Police Commissioners you may come to the
8 podium. Please, please, ma'am, please, sir, abide by
9 our time restraints of two minute per person that we
10 may get to hear as many as possible and we ask that you
11 state your name and spell your name for the record for
12 us. Thank you.

13 MS. MORRIS: Tijuana Morris, T-I-J-U-A-N-A,
14 last name M-O-R-R-I-S. I am with the Detroit Coalition
15 Against Police Brutality, and I am a licensed
16 investigator by the State for Fight For Your Rights
17 Investigations.

18 In my disappointment, this Body has known our
19 group for a long time and even before you we were still
20 here. In 2009 I filed a complaint and it was
21 concerning an accident. I've been through this and for
22 the sake of time if you want to hear more we can talk
23 about it more.

24 But Attorney Washington and I have talked and
25 she told me today which is far past the limit that was

1 set for a date for a mediation, I guess, is that what
2 you call it?

3 ATTORNEY WASHINGTON: A hearing.

4 MS. MORRIS: A hearing. And it's -- I'm
5 emotional, it's hard because all of the work that we've
6 done. I've been shaken by the Internal Revenue, the
7 insurance company, and I have been proven all monies
8 were made. I never took a salary. I never was able
9 to. I enjoy the work that I do. The people that I
10 bring to you in a safe matter from all over the
11 community and in our City and I figure that my
12 creditability would stand. There was an error done in
13 the investigation, and it was not on my part.

14 And I didn't rally like I would rally for
15 somebody died or whatever. I took it as a citizen.
16 And I want to see the response. I'm not asking for a
17 favor but now at this late date as a citizen ongoing.
18 It's been so long ago people have forgotten what's
19 happened to me. You do not see me as much.

20 I have had one surgery. I have to have
21 another surgery the 9th. Excuse me if I sound a little
22 shaken. It's life altering. An Officer's word is very
23 important, and it's the only thing that insurance
24 agents have to abide by or go by. And the report was
25 not -- this person was a licensed trained traffic

1 officer and he did not provide the professional
2 services that was supposed to be provided.

3 He was very negative. And out of respect, I
4 still have respect for the badge. And it's just
5 heartbreaking to see all of my work. I have introduced
6 the program of \$1.2 million program, and it was -- I do
7 have a 510C3. But my credibility was attacked.

8 The insurance company tried to say I was a
9 liar and they took my paperwork to the judge and the
10 judge tore it down. I'm getting older. I'm still
11 trying to maintain. You do not see braces on me, but I
12 have them at home.

13 And because of my injuries they understand.
14 I have a brace on now but you don't know it. My neck
15 brace. I'm not going to go out in the street. Montel
16 Williams have a sickness. You don't see him in
17 stretched out stuff, but I'm sure he has it available.
18 I'm a lifetime grass root worker.

19 The insurance man wonder if you do federal
20 why don't you make money?

21 CHAIRMAN WARFIELD: Ms. Morris, just one
22 second.

23 MS. MORRIS: I understand, I understand.

24 CHAIRMAN WARFIELD: I just want for the
25 record's sake to just make two points real quickly and

1 certainly we're always glad to see you. But when you
2 came before us I think it was about six to eight months
3 ago --

4 MS. MORRIS: No.

5 CHAIRMAN WARFIELD: Hold on one second. No,
6 I'm not talking about the initial time. I'm talking
7 about the last time you asked us to follow up on this.

8 MS. MORRIS: Yes.

9 CHAIRMAN WARFIELD: We followed up on it
10 immediately. As a matter of fact, I read the report
11 myself. We followed up on it immediately.

12 Ms. Washington has offered to even have a public
13 hearing because they went back and reviewed the case
14 and came back with the finding. But we're offering to
15 even go a step further and have a public hearing for
16 you, and that's been set.

17 So from this Board's perspective we are
18 definitely doing due diligence that we've been asked to
19 do, and we're still willing to do that. So that's not
20 an issue for us.

