

5/16/2013

Page 1

STATE OF MICHIGAN  
DETROIT BOARD OF POLICE COMMISSIONERS  
REGULAR MEETING

PAGE 1 TO 56

The Detroit Board of Police Commissioners Meeting,  
Taken at 1300 Beaubien, Room 328A,  
Police Headquarters,  
Detroit, Michigan 48226,  
Commencing at 3:11 p.m.,  
Thursday, May 16, 2013,  
Before Elizabeth Koller, CSR-7042.

1 APPEARANCES:

2 MS. 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, REGULAR MEMBER

15 TONEY STEWART, REGULAR MEMBER

16

17 ALSO PRESENT:

18 INTERIM CHIEF, CHESTER LOGAN

19 GEORGE ANTHONY, SECRETARY TO THE BOARD

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1 Detroit, Michigan

2 May 16, 2013

3 About 3:11 p.m.

4 COMMISSIONER WARFIELD: Good afternoon,  
5 ladies and gentlemen, and welcome to the Board of  
6 Police Commissioners Meeting. So good to have you here  
7 on this nice, warm Thursday afternoon.

8 My name is Jerome Warfield, Chairman of the  
9 Board of Police Commissioners. Serving with me today  
10 is Vice Chairperson Commissioner Jessica Taylor, as  
11 well as Commissioner Donnell White. The Chief of  
12 Police has joined us. Sir, good to have you.

13 CHIEF LOGAN: Glad to be here, sir.

14 COMMISSIONER WARFIELD: We also have at the  
15 table our Board Secretary, Mr. George Anthony. I'm  
16 going to ask if Mr. Anthony can introduce our staff  
17 that's present.

18 SECRETARY ANTHONY: Thank you, Mr. Chair.  
19 For the record, George Anthony, Secretary to the Board.  
20 We have present our Chief Investigator Ms. Pamela Davis  
21 Drake seated in the front, we also have Ms. Loletha  
22 Porter Coleman who is our Director of Police Personnel,  
23 Ms. Celia Banks Washington our Attorney to the Board,  
24 and Mr. Robert Brown who is our Officer Manager.

25 We have also Sergeant Alan Quinn who is

1 recording our proceedings and Ms. Elizabeth Koller from  
2 Hanson Court Reporting Service. That completes the  
3 introductions, sir.

4 CHAIRMAN WARFIELD: Thank you, Mr. Anthony.  
5 Today we have Pastor Mayatt who will come and lead us  
6 in our invocation. Sir, if you can come at this time,  
7 and before you do that I just want to say again  
8 publicly what an outstanding job you did at the  
9 memorial service for the Officers, just outstanding.

10 (Applause.)

11 PASTOR MYATT: We do acknowledge the Chair,  
12 sir. We thank you so much for your encouragement.  
13 Again, we thank God for our Chief and all of our  
14 Commissioners. Let us pray. Heavenly Father, we thank  
15 you again for this time that we have together. We  
16 thank you that even as we sit here you're increasing  
17 our wisdom, that you're increasing our knowledge and  
18 that you're giving us the wisdom to temper all things.

19 I pray, God, your wisdom upon this Council.  
20 I thank you for those concerns that will be addressed  
21 today. We acknowledge you and we praise you, in Jesus'  
22 name. Amen.

23 AUDIENCE: Amen.

24 COMMISSIONER WARFIELD: Thank you, sir. We  
25 will entertain a motion to approve our agenda for today

1 for May 16th.

2 COMMISSIONER TAYLOR: So move.

3 COMMISSIONER WHITE: Support.

4 COMMISSIONER WARFIELD: It's been properly  
5 moved and supported. Without objection, all those in  
6 favor?

7 COMMISSIONERS: Aye.

8 COMMISSIONER WARFIELD: We will also  
9 entertain a motion to approve the minutes from  
10 Thursday, May the 9th, 2013.

11 COMMISSIONER WHITE: Support.

12 COMMISSIONER TAYLOR: Support.

13 COMMISSIONER WARFIELD: It's been properly  
14 supported and moved, moved and supported. Without  
15 objection, all those in favor?

16 COMMISSIONERS: Aye.

17 COMMISSIONER WARFIELD: Motion carried.  
18 Chairperson's Report. I just want to say thank you to  
19 the public for all of your support and for your due  
20 diligence in making sure that this Board stayed on task  
21 very specifically as related to the process of picking  
22 a new Police Chief.

23 It was a seven month journey and it was new  
24 for us, and we thank you for all of your encouragement  
25 and your support over those months. I do want to

1 highlight our staff. We get credit for doing a lot of  
2 stuff. But what we do in the community and what we do  
3 on this Board cannot be accomplished without an  
4 outstanding and diligent, capable, intelligent, caring  
5 and passionate staff.

6 I just want to recognize Mr. Gorge Anthony  
7 for all his hard work in writing letters and  
8 researching and making sure we do all we're supposed to  
9 do. I mean, the work that he does behind the scene is  
10 just phenomenal. No one knows the work that he does.

11 Ms. Celia Banks Washington, our Board  
12 Attorney. Even when we get sued she takes care of  
13 stuff for us, and so just for her intelligence and her  
14 critical thinking always being a few steps ahead of us.

15 I also want to thank and he's not in here  
16 right now but Mr. Brown. Robert Brown holds all of  
17 this together. I mean, we get the credit up front but  
18 he literally is in that office, you know, making sure  
19 that we are doing what we're supposed to do taking care  
20 of everything. So to our immediate staff we want to  
21 say thank you so very very much for all of your hard  
22 work.

23 We've done a lot of battling this year on a  
24 number of the different issues and it helps to have a  
25 good staff, some good troops in the trenches with you

1 when you do that. And so on behalf of the Board of all  
2 of us we just want to say thank you to the public and  
3 thank you to our staff for getting us to this point in  
4 our journey.

5 I also want to share with you a little bit  
6 later on in our meeting you will hear directly from the  
7 new Chief of Police, Mr. James Craig. He will stop by  
8 and have some words to share with you, as well. So we  
9 look forward to hearing from him later. Of course he  
10 has more appointments that he's in the process of  
11 finishing up and as he finishes up those appointments  
12 he'll be here to meet with us with this afternoon. So  
13 thank you for that.

14 And then as I said last week and the weeks  
15 before, our hats go off to Chief Chester Logan.

16 (Applause.)

17 COMMISSIONER WARFIELD: And I want to say it  
18 to his face while he's here. Sir, I do want to say  
19 this to you while you're here in you face because we've  
20 said it behind your back and so you deserve to have it  
21 said in your face. You won't say it and you won't  
22 admit it, but this Department was at a critical  
23 crossroad.

24 We had been plagued by issues and everybody  
25 knows what those issues were and we needed somebody to

1 step in and get to the plate and bat for us, and we  
2 needed somebody who had the ethics, the integrity and  
3 the wherewithal to do that in a consistent manner and  
4 you exceeded all expectations.

5 And I want you to know that on behalf of this  
6 Board, this Department is together. It's still moving  
7 forward because of your leadership. It'll go down in  
8 the books of history as seven months. But for those  
9 who've been often around this process it will seem like  
10 an eternity for us because what you have done you  
11 literally cut off something that could have got  
12 extremely worse.

13 So I thank you from the bottom of our hearts  
14 just for your leadership and everything that you've  
15 done through your tenure and the fact you came back out  
16 of retirement, not once, but twice for service. It  
17 just goes to the passion you have for your profession  
18 and what you do, and we thank you for what you've done,  
19 sir.

20 INTERIM CHIEF LOGAN: Thank you.

21 (Applause.)

22 COMMISSIONER WARFIELD: At this time we have  
23 some personnel matters that we're going handle in a  
24 closed door session --

25 SECRETARY ANTHONY: Mr. Chair, if I may

1 interrupt you.

2 COMMISSIONER WARFIELD: Yes, sir.

3 SECRETARY ANTHONY: -- acknowledgement.

4 COMMISSIONER WARFIELD: Yes, sir, thank you,  
5 sir. Commissioner Toney Stewart has joined us. Sir,  
6 good to see you.

7 COMMISSIONER STEWART: Good to see you.

8 COMMISSIONER WARFIELD: Yes, sir, always good  
9 to have you. At this time, do you want to -- let's  
10 move straight to oral communication and right before we  
11 move there our next meeting will be May 23rd,  
12 3:00 p.m., here at Police Headquarters. But we want to  
13 go to oral communications first because our personnel  
14 matters will be in closed door session and we want to  
15 handle those then.

16 But before I do, thank you, the weather's  
17 hot, before I do that I want to go to the Chief for his  
18 report. I'm sorry, sir.

19 INTERIM CHIEF LOGAN: Through the Chair, Chief Logan.  
20 I don't have a report as such today. But I appreciate  
21 the acknowledgment. And I'm reminded that 44 years ago  
22 today, 44 years ago today, I was sitting in the Academy  
23 just starting at the Police Department. So it's been a  
24 long career. When I first began as a Detroit Police  
25 Officer I had absolutely no idea I'd ever make Sergeant

1 much less run one of the largest Departments in the  
2 county. So I'm just -- I remain grateful and humble.  
3 It's been an experience. As you know, I've got some  
4 real serious issues with a family member and that's got  
5 to be my first calling to take care of her.

6 COMMISSIONER WARFIELD: Absolutely. And  
7 thank you, sir. We certainly appreciate you leadership  
8 here. Any questions or comments for the Chief? I just  
9 have one, sir.

10 Last week we had requested and we followed up  
11 on the request I should say about getting some actuals  
12 for the budget in order that we may better analyze the  
13 budget that's before us. And if you can assist in  
14 anyway that you can in getting us some actuals that we  
15 may be able to better do our job that would be great.

16 INTERIM CHIEF LOGAN: Yes, sir. For the record, I  
17 was hoping that DC Toliver could provide that  
18 information, however, she's at another meeting. You  
19 will have that information by next week.

20 COMMISSIONER WARFIELD: Great, appreciate it.  
21 Thank you, sir, again for 44 years, thank you, sir.

22 Was there anything else, sir?

23 INTERIM CHIEF LOGAN: No, sir.

24 CHAIRMAN WARFIELD: Thank you. All right.  
25 Can we go to -- Attorney Washington, can you come to

1 the podium, please?

2 There's a matter that was rescheduled before  
3 us. Can you put it on the record what it is and why it  
4 was rescheduled, please?

5 ATTORNEY WASHINGTON: Yes, sir. Through the  
6 Chair, Celia Washington, Attorney for the Board. We  
7 had scheduled today the oral argument in the Trial  
8 Board Appeal of Police Officer Rhonda Moore. Attorney  
9 Stolberg on behalf of Rhonda Moore had a conflict with  
10 the Trial Board and asked that it be adjourned until  
11 next week, if it please the Board.

12 CHAIRMAN WARFIELD: Okay. Any questions for  
13 Attorney? Okay. We'll reschedule it. Thank you,  
14 ma'am. All right. We'll move down to Oral  
15 Communication. If you wish to address the Board of  
16 Police Commissioners we're going to ask if you can  
17 please come to the podium and the mic, give us your  
18 name, and we ask that you would abide by our two minute  
19 time limit that we may hear from as many as possible.

20 MS. WEST: My name is Lynette West. My son  
21 was Jordan West. He was shot and killed on Eight Mile  
22 and Gratiot by a transit officer. The family  
23 understands that the investigation is over but we are  
24 waiting for some more action to be taken. I'm asking  
25 and pleading that the Prosecutor's Office does receive

1 this information and an investigation can go on so we  
2 know, the family knows exactly what happened because we  
3 have no idea. We don't know who the person is. All I  
4 know is that my son is shot and killed instantly.

5 COMMISSIONER WARFIELD: Ms. West, first of  
6 all, we thank you for coming today. And certainly our  
7 hearts and our prayers are with you and your family in  
8 memory of your son. And, Chief, is there anyway we can  
9 get some help for her, Ms. West?

10 CHIEF LOGAN: Ms. West, if you will be  
11 patient with me and wait until the meeting's over I'll  
12 get you some answers.

13 MS. WEST: Thank you. I appreciate that.

14 COMMISSIONER WARFIELD: Thank you, Ms. West.  
15 Are there others who wish to address the  
16 Board?

17 MR. SCOTT: Ron Scott, Detroit Coalition  
18 Against Police Brutality. I just wanted to say  
19 something. Normally we might have some level of  
20 contention and not necessarily so. But I just want to  
21 say something about Chester Logan. I remember and  
22 Chester and I go back. He mentioned 44 years ago. I  
23 can remember that period. It was a very contentious  
24 time for the City of Detroit. There were not many  
25 African American Officers in leadership on the force.

1           You remember the campaign being a cop is more  
2 than just a gig? And that kind of thing was like  
3 providing an opportunity for people who formerly had  
4 not had an opportunity to serve to do so.

5           So the question of the kind of caliber of  
6 people who actually decided to do that was very  
7 important at that time and it remains so. Not  
8 everybody was able to stand up to the framework and the  
9 character assessment that it would require and tenacity  
10 for those years.

11           So I just want to say I remember one time and  
12 I've told it many times that when we're dealing with a  
13 case when a young man was killed over at 7th Precinct  
14 and I got to know the Chief fairly well then and there  
15 are many ways that he could have dealt with that  
16 situation. It could have been a situation that might  
17 have erupted into conflict. It could have been a  
18 situation where one side or the other was deemed to  
19 have more clout.

