

4/18/2013

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DETROIT BOARD OF POLICE COMMISSIONERS

REGULAR MEETING

THURSDAY, APRIL 18, 2013, 3:00 PM

DETROIT POLICE HEADQUARTERS

1300 BEAUBIEN, ROOM 328-A

DETROIT, MICHIGAN

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COMMISSIONERS:

- GEORGE ANTHONY, Secretary
- JEROME L. WARFIELD, SR., Commissioner
- DONNELL R. WHITE, Commissioner
- TONY STEWART, Commissioner

DETROIT POLICE DEPARTMENT COMMAND STAFF:

INTERIM CHIEF CHESTER L. LOGAN

1 Detroit, Michigan
2 Thursday, April 18, 2013
3 About 3:13 p.m.

4 COMMISSIONER WARFIELD: Good afternoon,
5 ladies and gentlemen. Welcome to the Board of
6 Police Commissioners meeting. My name is Jerome
7 Warfield, Chairman of the Board of Police
8 Commissioners. Serving with me today is
9 Commissioner Toney Stewart.

10 We do expect to have a quorum and what
11 we want to do in consideration of your time, we
12 want to make sure that we handle all of those
13 business items on the agenda that are not voting
14 items, we want to do that.

15 Certainly we are very happy and pleased
16 to have with us today the Chief of Police for the
17 City of Detroit.

18 Chief, good to have you here, sir.

19 INTERIM CHIEF LOGAN: Glad to be here.

20 COMMISSIONER WARFIELD: And
21 representing our office at the table is our Board
22 Secretary, Attorney George Anthony.

23 Sir, could you introduce the staff of
24 us that's here and present, please.

25 SECRETARY ANTHONY: Thank you,

1 Mr. Chair. For the record, George Anthony,
2 Secretary to the Board.

3 We have present Ms. Pamela Davis-Drake
4 who is our Chief Investigator seated in the
5 front; Ms. Loletha Porter-Coleman, our Director
6 of Police Personnel and Ms. Celia Banks
7 Washington who is our attorney to the Board.

8 We also have Mr. Robert Brown who is
9 our office manager, Sgt. Alan Quinn recording our
10 proceeding and Mr. Dale Rose from Hanson Court
11 Reporting Service, and that completes the
12 introduction, sir.

13 COMMISSIONER WARFIELD: Thank you,
14 Mr. Anthony. We certainly appreciate that. At
15 this time, can we just bow for the invocation for
16 today's meeting.

17 (INVOCATION WAS GIVEN.).

18 COMMISSIONER WARFIELD: Again, we will
19 come back to some voting issues later, but there
20 are a few things I want to apprise you of.

21 First of all, a matter of importance.
22 Back in -- I believe it was towards the end of
23 last year if I'm not mistaken, right around
24 October of last year, we had hired our director,
25 Director of Personnel, Ms. Loletha Porter who

1 then had retired from the Detroit Police
2 Department and we thought we read the ordinance
3 as relates -- or the Charter very carefully and
4 we had consulted with individuals and we thought
5 that we were on good grounds as relates to her
6 being employed with us.

7 But just Friday we received -- the
8 Board of Police Commissioners received a decision
9 of a complaint that was lodged against the Board
10 of Police Commissioners from Mr. John Bennett and
11 he actually objected to the hiring of Lt. Porter.

12 And the Board of Ethics admonished the
13 Board for the hiring because they said it was in
14 conflict with the Detroit City Charter as relates
15 to former employees waiting one year before
16 they're hired again.

17 Now, as we said the initial ordinance
18 we thought that that was applied to those who
19 were contracted with the City because that was
20 the language that was actually in the ordinance,
21 it talks about contracts.

22 In addition to that, as you all know,
23 that was one of the issues or the items that was
24 on the ballot in November of 2012 that was
25 changed, and so the Ethics Board did not direct

1 us what to do. They just said that we need to do
2 something, we need to correct the issue, and so
3 we're waiting to hear back from them as relates
4 to what that means because when we called over to
5 them to see exactly what does this mean for the
6 Board of Police Commissioners, what does it mean
7 for our Director, they said they're not
8 prescriptive. In other words, they don't give
9 solutions, they just highlight that there has
10 been a violation.

11 (Commissioner White arrives.)

12 COMMISSIONER WARFIELD: And so we like
13 to be transparent in all that we do and all that
14 we say and so in that effort we will wait to hear
15 from them and certainly we will abide by whatever
16 they tell us, but we definitely wanted to bring
17 it to the citizenry and to the department to let
18 them know exactly where we are here in this and
19 certainly as we are made aware of what corrective
20 actions we need to take, we will certainly take
21 those actions into consideration. But we
22 certainly wanted to let you know that.

23 I also wanted to -- in the spirit of
24 some of the news that's been out there this week
25 I want to review something for those of you who

1 have been here and for those of you who have been
2 a part of this situation since the resignation of
3 our former Chief of Police and I want to make
4 sure that we're all clear on timing of issues and
5 events because there's been some questions as
6 relates to -- and as we get closer and closer --
7 as the Mayor gets closer and closer to naming a
8 potential Chief of Police I'm sure more and more
9 craziness will happen.

10 But for those of who who are here, I
11 just want to apprise you of the timeline that we
12 have worked with since we have -- since our
13 former Chief resigned.

14 As you know, it was on October 8, 2012,
15 some of you remember, was the announcement of the
16 former Chief's resignation. Also on October 8 we
17 instructed our Board Secretary, Mr. Anthony, to
18 put feelers out there and put out bids for
19 requests for who would be interested in doing a
20 police search for -- I'm sorry, for Chief of
21 Police search for those individuals who are
22 interested in working for -- I'm sorry, working
23 for the -- I'm sorry, not a police search, I'm
24 sorry, strike that, please.

25 We asked our Board Secretary to contact

1 interested companies who would like to conduct a
2 search for Chief of Police and that was on
3 October 8, 2012. As some of you were here on
4 October 18 we had -- I'm sorry, not on -- you
5 weren't here, but on October 18, 2012 we actually
6 contacted the companies who had submitted
7 information and we interviewed those companies to
8 see if they were capable of doing the job.

9 Also on October 18, exact same day, we
10 contacted the Detroit Public Safety Foundation to
11 see if they would be interested in shouldering
12 the cost of the -- the cost to do the search.

13 On October 19 we were here and we had a
14 special meeting, a special community forum, where
15 we asked for some input from those who attend our
16 meetings and those who wanted to come to tell us
17 what you wanted to see in the next Chief of
18 Police and we recorded all of that information
19 and turned it over.

20 On October 25 which was a week later
21 the Board actually voted and approved to go with
22 T.J. Adams and EMCO to conduct the search. One
23 would cast the net and do the recruiting and the
24 other one would do the assessment for the search.
25 That was back in October.

1 At that time we turned over all the
2 information that was given to us from those who
3 had inquired about the resignation. As you all
4 remember, the resignation of our former Chief
5 made international news and certainly there were
6 those who were interested in filling that
7 position. They contacted our office, we turned
8 it over to the search firms and right around
9 October 25 or thereafter right after we approved
10 them to receive the contract.

11 I think that's important to understand
12 that timing and it was at that time that the
13 companies, because we believe that the contracts
14 are going to be signed immediately, the companies
15 went to work diligently recruiting and went to
16 work diligently putting their feelers out there
17 across the country and they were recruiting
18 people.

19 The Board of Police Commissioners, we
20 are not interviewing any of the candidates so we
21 don't know what the list looks like. We don't
22 know if there's a front-runner or not. It's been
23 on the news. We do not know who the
24 front-runners are, if there is a front-runner at
25 all.

1 All that information is with the search
2 firm. What we will get back is a list of
3 candidates with their scores from the search firm
4 and the assessment firm and when we receive that
5 information we turn that information right over
6 to the Mayor.

7 The Mayor then will do whatever process
8 he needs to do to make his decision and after he
9 makes his decision we will turn that information
10 over to the City Council, the City Council will
11 then confirm or not confirm his decision and the
12 EM will weigh in after that.

13 And so we just wanted to make sure that
14 that's clear and I hate for misinformation to go
15 out. This Board has been very transparent in the
16 way in which it was conducting its affairs.

17 And, again, we have not seen a list
18 that came from our contracted companies. We
19 don't know who's on that list outside of those
20 who have said they've interviewed, those who went
21 to the media themselves. And so we just want to
22 make sure that you all are very aware of that and
23 we want to keep you up to speed or that.

24 Now, since we do have a Chief of Police
25 right here and we know that he's surrounded by

1 good help, he can always, you know, use some
2 additional help.

3 And so, Chief, you know if you need
4 just some assistance around here keeping the
5 troops straight and making sure, you know, folks
6 doing what they supposed to do, we contracted,
7 you know -- well, we can help you out. We got
8 "Lawman" to help you get the job done.

9 INTERIM CHIEF LOGAN: Okay.

10 COMMISSIONER WARFIELD: So if somebody
11 comes to you and say -- if somebody comes to you
12 and asked you a question, just shake his head,
13 say yes or no.