21 MS. MORRIS: As relates to the timeline.

22 CHAIRMAN WARFIELD: As relates to the
23 timeline, ma'am, we responding to the timeline. We
24 believe again six months ago you asked us that and that
25 report came back I think two weeks later. Two weeks

1 later is when that report came back after you came
2 before this Board we got that information right back to
3 you two months later. And we understand that you
4 disagree with the findings. We understand and we
5 respect that, which is why --

6 MS. MORRIS: And understand why?

7 CHAIRMAN WARFIELD: Right, which is why again
8 we made the offer for a hearing before the Board which
9 is the process. So we don't have an issue with
10 granting the hearing. We'll do that. So if you're
11 still willing to do the hearing you need to see
12 Ms. Washington --

13 MS. MORRIS: She just told me today.

14 CHAIRMAN WARFIELD: -- so that hearing date
15 will be set and we'll move forward on the issue. But
16 at this time we do have others we want to hear from.

17 MS. MORRIS: I don't want to take time --

18 CHAIRMAN WARFIELD: And certainly if you want
19 to talk to any of us off line we are more than
20 available to you. I want you to know that we certainly
21 appreciate you and the work that you've done in the
22 community. We really do. We notice that and we
23 appreciate that. Thank you.

24 MS. SEMMA: Good afternoon.

25 CHAIRMAN WARFIELD: Good afternoon.

1 MS. SEMMA: Julie Semma. I'm actually going
2 to speak on behalf of the twenty-seven or twenty-eight
3 authorized towers, if I may. Monday we actually had a
4 meeting in regards to what's going on with the towing.
5 And myself as well as the twenty-seven other companies
6 are not for Auto Return to come in and take over and
7 manage us because we're in agreement with you guys as
8 far as the software program.

9 And for us to go ahead and work as hard as we
10 have coming down here and fighting and have somebody
11 from the outside another state to come in and take over
12 our businesses that we fought for all these years we're
13 not going for that.

14 We're going to fight this tooth and nail
15 whatever we got to do. And we're all in support in all
16 of us coming together and coming with the software
17 program. And whatever we have to do to make the City
18 happy we don't mind providing our services, our hard
19 work that we do twenty-four hours, seven days a week.
20 Throughout the twenty-seven companies we have every
21 piece of equipment to do whatever the City needs and
22 we're very happy to do.

23 So as we move forward we're going to see you
24 guys on Tuesday at City Council and whatever we got to
25 do we will do to try to stop this. Thank you.

1 CHAIRMAN WARFIELD: Thank you.

2 MS. SMITH: Bernice Smith, political
3 activists. I fell the other day so my side is hurting
4 me, but I had to come down here today. I have been
5 notified several times in regards to this towing
6 situation. I thought we already had it straightened
7 out last month sometime, but now look like something
8 has risen from the dead, in other words.

9 Congratulations. You the new Chairperson. I
10 didn't know that. Anyway, I am really upset and I'm
11 going to be down there Tuesday also. I cannot believe
12 that is going on for the last five or six months.

13 You know they do not belong in Detroit this
14 Auto Return. It's nothing but -- it's a undercover for
15 crookedness to come in our City. I understand the
16 other week there was car towed from this City and went
17 way out to Brownstown. What is Brownstown got to do
18 with the Detroit Towers?

19 You don't have enough towers here in the City
20 for them to take them all the way to Brownstown? Also
21 where did they come from by saying they're going to get
22 lots from the City, buy lots from the City and the
23 towers are going to pay the City. Come on now. You
24 guys up there got to do something about this towing
25 situation.

1 We do not want them in our City. And as far
2 as Lewis is concerned I'm going to give him a call and
3 give him a piece of my mind because I know him way back
4 in Coleman days. He's involved in this and I'm very
5 upset about that. And the fact this is going on and on
6 and on. Somebody is making some money. That's all I
7 can tell you and I know it. I feel it because they
8 wouldn't have an interest in coming into our City if
9 they didn't feel as though they're going to make money
10 off of us.

11 We're going through too much in this City.
12 We're going through crime. We're going through a whole
13 lot that we don't need to be involved in. I just left
14 the Mayor down there on the Eastside and I told him we
15 got to clean up this City and what we're doing is not
16 good enough.