20           The owner of this business were the people in  
21 the community. And he did what we have been advocating  
22 for a long time and that is to engage in conflict  
23 resolution and the deescalation of the situation as  
24 opposed to escalation. And in every case he's always  
25 professional. So that's what I can say.

1           And since then his demeanor and his  
2 professionalism has not been compromised. So I feel  
3 that I can discuss anything with him both personally  
4 and privately about what needs to be done in the  
5 Department.

6           Certainly hope that the new Chief has that  
7 same level of requisites. And he set a good standard  
8 for the Officers and the people in the community and so  
9 forth recognize that this is the standard that we want  
10 in our City in the future. And so he didn't pay me to  
11 say that. I'm not on his payroll.

12           And obviously for his personal issues because  
13 I know his wife very well and I know -- and I just want  
14 to say, you know, pray for them, concern. I guess,  
15 that's all I can say is that 44 years ago then Mayor  
16 Coleman Young had a vision about what he wanted to see  
17 in the Detroit Police Department and it's leadership  
18 and I think Chester Logan has reflected that vision.

19           CHAIRMAN WARFIELD: Absolutely. Before you  
20 leave, Mr. Scott, I think one of the things we might  
21 want to do is through our staff and some of us sit down  
22 with you and see how can we in light of the recent  
23 events that has happened in our community how can we  
24 get together and reinvigorate conflict resolution  
25 dialog and talk.

1 I know my colleagues are actively involved at  
2 some front of that. But somehow there needs to be a  
3 ground swell of movement throughout the City of Detroit  
4 through various neighborhoods that we make it  
5 intentional and that we make it proactive in teaching  
6 each other over again how to resolve issues of conflict  
7 without being violent.

8 And so we want to be partners with you in  
9 that effort as we bring our collective -- certainly  
10 Commission White and Commissioner Taylor are already  
11 involved in that. We want to combined efforts and see  
12 how we can make this happen on a much larger scale.

13 MR. SCOTT: I've spoken to both Commissioner  
14 White and Commissioner Taylor about that and we're  
15 already talking informally about collectively how we  
16 can do it. And so I look forward to doing that. But I  
17 think the bottom line is if I can just have 30 seconds,  
18 the person who heads the Criminal Justice Department at  
19 Wayne County Community College -- Commission -- I mean,  
20 Commander Jackson, retired James Jackson, he made a  
21 statement once. He was talking about how the one  
22 person or the one entity that can make a difference is  
23 a police officer a lot of times because a lot of people  
24 don't see anybody else in authority.

25 And so the question as to what they do, what

1 you do when you have that commission what you do with  
2 it, and that's why I wanted to take that opportunity to  
3 say that for Chester Logan. If I didn't know him, if I  
4 didn't know him as well as I do I still say the same  
5 things because of what I've been able to see. It's not  
6 just me that says it, but the people in the community.

7 So the community and policing concept I think  
8 we have to take that standard and try to use it in the  
9 future. So I agree with you. We'll work together on  
10 the policing on the conflict resolution mediation and  
11 restore justice.

12 COMMISSIONER WARFIELD: Thank you, sir.

13 CHIEF LOGAN: Commissioner --

14 COMMISSIONER WARFIELD: Absolutely.

15 CHIEF LOGAN: Thank you, Mr. Scott. I just  
16 want to make one correction. Coleman Young didn't  
17 assume the Mayor of Detroit until forty years ago.

18 MR. SCOTT: That's right.

19 INTERIM CHIEF LOGAN: It was Roman Gribbs who was the  
20 mayor when I came.

21 MR. SCOTT: Roman Gribbs was the Mayor. I  
22 got a little bit ahead of you. You're absolutely  
23 right. But Coleman Young had the vision.

24 INTERIM CHIEF LOGAN: Right.

25 COMMISSIONER WARFIELD: Absolutely. Thank

1 you, sirs. Obviously we want recognize Chief James  
2 Craig who just entered the room. Sir, good to have  
3 you. We're going to hear from you in one second.

4 Are there others who wish to address the  
5 Board of Police Commissioners? If so you can come to  
6 the podium at this time.

7 MS. SMITH: Good afternoon, Bernice Smith,  
8 Political Activist. Since we do have the Chief here  
9 I'm sure I won't have a chance to ask him anything  
10 because you are limiting our time. But I got my notes  
11 ready for you, young man. I think that's going to be a  
12 idea for you to coincide with Scott because we do need  
13 help badly out here.

14 Just last night there was a killing. I hate  
15 to look and listen to the radio either to the TV.  
16 Because we going downhill here in this City. We're  
17 being talked about terribly. And as a citizen and a  
18 senior I'm really in awe that we cannot take control on  
19 this crime that's in this City.

20 So maybe we'll have a young man who'll come  
21 to our aid. And he did make the statement that he's  
22 going to do something with our Police Department and I  
23 do hope that will be correct that we do need help as  
24 far as the Police Department is concerned. And we  
25 don't need a outsider which I thought we did need one

1 but since I looked at his record and checked his  
2 record. So I think he might do all right until he  
3 messed up, anyway. So anyway, I'm going to leave that  
4 at that and I'll let him get on with his business and  
5 introduce himself to us because we will be watching to  
6 see if you're going to do a good job, all right.

7 CHAIRMAN WARFIELD: Thank you, Ms. Smith.  
8 Are there others who wish to address the Board of  
9 Police Commissioners? Are there others who wish to  
10 address the Board of Police Commissioners? Hearing or  
11 seeing none, we will close that section of our meeting.

12 It gives me a great deal of pleasure and  
13 honor to introduce our next guest the new Chief of  
14 Police for the City of Detroit. When I met him for the  
15 very first time we can understand very clearly that  
16 there was something special about the way he went about  
17 doing his business. And his record certainly spoke for  
18 him. But hearing him one on one made all the  
19 difference in the world.

20 I wrote some summary notes after I got  
21 through the meeting with him because I just wanted to  
22 keep things fresh in my mind and here's what I said in  
23 my summary notes about Chief James Craig. You all know  
24 that since I've been on this Board and it'll be four  
25 years in October, he will be the fourth Police Chief

1 that we had with the Department. And so I kind of  
2 compared him somewhat to other Chiefs of Police that  
3 were before him and some of the great attributes that  
4 they had that I saw in him.

5 I said that he has the intelligence and  
6 strategic framework of a Warren Evans. He has in my  
7 opinion the leadership characteristic and community  
8 engagement of a Ralph Godbee. He has the ethics, the  
9 integrity and the moral fiber of a Chester Logan.

10 And so seeing that and coupled with his  
11 experience I think Detroiters are going to be very  
12 happy when he engages them on a one-on-one level and I  
13 think we're going to be very pleased about leadership.

14 When we did this whole process the first  
15 question that came out of people's minds is who would  
16 want to come to Detroit? Why would you all do a search  
17 and who would want to come here? I believe and this is  
18 my own personal opinion that we were in almost a type  
19 of draft lottery and we definitely got the number one  
20 pick in the country.

21 And so he is well qualified, well capable.  
22 He's not a stranger, not a outsider, born and raised  
23 here, worked here, only left because he needed to find  
24 work, and then worked his way up through the ranks and  
25 then came back home in order that he can parlay the

1 experiences that he's had in other assignments.

2 So at this time I'm going to ask if Chief  
3 Craig can come on up and address everybody. Come on up  
4 here. Everybody wants to see you.

5 (Applause.)

6 CHIEF CRAIG: Thank you. Well, this has been  
7 a very exciting welcome home party. I'm on vacation  
8 from Cincinnati. And I've been working since I got  
9 here. But I'm not complaining. It's really a blessing  
10 and honor to be here. Certainly I've never stopped  
11 loving the City of Detroit.

12 As I've told folks in different environments,  
13 you know, I left here not because I wanted to. I left  
14 because like many, some in this room, were part of a  
15 layoff, and so I had to make a decision. I wanted to  
16 continue on with my police career and it really came  
17 down to two places, Toledo, Ohio or California. Toledo  
18 didn't have any beaches or palm trees, so the choice  
19 was pretty easy.

20 But I'm glad I went to L.A. Despite what you  
21 may have heard over the years, the unrest, the  
22 corruption, Rodney King, really all of those things  
23 really prepared me to where I sit today. Sometimes in  
24 life we don't know why we end up doing what we do and  
25 why we have to go. But, you know, L.A. has despite the

1 negative it's always been viewed as a premier agency  
2 and I had the good fortune of working in almost every  
3 segment of the department from administrative to patrol  
4 and precinct and there are a couple key assignments  
5 that really prepared me for the job I'm about to embark  
6 on.

7           One, I was the adjunct to a former police  
8 chief by the name of Bernard Parks. Bernard Parks was  
9 certainly a keen police professional. He spent many  
10 years -- he's now a councilman in Los Angeles. I  
11 learned a tremendous -- the good and the bad from Chief  
12 Parks, mostly the good. He was someone that you talk  
13 about a city of four million, a Police Department of  
14 now ten thousand Police Officers, and all the nuances  
15 and dynamics of trying to police a city that had its  
16 share of violence.

17           But it was not until I became a Commanding  
18 Officer in one of the more challenging areas in the  
19 city that I really began to understand the dynamics of  
20 police leadership in a community that had demands of  
21 violence, community policing, embracing communities,  
22 the political structures, and we were able to  
23 successfully leave that area with double digit  
24 reductions in crime. As I often times say these things  
25 are not by accident. You will hear me say it time and

1 again cops do count and leadership does matter.

2 Southwest area which is home of U.S.C., where  
3 I commanded was a very interesting south L.A. area  
4 because it has U.S.C. in the center, certainly had  
5 three distinct high schools. As I said earlier in one  
6 of my meetings that the interesting part of L.A. is  
7 that school districts are drawn by gang territories.

8 It's a sad reality. I remember in the early  
9 80s when they said, you know, we don't have a problem  
10 with gangs. These are just mischievous little kids.  
11 L.A. now has a problem that is a part of the L.A.  
12 culture. And so it was not unusual for me to have to  
13 address several gang feuds going on at any given time.  
14 And so we successfully did some work in some of the  
15 neighborhoods there.

16 But I still held onto my passion to become a  
17 Police Chief. And so going to Portland, Maine, a place  
18 I would never dreamed of going. In fact, I didn't know  
19 what Maine was. You know, growing up in Detroit how do  
20 you live in Detroit and later Los Angeles and end up in  
21 Maine? But the interesting part about Maine like Los  
22 Angeles, Los Angeles had a consent decree for seven  
23 years. Maine had like a consent decree letter. It was  
24 the intent by the Department of Justice to come into  
25 Maine because of use of force.

1           But the thing that's very interesting about  
2 this city in Maine is it had the third largest African  
3 immigrant population. We're talking almost ten  
4 thousand African immigrants, Somalian, Sudanese. They  
5 had no relationship with the Police Department.

6           In fact, before I arrived, the Portland  
7 Police had shot and killed a Sudanese man and then a  
8 Sudanese man was killed about a month prior by a drug  
9 dealer and that case was never solved.

10           So that community had no confidence or faith  
11 in the Police Department. So we went about the work of  
12 reestablishing the Department's creditability and  
13 through that hard work working with the youth community  
14 we're able to turn that around.

15           So Cincinnati certainly came up and I'll tell  
16 you what drove me to Cincinnati. Cincinnati, I said,  
17 okay, 234 miles from Detroit. It must be like Detroit,  
18 and, you know, it had some of the same crime issues  
19 from what I can see from the outside. But going into  
20 Cincinnati, Cincinnati's a very different place, and it  
21 had a lot of challenges. Some were race. Cincinnati  
22 had a lot of race challenges.

23           Cincinnati came off of a civil unrest in 2001  
24 that from that was a community collaborative and also a  
25 consent decree. So they had two judgements working at

1 the same time. But from that it become a model police  
2 agency. So when I got there, there were a lot of  
3 issues with police moral. I was only the thirteenth  
4 Police Chief hired in just 209 years so you can imagine  
5 that it was a culture that was engrained in that  
6 Department.

7 So I thought now how is this going to work?  
8 I'm an outsider and I'm the first African American and  
9 I saw Willie Williams, the first African American and  
10 first outsider to come into LAPD, that didn't work too  
11 well. But to my surprise I got into Cincinnati, Police  
12 Officers embraced me. We did wonderful work together.  
13 The community embraced me. So now if any of you decide  
14 to visit Cincinnati and say you from Detroit you may  
15 not get a warm welcome.

16 But all said and done, you know, and first  
17 before I close I want to certainly acknowledge  
18 Chief Logan for his leadership, his commitment to the  
19 City of Detroit for excess of 40 years. I talk about  
20 my 38 years. When I got here he was already a tenured  
21 Officer. But I commend him for a City that's very  
22 challenging.

23 I tell you about my background not to suggest  
24 to you I can come in here and ride on a white horse.  
25 It's going to take more than me to get this done. It's

1 going to take the men and women of this Department.  
2 This is a good Police Department. It's been said  
3 before and I'll say it again. But it's also going to  
4 take this community.

5 It's time to roll those sleeves up and get  
6 down on the ground because, you know, when I look back  
7 at the successes that I've been a part of the key piece  
8 was the community. Community rolling their sleeve up  
9 getting in there.