14 INTERIM CHIEF LOGAN: Okay, thank you
15 so much.

16 COMMISSIONER WARFIELD: I've said it
17 before, we love this man. We love him
18 tremendously. He does an excellent job. And so,
19 you know, it's unfortunate the noise that comes
20 out and when you have news stories out there like
21 that, things like that happen, you know what I'm
22 saying, but we want to make sure that you all
23 have the correct information from us firsthand as
24 we move forward. And that's basically my report.

25 I do want to recognize Commissioner

1 Donnell White who has joined us and we do now
2 have a quorum, so at this time I will entertain a
3 motion to approve today's agenda.

4 COMMISSIONER WHITE: So moved.

5 COMMISSIONER STEWART: Second.

6 COMMISSIONER WARFIELD: It's been
7 properly moved and supported to approve today's
8 agenda, April 18, 2013. Without objection all
9 those in favor?

10 COMMISSIONERS: Aye.

11 COMMISSIONER WARFIELD: All those
12 opposed? Motion carries. We also need to
13 approve -- I'm sorry, entertain a motion to
14 approve the minutes from April 11, 2013.

15 COMMISSIONER STEWART: So moved.

16 COMMISSIONER WHITE: Support.

17 COMMISSIONER WARFIELD: It's been
18 properly moved and supported. All those in
19 favor?

20 COMMISSIONERS: Aye.

21 COMMISSIONER WARFIELD: All those
22 opposed? Motion carries. At this time we'll
23 turn it over to the Chief of Police.

24 INTERIM CHIEF LOGAN: Thank you, sir.
25 We've got two presentations today.

1 SECRETARY ANTHONY: Mr. Chair, excuse
2 me, Chief. Mr. Chair, I think Commissioner
3 Stewart's time is -- I think he may have to leave
4 a little early, so if we could perhaps adjust the
5 schedule some so that we can get some of the
6 things out of the way that he can vote on.

7 INTERIM CHIEF LOGAN: No problem.

8 COMMISSIONER WARFIELD: Thank you, sir.
9 So, Mr. Secretary, can you lead us to those
10 items, especially dealing with the suspension
11 without pay.

12 SECRETARY ANTHONY: There are two
13 items that the Board considered over the past
14 couple of weeks, two suspensions without pay and
15 there was also a Trial Board appeal.

16 The first suspension without pay dealt
17 with Police Officer Clifton Watley, Badge 1458,
18 who's assigned to the Central District. We need
19 to register Commissioner Stewart's vote on the
20 record, and unless contravened by Commissioner
21 Stewart then the suspension without pay
22 representation will stand.

23 COMMISSIONER WARFIELD: Sir, there is
24 no contravention, so that suspension without pay
25 will stand.

1 SECRETARY ANTHONY: Thank you, sir.
2 The second item dealt with the suspension without
3 pay for Police Officer Geoffrey Townsend, Badge
4 3573 assigned to the 8th Precinct. And, again,
5 unless Commissioner Stewart contravenes the
6 suspension without pay recommendation will stand.

7 COMMISSIONER WARFIELD: There is no
8 contravention, that suspension without pay will
9 stand.

10 SECRETARY ANTHONY: Thank you, sir.
11 The other item deals with a Trial Board appeal,
12 Police Officer Tiniki Gibbs. The Board heard
13 that appeal a couple of weeks ago.

14 The Board attorney, Ms. Celia Banks
15 Washington, recommended a reduction in the
16 suspension from 12 to 10 days. This is really
17 more so advisory that we get Commissioner
18 Stewart's vote on the record whether Commissioner
19 Stewart agrees with the recommendation of the
20 Board Attorney.

21 It was a reduction of 12 to 10 days.

22 COMMISSIONER STEWART: I agree.

23 SECRETARY ANTHONY: That makes it
24 unanimous that the Board agrees with the
25 recommendation of the Board Attorney.

1 COMMISSIONER WARFIELD: Thank you, sir.
2 At this time I'm going to ask if Attorney
3 Washington will come to the podium.

4 ATTORNEY WASHINGTON: Thank you,
5 Mr. Chair. Celia Washington, attorney for the
6 Board. Mr. Chair, this is a matter that's being
7 brought back before the Board.

8 A couple of weeks ago you were
9 presented with a Trial Board appeal of Police
10 Officer Johnny Strickland, BPC 12-003,
11 Disciplinary No. 11-0643.

12 As I recall, Commissioner White and
13 you, Mr. Chair, had some concerns about one of
14 the specifications. We have reviewed the record,
15 I've talked to counsel. They will make a brief
16 oral argument as to only Count 3, willfully
17 making a false oral/written statement or report.

18 Specification 3, I'll read it into the
19 record, that,

20 "He, Police Officer Johnny Strickland,
21 Badge 694, currently assigned to the
22 8th Precinct while off duty did on May
23 12, 2011 at approximately 1:20 PM
24 willfully make a false oral/written
25 statement or report by submitting an

1 MR. GOLDPAUGH: Good afternoon, members
2 of the Board. John Goldpaugh on behalf of
3 Officer Strickland. As Ms. Washington has
4 indicated we were here a couple of weeks ago. At
5 that point in time concerns were raised. My
6 entire argument with Count 3 was that there was
7 nothing in the specification, no evidence
8 supported the finding of guilt at the Trial
9 Board. There was no fabrication, there was no
10 false statements, and there was no evidence of
11 any of those false statements in the CRISNET
12 report prepared by the Farmington Hills police
13 officer.

14 I would ask you to take that into
15 consideration and dismiss that charge against
16 him. Thank you.

17 COMMISSIONER WARFIELD: Thank you, sir.
18 Commander?

19 COMMANDER SERDA: Commander John Serda
20 on behalf of Disciplinary Administration, Detroit
21 Police Department. Very briefly, this third
22 specification that we're talking about, willfully
23 making a false oral/written statement or report
24 specifically says that the officer submitted an
25 inaccurate statement to Officer David Glowacky of

1 the Farmington Hills Police Department which he
2 then generated a CRISNET report.

3 This was the report where he was
4 reporting his motorcycle stolen. Essentially
5 what we have here is a timing issue and on the
6 face of the CRISNET report, and you can infer
7 from that the statement made to the officer, all
8 of that information appears correct.

9 However, the fabricated part is implied
10 and what I mean by that is the motorcycle was
11 reported stolen and this CRISNET report on May 11
12 between 11 PM and May 12 at 7:30 PM [sic] so
13 during the night, 11 PM at night on the 11th to
14 7:30 AM the next morning, when in fact a lot of
15 other action took place before that time.

16 The officer took a call from his
17 girlfriend who said, "Hey, I see your motorcycle
18 going down the street on the back of a truck."
19 He calls the place where he's staying, the
20 property caretakers, the managers, and they said,
21 "No, we didn't tow your motorcycle."

22 Within two hours he goes and files for
23 insurance which he didn't have prior to that.
24 And the next day or shortly after that -- I'm
25 going to give you exact time.

1 He purchased the insurance on May 11 at
2 2:07 PM, filed his claim on May 12 at 3:50 PM, so
3 when he filed this police report there were
4 implied inaccuracies in there. There were false
5 statements in there.

6 He knew that the motorcycle was stolen
7 before then, but he was trying to file this
8 insurance claim. He knew that insurance was
9 fraudulently obtained and in fact the insurance
10 claim was denied.

11 So we assert that there was indeed a
12 false statement made in that charge. Thank you.

13 COMMISSIONER WARFIELD: Thank you.
14 Madam counsel.

15 ATTORNEY WASHINGTON: Thank you,
16 Mr. Chair. Just for clarification or not
17 clarification but -- yeah, clarification, that
18 neither the Trial Board nor this Board should be
19 asked to interpret implied fabrications.

20 We've been here before. It's very very
21 important -- I'm not preaching -- but it's very
22 important that the charge is very specifically
23 articulated to reflect the incident, and in this
24 case the charge as it was does not only include
25 false oral, but false written.

1 When I take a look, and as I provided
2 to you, copies of the CRISNET report when you
3 look within the four corners of that CRISNET, the
4 initial page, there was no fabrication. He was
5 able to provide a policy number, etc.

6 The issue that I had in reviewing the
7 transcripts and the other documents that were
8 submitted was that once he actually had a chance
9 to speak with the detective, Det. Morton, the
10 stories didn't match what initially had been told
11 and it didn't match the testimony of the
12 witnesses.

13 That's the only piece that gave me
14 pause and that is why my recommendation as to
15 Count 3 was not to dismiss Count 3, Specification
16 3 in its entirety, but to reduce it to, I believe
17 I said 10 days -- from 10 to 5, I'm sorry, from
18 10 to 5.

19 So it's a total of 10-day suspension
20 for Count 1. Count 2 was dismissed by the Trial
21 Board. Count 3 is reduced from 10 days to five
22 days for a total of 15-day suspension.