17 I'm safe because I live in Midtown. I don't
18 have to worry because you have any kind of disturbance
19 there not only one car comes, about five or six come.
20 So we got the County and we got the Police coming, so
21 I'm safe down there.

22 But the fact is what about the people in the
23 surrounding areas. They're not safe. We cannot
24 continue to let this City go down and that's what it's
25 doing. It's going down. They're building up Downtown

1 whether you know it or not. Savings and loans done
2 brought in 1,500 people last week. Where they going to
3 live? Downtown. So I'm just telling you what's going
4 on here around the City. We cannot let these people
5 come in and just do and dictated whatever they want to
6 us. We got election coming up. No telling what kind
7 of crooks we're going to have on the election.

8 But the fact is, because I know some of them,
9 one judge she didn't even pay her bill and she done
10 messed up already. Buy anyway I'm not going to talk
11 about that. But the fact is, you'll find out. It's
12 sad. I'm telling you. We got crooks in this City and
13 they looking at us day everyday, everyday they looking
14 at us going on.

15 And I'm going to stay on the Mayor and I'm
16 going to tell Kirk. I talked to him on the radio this
17 morning and I told him some things that he should be
18 aware of. But this new company that is coming in from
19 California? Come on guys. We got enough towers here
20 to take care of each other and ourselves.

21 We don't need no outside help to come in and
22 dictate to us what they want us to do. Enough is
23 enough. Let's stand up. I'm glad the fact that you're
24 going to City Council because I will be down there
25 also. I thank you for your time and it's been a

1 pleasure to see you all again. I'll be back in the
2 session. Take care.

3 CHAIRMAN WARFIELD: Thank you, ma'am.

4 MS. SMITH: You're welcome. Young lady,
5 you'll get use to us here. And I want to tell you the
6 Chaplain is my church member and she can preach good
7 too. Watch out Warfield. Might give you some --

8 CHAIRMAN WARFIELD: I need all the help I can
9 get, ma'am.

10 MS. PANNELL: Good afternoon. Sharon
11 Pannell. I just came up here to tell you how grand of
12 a time we had yesterday at the Second Annual Police
13 Tactical Picnic. We had a ball. They worked us to
14 death, but we had fun.

15 Tomorrow, I forgot, 2nd Precinct is opening
16 and they're having a big party over there and games and
17 everything for the children and adults. Free food.
18 Yesterday's food was excellent and was free and it was
19 good. And 1:00 tomorrow over on Lesure and Grand
20 River. Thank you.

21 CHAIRMAN WARFIELD: Thank you.

22 MR. STIDHAM: Good afternoon, Board,
23 Assistant Chief. Tom Stidham. I wanted to just ask,
24 sir, get one point of clarity with respect to the
25 proposed amendment concerning the length of the towing

1 permits. I thought that was something that the Board
2 was bringing back?

3 CHAIRMAN WARFIELD: We are. That's going to
4 be, we passed that amendment last week, and it's going
5 to be on the amended changes. It's also going to
6 appear in the paper and it's going to be discussed at
7 the public hearing. So we have not made any final
8 decisions on anything outside. These are the choices.

9 MR. STIDHAM: Is that proposal, one thing
10 that's not clear about, is it going forward? Are you
11 making it retroactive?

12 CHAIRMAN WARFIELD: We'll talk about that at
13 the public hearing.

14 MR. STIDHAM: Is there any proposal or
15 thoughts that the Board has concerning that issue?

16 CHAIRMAN WARFIELD: We'll talk about that at
17 the public hearing.

18 MR. STIDHAM: Thank you.

19 CHAIRMAN WARFIELD: Thank you.

20 MR. SCOTT: Ron Scott. I know my colleague,
21 Ms. Morris, had a very emotional time in terms of
22 making a presentation here and I'm sure you're aware of
23 the work that we do.

24 I'm Ron Scott, Coalition Against Police
25 Brutality. I have two things to ask. And one of the

1 things I want to make mention is that much of the
2 discussion that has transpired thus far relates to one
3 thing and that is the solvently of the City of Detroit.