10 You know, the one thing that's kind of unique  
11 about Cincinnati it had something called Citizens on  
12 Patrol. One of the more robust volunteer efforts I've  
13 seen anywhere and it works. Larger Citizens on Patrol  
14 groups in certain neighborhoods the safer those  
15 neighborhoods. So that's a testament that, you know,  
16 the police cannot do it alone.

17 I don't care if you bring Bill Bratton in  
18 here. James Craig. It doesn't matter. I mean, we  
19 have to be engaged. I'm excited about the future. I'm  
20 optimistic we will reduce violent crime in this City.  
21 This is not a hopeless situation. And is it a  
22 challenge? Yes. But together we will do it. The City  
23 of Detroit is an iconic City. It's my home and we will  
24 succeed. So if you have any questions? I think that's  
25 all I have to say right now.

1 SPEAKER: Can we ask questions?

2 CHIEF CRAIG: I think I got time. I've go to  
3 go to City Council.

4 COMMISSIONER WARFIELD: He has another  
5 appointment. This is not the last time he'll be here.  
6 He'll be back. One quick one because I want to respect  
7 his time.

8 MR. SCOTT: Chief, I want to say because Saul  
9 Green's a friend of mine who's involved in a  
10 collaborative -- mentor, is my classmate from high  
11 school so I did some background check. I wanted to  
12 find out in what you're proposing when we say  
13 community. We can say community and community.

14 I was a little bit miffed today personally  
15 that we do a radio show on Sunday that's done by the  
16 Coalition Against Police Brutality. But the first show  
17 you appeared on and this was because of the EM, was  
18 Frank Beckman. Frank Beckman even though he's a  
19 colleague and a friend of mine as a broadcaster is not  
20 been a friend of Detroit.

21 And if the EM is going to get it right the  
22 places that you need to speak to first are the people  
23 who are most directly on the ground. So maybe you can  
24 convey that so that they understand. And I like what I  
25 hear you saying. But I'm saying is that we need to

1 have an opportunity for those of us who work every day  
2 in the same framework that you do with the same  
3 tenacity for you to speak to us, and so that's one of  
4 the things.

5 And then the other thing is, I agree with you  
6 that the Police cannot do it alone. And so we welcome  
7 a dialogue to talk about the nuts and bolts of how we  
8 do that and I hope you will do that sooner than later  
9 because of the morale.

10 I've gotten to know many of these Officers.  
11 We have contentiousness and now we have some  
12 conformity. I think some of them respect us and we  
13 respect them. But that is only come through the  
14 struggle and through the discussion that we've had to  
15 have together. So I just ask you, you know, let's see  
16 if we can do it sooner than later.

17 CHIEF CRAIG: And just in all due respect I  
18 think I would call this sooner than later. I'm on  
19 vacation from Cincinnati. I'm still employed. And,  
20 you know, the last two days have been demanding but  
21 exciting. I'm committed to Detroit. And certainly the  
22 one thing that I just want to share this in terms of  
23 insight. Folks from the state that I spoke to, folks  
24 from the City that I've talked to everybody is  
25 passionate about the same thing.

1           They want it to work. They want to reduce  
2 violence in this City. They want to turn the Police  
3 Department around. We want to work and find solutions  
4 to 911 calls for services and our response time. We're  
5 going to get that fixed.

6           Certainly no disrespect to you. I'll get to  
7 your show soon than later. But right now this my first  
8 day and a half. I'm not even employed here yet. And I  
9 came and I'm going to come back. I'm going to come  
10 back before I get started because I'm committed to  
11 starting a dialog sooner than later.

12           MR. SCOTT: Only thing I'm saying is that  
13 there is a different city framework. Some people who  
14 speak to one audience.

15           CHIEF CRAIG: Yes.

16           MR. SCOTT: And some people who speak to the  
17 bulk of the audience that lives in the City.

18           CHIEF CRAIG: I understand.

19           MR. SCOTT: And I won't use black and white,  
20 but I will use class, one class to another class. And  
21 we have to speak to that class which deals with these  
22 others because ultimately crime is not going to being  
23 resolved if we don't rebuild the communities. And  
24 those of us who are trying to rebuild communities I  
25 think you need to speak to.

1           It was Mr. Beckman, our friend, who suggested  
2           that some of the homeless in the City be taken out of  
3           the City. So that's why when I heard that today I was  
4           really miffed, as I said. You know, why not come  
5           directly to those of us, not just me. I mean, there  
6           are others who are on the ground every day. So I'm  
7           just raising that to you.

8           CHIEF CRAIG: I assure you I will do my best.  
9           I'm everyone's Police Chief. I want to be responsive.  
10          We all want the same thing in the City of Detroit. You  
11          know, I met countless people in the hallway who now, I  
12          guess, I'm recognizable now, that have come up to me  
13          and crying and says we got to change this. That's what  
14          we all need to collectively focus on how are we to get  
15          this done.

16          I get all the other stuff. Let's talk about  
17          solutions. I get problems. Give me a chance. I know  
18          I'm not going to get much of a honeymoon here. In  
19          fact, I don't think I'm going to have a honeymoon. I  
20          don't think I will. I'm on vacation so I got a  
21          honeymoon and a vacation.

22          MR. SCOTT: I want to thank the Commission  
23          for letting us ask this one question.

24          CHIEF CRAIG: Thank you.

25          MS. SMITH: I wish to have you on my program,

1 too, dear.

2 CHIEF CRAIG: Yes, ma'am.

3 CHAIRMAN WARFIELD: Again, we were not of  
4 course concluding our meeting, but we do have some  
5 personnel matters that we have to, that we will handle  
6 in close door. And we are about to move to that phase  
7 of our meeting.

8 Certainly after our close door session we  
9 will reconvene and not deliberate, I'm sorry, we will  
10 make decisions on those closed door matters.

11 I'm going to ask if our Board Secretary  
12 Mr. George Anthony would identify the cases that we're  
13 about to discuss and then lead us according to the Open  
14 Meetings Act into the closed door session. Thank you,  
15 sir.

16 SECRETARY ANTHONY: For the record, George  
17 Anthony, Secretary to the Board. Commissioners, this  
18 is involving two particular closed door sessions. And  
19 I will read the comment provisions of the Open Meetings  
20 Act, and then I'll separate out the various requests.

21 As a public Body your meetings are subject to  
22 the Open Meetings Act, the OMA. The OMA defines a  
23 meeting as the convening of a public Body at which a  
24 quorum is present for the purpose of deliberating  
25 towards or rendering a decision on a public policy,

1 that's MCL15.262B.

2 The OMA, however, does allow a public Body to  
3 call a closed session one limited to the public Body  
4 and it's invitees for specific purposes. Only  
5 deliberations may be conducted in close session. All  
6 decisions must be made at a meeting open to the public.  
7 While in the closed sessions the Board makes no  
8 decisions, that must be done on the record.

9 There are two separate requests for closed  
10 session. I'll read the first. On Thursday, May 16,  
11 2013 you will be presented with a personnel matter  
12 involving Supervising Investigator Ainsley Cromwell,  
13 A-I-N-S-L-E-Y, Cromwell, C-R-O-M-W-E-L-L, of the Office  
14 of the Chief Investigator. The closed session will be  
15 called pursuant to MCL15.268A of the Open Meetings Act,  
16 which states in part, a public Body may meet in a  
17 closed session to consider the suspension of or hear  
18 charges brought against an employee. A simple majority  
19 vote is required to close a session for this purpose.

20 The second request is from a disqualified  
21 applicant Beatina Marshall, and it states, at the Board  
22 meeting scheduled for Thursday, May 16th, 2013, unless  
23 there's an objection, the Board is scheduled to go into  
24 closed session to discussed the rejected application of  
25 Beatina Marshall, Beatina, B-E-A-T-I-N-A, Marshall,

1 M-A-R-S-H-A-L-L.

2 The closed session will be called pursuant to  
3 MCL15.268H of the Open Meetings Act which states in  
4 part, a public Body may meet in a close session to  
5 consider material exempt from discussion or disclosure  
6 by state or federal statute.

7 At this point a motion would be in order,  
8 Mr. Chair, to close the session to hear personnel  
9 matters in the case of Supervising Investigator Ainsley  
10 Cromwell, and a rejected application of Beatina  
11 Marshall.

12 CHAIRMAN WARFIELD: Thank you, Mr. Secretary.  
13 Is there motion?

14 COMMISSIONER WHITE: Mr. Chair, I move that  
15 we move to close session for the purpose of handling  
16 personnel matters.

17 COMMISSIONER TAYLOR: Support.

18 CHAIRMAN WARFIELD: It's been properly moved  
19 and supported. Is there any discussion? Hearing and  
20 seeing none, all those in favor?

21 COMMISSIONERS: Aye.

22 COMMISSIONER WARFIELD: All those opposed?  
23 Motion carries. We will go into closed session now.  
24 Thank you.

25 (Short recess.)

1 SECRETARY ANTHONY: Mr. Chair, a motion is in  
2 order to come back to open session.

3 COMMISSIONER WHITE: So move.

4 COMMISSIONER TAYLOR: Support.

5 COMMISSIONER WARFIELD: It's been properly  
6 moved and supported that we come back into open session  
7 from our closed session of personnel matters. Any  
8 discussion? Hearing or seeing none, all those in  
9 favor?

10 COMMISSIONERS: Aye.

11 COMMISSIONER WARFIELD: All those opposed?  
12 Motion carried. Madam Counsel, could you come to the  
13 podium, please. Let us, Mr. Secretary, deal with the  
14 rejected applicant.

15 SECRETARY ANTHONY: Yes, sir.

16 COMMISSIONER WARFIELD: Take them in the  
17 order we heard them.

18 SECRETARY ANTHONY: Mr. Chair, Commissioners,  
19 you've heard the personnel matter with regards to  
20 Ms. Beatina Marshall in closed session, and the  
21 Attorney to the Board, Ms. Celia Banks Washington, has  
22 further comments with regard that to particular case.

23 ATTORNEY WASHINGTON: Thank you,  
24 Mr. Secretary, Mr. Chair, you've already as the  
25 Secretary has indicated heard the appeal of

1 disqualified applicant Beatina Marshall, you heard the  
2 facts surrounding the disqualification. And based on  
3 my review of the applicant's file including documents  
4 that Ms. Marshall provided to me, it would appear that  
5 when considering the circumstances surrounding the  
6 arrest of Ms. Marshall, the Department's decision,  
7 excuse me, to disqualify her from the hiring process  
8 was neither arbitrary nor capricious.

9 The Department's decision was based on the  
10 candidate's failure to meet the Department's standards  
11 as well as IMCO standards as it relates to integrity  
12 and good moral character, and the appeal should be  
13 denied.

14 CHAIRMAN WARFIELD: Thank you, ma'am. Is  
15 there is a contravention or noncontravention situation,  
16 sir?

17 ATTORNEY WASHINGTON: It would be a vote to  
18 adopt a recommendation or not. In the event that the  
19 recommendation is not, the Board can certainly make a  
20 recommendation as to an alternative in terms of  
21 proceeding or not through the hiring process.

22 CHAIRMAN WARFIELD: Okay. Thank you. Is a  
23 there motion on the floor concerning the rejected  
24 Applicant Marshall? Any motion concerning that?

25 COMMISSIONER WHITE: Mr. Chair, I make a

1 motion to accept Counsel's recommendation to deny the  
2 appeal for the Department's decision, I'm sorry, I  
3 won't read that into the record, to accept Counsel's  
4 recommendation to deny the appeal.

5 COMMISSIONER WARFIELD: Is there support?

6 COMMISSIONER TAYLOR: Support.

7 COMMISSIONER WARFIELD: It's been properly  
8 moved and supported to deny the appeal. We've already  
9 discussed this in closed door session. We are ready  
10 for the vote. All those in favor of the motion that's  
11 on the floor please indicate by saying aye.

12 COMMISSIONERS: Aye.

13 COMMISSIONER WARFIELD: All those opposed,  
14 you have the same right. Motion denied, thank you,  
15 with one denial, thank you. Three ayes and one nay,  
16 thank you, three ayes and one nay for the record.  
17 Thank you.

18 ATTORNEY WASHINGTON: Thank you, sir.

19 COMMISSIONER WARFIELD: Ma'am, could you  
20 please stay there, please. Regarding the second  
21 personnel issue, can you instruct the Board on our  
22 responsibilities here now that we're in open session,  
23 ma'am?

24 ATTORNEY WASHINGTON: Okay. Again, Celia  
25 Washington. This is the personnel matter heard in

1 close session of Supervising Investigator Ainsley  
2 Cromwell. The request has been made from the Chief  
3 Investigator, in this particular instance does not have  
4 to be contravened or not, no, no, as with a usual  
5 matter of this nature there would be a contravention  
6 would negate the request that was made, that does not  
7 have to be the case here.

8 There can be some level of discipline meted  
9 out by the Board. The disciplinary matrix as we  
10 discussed is anywhere from a written reprimand or  
11 excuse me, I believe after taking to the Law Department  
12 it's a one day suspension to a five day suspension at  
13 the pleasure of the Board.