23 COMMISSIONER WARFIELD: A total of 15
24 or total of 10?

25 ATTORNEY WASHINGTON: Ten for Count 1

1 --

2 COMMISSIONER WARFIELD: Oh, I thought
3 you said five.

4 ATTORNEY WASHINGTON: Ten for Count 1,
5 Count 3 was proposed by the Trial Board as 10 and
6 I recommended that it be cut in half.

7 COMMISSIONER WARFIELD: Got you. Any
8 questions for counsel, Board?

9 MR. GOLDPAUGH: I do not agree with her
10 recommendation obviously. Ms. Washington herself
11 indicated that on this record -- and it has to be
12 very specific. We can't imply or guess and
13 that's what everybody says we're supposed to do.

14 That's like charging somebody with
15 larceny from a building and when the evidence
16 shows well, really it was domestic violence.
17 Well, that's okay, let's just find him guilty of
18 something he wasn't charged with. That's exactly
19 what we're doing in this particular case.

20 The specification that he was charged
21 with and which was defended was that he had made
22 a false knowing statement that was fabricated.
23 It doesn't even tell us what the statement was.
24 Yet generally -- and as the commander has
25 indicated, well, this is what happened, we know

1 what he did, it's implied.

2 It's not implied. The charge says
3 willfully making a false oral/written statement
4 or report. There is nothing false or improper in
5 that statement that he gave to the sergeant. We
6 can talk about other things they wanted to charge
7 him with. We can talk about how the evidence
8 showed something may or may not have been
9 different at a later date and time, but that's
10 not what we're addressing.

11 We are addressing whether or not the
12 specification that he was charged with and which
13 he was required to defend against, there was
14 sufficient evidence to prove that. There was no
15 evidence to prove that even in her recommendation
16 Ms. Washington finds that to be in existence.
17 Said I'll guess this is what he meant and let's
18 charge him with a specific intent crime for lack
19 of a better term.

20 It's improper and he should not be
21 found guilty, he should not receive a penalty for
22 this. The 10 days that Trial Board gave on the
23 specific charge, though I argued before that I'm
24 not raising that argument again, but clearly he
25 should not be receiving any penalty for this at

1 the time.

2 COMMISSIONER WARFIELD: The
3 recommendation for No. 3.

4 MR. GOLDPAUGH: No. 3, that is correct.

5 COMMISSIONER WARFIELD: Sir.

6 COMMISSIONER WHITE: Counsel, just for
7 point of clarity, the Trial Board's finding, they
8 dismissed Charge 2 or was that your
9 recommendation to dismiss Count 2?

10 ATTORNEY WASHINGTON: No, the Trial
11 Board did dismiss Count 2.

12 COMMISSIONER WARFIELD: I just want to
13 be clear as I can be. The charge of writing and
14 verbally giving a false statement, is that
15 related to the CRISNET only?

16 ATTORNEY WASHINGTON: It is in part.
17 The initial contact when he went in to -- from
18 the excerpt from the CRISNET when he went in and
19 give an account as to what happened at that point
20 he had insurance. He gave them an insurance
21 number, a policy number, said he had insurance,
22 my motorcycle is missing.

23 The problem as you continue on with
24 this same CRISNET report more notes were entered
25 later.

1 COMMISSIONER WARFIELD: When more notes
2 was entered later, was he there or not there?

3 ATTORNEY WASHINGTON: It was his
4 testimony to the officer, to the Det. Morton,
5 yes. The initial was a walk-in, the subsequent
6 was a phone call.

7 COMMISSIONER WARFIELD: So the CRISNET
8 then -- the CRISNET has on it the statement that
9 you said earlier on the record that was accurate
10 that he did have, but it also contained
11 information that was false?

12 ATTORNEY WASHINGTON: If I may.

13 COMMISSIONER WARFIELD: Yes, please.

14 ATTORNEY WASHINGTON: When he did meet
15 with -- or, excuse me, when he did return the
16 detective's call on May 25, 2011 and the number
17 of days after the theft I don't think is
18 relevant. What is relevant is what he said on
19 the phone.

20 He said -- I'm quoting from the
21 CRISNET, "Strickland stated via telephone that he
22 woke up between 7:30 AM and 8 AM on May 12, 2011.
23 When he walked outside he noticed his motorcycle
24 was gone." That is May 12.

25 Based on the witnesses, the other

1 witnesses, particularly the apartment manager,
2 Ms. Magow, her testimony was,

3 "Johnny had called our office and asked
4 if his motorcycle had been moved."

5 This is from May 11. "I then asked the
6 manager and she said no. I explained
7 that to Johnny and asked him if it was
8 missing and what he said was somebody
9 had called him to tell him they saw his
10 bike on the back of a truck."

11 That's from transcript, Page 48 of the
12 transcript. That was on May 11. On May 25 he
13 told the detective that he didn't notice that it
14 was missing until May 12 when he woke up.

15 COMMISSIONER WARFIELD: Okay, I'm good.
16 Anybody else?

17 MR. GOLDPAUGH: May I?

18 COMMISSIONER WARFIELD: No, no.

19 Can you read your recommendation again
20 one more time for the record so we may vote on
21 this issue?

22 ATTORNEY WASHINGTON: It is recommended
23 that the Trial Board's findings be upheld as to
24 Charge 1, 10-day suspension and reduced as to
25 Charge 3, five-day suspension.

1 COMMISSIONER WARFIELD: Board, what is
2 your pleasure?

3 COMMISSIONER WHITE: Chair, I move that
4 we support counsel's recommendation to uphold the
5 Trial Board's findings as described, Charge 1 a
6 10-day suspension, dismissal of Charge 2 and a
7 reduction of Charge 3 from 10 days to a five-day
8 suspension.

9 COMMISSIONER STEWART: Support.

10 COMMISSIONER WARFIELD: It's been
11 properly moved and supported. Is there any more
12 discussion? Any more discussion? Those who
13 agree with the motion, please say aye.

14 COMMISSIONERS: Aye.

15 COMMISSIONER WARFIELD: Those who
16 oppose? Motion carries. Thank you, ma'am, thank
17 you attorneys, appreciate it.

18 ATTORNEY WASHINGTON: Thank you,
19 Mr. Chair.

20 COMMISSIONER WARFIELD: One other item
21 that we need to vote on. It came up last week
22 and we had stated last week that the Tow Rate
23 Commission had altered their tow rate
24 recommendation to the Detroit City Council and
25 there are letters in front of all of us and

1 they're asking for our support.

2 We will not pass a resolution, but I
3 would like to put on the table if we would adopt
4 a letter of support for their tow rate and for
5 the record we'll read the letter into the record
6 if that's okay, Mr. Secretary.

7 SECRETARY ANTHONY: Yes, sir.

8 COMMISSIONER WARFIELD: Can you read it
9 into the record for us, please?

10 SECRETARY ANTHONY: The letter is
11 addressed -- is dated April 18, 2013 addressed to
12 the:

13 "Honorable Detroit City Council,
14 Detroit, Michigan 48226.

15 Reference support for an increase in
16 the tow rate structure.

17 Dear Honorable City Council:

18 Please accept this letter in support of
19 the Towing Rate Commission's
20 recommendation to establish a new tow
21 rate fee structure for police
22 authorized towing for the City of
23 Detroit.

24 Their recommendation is as follows:

25 Tow per vehicle \$125, storage per day

1 \$15, administrative fee per tow \$75 for
2 a total of \$215.

3 The Board of Police Commissioners
4 support this recommendation for two
5 reasons. First, tow rate fees have
6 remained unchanged for 17 years despite
7 rising costs for towers for fuel,
8 insurance and equipment; and second,
9 the changes will generate approximately
10 \$4 million in revenue for the City of
11 Detroit.

12 The Police Commission therefore urges
13 your honorable body to adopt the
14 recommendations of the Tow Rate
15 Commission as outlined above.

16 Thank you for your consideration in
17 this regard."

18 COMMISSIONER WARFIELD: Is there a
19 motion to adopt the letter? Is there a motion to
20 adopt the letter? Is there a motion to adopt the
21 letter?

22 There is no motion to adopt the letter
23 so the letter will not be adopted.

24 SECRETARY ANTHONY: Thank you.

25 COMMISSIONER WARFIELD: Do you want to

1 comment?

2 COMMISSIONER WHITE: Yes, sir. If I
3 could, Mr. Chair, and this is my first time
4 seeing this letter, but potentially if there
5 could be some additional language added, I think
6 I've raised a number of concerns, and I won't go
7 into detail of all of those concerns again, but
8 just to reflect the fact that there has been some
9 concerted conversation centered around increase
10 costs to citizens of Detroit for towing, for all
11 of the other reasons I have described, I would
12 feel more comfortable in adopting this
13 communication, but just a blanket support letter
14 without raising those concerns I will not be in
15 support of it.

16 COMMISSIONER WARFIELD: So if I hear
17 you correctly, sir, you're saying that you would
18 want your -- if your comments were attached to
19 the letter or incorporated I should say -- I'm
20 sorry, incorporated in the letter, your
21 rationale, that you would adopt the letter?

22 COMMISSIONER WHITE: Right and I'd
23 be happy to work with whoever drafted this
24 communication to get the language on there.