4 Today it was mentioned that the former member
5 of the Detroit Police Department may run for mayor,
6 Benny Napoleon. I am speaking to that principally
7 because I mentioned about the possibility of whether or
8 not there is a memorandum of understanding in
9 relationship to police activities in the City of
10 Detroit specifically by the Wayne County Sheriff,
11 Michigan State Police, and I mention it because of this
12 Body and its responsibility for oversight that citizens
13 have in the United States Constitution of their
14 military apparatus.

15 I will like to either, one, have a public
16 hearing on this matter or something to that effect.
17 Principally because it is my feeling especially after
18 the demonstrations that were held by Police Officers
19 last week which many of us were in attendance of, that
20 we have to make a decision. We're either going to
21 allow the City to be piecemealed apart taken piece by
22 piece by piece. Or we're going to stand up and fight
23 for that which we run.

24 And I say that specifically because much of
25 it I fought for. I will not allow it to happen not

1 without saying something. The thing of it is many
2 people are concerned about public safety but not at the
3 expense of oversight, not at the expense of the
4 citizens running their own departments in terms of
5 public safety.

6 We have to make a decision as to what we want
7 to do about it. Following that one final thing, and
8 that is the towing was mentioned about Brownstown
9 Township. And you know why that happened is because
10 when the Wayne County Sheriff tows someone they tow it
11 to the agencies that they have an agreement with. That
12 means the people out here do not do that, you know.
13 And you talk about skull -- and so forth. Nobody knows
14 that.

15 The Wayne County Sheriff's Department did not
16 come to this Body and say we are going to tow in
17 Detroit and the money is going to go to somebody in
18 Brownstown. They did not say that. And so whatever is
19 said here every time I ask whatever is said here it is
20 not clarifying that issue. We need to clarify and we
21 need to be on top of it.

22 Otherwise, we just ought to metropolitanize
23 the Police Department, metropolitanize everything and
24 had a fire sale of whatever you can.

25 CHAIRMAN WARFIELD: Two points, Mr. Scott.

1 First of all, thank you, your comments are always
2 thought provoking and needed.

3 First of all, as relates to municipalities
4 patrolling controlling especially public safety. As
5 our Secretary said on the 13th of next month we're
6 going to bring as many agencies together to have that
7 very discussion. Secondly on that same point, and if
8 Assistant Chief, he can, but Tuesday at the City
9 Council table one of the questions that came up as
10 relates to the public safety millage was about a
11 so-called regional public safety authority.

12 The Chief very emphatically said that he was
13 against it. He very emphatically said that he and the
14 County Sheriff Benny Napoleon had discussed it, that
15 both of them are against it and that he absolutely
16 would not participate if that type of authority was
17 attempted to be set up here in the City of Detroit.

18 And certainly we support that position as
19 well. And he laid out the constitutional arguments as
20 relates to that and why that would be a bad decision
21 and why it possibly could not and should have happened.
22 So from that perspective we're absolutely clear.

23 And I will say this, though, the Wayne
24 County, the Sheriff's Department has the responsibility
25 and the authority with their towing, with their towing

1 capabilities and I think they put out a RFP for their
2 particular towers to choose from that system who they
3 wish to pick as their tower. And Brownstown Township,
4 of course, is in Wayne County. And so unfortunately --
5 I mean, fortunately you're right. Our towers tow to
6 the City of Detroit.

7 You guys are all located within the City of
8 Detroit and that's what we require of them. But we do
9 not have the authority as you know to tell them who
10 they can and cannot pick. We can have discussions
11 which I think are appropriate to consider our residents
12 as relates to how far they would have to travel to pick
13 up those cars. And I think that's a discussion worth
14 having. We absolutely agree with that.

15 MR. SCOTT: Maybe we can invite some of Wayne
16 County Commissioners from the Public Safety and Justice
17 Committee to come here or go there and ask them to
18 clarify that in relationship to this.