14 COMMISSIONER WARFIELD: I'm sorry, you  
15 corrected yourself and so could say that so we're all  
16 clear what you just said again about the range?

17 ATTORNEY WASHINGTON: The range according to  
18 the Law Department is a one day suspension through a  
19 five day suspension. One of the options we talked  
20 about in the conference room the question was asked,  
21 someone asked about a written reprimand. But if we're  
22 talking about the disciplinary matrix it's a one day  
23 suspension to a five day suspension.

24 COMMISSIONER WARFIELD: So if we do not  
25 recommend a one day or five day suspension we're going

1 outside of the guidelines of the disciplinary matrix,  
2 okay. Thank you.

3 Any questions for Counsel before we entertain  
4 a motion? Any questions for Counsel before we  
5 entertain a motion?

6 COMMISSIONER STEWART: Yeah, I have one  
7 through the Chair. Is any recommendation in place for  
8 a write-up of some kind of warning to make sure he  
9 doesn't do it again other than the one to five day?

10 ATTORNEY WASHINGTON: Based on our experience  
11 with the disciplinary matrix and my experience with  
12 Trial Board appeals I can only draw an analogy between  
13 the sworn and civilian in this case because this is the  
14 first time we're here.

15 The Board cannot go above the matrix. Okay.

16 COMMISSIONER STEWART: So we have to stay  
17 within --

18 ATTORNEY WASHINGTON: -- a little bit for  
19 that, but there's no rule that says you can't go below  
20 the matrix. It can be less but it certainly cannot be  
21 more.

22 COMMISSIONER WARFIELD: In other words,  
23 Commissioner, we can't go above a five day suspension?

24 ATTORNEY WASHINGTON: Correct.

25 COMMISSIONER WARFIELD: But we can do

1 anything under a five day, even written reprimand or  
2 anything else.

3 COMMISSIONER STEWART: Okay.

4 COMMISSIONER WARFIELD: I'm sorry,  
5 Commissioner Taylor?

6 COMMISSIONER TAYLOR: No, no, no, the same  
7 thing I was going to ask.

8 COMMISSIONER WARFIELD: Commissioner, do you  
9 have any questions for Counsel?

10 COMMISSIONER WHITE: I think that cleared it  
11 up.

12 CHAIRMAN WARFIELD: All right. Thank you,  
13 ma'am, appreciate that. Is there a motion  
14 concerning --

15 COMMISSIONER STEWART: Through the Chair, I'd  
16 like to make a motion to have a write-up, a  
17 notification of some kind of documents showing that he  
18 was, shouldn't -- I don't know how to put it --

19 COMMISSIONER WHITE: Written reprimand?

20 COMMISSIONER TAYLOR: Written reprimand?

21 COMMISSIONER WHITE: Write-up, written  
22 reprimand would be the --

23 COMMISSIONER STEWART: Written reprimand that  
24 he -- documentation on that he was written up for --

25 COMMISSIONER TAYLOR: Insubordination.

1 COMMISSIONER WARFIELD: How about the matters  
2 that was in --

3 COMMISSIONER STEWART: The matters that was  
4 put in place.

5 COMMISSIONER WARFIELD: Thank you.

6 COMMISSIONER: And if it happened again then  
7 action will be take.

8 COMMISSIONER WARFIELD: I'm just going to ask  
9 for the record that we strike the language as related  
10 to insubordination, please.

11 COMMISSIONER STEWART: Yes.

12 COMMISSIONER WARFIELD: And I'll try to  
13 paraphrase the motion from Commissioner Stewart, and  
14 if, Commissioner, I get it wrong, please correct me.  
15 The recommendation, I mean, the motion is as I hear it  
16 is that a written reprimand be issued instead of a  
17 suspension and if the behavior persists then the  
18 appropriate actions will be taken at that time, is that  
19 correct, sir?

20 COMMISSIONER STEWART: Yes.

21 COMMISSIONER WARFIELD: Is there support for  
22 Commissioner Stewart's motion?

23 COMMISSIONER WHITE: Just a point of  
24 information, Mr. Chair.

25 COMMISSIONER WARFIELD: Yes, sir.

1           COMMISSIONER WHITE: May be appropriately  
2 directed at Counsel. Can an and/or scenario be added  
3 to Commissioner Stewart's recommendation? By that I  
4 mean there was a motion that was made for a written  
5 reprimand but it was also cited to do something else if  
6 something else had occurred, should that be included as  
7 well is really what I'm trying to get to?

8           ATTORNEY WASHINGTON: Thank you,  
9 Mr. Commissioner, through the Chair, that's why I  
10 actually took the podium because there's actually two  
11 parts to Chief Investigator's request. The first part  
12 is the suspension piece. The second part of the  
13 request is recommended that Investigator Cromwell be  
14 admonished, that continued disruptive behavior as  
15 referenced above may result in further disciplinary  
16 action up to and including dismissal.

17           So it's actually a two-part request. So  
18 maybe to answer your questions the and/or is  
19 appropriate because it's a two-pronged penalty here, if  
20 that makes sense to you.

21           COMMISSIONER WHITE: That part I'm clear.  
22 But so I'm assuming that we would take up both Part A  
23 and Part B as part of the recommendation that was given  
24 to this Body?

25           ATTORNEY WASHINGTON: Yes, sir.

1           COMMISSIONER WHITE: So if that wasn't voted  
2 up then this motion made by Commissioner Stewart will  
3 be something not in addition to or to augment that.  
4 This is a separate action that is being recommended.  
5 Am I saying that appropriately?

6           ATTORNEY WASHINGTON: Mr. Commissioner, I  
7 view it as two because regardless if it's a reprimand  
8 up to a five day that's one piece of it, the second  
9 piece is the admonishment.

10           COMMISSIONER WHITE: Okay. So are we voting  
11 on the recommendation in two parts or are we voting on  
12 the recommendation in it's totality?

13           ATTORNEY WASHINGTON: That's what I would  
14 suggest for clarity, yes, sir.

15           COMMISSIONER WHITE: Okay. That gives  
16 clarity, then.

17           CHAIRMAN WARFIELD: In light of the fact that  
18 we understand better now that there will -- we will  
19 actually vote on two recommendations separately, sir,  
20 do you still want to stay with your motion that you  
21 made?

22           COMMISSIONER STEWART: Yes.

23           COMMISSIONER WARFIELD: Is there support for  
24 that motion?

25           COMMISSIONER TAYLOR: A written reprimand and

1 if there's -- he does something else then we'll -- the  
2 whole motion or just the written reprimand? What part  
3 are we voting on here?

4 COMMISSIONER WARFIELD: The motion on the --  
5 well, let me answer your question. The part that we  
6 are voting on right now is the five day suspension  
7 without pay.

8 ATTORNEY WASHINGTON: Yes, sir.

9 COMMISSIONER WARFIELD: That's what we're  
10 voting on right now, the five day suspension without  
11 pay.

12 COMMISSIONER TAYLOR: Okay.

13 COMMISSIONER WARFIELD: Just for clarity  
14 purposes so we're all on the same page, the motion  
15 that's on the floor right now is for a written  
16 reprimand and if actions persists then appropriate  
17 actions will be taken at that time, that's the motion  
18 that has been proposed out on the floor and that's the  
19 motion that would need to be supported if it goes  
20 through. Is there support for that motion? Is there  
21 support for that motion?

22 ATTORNEY WASHINGTON: Is there anything I can  
23 add for clarity?

24 COMMISSIONER WHITE: And I apologize because  
25 I am trying to get my mind wrapped around so we get it

1 right.

2 COMMISSIONER WARFIELD: Absolutely.

3 COMMISSIONER WHITE: And as a point of order,  
4 Mr. Chair, should we, in fact, vote up or down both  
5 parts of the recommendation prior to making any  
6 substitute or subsequent motion that anyone may feel is  
7 in order?

8 ATTORNEY WASHINGTON: I think that would make  
9 it clearer.

10 COMMISSIONER WHITE: Because I think we're  
11 trying to augment certain parts without dealing with  
12 the recommendation that was given to us and so if that  
13 recommendation is not supported and the Commissioner  
14 may have an alternative motion then that may be in  
15 order at that time.

16 CHAIRMAN WARFIELD: So, Commissioner Stewart,  
17 would you withdraw your motion at this time because it  
18 has been out there, would you withdraw it in order for  
19 others to vote on the recommendation first and then we  
20 can come back and deal with your recommendation?

21 COMMISSIONER STEWART: Yes.

22 COMMISSIONER WARFIELD: Okay. Are we good?

23 ATTORNEY WASHINGTON: Yes, sir.

24 CHAIRMAN WARFIELD: All right. So let us  
25 read the recommendations in two parts, Attorney,

1 starting with the first one, please?

2 ATTORNEY WASHINGTON: Yes, sir. A request  
3 has been made for your concurrence with a five day  
4 suspension without pay for Supervising Investigator  
5 Ainsley Cromwell of the Office of the Chief  
6 Investigator, this recommendation falls within the  
7 guidelines of the City of Detroit's disciplinary  
8 matrix.

9 COMMISSIONER WARFIELD: You heard the  
10 recommendation. What is your pleasure, Board?

11 (Inaudible.)

12 COMMISSIONER WARFIELD: Hold on one second.  
13 I would like to entertain a motion to either accept or  
14 deny the recommendation, accept or reject, I'm sorry,  
15 accept or reject the recommendation.

16 COMMISSIONER STEWART: Reject.

17 COMMISSIONER WARFIELD: You just want to do a  
18 vote?

19 SECRETARY ANTHONY: No, no, he made the  
20 motion.

21 COMMISSIONER WARFIELD: Is there support? Is  
22 there support for rejecting --

23 COMMISSIONER WHITE: Support.

24 COMMISSIONER TAYLOR: Support.

25 COMMISSIONER WARFIELD: It's been properly

1 moved and supported that the first recommendation be  
2 rejected. Any discussion on the motion?

3 COMMISSIONER STEWART: Yes.

4 COMMISSIONER WARFIELD: Yes, sir.

5 COMMISSIONER STEWART: How am I going to say  
6 this again.

7 (Inaudible.)

8 COMMISSIONER WARFIELD: Just this motion --  
9 reject. Okay. Any discussion on the motion that's on  
10 the floor to reject the five day suspension? Okay.  
11 Hearing or seeing none, all those in favor of the said  
12 motion to reject the five day suspension you may vote  
13 at this time those who are in favor of the motion,  
14 please say aye.

15 COMMISSIONERS: Aye.

16 COMMISSIONER WARFIELD: Those who are opposed  
17 to the motion please say aye. It's unanimous. Okay.  
18 Thank you, sir. The second recommendation, ma'am.

19 ATTORNEY WASHINGTON: The second  
20 recommendation if further recommended that Supervising  
21 Investigator Cromwell be admonished, the continued  
22 disruptive behavior as referenced above may result in  
23 further disciplinary action up to and including  
24 dismissal.

25 COMMISSIONER WARFIELD: Is there a motion

1 concerning the second recommendation?

2 COMMISSIONER WHITE: Just as a point of order  
3 again, Mr. Chair, am I correct that you cannot speak to  
4 a matter before the motion is made so I can't inquire  
5 unless that motion has already been made?

6 COMMISSIONER WARFIELD: Yes, sir.

7 SECRETARY ANTHONY: Generally, yes.

8 COMMISSIONER WHITE: I move to accept the  
9 recommendation.

10 COMMISSIONER TAYLOR: Support.

11 COMMISSIONER WARFIELD: It's been properly  
12 moved to accept the recommendation that Supervising  
13 Investigator Cromwell will be admonished. It's been  
14 properly moved and supported. Discussion, please.

15 COMMISSIONER WHITE: Yes, Mr. Chair, through  
16 the Chair. Madam Counsel, admonishment is that in  
17 effect a written reprimand so by accepting this  
18 recommendation will we ultimately in effect put in all  
19 of what was previously recommended by Commissioner  
20 Stewart?

21 ATTORNEY WASHINGTON: Now, in my opinion,  
22 Mr. Commissioner, an admonishment is not equivalent of  
23 a reprimand. I believe that the admonishment would be  
24 included in Mr. Cromwell's file. But I believe that in  
25 lieu of the five day or four day or three day or

1 however many days, if the alternative is a written  
2 reprimand I think for clarity that should be a separate  
3 issue.

4 COMMISSIONER WHITE: Okay. So for the  
5 record, you're saying an admonishment would not be a  
6 written reprimand?

7 ATTORNEY WASHINGTON: Right, not the same.

8 COMMISSIONER WHITE: Okay. And the  
9 difference being?

10 ATTORNEY WASHINGTON: And that's my opinion,  
11 I can certainly do some research on it. But in terms  
12 of an admonishment and a written reprimand and we've  
13 just had a situation where there's a lack of a written  
14 progressive discipline.

15 I think a written reprimand if that's the  
16 Board's pleasure that should be in the file. And  
17 actually, I may be speaking out of turn, maybe the  
18 admonishment is the oral piece but I certainly think  
19 there needs to be something written, if that's your  
20 pleasure.

21 COMMISSIONER WHITE: Sure.

22 ATTORNEY WASHINGTON: So that we're not in  
23 the same position next time.

24 SECRETARY ANTHONY: Commissioners, I think  
25 that an admonishment is something akin to let's don't

1 do this again, it could lead to a disciplinary, later  
2 disciplinary finding. Whereas, a written reprimand is,  
3 in fact, a form of discipline.