25 COMMISSIONER WARFIELD: You can work

1 with Mr. Secretary and we can bring that up
2 again, okay? Fair enough. All right.

3 Chief?

4 INTERIM CHIEF LOGAN: As I stated
5 earlier, I think we have a presentation from
6 Secondary Employment and after that I'll give you
7 a brief presentation on Operation NIP-IT.

8 COMMISSIONER WARFIELD: Sure.

9 SGT. CAREY: Good afternoon. Sgt.
10 Daran Carey from Secondary Employment and today
11 I have with me Deputy Chief Tina Tolliver who is
12 the commanding officer of Secondary Employment.

13 Secondary employment basically allows
14 officers to work off duty in full uniform.
15 Outside employment allows officers to work off
16 duty, but not in full uniform.

17 And also in secondary employment,
18 secondary employment is paid by a third party
19 which is their employer. They pay officers
20 directly by check or money order. The Office of
21 Secondary Employment approves officers to work
22 and we do that by requesting for their
23 disciplinary history, their DPD sit cars, make
24 sure they're not on a 350 or anything of that
25 nature.

1 In addition to that our officers are
2 approved, like an employer makes a request, we go
3 out there and do a site survey, security survey
4 and let them know how many officers they need to
5 work that specific location. And also we process
6 the fees for secondary employment for the price
7 of a vehicle which is \$50 per day for a vehicle
8 and City of Detroit administrative fee which is
9 \$2 per hour.

10 The limits of authority. Basically
11 allows officers that are working secondary
12 employment, they have the full powers of a sworn
13 police officer.

14 Right here is the rate of pay. The
15 rate of pay for a lieutenant \$36.64. Currently
16 we have 11 lieutenants involved in the program.
17 Sergeant's rate of pay is \$32.68 and we have 65
18 sergeants that's involved in the program.

19 Investigator is the same rate as a
20 police sergeant which is \$32.68. A police
21 officer's rate of pay is \$25.59. We have
22 approximately 475 police officers that's
23 currently enrolled in the program.

24 Currently to date we -- the total from
25 last year we raised \$130,000 that we collected

1 for like administrative fees, vehicles fees that
2 was paid directly to the City of Detroit and went
3 into our general fund, and currently we have 17
4 employers that's presently involved in the
5 program such as Ford Field, Comerica Bank,
6 Detroit International Bridge Authority and
7 Detroit Department of Human Services.

8 Also we're looking to add a work site
9 which is -- Mr. Wallace here, he has one of our
10 new work sites which is going to be located on
11 Warren and Livernois.

12 The work site is basically like a
13 mini-station, but his idea was he's going to pay
14 for the police officers through secondary
15 employment to man the work station versus our
16 department providing manpower to man the work
17 station.

18 Basically that's my presentation unless
19 you have any questions.

20 COMMISSIONER WARFIELD: Thank you, Sgt.
21 Carey. Any questions?

22 COMMISSIONER WHITE: Thank you,
23 sergeant. As it relates to the -- I believe it
24 was in excess of \$135,000 in revenue from
25 different functions and you referenced that goes

1 to the general fund. Is that kept within the
2 department or is that going towards the City's
3 general fund?

4 SGT. CAREY: The City's general fund.

5 COMMISSIONER WHITE: Thank you.

6 COMMISSIONER WARFIELD: Commissioner
7 Stewart, do you have any question?

8 COMMISSIONER STEWART: How is the
9 operation working?

10 SGT. CAREY: The operation is working
11 excellent actually. Officers are, like I say,
12 enjoying it. They look forward to it. They make
13 -- actually they make more than -- working for
14 secondary employment than what they do for the
15 department because the department, I think it's
16 like \$23 and the employers is paying \$25.69 per
17 power. So the employers did not take the 10
18 percent cut and they refused to do it, so
19 actually the officers should make more money.

20 COMMISSIONER STEWART: Okay.

21 COMMISSIONER WARFIELD: You had
22 mentioned, Sgt. Carey, that Ford Field is a
23 customer. Is Detroit Tigers organization a
24 customer?

25 SGT. CAREY: I'm glad you asked that.

1 Detroit Tigers, we approached them several times
2 on numerous occasions and they disagreed, they
3 would not pay for secondary employment and their
4 argument is they have 162 games per year, 81 year
5 per -- 162 games, but 81 that's actually at home.

6 And I did a little research on that and
7 our department will provide for the inside,
8 interior only, which is five officers per game
9 and if you multiply that by five times 81, that's
10 405 officers, and Ford Field, they hire like 53
11 officers at about 10 per -- they have about 10
12 games per season, plus other events, so I try
13 back and forth with them and they disagreed, they
14 will not pay.

15 COMMISSIONER WARFIELD: So you got
16 about 530 officers that are being paid at Ford
17 Field?

18 SGT. CAREY: Correct. We do interior
19 only at Ford Field. We don't do --

20 COMMISSIONER WARFIELD: Interior only.

21 SGT. CAREY: Correct. And actually
22 with Ford Field the Lions just had a security
23 review and they got the highest rating that they
24 ever had in their 10-year history at Ford Field
25 and I attribute that to because the officers want

1 to be there versus us forcing them to be there.

2 COMMISSIONER WARFIELD: So our officers
3 at Comerica Park then are basically there on the
4 City dime?

5 SGT. CAREY: Correct.

6 COMMISSIONER WARFIELD: What happens if
7 our officers are redeployed to the street?

8 SGT. CAREY: I'm not for sure. That
9 would be something that the Chief would have to
10 answer.

11 COMMISSIONER WARFIELD: Just a
12 hypothetical.

13 INTERIM CHIEF LOGAN: Hypothetically,
14 through the Chair, Chief Logan, hypothetically
15 the games wouldn't go on. They're required by
16 Major League Baseball to have police presence on
17 the field.

18 COMMISSIONER WARFIELD: So really they
19 don't have a choice?

20 SGT. CAREY: But I believe the Tigers
21 have also contracted with the County, Wayne
22 County Sheriff. You see them on a lot of games.

23 COMMISSIONER WARFIELD: Okay, that's
24 interesting information to know, very interesting
25 information.

1 SGT. CAREY: I did some research, like
2 with the NFL, like our department, the Lions hire
3 53. I checked with Cleveland, Texas, they hire
4 like 171 police officers. So what we do with 53,
5 55 officers, it's incredible actually.

6 COMMISSIONER WARFIELD: Got you.
7 Commissioner White?

8 COMMISSIONER WHITE: Just a follow up.
9 Sergeant, when you say they contract with Wayne
10 County Sheriff, is that an employment
11 relationship or is that just an agreement that
12 Wayne County --

13 SGT. CAREY: I believe it's an
14 agreement with the Wayne County Sheriff.

15 COMMISSIONER WHITE: So it's just a
16 presence, they're not paying Wayne County
17 sheriffs?

18 SGT. CAREY: No.

19 COMMISSIONER WHITE: Even still,
20 through the Chair, Chief I do think that may
21 warrant a follow-up conversation with the Detroit
22 Tigers leadership. I'm not sure why we would
23 have one scenario on the Ford Field side, but a
24 different scenario on the Detroit Tigers side and
25 certainly we need all the manpower we can get on

1 the streets, and if we don't reach some revenue
2 from this type of environment -- and I know,
3 Chief, there's some other things that comes along
4 without having a presence there as well.

5 INTERIM CHIEF LOGAN: Yes, sir.

6 COMMISSIONER WHITE: And so we'll end
7 up responding one way or the other, but maybe
8 there's a more strategic way we can go after
9 potentially getting some revenue from that
10 opportunity.

11 INTERIM CHIEF LOGAN: Rest assured,
12 sir, the Board, we're trying, we've been trying.

13 COMMISSIONER WARFIELD: And if I follow
14 your math, Sgt. Carey, so literally it's 115
15 officers fewer than the Detroit Tigers would have
16 to pay for than what the Detroit Lions are
17 actually paying for right now?

18 SGT. CAREY: Basically because also
19 with Ford Field we also have the concerts like we
20 got Taylor Swift concert May 4. They're using
21 approximately 20 officers from Secondary
22 Employment to man that.

23 COMMISSIONER WARFIELD: Good report,
24 sir. Thank you so very much. Any more
25 questions?

1 SGT. CAREY: Also, I must conclude,
2 that we also have two charter schools, we have
3 Hope Academy and Jalen Rose Academy that hire off
4 duty police officers, secondary employment police
5 officers.

6 COMMISSIONER WARFIELD: Great. Is that
7 during the day hours or is that after --

8 SGT. CAREY: During the day hours,
9 Jalen Rose Academy and basically at dismissal and
10 Hope Academy, we will start this coming Monday,
11 they have one officer for eight hours and a
12 vehicle.

13 COMMISSIONER WARFIELD: Excellent.

14 SGT. CAREY: We hope we can get some
15 more businesses to participate.

16 COMMISSIONER WARFIELD: What type of
17 promotions do you do? How do you market your
18 services out there?

19 SGT. CAREY: Basically we market
20 through the Community Relations officers, other
21 businesses, myself and the two officers that work
22 on my staff, they also go out and market.