19 The reason why I say this and I haven't
20 brought it out earlier but we had someone call our
21 office who had an altercation in Brownstown
22 specifically related to towing because the person was
23 trying to get their car to get to work.

24 And we know especially in terms of young
25 black men how difficult it is to get work in this City.

1 So I don't want to have to have people calling me
2 saying can we go to Brownstown and resolve an issue
3 when in effect we can do it here.

4 CHAIRMAN WARFIELD: We'll certainly reach out
5 to our Secretary. Thank you, sir.

6 MR. MOORE: Good afternoon to the Board,
7 Assistant Chief, Detroit's Finest, and to the families.

8 CHAIRMAN WARFIELD: Good afternoon, sir.

9 MR. MOORE: My name is Edward Moore. I am
10 the liaison of the Honorable Kwame Kenyatta of the
11 Detroit City Councilman bringing greetings from his
12 office. You missed a treat yesterday. As least I was
13 there. So that means that some of those I see faces, I
14 didn't see yesterday at Belle Isle.

15 We had Councilman Kenyatta. We had Joann
16 Watson. We had Brenda Jones. And what we're saying to
17 the power of being, we will not let the State dictate
18 to take over Belle Isle the 99 percent lease that the
19 State wants the City to have. We're not children. We
20 are grownups. And I just want to let you know that the
21 three Councilmen stand in that position that they will
22 stand with the people. Thank you.

23 CHAIRMAN WARFIELD: Mr. Moore, while you're
24 there, first of all, I appreciate and I think the Board
25 does as well appreciate your presence at our meetings.

1 And certainly you are and I told his office this,
2 you're an excellent extension of his office. And one
3 of the things you always say is that the Councilmen
4 wants to be a team player and he wants to be on your
5 team. Well, it's time to play ball now.

6 Because we have before the City of Detroit
7 Council the question of letting the citizens of Detroit
8 chose for themselves the level of security they will
9 have in the November Election. I will hope, sir, you
10 would use all of your persuasive powers as I've been
11 trying to do myself to get him to at least say let the
12 Detroiters decide what the level of security will be.

13 And I will hope that he will be a team player
14 and vote in the affirmative allowing that to happen.

15 MR. MOORE: Yes, sir, to the Chair, I will
16 pass this information to my Councilman and our
17 Councilman.

18 CHAIRMAN WARFIELD: Absolutely.

19 MR. MOORE: His message is of the people that
20 he's hearing the phone ring off the hook is that the
21 taxes are too high and they need to decreased. So
22 that's what he's got, the haves and the have-nots.

23 CHAIRMAN WARFIELD: Absolutely. And I agree,
24 and we don't disagree, we don't disagree that the taxes
25 are too high. But let me say this. I think we cannot

1 get caught up in smoke screens because the truth,
2 here's the truth. In the last five years taxes on
3 homes in Detroit have gone down, not up because our
4 assessed values are not what they should be. Hold on
5 one second.

6 And so I agree that we're over taxed as
7 relates to our insurance rates. I agree that we're
8 over taxed as relates to other things we have to pay.

9 However, here's my issue and I hope you can
10 communicate this to the Councilman. There is not one
11 other viable option to put cops on the street to handle
12 the crisis that we're in. People are dying every day.

13 When I was there on Tuesday, my cousin's dad
14 got shot in the barbershop shooting where I got my hair
15 cut as a kid. Every day somebody is dying, getting
16 raped, getting robbed. And the truth of the matter is
17 we do not have all the personnel to get out there and
18 answered all these calls in a timely fashion.

19 The truth of the matter is as the Council
20 even has noticed as more Officers retire, they passed
21 the budget that said we cannot hire anymore to replace
22 the ones who are retiring. And so from that
23 perspective if we do nothing the situation cannot get
24 better.

25 And so the citizens have to decide what they

1 want to do. And if the citizens say, no, we don't want
2 it because taxes are too high, fine. But at least give
3 the voters that opportunity.

4 MR. MOORE: Mr. Chair, as you spoke word for
5 word I'll try to pass it onto my Councilman, our
6 Councilman, that the hope that the people will speak of
7 what they chose. Thank you.