4 ATTORNEY WASHINGTON: Absolutely, sir.

5 COMMISSIONER WARFIELD: Your question  
6 answered, sir?

7 COMMISSIONER WHITE: Yes, sir.

8 COMMISSIONER WARFIELD: Any other discussion  
9 on the motion to accept the admonishment  
10 recommendation? Anymore discussion? Hearing and  
11 seeing none, all those in favor of accepting the motion  
12 of admonishment for Supervising Investigator Cromwell  
13 please say aye.

14 COMMISSIONERS: Aye.

15 COMMISSIONER WARFIELD: All those opposed to  
16 accepting the recommendation of admonishment please say  
17 aye? Motion carries.

18 Is there anything else concerning this  
19 matter, Board?

20 COMMISSIONER TAYLOR: No.

21 SECRETARY ANTHONY: Commissioners, I would  
22 only ask if through the Chair if I could ask the  
23 Attorney, is this with regards to an admonishment would  
24 an admonishment be the exclusive or does that foreclose  
25 any additional --



1 COMMISSIONER WARFIELD: Sure.

2 COMMISSIONER STEWART: The recommendation  
3 that I made for a written warning so is that put in  
4 place of -- I'd like to make that kind of  
5 recommendation that he have a written warning or some  
6 kind of paper trail showing if anything happens from  
7 that point on we could take necessary actions from  
8 that.

9 CHAIRMAN WARFIELD: Is that a motion you want  
10 to put on the floor?

11 COMMISSIONER STEWART: Yes.

12 COMMISSIONER WARFIELD: And just for  
13 paraphrasing purpose only, the motion that's coming on  
14 the floor from Commissioner Stewart is that there be a  
15 written reprimand to Senior Investigator with the  
16 necessary language attached. Is there support for  
17 that?

18 COMMISSIONER WHITE: Can I ask a question?

19 COMMISSIONER WARFIELD: Sure. The motion on  
20 the floor is for a written reprimand of Supervising  
21 Investigator Cromwell, is there support for that?

22 COMMISSIONER STEWART: Support.

23 COMMISSIONER WARFIELD: It's been properly  
24 moved and supported. Is there any discussion?

25 COMMISSIONER WHITE: Counsel, with the

1 written reprimand you said there was a matrix that was  
2 not approved by this Body that will fall from a one day  
3 to a five day. So this Body would it be within its  
4 scope and what I'm trying to get to is to make sure  
5 we're doing things decent and in order and not  
6 violating any employee's rights, by imposing a written  
7 reprimand is that well within the ability of this Body  
8 without violating an employee's rights?

9 ATTORNEY WASHINGTON: The Board can do less  
10 but not more, cannot exceed the matrix.

11 COMMISSIONER WHITE: Okay.

12 COMMISSIONER WARFIELD: Any other discussion  
13 regarding the written reprimand? Any other discussion  
14 regarding written reprimand? The motion on the floor  
15 is that a written reprimand be assessed. All those in  
16 favor of the motion -- did I say something wrong there?  
17 All those in favor of the motion please say aye -- I'm  
18 sorry, before the vote, yes, sir, no problem.

19 COMMISSIONER WHITE: One more point of  
20 information.

21 COMMISSIONER WARFIELD: Yes, sir.

22 COMMISSIONER WHITE: The written reprimand is  
23 that a reprimand from this Body or a reprimand from the  
24 Office?

25 ATTORNEY WASHINGTON: That would be from HR

1 would involve taking appropriate steps to make sure  
2 that a written reprimand is in the file. We'll work  
3 with HR to make sure it that's in place so it would be  
4 from the Board.

5 COMMISSIONER WHITE: So the nature in terms  
6 of what the reprimand says is that beyond our purview  
7 or is that up to a different office?

8 ATTORNEY WASHINGTON: Absolutely not. I  
9 believe and Director may be able to speak more directly  
10 to it, there's a narrative portion of the written  
11 reprimand and I don't see any issue with the Board  
12 reviewing the verbiage. I mean, it's pretty  
13 boilerplate with a written reprimand just kind of a  
14 synopsis in terms of the allegations that were made  
15 against Ainsley or Mr. Cromwell. I think it's only a  
16 few lines actually on the written reprimand. It's not  
17 much space.

18 COMMISSIONER WHITE: Okay.

19 COMMISSIONER WARFIELD: All right. I have a  
20 question now. Having not seen the language would it be  
21 appropriate for us to vote without seeing the language?  
22 I feel somewhat uncomfortable.

23 ATTORNEY WASHINGTON: You want to see it?

24 COMMISSIONER WARFIELD: Not seeing the  
25 languages and voting it up or down. Is it possible to

1 get the language quickly or is something we need to  
2 bring back?

3 ATTORNEY WASHINGTON: Excuse me, the Director  
4 is recommending that it be brought back so that you're  
5 allowed to change the language if you're not  
6 comfortable with the language. So that portion of it  
7 would be held in abeyance until the next meeting. The  
8 admonishment I believe you voted on. So we'll make  
9 sure you have the language that you see the written  
10 reprimand before you vote on it and before it's  
11 implemented.

12 COMMISSIONER WARFIELD: Mr. Secretary, I just  
13 want to make sure from a procedural standpoint we are  
14 good. We are -- potentially there's a motion on the  
15 floor that we still -- that's out there.

16 SECRETARY ANTHONY: That's correct.

17 COMMISSIONER WARFIELD: And that motion is  
18 out there because there is definition needed as relates  
19 to the particular language of the reprimand. How do we  
20 exit this portion?

21 SECRETARY ANTHONY: One of two ways.

22 COMMISSIONER WARFIELD: Vote it down?

23 SECRETARY ANTHONY: Either you can vote it  
24 down as the Commissioner said or each Commissioner  
25 could decide to revoke their support for this

1 particular motion.

2 COMMISSIONER WARFIELD: I think the easiest  
3 way might be to vote it up or down.

4 SECRETARY ANTHONY: That's correct.

5 COMMISSIONER WARFIELD: At this time  
6 without -- if there's further discussion certainly we  
7 want to have that. I just want to one say thing.  
8 Again I repeat my hesitancy is that we see the language  
9 first before we vote. I will not feel comfortable  
10 personally putting language in a personnel file and  
11 have not been able to at least review the language  
12 first, that's just my personal recommendation.

13 And so the motion that's on floor is that  
14 there be a written reprimand and it's been properly  
15 supported. All those in favor of that motion please  
16 say aye?

17 COMMISSIONER STEWART: Aye.

18 COMMISSIONER WARFIELD: All those opposed.

19 COMMISSIONERS: Aye.

20 COMMISSIONER WARFIELD: Motion fails. So  
21 having said that the motion fails, we'll bring this  
22 back next week please. Let's bring it back next week  
23 with the language.

24 ATTORNEY WASHINGTON: Yes, sir.

25 COMMISSIONER WARFIELD: And then we will move

1 appropriately at that time. Okay. Board members,  
2 anything else on these matters at all?

3 Thank you, ma'am, thank you, sir. At this  
4 time we will entertain a motion to adjoin.

5 COMMISSIONER WHITE: So move.

6 COMMISSIONER STEWART: Second.

7 COMMISSIONER WARFIELD: It's been properly  
8 moved and support. All those in favor?

9 COMMISSIONERS: Aye.

10 COMMISSIONER WARFIELD: Thank you, ladies and  
11 gentlemen. We appreciate your patients and your time.

12 (The hearing concluded at 5:34 p.m.)

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**A**  
**abeyance** 53:7  
**abide** 11:18  
**ability** 51:7  
**able** 10:15 13:8  
 16:5 21:22  
 23:14 52:9  
 54:11  
**absolutely** 9:25  
 10:6 14:19  
 16:14,22,25  
 43:2 48:4 52:8  
**Academy** 9:22  
**accept** 35:1,3  
 44:13,14,15  
 46:8,12 48:9  
**accepting** 46:17  
 48:11,16  
**accident** 21:25  
**accomplished** 6:3  
**acknowledge** 4:11  
 4:21 24:17  
**acknowledgement**  
 9:3  
**acknowledgment**  
 9:21  
**Act** 30:14,20,22  
 31:15 32:3  
**action** 11:24  
 39:7 40:16  
 41:4 45:23  
**actions** 39:18  
 42:16,17 50:7  
**actively** 15:1  
**Activist** 17:8  
**actuals** 10:11,14  
**add** 42:23  
**added** 40:2  
**addition** 41:3  
**additional** 48:25  
**address** 11:15  
 12:15 17:4  
 18:8,10 20:3  
 22:13  
**addressed** 4:20  
**adjoin** 55:4  
**adjourned** 11:10  
**adjunct** 21:7  
**administrative**  
 21:3  
**admit** 7:22

**admonished** 40:14  
 45:21 46:13  
**admonishment**  
 41:9 46:16,22  
 46:23 47:5,12  
 47:18,25 48:9  
 48:12,16,23,24  
 49:4 53:8  
**adopt** 34:18  
**advocating** 13:21  
**African** 12:25  
 23:2,4 24:8,9  
**afternoon** 3:4,7  
 7:12 17:7  
**agency** 21:1 24:2  
**agenda** 4:25  
**ago** 9:21,22  
 12:22 14:15  
 16:17  
**agree** 16:9 27:5  
 49:4  
**ahead** 6:14 16:22  
**aid** 17:21  
**Ainsley** 31:12  
 32:9 36:1 44:5  
 52:15  
**akin** 47:25  
**Alan** 3:25  
**allegations**  
 52:14  
**allow** 31:2  
**allowed** 53:5  
**alternative**  
 34:20 43:14  
 47:1  
**Amen** 4:22,23  
**American** 12:25  
 24:8,9  
**analogy** 37:12  
**analyze** 10:12  
**and/or** 40:2,18  
**Angeles** 21:10  
 22:20,22,22  
**answer** 40:18  
 42:5  
**answered** 48:6  
**answers** 12:12  
**Anthony** 2:19  
 3:15,16,18,19  
 4:4 6:6 8:25  
 9:3 30:12,16  
 30:17 33:1,15  
 33:18 44:19  
 46:7 47:24  
 48:21 53:16,21  
 53:23 54:4  
**anybody** 15:24  
**Anymore** 48:10  
**anyway** 10:14  
 12:8 18:3,3  
**apologize** 42:24  
**appeal** 11:8  
 33:25 34:12  
 35:2,4,8  
**appeals** 37:12  
**appear** 34:4  
**APPEARANCES** 2:1  
**appeared** 26:17  
**Appearing** 2:8  
**Applause** 4:10  
 7:16 8:21 20:5  
**applicant** 31:21  
 33:14 34:1,24  
**applicant's** 34:3  
**application**  
 31:24 32:10  
**appointment** 26:5  
**appointments**  
 7:10,11  
**appreciate** 9:20  
 10:7,20 12:13  
 38:13 55:11  
**appropriate**  
 39:18 40:19  
 42:16 52:1,21  
**appropriately**  
 40:1 41:5 55:1  
**approve** 4:25 5:9  
**approved** 51:2  
**arbitrary** 34:8  
**area** 21:23 22:2  
 22:3  
**areas** 21:18  
**argument** 11:7  
**arrest** 34:6  
**arrived** 23:6  
**asked** 11:10  
 36:20,21  
**asking** 11:24  
**assessed** 51:15  
**assessment** 13:9  
**assignments** 20:1  
 21:4  
**assist** 10:13

**assume** 16:17  
**assuming** 40:22  
**assure** 29:8  
**attached** 50:16  
**Attorney** 2:3  
 3:23 6:12  
 10:25 11:5,6,8  
 11:13 33:21,23  
 34:17 35:18,24  
 36:17 37:10,18  
 37:24 40:8,25  
 41:6,13 42:8  
 42:22 43:8,23  
 43:25 44:2  
 45:19 46:21  
 47:7,10,22  
 48:4,23 49:1  
 51:9,25 52:8  
 52:23 53:3  
 54:24  
**attributes** 19:3  
**audience** 4:23  
 28:14,17  
**augment** 41:3  
 43:11  
**authority** 15:24  
**awe** 17:18  
**aye** 5:7,16 32:21  
 33:10 35:11,12  
 45:14,15,17  
 48:13,14,17  
 51:17 54:16,17  
 54:19 55:9  
**eyes** 35:15,16  
**A-I-N-S-L-E-Y**  
 31:13

**B**  
**B** 40:23  
**back** 7:20 8:15  
 12:22 19:25  
 25:6 26:6 28:9  
 28:10 33:2,6  
 43:20 53:2,4  
 54:22,22  
**background** 24:23  
 26:11  
**bad** 21:11  
**badly** 17:13  
**Banks** 2:2 3:23  
 6:11 33:21  
**based** 34:2,9