23 COMMISSIONER WARFIELD: Great. Thank
24 you, sir. Chief?

25 INTERIM CHIEF LOGAN: Yes, sir. I just

1 wanted to take a second and give you a last
2 report -- well, not the last report, but for the
3 past six weeks we've ran Operation NIP-IT, in
4 conjunction with our Narcotics crews.

5 And just to give you some totals, I'm
6 going to give you two sets of numbers. I'm going
7 to give you the numbers for last week and the
8 totals.

9 For Week 6 of NIP-IT we made 80 felony
10 arrests -- I'm sorry 80 arrests, 34 felony, 46
11 misdemeanor and had one juvenile detained. We
12 investigated some 1,290 persons, 1,037 vehicles
13 and confiscated 10 handguns, five long guns, one
14 assault rifle. Narcotics conducted 40 raids on
15 the street -- I'm sorry, in various locations and
16 had eight investigations -- raids on the street,
17 open air drug sales. We issued a total of 2,274
18 tickets. Those are moving tickets and 53
19 miscellaneous ordinances.

20 We towed 226 vehicles. One of the
21 vehicles was a stolen vehicle taken in a
22 carjacking. The street value of the narcotics
23 seized was \$57,000 worth of -- street value of
24 cocaine, \$72,000 value with regard to heroin and
25 marijuana was \$48,000.

1 The street value, total street value,
2 was \$237,678 and we also brought in about \$19,000
3 in cash. So we ran this six-week operation in
4 two districts only. The operation was ran in the
5 Northwestern District and it was also in the
6 Eastern District, so that was our primary focus.
7 It's not going on this week, but it's going to
8 resume again next week.

9 But for the total, we made for the six
10 weeks we made a total of 604 arrests. That was
11 249 felonies, 342 misdemeanors, we detained 10
12 juveniles, investigated 7,858 persons, 6,223
13 vehicles. We confiscated 68 handguns, 31 long
14 guns and 17 assault rifles. We wrote a total of
15 400 miscellaneous ords, a total of 1,000 -- I'm
16 sorry, 13,430 civil infractions.

17 This is interesting. We towed a total
18 of 1,404 vehicles and Commission, had that
19 surcharge been -- service charge been in
20 existence we would have made \$96,000.

21 But moving right along, we brought in a
22 total of almost \$2 million in cocaine -- these
23 are street values -- almost \$3 million in heroin,
24 \$3 million in marijuana and \$10,000 in pills.
25 The street value of the narcotics that we took

1 off the street was \$8.5 million dollars and we
2 confiscated \$130,272 in cash.

3 That's my report.

4 COMMISSIONER WARFIELD: Any questions
5 from the Commissioners regarding that report?
6 Outstanding.

7 COMMISSIONER STEWART: Keep doing a
8 great job.

9 INTERIM CHIEF LOGAN: Thank you, sir.
10 Just so the Board knows, the reason we've
11 concentrated on the Northwestern District and the
12 Eastern District, it's our belief that if we can
13 continue to drive down crime in those two
14 districts, we can drive down crime in the city.

15 And probably next week or the week
16 after we're going to be reporting to the
17 community exactly what we've been able to
18 accomplish not in the first third of the year,
19 but the first four months of the year -- I'm
20 sorry, not the first quarter, but the first third
21 of the year because we'll be through the month of
22 April, but I think the Board is going to be very
23 pleased with what we report out on sometime in
24 May.

25 That's my report.

1 COMMISSIONER WARFIELD: Great, thank
2 you, sir. There is no old business. Our next
3 meeting will be held Thursday, April 25, 2013, 3
4 o'clock PM at the Central District which is 7310
5 Woodward Avenue because there's a game that day
6 so we will meet at Central District.

7 At this time the agenda calls for oral
8 communication. If you wish to address the Board
9 of Police Commissioners, we ask that you will
10 come to the mic and to the podium in the center,
11 please give us your name for the record and our
12 staff member, Mr. Robert Brown, is sitting right
13 here in the corner. We ask that you abide by our
14 two-minute time limit that we may hear from as
15 many as we can; thank you.

16 MS. PANSELL: Good afternoon, Board.
17 My name is Sharon Pannell. My question is what's
18 the purpose of the police community relations
19 meeting? I got two questions actually. And what
20 are they supposed to discuss?

21 (Commissioner Stewart leaves.)

22 MS. PANSELL: Lately at 2nd Precinct
23 all they've been discussing is blight, vacant
24 buildings, the tires and the politicians coming
25 in. I thought the Number 1 thing was crime. Can

1 you explain that to me, please?

2 COMMISSIONER WARFIELD: Chief?

3 INTERIM CHIEF LOGAN: Through the
4 Chair, Chief Logan. Ma'am, those are important
5 things to be discussed, but the police community
6 relations meeting is essentially a community
7 meeting, so the community sets the agenda. If
8 you want other things on there, I'm certain all
9 you got to do is let them know and other things
10 will be discussed.

11 MS. PANSELL: I question the crime
12 every time they have a meeting. My seniors that
13 I go to lunch with question what's going on about
14 the B&Es because there's been people's houses
15 being broke into still over in my area and
16 they're worried about being outside. Now that
17 it's springtime they want to clean up the yards.
18 They want to be able to go out there and be safe.

19 INTERIM CHIEF LOGAN: Yes, ma'am. DC
20 Tolbert who's in the back, he'll ensure that
21 that's addressed.

22 MS. PANSELL: Thank you. Well, Vicki
23 said for me to come up there and she will talk to
24 me about the crime, Yost.

25 INTERIM CHIEF LOGAN: Yes, ma'am.

1 MS. PANNELL: But besides, all those
2 things that they talking about, yeah, that's
3 important too, but I think crime is Number 1.

4 INTERIM CHIEF LOGAN: Yes, ma'am.

5 MS. PANNELL: On the scene.

6 INTERIM CHIEF LOGAN: Yes, ma'am.

7 MS. PANNELL: Thank you.

8 MR. BOGAN: Good afternoon, Honorable
9 Board. My name is Sid Bogan and I'm just here
10 bringing greetings from Detroit City Council.

11 I came here specifically to actually
12 take a look at the secondary employment because
13 that was one of the key things that's been
14 accomplished that was a joint effort by -- and
15 I'd like to call by name -- two of the fine
16 officers on the Chief's staff, Commander Bettison
17 and Inspector Charles Wilson.

18 I was very pleased to hear what has
19 happened today and I'm definitely going to take
20 it back to City Council. What I'm disappointed
21 about is what I just heard from the sergeant and
22 that is the fact that the opportunity for our
23 corporate community to partner with the City of
24 Detroit has fallen flat on its face when it comes
25 to secondary employment.

1 As we all know, and the Chief brought
2 this to our -- he's been trying to get it for
3 about 20 years -- brought it to our table saying,
4 we know, this is the way to actually employ
5 resources out into the neighborhoods, so I can't
6 understand, I'm puzzled, and I think this is
7 something we ratchet up higher in our pay grade
8 and thos is to have them collaborate to try to
9 put some pressure on the Tiger organization.

10 Thanks again for what you've done.

11 INTERIM CHIEF LOGAN: Thank you, sir.

12 COMMISSIONER WARFIELD: Thank you,
13 Mr. Bogan. Just for a second and if you can take
14 back to Councilman Brown and the other colleagues
15 there at City Council, it's interesting they vote
16 often to give tax abatements to a number of
17 businesses downtown and so they get a significant
18 benefit in doing business and reaping the awards
19 and it would help tremendously if they could be
20 cooperative with this issue, especially
21 considering, you know, some are doing their job
22 or some are taking their mantle and running with
23 it and others are not, so that would be very
24 helpful.

25 MR. BOGAN: Believe me, I hear you loud

1 and clear and there was resistance from the Tiger
2 organization. They were not on board initially,
3 but we were able to get it done anyway.

4 Now I can see that they were very
5 serious that they were not going to be involved,
6 so yes, I'll definitely make sure, I'm going to
7 get that power point and take it back and we'll
8 try to attack it from both angles.

9 COMMISSIONER WARFIELD: Thank you, sir.
10 Chief?

11 INTERIM CHIEF LOGAN: Just through the
12 Board, Chief Logan again. I think that we lose
13 sight of another location that -- I don't want to
14 mention the family by name, but the Tiger owners
15 have and that's the Joe Louis Arena.

16 MR. BOGAN: They're not using us there
17 either, right? Well, believe me, he will hear
18 about this and join with you to make sure we try
19 to let them understand the benefits of getting on
20 board with this program.

21 COMMISSIONER WARFIELD: And, sir, it
22 shouldn't be optional.

23 MR. BOGAN: I agree.

24 COMMISSIONER WARFIELD: The Council
25 should --

1 MR. BOGAN: I agree wholeheartedly.
2 I'm not an elected official, but I agree
3 wholeheartedly. Thank you, sir.

4 MS. ROBINSON: Good afternoon, Katrice
5 Robinson, president of Midwest Civic Council
6 Block Club. Thank you to the Board and to the
7 Chief. My question is to Chief Logan.