8 CHAIRMAN WARFIELD: Thank you, sir,
9 appreciate it.

10 MR. ERRIGO: My name is Gregory,
11 G-R-E-G-O-R-Y, Errigo, E-R-R-I-G-O. Good afternoon,
12 Board.

13 COMMISSIONERS: Good afternoon.

14 MR. ERRIGO: I'm the owner of Michigan Auto
15 Recovery. I'm a police tower. I've been there shortly
16 thirty years now, twenty-seven years, whatever. I am
17 appalled and never seen nothing like what's going on in
18 my life. Here's what I have the facts of real fast,
19 too.

20 I don't know why every light in the world
21 don't go on with this but it went on in my head. I
22 know I'm just a gentleman with a Bachelors Degree and
23 two Associates Degrees, and three credit hours towards
24 my Masters. The gentlemen that wrote this RFP for this
25 Auto Return from San Francisco is David Baker Lewis,

1 will understand.

2 My lawyer and I went to a meeting here two or
3 three weeks ago just to listen to what Auto Return had
4 to say. It was a one-sided conversation basically.
5 When I walked in the room there was a young lady
6 sitting there in the middle of the chair and I says,
7 who are you, ma'am? I'm here to protect and listen to
8 the interest of David Baker Lewis, he's an equitable
9 partner in the law firm.

10 I said to her, is this David Baker Lewis the
11 lawyer from the City of Detroit in the Mayor's office
12 who wrote the RFP for this Auto Return, you're telling
13 me he's part of all of them?

14 Well, yes, he is. He's an equitable partner.
15 The word coming into my mind is collusion. Here you go
16 all over again. So now he's trying to push for what I
17 understand for the City to get three DPW yards for us
18 towers to take the cars to them, and not to us.

19 We don't survive on a tow. We survive on our
20 scrap. Okay. Which is hardly anything anymore because
21 we're sitting there watching Wayne County go with half
22 of it to whatever side of the City you want to talk to.
23 There's only two tow companies. We sitting there
24 doing, watching them.

25 We don't have nothing to say. We can't say

1 nothing. We're sitting with one tow a day. We should
2 do thirty, forty or fifty. Okay. This is all wrong.
3 All of it.

4 I don't know why the feds haven't picked up
5 with this yet, okay, but they should. It's all
6 collusion. It's all intermingling of everything in the
7 world that's disrespectful, not even good business,
8 crooked business of what we just got rid that's going
9 to go to trial next month whatever may happen, okay.

10 I don't understand. The Mayor's Office wants
11 three yards now to get Auto Return in there because
12 they don't have to go through the City Council vote and
13 what have you. That's the way of getting them in
14 there.

15 We're going to fight it tooth and nail. It
16 ain't going to happen on my watch. We're going to
17 fight and fight and fight. And if we have to get more
18 lawyers to fight and fight and fight to add to the ones
19 we already have, that's what we're going to do.

20 It's not going to happen. It can't
21 happen. Not in the City of Detroit. They're going to
22 do the same thing all over again. Coming in with a
23 white wash. Beautiful brand-new cars, beautiful this
24 and give them our -- give them nothing. They want to
25 milk the citizens, take more money from them.

1 They can't even afford what they're doing now
2 to get these cars out of the impound. We try to work
3 with them all. Okay. Over nine hundred and some teen
4 years of towing experience we have, twenty-eight,
5 twenty-nine companies, okay. We didn't get all that
6 here over night.

7 We can take care of anything and everything
8 this City gives us, okay, except getting things taken
9 away from us. We're not going to stand for it. We are
10 not. It ain't happening. We are not. We tried to
11 called the Mayor's Office. We don't get no response.
12 But we will. Okay. We're not going away. We're not.

13 CHAIRMAN WARFIELD: Thank you, sir,
14 appreciate your comments. Are there others.

15 MR. GINYARD: Troy's Towing. I just want to
16 thank the Board for sticking with us through these
17 things that's going on where they're trying to take our
18 livelihoods away. We know where the City is. We know
19 what they want right now. They're trying to make more
20 revenue for City.