37:10  
**bat** 8:1  
**battling** 6:23  
**beaches** 20:18  
**Beatina** 31:21, 25  
 31:25 32:10  
 33:20 34:1  
**Beaubien** 1:17  
 2:5  
**Beckman** 26:18, 18  
 29:1  
**began** 9:24 21:19  
**beginning** 49:3  
**behalf** 2:8 7:1  
 8:5 11:9  
**behavior** 39:17  
 40:14 45:22  
**believe** 19:17  
 36:11 46:23, 24  
 52:9 53:8  
**Bernard** 21:8, 8  
**Bernice** 17:7  
**best** 29:8  
**better** 10:12, 15  
 41:18  
**beyond** 52:6  
**Bill** 25:17  
**bit** 7:5 16:22  
 26:14 37:18  
**black** 28:19  
**blissing** 20:9  
**Board** 1:2, 16 2:3  
 2:4, 8, 19 3:5, 9  
 3:15, 19, 23  
 5:20 6:3, 11  
 7:1 8:6 11:6, 8  
 11:10, 11, 15  
 12:16 17:5  
 18:8, 10, 24  
 30:11, 17 31:7  
 31:21, 23 33:21  
 34:19 35:21  
 36:9, 13 37:12  
 37:15 44:10  
 48:19 49:10, 11  
 49:12, 16, 17  
 51:9 52:4, 11  
 55:1  
**Board's** 47:16  
**Body** 30:21, 23  
 31:2, 3, 16 32:4  
 40:24 51:2, 3, 7

51:23  
**boilerplate**  
 52:13  
**bolts** 27:7  
**books** 8:8  
**born** 19:22  
**bottom** 8:13  
 15:17  
**Bratton** 25:17  
**bring** 15:9 25:17  
 53:2 54:21, 22  
**broadcaster**  
 26:19  
**brought** 31:18  
 53:4  
**Brown** 3:24 6:16  
 6:16  
**Brutality** 12:18  
 26:16  
**budget** 10:12, 13  
**bulk** 28:17  
**business** 13:20  
 18:4, 17  
**B-E-A-T-I-N-A**  
 31:25

---

**C**


---

**caliber** 13:5  
**California** 20:17  
**call** 27:18 31:3  
**called** 25:11  
 31:15 32:2  
**calling** 10:5  
**calls** 28:4  
**campaign** 13:1  
**candidate's**  
 34:10  
**capable** 6:4  
 19:21  
**capricious** 34:8  
**care** 6:12, 19  
 10:5 25:17  
**career** 9:24  
 20:16  
**caring** 6:4  
**carried** 5:17  
 33:12  
**carries** 32:23  
 48:17  
**case** 13:13, 24  
 23:9 32:9  
 33:22 36:7

37:13  
**cases** 30:12  
**Celia** 2:2 3:23  
 6:11 11:6  
 33:21 35:24  
**center** 22:4  
**certain** 25:14  
 43:11  
**certainly** 10:7  
 12:6 14:6 15:9  
 18:17 20:10  
 21:9 22:4  
 23:15 24:17  
 27:21 28:6  
 30:8 34:19  
 37:20 47:11, 18  
 49:17 54:6  
**CERTIFICATE** 56:1  
**certify** 56:8  
**Chair** 3:18 4:11  
 8:25 9:19 11:6  
 32:8, 14 33:1  
 33:18, 24 34:25  
 37:7 38:15  
 39:24 40:9  
 43:4 46:3, 15  
 46:16 48:22  
**Chairman** 2:12  
 3:8 4:4 10:24  
 11:12 14:19  
 18:7 30:3  
 32:12, 18 34:14  
 34:22 38:12  
 41:17 43:16, 24  
 50:9  
**Chairperson** 3:10  
**Chairperson's**  
 5:18  
**challenge** 25:22  
**challenges** 23:21  
 23:22  
**challenging**  
 21:18 24:22  
**chance** 17:9  
 29:17  
**change** 29:13  
 53:5  
**character** 13:9  
 34:12  
**characteristic**  
 19:7  
**charges** 31:18

**check** 26:11  
**checked** 18:1  
**Chester** 2:18  
 7:15 12:21, 22  
 14:18 16:3  
 19:9  
**chief** 2:18 3:11  
 3:13, 20 4:13  
 5:22 7:7, 15  
 8:20 9:17, 19  
 9:19 10:8, 16  
 10:23 12:8, 10  
 13:14 14:6  
 16:13, 15, 19, 24  
 17:1, 8 18:13  
 18:23, 25 20:2  
 20:6 21:8, 11  
 22:17 24:4, 18  
 26:2, 8 27:17  
 28:15, 18 29:8  
 29:9, 24 30:2  
 31:14 36:2  
 40:11 44:5  
**Chiefs** 19:2  
**choice** 20:18  
**Cincinnati** 20:8  
 23:15, 16, 16, 20  
 23:21, 23 24:11  
 24:14 25:11  
 27:19  
**Cincinnati's**  
 23:20  
**circumstances**  
 34:5  
**cited** 40:5  
**citizen** 17:17  
**Citizens** 25:11  
 25:13  
**city** 12:24 14:10  
 15:3 17:16, 19  
 18:14 20:11  
 21:13, 15, 19  
 23:2 24:19, 21  
 25:20, 22, 23  
 26:3 27:24  
 28:2, 13, 17  
 29:2, 3, 10 44:7  
**civil** 23:23  
**civilian** 37:13  
**clarification**  
 49:9  
**clarity** 41:14, 16

42:13,23 47:2  
**class** 28:20,20  
 28:20,21  
**classmate** 26:10  
**clear** 36:16  
 40:21 49:2  
**cleared** 38:10  
**clearer** 43:9  
**clearly** 18:15  
**close** 18:11  
 24:17 30:6,8  
 31:5,19 32:4,8  
 32:15 36:1  
**closed** 8:24 9:14  
 30:10,14,18  
 31:3,7,9,14,17  
 31:24 32:2,23  
 33:7,20 35:9  
**clout** 13:19  
**Coalition** 12:17  
 26:16  
**coincide** 17:12  
**Coleman** 3:22  
 14:16 16:16,23  
**collaborative**  
 23:24 26:10  
**colleague** 26:19  
**colleagues** 15:1  
**collective** 15:9  
**collectively**  
 15:15 29:14  
**College** 15:19  
**combined** 15:11  
**come** 4:5,6 10:25  
 11:17 17:5,20  
 19:16,17 20:3  
 20:3 22:24  
 24:10,24 27:13  
 28:9,9 29:4,12  
 33:2,6,12  
 43:20  
**comfortable** 53:6  
 54:9  
**coming** 12:6  
 50:13  
**commanded** 22:3  
**Commander** 15:20  
**Commanding** 21:17  
**Commencing** 1:20  
**commend** 24:21  
**comment** 30:19  
**comments** 10:8

33:22  
**commission** 15:10  
 15:19 16:1  
 29:22 56:21  
**Commissioner** 3:4  
 3:10,11,14  
 4:24 5:2,3,4,8  
 5:11,12,13,17  
 7:17 8:22 9:2  
 9:4,5,7,8 10:6  
 10:20 12:5,14  
 15:10,13,14  
 16:12,13,14,25  
 26:4 32:14,17  
 32:22 33:3,4,5  
 33:11,16 34:25  
 35:5,6,7,13,19  
 36:14,24 37:6  
 37:16,22,23,25  
 38:3,4,5,6,8,8  
 38:10,15,19,20  
 38:21,23,25  
 39:1,3,5,6,8  
 39:11,12,13,14  
 39:20,21,22,23  
 39:25 40:1,3,9  
 40:21 41:1,2,6  
 41:10,15,22,23  
 41:25 42:4,9  
 42:12,13,24  
 43:2,3,10,13  
 43:16,21,22  
 44:9,12,16,17  
 44:21,23,24,25  
 45:3,4,5,8,16  
 45:25 46:2,6,8  
 46:10,11,15,19  
 46:22 47:4,8  
 47:21 48:5,7,8  
 48:15,20 49:6  
 49:21,23,24  
 50:1,2,11,12  
 50:14,18,19,22  
 50:23,25 51:11  
 51:12,19,21,22  
 52:5,18,19,24  
 53:12,17,22,24  
 53:24 54:2,5  
 54:17,18,20,25  
 55:5,6,7,10  
**Commissioners**  
 1:2,16 2:4,9

2:11 3:6,9  
 4:14 5:7,16  
 11:16 17:5  
 18:9,10 30:17  
 32:21 33:10,18  
 35:12 45:15  
 47:24 48:14,21  
 54:19 55:9  
**commitment** 24:18  
**committed** 27:21  
 28:10  
**communication**  
 9:10 11:15  
**communications**  
 9:13  
**communities**  
 21:21 28:23,24  
**community** 6:2  
 13:21 14:8,23  
 15:19 16:6,7  
 19:7 21:20,21  
 23:10,13,24  
 24:13 25:4,8,8  
 26:13,13,13  
**compared** 19:2  
**complaining** 20:9  
**complete** 56:13  
**completes** 4:2  
**compromised** 14:2  
**computer** 56:11  
**concept** 16:7  
**concern** 14:14  
**concerned** 17:24  
**concerning** 34:23  
 34:24 38:14  
 46:1 48:18  
**concerns** 4:20  
**concluded** 55:12  
**concluding** 30:4  
**concurrence** 44:3  
**conducted** 31:5  
**conference** 36:20  
**confidence** 23:10  
**conflict** 11:9  
 13:17,22 14:24  
 15:6 16:10  
**conformity** 27:12  
**consent** 22:22,23  
 23:25  
**consider** 31:17  
 32:5  
**considering** 34:5

**consistent** 8:3  
**contention** 12:20  
**contentious**  
 12:23  
**contentiousness**  
 27:11  
**continue** 20:16  
**continued** 40:14  
 45:21  
**contravened** 36:4  
**contravention**  
 34:15 36:5  
**control** 17:18  
**convening** 30:23  
**convey** 26:24  
**cop** 13:1  
**cops** 22:1  
**correct** 17:23  
 37:24 39:14,19  
 46:3 53:16  
 54:4 56:13  
**corrected** 36:15  
**correction** 16:16  
**corruption** 20:22  
**Council** 4:19  
 26:3  
**councilman** 21:10  
**Counsel** 33:12  
 37:3,4 38:9  
 40:2 46:16  
 50:25  
**Counsel's** 35:1,3  
**count** 22:1  
**countless** 29:11  
**country** 19:20  
**county** 10:2  
 15:19 56:6,20  
**couple** 21:4  
**coupled** 19:10  
**course** 7:9 30:4  
 49:12  
**Court** 4:2  
**Craig** 7:7 17:2  
 18:23 20:3,6  
 25:18 26:2  
 27:17 28:15,18  
 29:8,24 30:2  
**credit** 6:1,17  
**credibility**  
 23:12  
**crime** 17:19  
 21:24 23:18

25:20 28:22  
**Criminal** 15:18  
**critical** 6:14  
 7:22  
**Cromwell** 31:12  
 31:13 32:10  
 36:2 40:13  
 44:5 45:21  
 46:13 48:12  
 50:21 52:15  
**Cromwell's** 46:24  
**crossroad** 7:23  
**crying** 29:13  
**CSR** 56:18  
**CSR-7042** 1:22  
**culture** 22:12  
 24:5  
**cut** 8:11  
**C-R-O-M-W-E-L-L**  
 31:13

---

**D**


---

**Davis** 3:20  
**day** 27:1 28:8  
 29:6 36:12, 12  
 36:18, 19, 22, 23  
 36:25, 25 37:9  
 37:23 38:1  
 41:8 42:6, 10  
 44:3 45:10, 12  
 46:25, 25, 25  
 51:2, 3  
**days** 27:20 47:1  
**DC** 10:17  
**deal** 18:12 33:13  
 43:20  
**dealer** 23:9  
**dealing** 13:12  
 43:11  
**deals** 28:21  
**dealt** 13:15  
**dear** 30:1  
**decent** 51:5  
**decide** 24:13  
 53:25  
**decided** 13:6  
**decision** 20:15  
 30:25 34:6, 9  
 35:2  
**decisions** 30:10  
 31:6, 8  
**decree** 22:22, 23

23:25  
**deemed** 13:18  
**deescalation**  
 13:23  
**defines** 30:22  
**definitely** 19:19  
**definition** 53:18  
**deliberate** 30:9  
**deliberating**  
 30:24  
**deliberations**  
 31:5  
**demanding** 27:20  
**demands** 21:20  
**demeanor** 14:1  
**denial** 35:15  
**denied** 34:13  
 35:14  
**deny** 35:1, 4, 8  
 44:14  
**department** 7:22  
 8:6 9:23 14:5  
 14:17 15:18  
 17:22, 24 19:1  
 21:3, 13 22:24  
 23:5, 11 24:6  
 25:1, 2 28:3  
 36:11, 18  
**Departments** 10:1  
**Department's**  
 23:12 34:6, 9  
 34:10 35:2  
**DEPUTY** 2:18  
**deserve** 7:20  
**despite** 20:20, 25  
**Detroit** 1:2, 16  
 1:19 2:4, 6 3:1  
 9:24 12:17, 24  
 14:17 15:3  
 16:17 18:14  
 19:16 20:11  
 22:19, 20 23:17  
 23:17 24:14, 19  
 25:23 26:20  
 27:21 29:10  
**Detroiters** 19:11  
**Detroit's** 44:7  
**dialog** 14:25  
 28:11  
**dialogue** 27:7  
**difference** 15:22  
 18:19 47:9