8 I understand that you are hitting the
9 heavy target areas which would be the
10 Northwestern area and you said the Eastern
11 District.

12 Okay, so if you are reducing crime --
13 but if you're reducing crime in those areas, that
14 seems to be that you're forcing it into other
15 areas that's not getting any attention.

16 And I represent the Southwest District
17 and our crime over there, even though they say
18 the numbers are down in certain areas, maybe B&Es
19 and things like that, but it's up in other areas
20 such as the dumping and the stripping of the
21 homes and the speeding down the streets and, you
22 know, we can't get any services in that area.

23 So how would you address that if you're
24 going to reduce one area and raise it in another?

25 INTERIM CHIEF LOGAN: What we --

1 through the Chair, Chief Logan. What we did,
2 ma'am, was take a look at our more problematic
3 areas first, but we will definitely be coming to
4 your neighborhood. I don't know if it will be
5 next week, but if not next week then the week
6 after.

7 One of the things that you probably
8 heard me talk about is the amount of tickets that
9 we've written. Now, bear in mind that that
10 period that we worked was only three days per
11 week for the last six weeks, so a total of 18
12 days.

13 What we were able to do in that time is
14 saturate an area, issue tickets, confiscate
15 vehicles, conduct drug raids, make sure houses
16 weren't stripped, make sure people weren't being
17 shot. Now we see that it's worked and we're
18 going to be able to take a look at other parts of
19 the city.

20 And this is like a traveling circus.
21 We will definitely be in your neighborhood.

22 MS. ROBINSON: But how did you
23 determine that that was one of your high targeted
24 areas? I mean, everybody is complaining.

25 INTERIM CHIEF LOGAN: We looked at

1 violent crime, ma'am, we looked at where our
2 homicides were occurring and we looked at where
3 our shootings or non-fatal shootings are
4 occurring and for the most part they're not
5 happening in your area, so that was our first
6 priority.

7 MS. ROBINSON: They're not happening as
8 much.

9 INTERIM CHIEF LOGAN: As much, yes,
10 ma'am. So that was the criteria that we used,
11 violent crime.

12 MS. ROBINSON: Okay, so how will you
13 determine when you'll come to the other areas and
14 how will that community be notified that you'll
15 be in those areas so that the citizens can be
16 made aware or, you know --

17 INTERIM CHIEF LOGAN: Mr. Brown, let me
18 answer because this is critical.

19 MS. ROBINSON: Yeah, when I think
20 there's a meeting like the community association
21 can address it at their meeting.

22 INTERIM CHIEF LOGAN: One of the things
23 that we want, ma'am, we don't want to tell you
24 when we're coming. We're not going to tell you
25 that. You'll know.

1 When people get out there in the course
2 of a weekend when they write 2,000 or 3,000
3 tickets the word will get out and that's the way
4 we want it to be.

5 MS. ROBINSON: No, I'm not saying that
6 you're going to let us know that you're in that
7 target area, but I'm saying like the meeting like
8 now that you could hold to say what your status
9 is.

10 Do you understand what I'm saying?

11 INTERIM CHIEF LOGAN: Oh, yes, ma'am.
12 We will definitely be doing that. We haven't
13 even reported out to the citizens in the
14 Northwestern District or the Eastern District
15 what we've done thus far.

16 The only reports that we give out is to
17 the Board and the citizens in the audience. We
18 haven't been there yet.

19 MS. ROBINSON: Okay, thank you.

20 COMMISSIONER WARFIELD: Thank you,
21 Ms. Robinson.

22 MR. DUMA: Hello, I'd like to thank you
23 at this time for allowing me --

24 COMMISSIONER WARFIELD: Your name,
25 please?

1 MS. DUMA: Oh, yeah, I will give it.
2 Raymond Duma, I'm in the 6th District. I have
3 problems with a lot of issues. I want to run
4 through them quickly. It has to do with I'm
5 getting different answers from different police
6 officers on protocol and and procedures.

7 One is basketball courts enforcement,
8 confiscation, curfew violation. I don't see this
9 enforced. We don't see any of this being done.
10 We don't see truancy violations. When we call
11 the number, we don't even get it and the
12 information they ask, we just can't obtain it.

13 I don't know what happened to the
14 defunct Gang Squad. I think it's sent over to
15 Community Relations. The problem here is
16 Community Relations only works Monday through
17 Friday 8 to 4 and sometimes not even to 4
18 o'clock.

19 Abandoned vehicle enforcement, what
20 constitutes a ticket writing. If there's cars
21 parked in driveways in vacant properties and
22 there's no license plate, whether it's a picture
23 through the window or one where it's supposed to
24 be a plate, we call in, they give us different
25 answers.

1 Yes, that constitutes a violation,
2 others say it doesn't. And the 224-dope number,
3 I don't seem to ever get in touch with them.
4 Every time I call them it's -- they don't answer
5 the phone.

6 I mean, I don't understand this. We
7 have a recently created patrol in our area and
8 the patrol when we call various numbers that were
9 given to call even, they tell us, well, you have
10 to call the owner of the property if there is a
11 break in. We can't get a car out quickly to
12 respond. I said how the heck am I supposed to
13 know who owns the property? Some of these change
14 hands overnight almost. You know, it's just like
15 a run-around all the time and a lot of the
16 numbers lead to nowhere.

17 And we don't see anything being hardly
18 done in the neighborhood at all, and we have --
19 okay, yes.

20 COMMISSIONER WARFIELD: Mr. Duma, first
21 of all thank you for coming. We appreciate your
22 presence of being here. We certainly want to
23 answer all of your questions.

24 Chief, will you assign someone?

25 INTERIM CHIEF LOGAN: Yes, sir. DC

1 Tolbert, would you address his concerns? See DC
2 Tolbert, sir.

3 COMMISSIONER WARFIELD: Thank you, sir,
4 again. Yes, ma'am.

5 MS NORRIS: Hello, my name is Kelly
6 Norris. I have some information that I would
7 like the Commissioners to have. I'm here
8 regarding -- my name is Kelly Norris and hello,
9 Chief, Commissioners.

10 I'm here to discuss the homicide of my
11 brother Tyrone Kia Birch on March 19, 2011. The
12 Prosecutor's Office found that it was a justified
13 homicide, even though after reading the reports
14 and the autopsy reports I believe that it was not
15 justified.

16 The prosecutor did not have enough
17 evidence to take it to court and they don't want
18 to waste their money because they cut all of the
19 budgets, so --

20 Anyway, I'm sorry, I'm rambling, I've
21 been waiting for this for so long. He was shot
22 in the bar, in the back of the bar, by the owner.
23 The owner's brother is a police officer. There
24 was no witnesses. The police did not ask the
25 security on staff who said they kicked my brother

1 out of the bar, but there's no statements from
2 the security that night saying he was acting
3 crazy or whatever.

4 The owner went outside of the building,
5 he shot at my brother 14 times putting people in
6 danger, neighbors, people in other houses. He
7 claimed my brother had a gun. There's no
8 evidence showing that my brother had a gun. He
9 said that my brother shot at him twice and had an
10 Everfresh glass full of gasoline to burn down the
11 building.

12 The offices wrote that in the report
13 even though they did not see it. Either the
14 officer lied in his report or Paul Jones lied to
15 the police. In his interrogation he said that my
16 brother -- he heard two gunshots and being he
17 opened fire seeing my brother was running. He
18 even said he didn't see a gun in my brother's
19 hands.

20 I don't understand how the Detroit
21 police can write things in the report that either
22 is not true or they don't have evidence of it.
23 My mother and my father, they're never going to
24 be right again. My brother wasn't a dope fiend,
25 he wasn't a drug -- he was an electrician, he was

1 38 years old, he had a daughter and a grandson
2 that's one years old.

3 I would like for the police or somebody
4 in higher authority that's not trying to have the
5 backs of the other officers even though they know
6 they're wrong to please try to take care of this,
7 please.

8 COMMISSIONER WARFIELD: Ms. Norris, one
9 second before you leave the mic, Ms. Norris. I
10 think we have your case in our Office of Chief
11 Investigator.

12 MS. NORRIS: Yes, with Samuel Quick.

13 COMMISSIONER WARFIELD: Exactly, and so
14 certainly we will -- we're in the process of
15 investigating that and as soon as we get done
16 with our end of it we will let you know.

17 MS. NORRIS: Well, the last time they
18 found it was sustained and I didn't have enough
19 evidence to prove against what the officers done,
20 but I'm pretty sure that the owner of the bar's
21 brother and police officers, they're friends.
22 They have each other back. Even though they know
23 their partner is wrong they're not going to say
24 it. They're not going to say yes, ma'am, what --
25 this what was done in the case was wrong and it

1 wasn't by procedure. They just said well,
2 there's nothing we can do about it. It is
3 something.

4 COMMISSIONER WARFIELD: Well, if it was
5 sustained, ma'am, that case certainly -- it was
6 not sustained? I'm sorry, Chief Investigator,
7 can you come to the mic for a second, please?