21 We don't have a problem with that. We don't
22 have problems with that. But to take the tows away
23 from us that go to our yards they going to put us out
24 of business big. We don't have a problem working with
25 the City. We know what they want. They want to make

1 money of the tows. We have no quarrel with that.

2 You know, go with the basic software company,
3 not Auto Return. There's other companies out there I
4 know that turned in bids that want to do it extremely
5 less than what this company wants. We're working on a
6 tow rate increase. We don't have a problem for the
7 City making money off the tows. That's not an issue.

8 But it's just the way this whole process is
9 going. You know, nobody's going to be able to work
10 anymore. All of our employees are going to be laid
11 off. It's not going to be any jobs.

12 But I just want to thank you guys for
13 stepping in and trying to help us in this situation.
14 We will be there Tuesday.

15 CHAIRMAN WARFIELD: Thank you, sir. Please
16 spell your name.

17 MR. GINYARD: G-I-N-Y-A-R-D.

18 CHAIRMAN WARFIELD: Thank you.

19 MR. DAVIS: Good evening, Police Commission,
20 Deputy Chief Logan. My name is Elder Anthony Davis,
21 Senior, E-L-D-E-R A-N-T-H-O-N-Y D-A-V-I-S S-R period.

22 You know last Sunday I was at Sunday School
23 and I was reading about King Joseph. He got tired of
24 the people that was over the leadership dogging the
25 people. He set up a judicial system about how to

1 govern God's people.

2 He said there's no more favorable for blood
3 for blood or taking bribes, and he said, set this up.
4 And that's where our judicial system came from. But it
5 seems like the people have got away from God. They
6 don't read the bible. The bible says watch as well as
7 pray. I been praying but I've been watching.

8 I been in this City all my life. I've been
9 here since 1952. Born and raised right in the City of
10 Detroit. It's a shame to have some -- we work so hard.
11 I remember when I first started towing for the City was
12 \$14.00 a tow, and \$7.00 for removals.

13 They gave us a big raise \$35.00, then they
14 gave us another raise \$70.00, and within thirty days 75
15 and that's been there for last fifteen to sixteen
16 years.

17 Now we scratch and we scrap and the Lord
18 bless us to make a living. Now them that is crooked
19 trying to come in. It seems like we need to start
20 voting for people that really love God. Because the
21 people that's coming in here don't care about God.

22 See when the Lord saved me he healed me and
23 he delivered me. He brought me out of darkness into
24 this light. And we going to have to stand before a
25 just God. See we don't have a heaven and hell to put

1 ourselves in, no one in. But God does. We're going to
2 stand before our Lord and Savior Jesus Christ.

3 We need to step up. If there's something
4 wrong you need to say it because if you don't say, if
5 you need this world you go open your eyes to eternity
6 to a just God. Thank you.

7 CHAIRMAN WARFIELD: Thank you Elder Davis.

8 (Applause.)

9 SPEAKER: Did you all hear that?

10 MR. FOSTER: Good afternoon, Board.

11 CHAIRMAN WARFIELD: Good average, sir.

12 MR. FOSTER: Assistant Chief Logan. Berry
13 Foster, one of the owners of LIJBS Towing. Board, I
14 just want to thank you for your support that you've
15 given us for the rumors that we're hearing of the three
16 managed lots that's going on right now.

17 Just a couple things I wanted to say. I just
18 ask that the Board and the Department help us. We've
19 been here. We've been through all the trials,
20 tribulations that the Department put us through and
21 wanted us to come in compliance with our yard. All the
22 money that all the towers has spent to bring their
23 yards up to code for zoning certificates, licenses, all
24 the insurances that we have to have.

25 And being a business owner in the City of

1 Detroit I'm actually the youngest city contractor for
2 Detroit Police Authorized Towers. I actually got a
3 contract with the City when I was twenty-two years old.
4 I've been in business now with my family for over
5 thirteen years. This is a really going to hurt our
6 employees, my family, all of towers around.