**different** 6:24  
 20:12 23:20  
 28:13 52:7  
**digit** 21:23  
**diligence** 5:20  
**diligent** 6:4  
**directed** 40:2  
**directly** 7:6  
 26:23 29:5  
 52:9  
**Director** 3:22  
 52:9 53:3  
**disciplinary**  
 36:9, 22 37:1  
 37:11 40:15  
 44:7 45:23  
 48:1, 2  
**discipline** 36:8  
 47:14 48:3  
 49:4  
**disclosure** 32:5  
**discuss** 14:3  
 30:13  
**discussed** 31:24  
 35:9 36:10  
**discussion** 27:14  
 32:5, 19 33:8  
 45:2, 9 46:14  
 48:8, 10 50:24  
 51:12, 13 54:6  
**dismissal** 40:16  
 45:24  
**disqualification**  
 34:2  
**disqualified**  
 31:20 34:1  
**disqualify** 34:7  
**disrespect** 28:6  
**disruptive** 40:14  
 45:22  
**distinct** 22:5  
**districts** 22:7  
**documentation**  
 38:24 49:3  
**documents** 34:3  
 38:17  
**doing** 6:1, 19  
 15:16 18:17  
 20:24 51:5  
**Donnell** 2:13  
 3:11  
**door** 8:24 9:14

30:6, 8, 10, 14  
 30:18 35:9  
**double** 21:23  
**downhill** 17:16  
**draft** 19:19  
**Drake** 3:21  
**draw** 37:12  
**drawn** 22:7  
**dreamed** 22:18  
**drove** 23:16  
**drug** 23:8  
**due** 5:19 27:17  
**dynamics** 21:15  
 21:19

---

**E**


---

**earlier** 22:5  
**early** 22:8  
**easiest** 54:2  
**easy** 20:19  
**effect** 46:17, 18  
**effort** 15:9 49:9  
**efforts** 15:11  
 25:12  
**Eight** 11:21  
**either** 17:15  
 44:13 49:10, 15  
 53:23  
**Elizabeth** 1:22  
 4:1 56:8, 18  
**EM** 26:17, 21  
**embark** 21:5  
**embraced** 24:12  
 24:13  
**embracing** 21:21  
**employed** 27:19  
 28:8  
**employee** 31:18  
**employee's** 51:6  
 51:8  
**encouragement**  
 4:12 5:24  
**engage** 13:22  
**engaged** 25:19  
**engagement** 19:8  
**engages** 19:12  
**engrained** 24:5  
**entered** 17:2  
**entertain** 4:25  
 5:9 37:3, 5  
 44:13 55:4  
**entity** 15:22

**environments**  
20:12  
**equivalent** 46:22  
**erupted** 13:17  
**escalation** 13:24  
**eternity** 8:10  
**ethics** 8:2 19:8  
**Evans** 19:6  
**event** 34:18  
**events** 14:23  
**everybody** 7:24  
13:8 20:3,4  
27:24  
**everyone's** 29:9  
**exactly** 12:2  
**exceed** 51:10  
**exceeded** 8:4  
**excess** 24:19  
**excited** 25:19  
**exciting** 20:7  
27:21  
**exclusive** 48:24  
**excuse** 34:7  
36:11 53:3  
**exempt** 32:5  
**exit** 53:20  
**expectations** 8:4  
**experience** 10:3  
19:11 37:10,11  
**experiences** 20:1  
**expires** 56:21  
**extremely** 8:12

**F**

**face** 7:18,19,21  
**fact** 8:15 22:18  
23:6 29:19  
41:17 43:4  
48:3  
**facts** 34:2  
**fails** 54:20,21  
**failure** 34:10  
**fairly** 13:14  
**faith** 23:10  
**fall** 51:2  
**falls** 44:6  
**family** 10:4  
11:22 12:2,7  
**far** 17:24  
**Father** 4:14  
**favor** 5:6,15  
32:20 33:9

35:10 45:11,13  
48:11 51:16,17  
54:15 55:8  
**federal** 32:6  
**feel** 14:2 43:6  
52:22 54:9  
**feuds** 22:13  
**fiber** 19:9  
**file** 34:3 46:24  
47:16 52:2  
54:10  
**find** 19:23 26:12  
28:3  
**finding** 48:2  
**finishes** 7:11  
**finishing** 7:11  
**first** 9:13,24  
10:5 12:5  
18:15 19:14  
24:8,9,10,16  
26:16,22 28:7  
31:10 37:14  
40:11 43:19  
44:1 45:1 54:9  
54:12  
**five** 36:12,19,23  
36:25 37:9,23  
38:1 41:8 42:6  
42:10 44:3  
45:10,12 46:25  
51:3  
**fixed** 28:5  
**floor** 34:23  
35:11 42:15,18  
45:10 50:10,14  
50:20 51:14  
53:15 54:13  
**focus** 29:14  
**folks** 20:12  
27:23,23  
**followed** 10:10  
**force** 12:25  
22:25  
**foreclose** 48:24  
**foregoing** 56:9  
**form** 48:3  
**former** 21:7  
**formerly** 13:3  
**forth** 14:9 56:11  
**fortune** 21:2  
**forty** 16:17  
**forward** 7:9 8:7

15:16  
**four** 18:24 21:13  
46:25  
**fourth** 18:25  
**framework** 13:8  
19:6 27:2  
28:13  
**Frank** 26:18,18  
**fresh** 18:22  
**friend** 26:9,19  
26:20 29:1  
**front** 3:21 6:17  
15:2  
**full** 56:13  
**further** 33:22  
40:15 45:20,23  
54:6  
**future** 14:10  
16:9 25:19

**G**

**gang** 22:7,13  
**gangs** 22:10  
**Generally** 46:7  
**gentlemen** 3:5  
55:11  
**George** 2:19 3:15  
3:19 30:12,16  
**getting** 7:3  
10:11,14 25:9  
**gig** 13:2  
**give** 11:17 29:17  
**given** 22:13  
40:23 43:12  
**gives** 18:12  
41:15  
**giving** 4:18  
**glad** 3:13 20:20  
**go** 7:15 8:7 9:13  
9:17 10:25  
12:1,22 20:25  
26:2,3 31:23  
32:23 37:15,19  
37:23  
**God** 4:13,19  
**Godbee** 19:8  
**goes** 8:17 42:19  
**going** 3:16 8:23  
11:16 17:3,11  
17:16,22 18:3  
18:6 19:11,13  
20:2 22:13,17

22:18 23:19  
24:7,25 25:1,3  
26:21 28:5,9,9  
28:22 29:18,19  
30:11 36:25  
38:7 39:8 45:5  
49:7  
**good** 3:4,6,12  
6:25,25 9:6,7  
9:8 14:7 17:2  
17:7 18:6 21:2  
21:11,12 25:2  
34:12 43:22  
53:14  
**Gorge** 6:6  
**gotten** 27:10  
**grateful** 10:2  
**Gratiot** 11:22  
**great** 10:15,20  
18:12 19:3  
**Green's** 26:9  
**Gribbs** 16:19,21  
**ground** 15:3 25:6  
26:23 29:6  
**groups** 25:14  
**growing** 22:19  
**guess** 14:14  
29:12 49:2  
**guest** 18:13  
**guidelines** 37:1  
44:7

**H**

**half** 28:8  
**hallway** 29:11  
**handle** 8:23 9:15  
30:5  
**handling** 32:15  
**Hanson** 4:2  
**happen** 15:12  
**happened** 12:2  
14:23 39:6  
**happens** 50:6  
**happy** 19:12  
**hard** 6:7,21  
23:13  
**hate** 17:14  
**hats** 7:15  
**Headquarters**  
1:18 9:12  
**heads** 15:18  
**hear** 7:6 11:19

17:3 21:25  
 26:25 31:17  
 32:8 39:15  
**heard** 20:21 29:3  
 33:17,19,25  
 34:1 35:25  
 44:9  
**hearing** 7:9  
 18:10,18 32:19  
 33:8 45:11  
 48:10 55:12  
**hearts** 8:13 12:7  
**Heavenly** 4:14  
**held** 22:16 53:7  
**help** 12:9 17:13  
 17:23  
**helps** 6:24  
**hereinbefore**  
 56:10  
**hesitancy** 54:8  
**he'll** 7:12 26:5  
 26:6  
**high** 22:5 26:10  
**highlight** 6:1  
**hired** 24:4  
**hiring** 34:7,21  
**history** 8:8  
**Hold** 44:12  
**holds** 6:16  
**home** 19:25 20:7  
 22:2 25:23  
**homeless** 29:2  
**honeymoon** 29:18  
 29:19,21  
**honor** 18:13  
 20:10  
**hope** 14:6 17:23  
 27:8  
**hopeless** 25:21  
**hoping** 10:17  
**horse** 24:24  
**hot** 9:17  
**HR** 51:25 52:3  
**humble** 10:2

---

**I**


---

**iconic** 25:23  
**idea** 9:25 12:3  
 17:12  
**identify** 30:12  
**imagine** 24:4  
**IMCO** 34:11

**immediate** 6:20  
**immigrant** 23:3  
**immigrants** 23:4  
**implemented**  
 53:11  
**important** 13:7  
**imposing** 51:6  
**Inaudible** 44:11  
 45:7 49:20  
**included** 40:6  
 46:24  
**including** 34:3  
 40:16 45:23  
**increasing** 4:16  
 4:17  
**indicate** 35:11  
**indicated** 33:25  
**informally** 15:15  
**information**  
 10:18,19 12:1  
 39:24 51:20  
**inquire** 46:4  
**insight** 27:23  
**instance** 36:3  
**instantly** 12:4  
**instruct** 35:21  
**insubordination**  
 38:25 39:10  
**integrity** 8:2  
 19:9 34:11  
**intelligence**  
 6:13 19:5  
**intelligent** 6:4  
**intent** 22:24  
**intentional** 15:5  
**interesting** 22:3  
 22:6,21 23:1  
**INTERIM** 8:20  
**interrupt** 9:1  
**introduce** 3:16  
 18:5,13  
**introductions**  
 4:3  
**investigation**  
 11:23 12:1  
**Investigator**  
 3:20 31:12,14  
 32:9 36:1,3  
 40:13 44:4,6  
 45:21 46:13  
 48:12 50:15,21  
**Investigator's**

40:11  
**invitees** 31:4  
**invocation** 4:6  
**involve** 52:1  
**involved** 15:1,11  
 26:9  
**involving** 30:18  
 31:12  
**issue** 35:21 47:3  
 49:10 52:11  
**issued** 39:16  
**issues** 6:24 7:24  
 7:25 10:4  
 14:12 15:6  
 23:18 24:3  
**it'll** 8:7 18:24

---

**J**


---

**Jackson** 15:20,20  
**James** 7:7 15:20  
 17:1 18:23  
 25:18  
**Jerome** 2:12 3:8  
**Jessica** 2:14  
 3:10  
**Jesus** 4:21  
**job** 4:8 10:15  
 18:6 21:5  
**joined** 3:12 9:5  
**Jordan** 11:21  
**journey** 5:23 7:4  
**judgements** 23:25  
**June** 56:21  
**justice** 15:18  
 16:11 22:24

---

**K**


---

**keen** 21:9  
**keep** 18:22 49:8  
**key** 21:4 25:7  
**kids** 22:10  
**killed** 11:21  
 12:4 13:13  
 23:7,8  
**killing** 17:14  
**kind** 13:2,5 19:1  
 25:10 37:8  
 38:17 50:4,6  
 52:13  
**King** 20:22  
**know** 6:18 8:5  
 10:3 12:2,3,4

13:14 14:13,13  
 14:14 15:1  
 16:3,4 18:23  
 20:13,24,25  
 22:9,18,19  
 23:18 24:16  
 25:6,10,15  
 27:10,15,20  
 29:4,11,17  
 38:18  
**knowledge** 4:17  
**knows** 6:10 7:25  
 12:2  
**Koller** 1:22 4:1  
 56:8,18

---

**L**


---

**lack** 47:13  
**ladies** 3:5 55:10  
**language** 39:9  
 50:16 52:20,21  
 53:1,5,6,9,19  
 54:8,10,11,23  
**languages** 52:25  
**LAPD** 24:10  
**larger** 15:12  
 25:13  
**largest** 10:1  
 23:2  
**Law** 36:11,18  
**layoff** 20:15  
**lead** 4:5 30:13  
 48:1  
**leadership** 8:7  
 8:14 10:7  
 12:25 14:17  
 19:7,13 21:20  
 22:1 24:18  
**learned** 21:11  
**leave** 14:20 18:3  
 21:23  
**left** 19:23 20:13  
 20:13  
**letter** 22:23  
**letters** 6:7  
**letting** 29:23  
**let's** 9:9 27:15  
 29:16 47:25  
 54:22  
**level** 12:19 14:7  
 19:12 36:8  
**lieu** 46:25

**life** 20:24  
**light** 14:22  
 41:17  
**limit** 11:19  
**limited** 31:3  
**limiting** 17:10  
**line** 15:17  
**lines** 52:16  
**listen** 17:15  
**literally** 6:18  
 8:11  
**little** 7:5 16:22  
 22:10 26:14  
 37:18  
**live** 22:20  
**lives** 28:17  
**Logan** 2:18 3:13  
 7:15 8:20 9:19  
 9:19 10:16,23  
 12:10,21 14:18  
 16:3,13,15,19  
 16:24 19:9  
 24:18  
**Loletha** 3:21  
**long** 9:24 13:22  
**look** 7:9 15:16  
 17:15 25:6  
**looked** 18:1  
**Los** 21:10 22:20  
 22:21,22  
**lot** 6:1,23 15:23  
 15:23 23:21,22  
 24:2  
**lottery** 19:19  
**loving** 20:11  
**Lynette** 11:20  
**L.A** 20:20,25  
 22:3,6,11,11