8 This is our Chief Investigator over at
9 our Office of Chief Investigator.

10 CHIEF INV. DAVIS-DRAKE: Pamela Davis
11 for the record, Pamela Davis-Drake, Chief
12 Investigator. Sir, we do have a 2011 complaint
13 that was filed by Ms. Norris and the case, it was
14 not sustained.

15 Actually we just discussed your matter
16 this morning and we are currently in the process,
17 we just received about two weeks ago the second
18 complaint that has come in by Ms. Norris and we
19 are in the process of handling that now.

20 COMMISSIONER WARFIELD: All right,
21 thank you, ma'am. Chief, do you have anything to
22 say to Ms. Norris?

23 INTERIM CHIEF LOGAN: Through the
24 Chair, Chief Logan. Lt. Walton, could I get you
25 to step up to the mic?

1 LT. WALTON: Lieutenant Steve Walton,
2 Homicide.

3 INTERIM CHIEF LOGAN: Do you have any
4 independent recollection of this case? We're not
5 trying to try it here, but --

6 LT. WALTON: I do know the case. I
7 don't know all the details off the top of my head
8 but I am familiar with it.

9 INTERIM CHIEF LOGAN: It's hard to even
10 ask the question. Would you maybe try to brief
11 Ms. Norris as best you can after this?

12 This doesn't need to be on the record.

13 COMMISSIONER WARFIELD: No, okay, thank
14 you, sir. So, Ms. Norris, if you can get with
15 the lieutenant afterwards.

16 MR. BIRCH: Tyrone Terry Birch for the
17 record. I just have to just to add to that, just
18 to add to that, we have gone through all the
19 channels that were available to us in order to
20 find out -- there's some obvious questions that
21 needed to be asked and nobody has come up and
22 said anything. I mean, you don't shoot somebody
23 -- you don't shoot at them 14 times and just say
24 that you was defending yourself. That's
25 incredible.

1 And all I'm asking for, all my family
2 is asking for is just a thorough investigation.
3 Let's the cards fall where they may and just let
4 it be thorough and let it be done. Now, I heard
5 you tell us we can talk to the lieutenant after
6 the meeting. That would be fine with me.

7 COMMISSIONER WARFIELD: And certainly,
8 Chief, if the Board can get a sealed update on
9 the conversation and what has transpired, that
10 would be very helpful.

11 INTERIM CHIEF LOGAN: Yes, sir.

12 COMMISSIONER WARFIELD: And, ma'am,
13 same thing. Once the second claim is
14 investigated, if we could get an update on that
15 too, that would be very helpful. Thank you.

16 Thank you, Mr. Birch. Thank you so
17 very much for coming.

18 And, the lieutenant, before you leave,
19 the lieutenant will speak to you right now, okay.

20 Yes, sir.

21 MR. FOSTER: Good afternoon, Board,
22 Chief. Two days in a row.

23 INTERIM CHIEF LOGAN: Two days in a
24 row.

25 MR. FOSTER: Barry Foster, president of

1 Detroit Authorized Towing Association. I got a
2 couple of concerns that are being told about the
3 auction detail officers that handle the auctions
4 for the impound yards. We're being told that
5 these officers are going to be removed and put
6 back on the streets, which we don't have a
7 problem with that, but our concern is as for all
8 the towers is who's going to conduct the auctions
9 and help keep the impound yards clear with the
10 vehicles because without them, then the yards are
11 going to continue to start pilling up. It's
12 already hard enough to have an auction every
13 month with that understaffed unit.

14 And if they're done away with, which
15 we're being told, who's going to run our auctions
16 and help keep our yards clear?

17 INTERIM CHIEF LOGAN: Sir, we're going
18 to have to multi-task. We're going to continue
19 to do more with less. Our department just over
20 the last three years, three years that I've been
21 back to the department, we've lost over 300
22 members and we continue to get smaller and
23 smaller and smaller.

24 And your expectations and the citizens'
25 expectations are the same. They want police

1 service, so our pool is really drying up, but
2 don't lose heart because Director Porter, she's
3 going to have us some classes starting pretty
4 soon, but we just don't have the personnel to
5 continue to do the things that we've done in the
6 past. We just can't do it.

7 You expect if there's an emergency out
8 there, you expect the police to be there when you
9 call, so to have police officers sitting in a tow
10 yard, I don't think we can continue to do work
11 like that. So we've got to work harder.

12 MR. FOSTER: And I agree. There
13 definitely should be more officers, but that was
14 just a concern with the impound yards.

15 INTERIM CHIEF LOGAN: Yes, sir, I
16 understand.

17 MR. FOSTER: My second concern is I
18 hear that -- a lot of the other towers has
19 consulted me also. I hear that there's been a
20 number of tows in the Eastern District and the
21 Northwestern District and I understand the data
22 driven of deploying the troops out there, but
23 there is some concerns with the other districts
24 with the towers that with the Traffic Enforcement
25 Unit who's conducting these tows, we got calls

1 that there were 1,400 tows and every time they go
2 out there's 100 tows pretty much per district,
3 but only for those two districts and the other
4 districts the towers are not seeing any tows over
5 there with that particular unit.

6 INTERIM CHIEF LOGAN: Sir, I don't know
7 if you were in here earlier when I mentioned that
8 we concentrated our initial efforts on the
9 Eastern District and Northwestern District.

10 Now we're in a position to take a look
11 at what we've accomplished and we're going to be
12 moving this operation all around the city.

13 So I would ask you to be patient
14 because we're coming to your neighborhood real
15 soon.

16 MR. FOSTER: Okay and one word for
17 Commissioner White on the tow rate increase. I
18 don't know if you are aware what's the majority
19 been going on, but I've been meeting with the
20 Chair, Commissioner Warfield with the Mayor's
21 administration and the Tow Rate Commission and I
22 thought when we had met through the Chair that
23 there was 100 percent agreement with the Board of
24 Police Commissioners backing the Tow Rate
25 Commission which that was on record with City

1 Council and also in the meetings that I've been
2 with the Mayor's administration and the Tow Rate
3 Commission.

4 If there's anything that we can do to
5 bring you up to speed on where we're at and how
6 the others -- because keep in mind City Council
7 has recommended that all of the proposed -- there
8 were six proposals out there and in order to get
9 a tow rate increase it has to go directly through
10 the Tow Rate Commission and the Tow Rate
11 Commission only and we've had numerous meetings
12 and came to the conclusions and agreements to
13 help the City also not just to create revenue or
14 increase the fees on the citizens here in
15 Detroit, but we're concerned about them also to
16 let you know, but the administration has come up
17 with a number have they feel comfortable with
18 that should be applied into the towing to recoup
19 services for the department.

20 So if there's anything that we can do
21 to sit down and schedule a meeting to bring you
22 up to speed to get a little bit more clarity for
23 you for the Commissioners or support this plan,
24 I'd be willing to make myself available to do
25 that.

1 COMMISSIONER WARFIELD: Before you
2 leave, regarding the auction detail, does it have
3 to be police officers that conduct the auction
4 detail? I'm not sure, I don't know the state law
5 on that.

6 INTERIM CHIEF LOGAN: Sir, I think it's
7 either in the Charter or state law that you have
8 to have a police officer to collect the fee.
9 However, we're trying to work around that. We
10 might be able to assign some people here the day
11 of the auction. We're trying to civilianize as
12 many positions as we can but we'll work through
13 this.

14 COMMISSIONER WARFIELD: Okay, because I
15 want to ask to see if we can come up with a
16 solution that we can somehow or another get
17 someone else to do that, certainly we want to,
18 but if the state law is what it is, then we'll
19 work with that as well.

20 Okay, thank you, sir.

21 MR. FOSTER: Thanks a lot.

22 MS. ROMANO: I would like to
23 thank the Board for a great job that you're
24 doing. Also the Chief and DPD with NIP-IT, they
25 were very visible in the Eastern District. I

1 mean Gratiot corridor, cleaning in that area. My
2 church is in that area of Six Mile and Gratiot
3 and they've noticed a great difference.

4 I mean even the citizens and the
5 seniors that are still in that area, they were
6 very visible, they took care of business.

7 I mean, you didn't see anyone hanging
8 out on corners like you usually do. I mean, they
9 were out there just taking care of business so it
10 was a success as far as I'm concerned in the
11 area, it was very noticeable by the different
12 business owners and the citizens that live in
13 that district, so thank you so much for a job
14 well done.

15 INTERIM CHIEF LOGAN: Thank you.

16 COMMISSIONER WARFIELD: Thank you
17 ma'am. Anyone else?

18 MS. SMITH: Bernice Smith, political
19 activist. First of all, as you know I did see
20 your interview and seemingly right after your
21 interview with the reporter in regards to the
22 Police Chief coming here to the Detroit area I
23 don't know whether they got it incorrect or not,
24 but they did state that he made the statement to
25 his officers there in Cincinnati that he's

1 looking forward to coming to the Detroit area.

2 Now, that is something that we were not
3 aware of, at least I wasn't, and I'm sure the
4 rest of you were not aware of it.