7 I ask for you guys help with this rumor that
8 we're hearing about because it will literally put us
9 out of business. We've bent over backwards. We worked
10 without a contract for literally probably eight or nine
11 years. We kept getting two year extension.

12 And then all of a sudden we were forced to
13 come in compliance and there was no contracts. We were
14 forced to accept the permit. Either you accept this
15 permit to tow for the City with no contract or you
16 don't tow. We went along with that.

17 Now we're getting slapped in the face. And
18 it's actually a slap in our as towers and it's a slap
19 in the City's face. It's a slap in all the leaders
20 face.

21 We understand there is a problem like every
22 one has said. There is a problem in the actual
23 tracking of the vehicles. And we as towers we have
24 tried to sit down with the City, we tried to come to an
25 agreement. We understand the City is in financial

1 distress. We've tried to come up a resolution to help
2 the City, but it's like we're not being heard.

3 And now it's like we're being trampled over.
4 I am a citizen of Detroit. I was actually born and
5 raised in the City. I moved back in the City a year
6 ago, bought a home. I am a Detroiter. There's
7 commercials that goes around that says believe in
8 Detroit. Well, I believe in the City. I grew up born
9 and raised. I own a business in the City.

10 I'm not here to work for a company out of
11 California. I'm here to work for the City of Detroit
12 and the citizens, that's what I'm here for. And I just
13 ask that this Board will help us and the Department.

14 And understanding all the issues that's going
15 on with us as twenty-seven towers we are here
16 collectively willing to do anything and everything that
17 the City put toward us, and I think we've proven that
18 over the years. That all I have to say.

19 (Applause.)

20 CHAIRMAN WARFIELD: Thank you, Mr. Foster.

21 MR. PARKER: Good afternoon, Board, A.C., all
22 the other Officers here. I'm the owner of Nationwide
23 Towing.

24 CHAIRMAN WARFIELD: Your name for us, please.

25 MR. PARKER: Jerry Parker. I have family

1 members that works for my company, so if we out of
2 business, loss of jobs. Thank you.

3 CHAIRMAN WARFIELD: Thank you, sir. Hearing
4 or seeing no more comments we will close this section
5 of our meeting. I do want to announce that tomorrow
6 again as it was already stated by Ms. Pannell that the
7 Northeastern will have their -- I'm sorry, the 2nd
8 Precinct will have their Grand Opening, thank you, the
9 2nd Precinct will have their Grand Opening.

10 MR. SECRETARY: Reopening.

11 CHAIRMAN WARFIELD: Grand Reopening, thank
12 you, tomorrow. Certainly we will love to see you all
13 there. Do we have the address real quick?

14 MR. SECRETARY: 13530.

15 CHAIRMAN WARFIELD: 13530 Lesure, thank you,
16 13530 Lesure, near Grand River. All right. So I look
17 forward to seeing you all there. Also I want to
18 announce the DPOA is having the Annual Family Fun
19 Cookout Day tomorrow and it's going to be at Shed
20 Number 8 from 11:00 a.m. 8:00 p.m. Those of you who
21 want to support the Detroit Police Officers please
22 attend. Again, that's DPOA Annual Family Fun Cookout
23 Day.

24 At this time I entertain a motion to adjourn.

25 COMMISSIONER WHITE: So move.

1 COMMISSIONER TAYLOR: Second.

2 CHAIRMAN WARFIELD: It's been properly moved
3 and supported that we adjourn. All those in favor?

4 COMMISSIONERS: Aye.

5 CHAIRMAN WARFIELD: Thank you.

6 (The hearing concluded at 4:41 p.m.)
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CERTIFICATE OF REPORTER

STATE OF MICHIGAN)
) SS
COUNTY OF WAYNE)

I, Elizabeth Koller, hereby certify that I reported stenographically the foregoing proceedings at the time and place hereinbefore set forth; that thereafter the same was reduced to computer transcription under my supervision; and that this is a full, true, complete and correct transcription of said proceedings.



Elizabeth Koller

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

My Commission expires: June 1, 2012

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