5 I would like to know why do we have to
6 get a Chief now when there is an election and
7 there is money to be spent for a new Chief when
8 we have one right before us that's capable -- and
9 I'm sure he doesn't mind waiting until December
10 when we get the Chief in and we're going to have
11 to be worried about paying another Chief and then
12 still having one that's qualified or even Tolbert
13 because I understand his name was mentioned also.

14 Now, that's my complaint and I feel as
15 though that Chief Logan is qualified to stay here
16 with us until after the election. I don't know
17 what the urgency is for us to have a new Chief
18 because when you bring in a new Chief what do we
19 have to expect out of him.

20 He doesn't know the city, he doesn't
21 have a rapport with the police department and,
22 you know, our police department is very very
23 sensitive in regards to having a morale. Right
24 now it's low, but we on a level where we can
25 stand it.

1 But the fact is if this election comes
2 down the way I think it is, and it may not, I
3 don't know, they're going to try and appoint a
4 Police Chief themselves and you know what that
5 means, and I think somebody is in the background
6 waiting to jump onto the job, which is Brown.

7 And I do want you to give me a report
8 so I can give Brown that report so he can see
9 what you're doing here instead of complaining all
10 the time like he did the other day.

11 Also, I have in my possession Ilitch
12 Olympia Entertainment. If you need their number
13 to call them and tell them what you expect them
14 to do, I will be glad to give it to you or I can
15 call Mr. Ram myself.

16 In the meantime, one more thing. Today
17 on our radio program it was subject about the man
18 killing the dog, which was -- what was it -- I
19 forgot, what was the name of that dog -- pit
20 bull.

21 Well, I made it my business to make a
22 statement saying yes, but we should get the owner
23 of the pit bull and he shouldn't be allowed to be
24 running around the neighborhood and then they was
25 saying that the police came to his home and left

1 a card stating that he was going to be arrested.

2 Now, my suggestion to him was to take
3 an attorney to the police station and see if he
4 can take care of the matter.

5 In the meantime the people want to know
6 is it legal for the police to arrest him knowing
7 that he did what he did even after a time element
8 was past that they had taken the baby to the
9 hospital and then he later on saw the dog and he
10 shot the dog and ran -- not shot, but took a
11 hatchet and chopped at it and then ran him over.

12 Now, I don't know if that's legal or
13 what, what you're going to do about it, but my
14 response to that was that I would give them an
15 answer because I was going to attend the Police
16 Commission meeting and I'm sure that you would
17 have an answer for that so we can find out and
18 the rest of the people that were saying that he
19 did a good thing.

20 COMMISSIONER WARFIELD: That's it?

21 MS. SMITH: Is there an answer for
22 that?

23 COMMISSIONER WARFIELD: Let me start
24 off with what you first started talking about,
25 then I'll turn it over to the Chief about the

1 arrest with -- the alleged arrest of the guy with
2 the dog.

3 As I stated earlier, we started to --
4 we, this Board, started the search for the police
5 and that process five months ago.

6 MS. SMITH: I remember.

7 COMMISSIONER WARFIELD: It's not
8 something we just did two weeks ago or three
9 weeks ago or one month ago.

10 MS. SMITH: Were you taking into
11 consideration an election?

12 COMMISSIONER WARFIELD: Hold on one
13 second. We did it because the Charter says if
14 there's a vacancy we hire a company and do a
15 search. If we didn't do it that way, then we'll
16 get criticized for not doing the job.

17 MS. SMITH: Yeah, one way or the other.
18 Was there a time limit?

19 COMMISSIONER WARFIELD: Ma'am, this is
20 -- it's critical for us because it's the very
21 first time in the Board's history, in the Board's
22 almost 40-year history, that we've been asked to
23 participate in the Chief of Police selection
24 process.

25 And so from the Board's perspective we

1 wanted to make sure that we set a very clear
2 precedent, that we did not use this opportunity
3 as a political football --

4 MS. SMITH: All right.

5 COMMISSIONER WARFIELD: -- so that
6 boards that come behind us understand that
7 there's an urgency of the matter. We have been
8 on the record -- well, I don't go there -- but
9 we've been on the record I think very clearly as
10 relates to transparency and being serious about
11 making sure this happened. It wasn't us who
12 delayed the process or who asked to do this. It
13 was the citizens of Detroit who voted and checked
14 the box yes when they revised the Charter in
15 2012.

16 And we're carrying out their dictates
17 as all of us have raised our hands and say that
18 we will uphold the City Charter. That's all
19 we're doing.

20 We understand the election process. We
21 don't have anything to do with the actual
22 appointment. Our job is one thing only, that is
23 to provide a list, to do a search and provide a
24 list of those candidates that make it through the
25 search to the Mayor. Then our job is over.

1 When the Mayor makes that decision, who
2 -- when that appointment is made, how long they
3 stay, all that stuff has nothing to do with us.
4 Our job is very specific, to hire a company to do
5 the search and hand the list over to the Mayor.

6 And so from that standpoint we just
7 want to make sure that we do what the citizens of
8 Detroit voted in overwhelming numbers for us to
9 do, and that's that.

10 I mean, we took issue early on with the
11 Charter Commission because we saw these issues
12 coming that was going to be the case. For
13 instance, the timing. We understood that. We
14 said that. We wrote letters to every governing
15 body in the state and to the Mayor, to the
16 Governor, to the City Council, to the City
17 Charter Commission saying that you all really
18 need to think about this before you put this on
19 the ballot because it was not the best idea, and
20 it wasn't the best thought-out idea.

21 And so we worked within the confines of
22 the City Charter as what was given to us to the
23 very best of our ability trying to be transparent
24 which is why we have the community meeting early
25 on, which is why we moved expeditiously so no one

1 would say that we were playing and trying to be
2 political with the process.

3 And so from that standpoint, you know,
4 we have to stand on that record, but we do
5 understand. I mean, as I said a long time ago,
6 unfortunately this is -- whenever a Chief comes
7 on -- I think it will be my fourth or fifth Chief
8 in like four years.

9 MS. SMITH: The new Mayor going to pick
10 out a Chief, won't he?

11 COMMISSIONER WARFIELD: So all I'm
12 saying is -- well, I don't know. I have no idea
13 how that's going to happen.

14 MS. SMITH: Yeah, that's what I'm
15 concerned about. Why change again, you know what
16 I mean?

17 COMMISSIONER WARFIELD: Well, we don't
18 know if that will be the case. We just don't
19 know. I mean, there are many options out there.
20 We just don't know. Our job is to do what the
21 City Charter, that's it.

22 MS. SMITH: I understand.

23 COMMISSIONER WARFIELD: So we weren't
24 -- you know, we're trying to be apolitical in all
25 of this. We're not trying to be politically

1 motivated by any of this, just do the job that
2 the citizens told us to do.

3 And it's difficult, and I understand
4 the question and they're valid questions which
5 I've thought -- which is why I thought the
6 Charter Revision Commission could have thought a
7 little bit harder before they put that into the
8 ballot.

9 MS. SMITH: They didn't know what they
10 were doing anyway. Chief, would you be willing
11 to stay if it was possible until after the
12 election?

13 INTERIM CHIEF LOGAN: You mean in
14 November?

15 MS. SMITH: Yes, sir, December.

16 INTERIM CHIEF LOGAN: I have some
17 particular problems that --

18 MS. SMITH: Yeah, I know your wife is
19 one.

20 INTERIM CHIEF LOGAN: It's really
21 difficult.

22 MS SMITH: It's up in the air right
23 now.

24 INTERIM CHIEF LOGAN: No, it's not.

25 COMMISSIONER WARFIELD: Thank you

1 Ms. Smith. Anyone else? All right, if there --

2 DEPUTY CHIEF TURNER: Melvin Turner.

3 Just wanted to announce that this Saturday at 10
4 AM at Central District any neighborhood that's
5 interested in starting a CB patrol, we're having
6 our quarterly meeting right there in the
7 conference room on the first floor, and we can
8 help them with a start-up kit or any of them that
9 have been patrolling and have not officially been
10 indoctrinated into our process they're welcome to
11 come also.

12 COMMISSIONER WARFIELD: Is that on the
13 website or somewhere, we have flyers that people
14 can get ahold of that information?

15 DEPUTY CHIEF TURNER: No and we've been
16 -- we are going to have it on the website, but
17 it's not right now because we do have some new
18 groups that we're working with to get them under
19 way.

20 COMMISSIONER WARFIELD: Okay. Anything
21 else? Anything else? All right, thank you
22 ladies and gentleman. Our meeting is officially
23 adjourned.

24 (Proceedings concluded at
25 4:34 p.m.)

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CERTIFICATE OF REPORTER

STATE OF MICHIGAN)
) SS
COUNTY OF WAYNE)

I HEREBY CERTIFY that I reported stenographically the foregoing proceedings and testimony under oath at the time and place hereinbefore set forth; that thereafter the same was reduced to computer transcription and that this is a full, true, complete and correct transcription of said proceedings.

DALE E. ROSE



DALE E. ROSE,
CSR-0087

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