---

**M**


---

**Madam** 33:12  
 46:16  
**Maine** 22:17,19  
 22:21,21,23,25  
 23:2  
**majority** 31:18  
**making** 5:20 6:8  
 6:18 43:5  
**man** 13:13 17:11  
 17:20 23:7,8  
**Manager** 3:24  
**manner** 8:3

**Marshall** 31:21  
 31:25,25 32:11  
 33:20 34:1,4,6  
 34:24  
**material** 32:5  
**matrix** 36:9,22  
 37:1,11,15,20  
 44:8 51:1,10  
**matter** 11:2 22:1  
 25:18 31:11  
 33:19 35:25  
 36:5 46:4  
 48:19  
**matters** 8:23  
 9:14 30:5,10  
 32:9,16 33:7  
 39:1,3 55:2  
**Mayatt** 4:5,11  
**mayor** 14:15  
 16:17,20,21  
**ma'am** 11:14 30:2  
 34:14 35:19,23  
 38:13 45:18  
 55:3  
**MCL15.262B** 31:1  
**MCL15.268A** 31:15  
**MCL15.268H** 32:3  
**mean** 6:9,17  
 15:19 25:18  
 29:5 39:15  
 40:4 52:12  
**mediation** 16:10  
**meet** 7:12 31:16  
 32:4 34:10  
**meeting** 1:3,16  
 3:6 7:6 9:11  
 10:18 18:11,21  
 30:4,7,23 31:6  
 31:22 53:7  
**meetings** 22:6  
 30:14,19,21,22  
 31:15 32:3  
**meeting's** 12:11  
**member** 2:13,14  
 2:15 10:4  
**members** 55:1  
**memorial** 4:9  
**memory** 12:8  
**men** 25:1  
**mentioned** 12:22  
**mentor** 26:10  
**messed** 18:3

**met** 18:14 29:11  
**meted** 36:8  
**mic** 11:17  
**Michigan** 1:1,19  
 2:6 3:1 56:4  
 56:20  
**miffed** 26:14  
 29:4  
**Mile** 11:21  
**miles** 23:17  
**million** 21:13  
**mind** 18:22 42:25  
**minds** 19:15  
**mine** 26:9,19  
**minute** 11:18  
**minutes** 5:9  
**mischievous**  
 22:10  
**model** 24:1  
**month** 5:23 23:8  
**months** 5:25 8:8  
**Moore** 11:8,9  
**moral** 19:9 24:3  
 34:12  
**morale** 27:9  
**motion** 4:25 5:9  
 5:17 32:7,13  
 32:23 33:1,12  
 34:23,24 35:1  
 35:10,14 37:4  
 37:5 38:13,16  
 39:13,15,22  
 40:4 41:2,20  
 41:24 42:2,4  
 42:14,17,19,20  
 42:21 43:6,14  
 43:17 44:13,20  
 45:2,8,9,12,13  
 45:17,25 46:4  
 46:5 48:9,11  
 48:17 50:9,13  
 50:19 51:14,16  
 51:17 53:14,17  
 54:1,13,15,20  
 54:21 55:4  
**move** 5:2 9:10,11  
 11:14 30:6  
 32:14,15 33:3  
 46:8 54:25  
 55:5  
**moved** 5:5,14,14  
 32:18 33:6

35:8 45:1  
 46:12,14 50:24  
 55:8  
**movement** 15:3  
**moving** 8:6  
**M-A-R-S-H-A-L-L**  
 32:1

---

**N**


---

**name** 3:8 4:22  
 11:18,20 21:8  
**narrative** 52:10  
**nature** 36:5 52:5  
**nay** 35:15,16  
**necessarily**  
 12:20  
**necessary** 50:7  
 50:16  
**need** 17:12,23,25  
 17:25 26:22,25  
 28:25 29:14  
 42:19 53:1  
**needed** 7:25 8:2  
 19:23 49:2  
 53:18  
**needs** 14:4 15:2  
 47:19  
**negate** 36:6  
**negative** 21:1  
**neighborhoods**  
 15:4 22:15  
 25:14,15  
**neither** 34:8  
**never** 20:10  
 22:18 23:9  
**new** 5:22,23 7:7  
 14:6 18:13  
**nice** 3:7  
**night** 17:14  
**noncontravention**  
 34:15  
**Normally** 12:19  
**Notary** 56:19  
**notes** 17:10  
 18:20,23  
**notification**  
 38:17  
**nuances** 21:14  
**number** 6:24  
 19:19  
**nuts** 27:7

**O**  
**objection** 5:5, 15  
 31:23  
**obviously** 14:12  
 17:1  
**occurred** 40:6  
**October** 18:25  
**office** 6:18  
 11:25 31:13  
 44:5 51:24  
 52:7  
**officer** 3:24  
 9:25 11:8, 22  
 15:23 21:18  
 24:21  
**Officers** 4:9  
 12:25 14:8  
 21:14 24:12  
 27:10  
**Ohio** 20:17  
**okay** 11:12, 13  
 23:17 34:22  
 35:24 37:2, 15  
 38:3 41:10, 15  
 42:12 43:22  
 45:9, 10, 17  
 47:4, 8 51:11  
 52:18 55:1  
**OMA** 30:22, 22  
 31:2  
**once** 8:16 15:21  
**one-on-one** 19:12  
**open** 30:13, 19, 22  
 31:6, 15 32:3  
 33:2, 6 35:22  
**opinion** 19:7, 18  
 46:21 47:10  
**opportunity** 13:3  
 13:4 16:2 27:1  
**opposed** 13:24  
 32:22 33:11  
 35:13 45:16  
 48:15 54:18  
**optimistic** 25:20  
**options** 36:19  
**oral** 9:10, 13  
 11:7, 14 47:18  
**order** 10:12  
 19:25 32:7  
 33:2, 17 43:3, 7  
 43:15, 18 46:2

51:5  
**outside** 23:19  
 37:1  
**outsider** 17:25  
 19:22 24:8, 10  
**outstanding** 4:8  
 4:9 6:4  
**owner** 13:20

**P**

**page** 1:14 42:14  
**palm** 20:18  
**Pamela** 3:20  
**paper** 49:3, 3  
 50:6  
**paraphrase** 39:13  
**paraphrasing**  
 50:13  
**Parks** 21:8, 8, 12  
**parlay** 19:25  
**part** 20:14 22:6  
 22:11, 21 25:7  
 31:16 32:4  
 40:11, 12, 21, 22  
 40:23, 23 42:2  
 42:5  
**particular** 30:18  
 33:22 36:3  
 53:19 54:1  
**parties** 49:15  
**partners** 15:8  
**parts** 40:11  
 41:11 43:5, 11  
 43:25  
**party** 20:7 49:10  
**pass** 49:11  
**passion** 8:17  
 22:16  
**passionate** 6:5  
 27:25  
**Pastor** 4:5, 11  
**patient** 12:11  
**patients** 55:11  
**patrol** 21:3  
 25:12, 13  
**pay** 14:10 42:7  
 42:11 44:4  
**payroll** 14:11  
**penalty** 40:19  
**people** 13:3, 6, 20  
 14:8 15:23  
 16:6 26:22

28:13, 16 29:11  
**people's** 19:15  
**period** 12:23  
**persists** 39:17  
 42:16  
**person** 12:3  
 15:18, 22  
**personal** 14:12  
 19:18 54:12  
**personally** 14:3  
 26:14 54:10  
**personnel** 3:22  
 8:23 9:13 30:5  
 31:11 32:8, 16  
 33:7, 19 35:21  
 35:25 54:10  
**phase** 30:6  
**phenomenal** 6:10  
**pick** 19:20  
**picking** 5:21  
**piece** 25:7 40:12  
 41:8, 9 47:18  
**place** 22:17  
 23:20 37:7  
 39:4 50:4 52:3  
 56:10  
**places** 20:17  
 26:22  
**plagued** 7:24  
**plate** 8:1  
**pleading** 11:25  
**please** 11:1, 4, 11  
 11:17 33:13  
 35:11, 20, 20  
 39:10, 14 44:1  
 45:14, 17 46:14  
 48:13, 16 51:17  
 54:15, 22  
**pleased** 19:13  
**pleasure** 18:12  
 36:13 44:10  
 47:16, 20 49:16  
**podium** 11:1, 17  
 17:6 33:13  
 40:10  
**point** 7:3 32:7  
 39:23 43:3  
 46:2 50:7  
 51:19  
**police** 1:2, 16, 18  
 2:4, 8 3:6, 9, 12  
 3:22 5:22 7:7

9:12, 23, 24  
 11:8, 16 12:18  
 14:17 15:23  
 17:5, 22, 24  
 18:9, 10, 14, 25  
 19:2 20:16  
 21:7, 9, 13, 14  
 21:15, 20 22:17  
 23:5, 7, 11 24:1  
 24:3, 4, 11 25:2  
 25:16 26:16  
 27:6 28:2 29:9  
**policing** 16:7, 10  
 21:21  
**policy** 30:25  
**political** 17:8  
 21:22  
**population** 23:3  
**Porter** 3:22  
**portion** 52:10  
 53:6, 20  
**Portland** 22:17  
 23:6  
**position** 47:23  
**possible** 11:19  
 52:25  
**potentially**  
 53:14  
**praise** 4:21  
**pray** 4:14, 19  
 14:14  
**prayers** 12:7  
**precinct** 13:13  
 21:4  
**prejudice** 49:9  
 49:15  
**premier** 21:1  
**prepared** 20:23  
 21:5  
**present** 2:17  
 3:17, 20 30:24  
**presented** 31:11  
**pretty** 20:19  
 52:12  
**previously** 46:19  
**prior** 23:8 43:5  
**privately** 14:4  
**proactive** 15:5  
**problem** 22:9, 11  
 51:18  
**problems** 29:17  
**procedural** 53:13

**proceeding** 34:21  
**proceedings** 4:1  
 56:10,14  
**process** 5:21  
 7:10 8:9 19:14  
 34:7,21  
**profession** 8:17  
**professional**  
 13:25 21:9  
**professionalism**  
 14:2  
**program** 29:25  
**progressive**  
 47:14  
**properly** 5:4,13  
 32:18 33:5  
 35:7 44:25  
 46:11,14 50:23  
 54:14 55:7  
**proposed** 42:18  
**proposing** 26:12  
**Prosecutor's**  
 11:25  
**protect** 49:14  
**provide** 10:17  
**provided** 34:4  
**providing** 13:3  
**provisions** 30:19  
**public** 5:19 7:2  
 30:21,23,25  
 31:2,3,6,16  
 32:4 56:19  
**publicly** 4:8  
**purpose** 30:24  
 31:19 32:15  
 50:13  
**purposes** 31:4  
 42:14  
**pursuant** 31:15  
 32:2  
**purview** 52:6  
**put** 11:3 38:18  
 39:4 46:18  
 50:3,10  
**putting** 54:10  
**p.m** 1:20 3:3  
 9:12 55:12  
**P54338** 2:2

---

**Q**

**qualified** 19:21  
**question** 13:5

15:25 19:15  
 29:23 36:20  
 42:5 48:5  
 50:18 52:20  
**questions** 10:8  
 11:12 25:24  
 26:1 37:3,4  
 38:9 40:18  
**quick** 26:6  
**quickly** 53:1  
**Quinn** 3:25  
**quorum** 30:24

---

**R**

**race** 23:21,22  
**radio** 17:15  
 26:15  
**raised** 19:22  
**raising** 29:7  
**Ralph** 19:8  
**range** 36:16,17  
**ranks** 19:24  
**read** 30:19 31:10  
 35:3 43:25  
**ready** 17:11 35:9  
**real** 10:4  
**reality** 22:8  
**really** 17:18  
 20:9,16,22,23  
 21:5,19 29:4  
 40:7  
**rebuild** 28:23,24  
**receive** 11:25  
**recess** 32:25  
**recognizable**  
 29:12  
**recognize** 6:6  
 14:9 17:1  
**recommend** 36:25  
**recommendation**  
 34:18,19,20  
 35:1,4 37:7  
 39:15 40:3,23  
 41:11,12 43:5  
 43:12,13,19,20  
 44:6,10,14,15  
 45:1,18,20  
 46:1,9,12,18  
 48:10,16 49:13  
 49:22 50:2,5  
 54:12  
**recommendations**

41:19 43:25  
 49:19,22  
**recommended**  
 40:13 41:4  
 45:20 46:19  
 49:11  
**recommending**  
 53:4  
**reconvene** 30:9  
**record** 3:19  
 10:16 11:3  
 18:1,2,17  
 30:16 31:8  
 35:3,16 39:9  
 47:5 49:7,8  
**recording** 4:1  
**reduce** 25:20  
 28:1  
**reduced** 56:11  
**reductions** 21:24  
**reestablishing**  
 23:12  
**referenced** 40:15  
 45:22  
**reflected** 14:18  
**regard** 33:22  
**regarding** 35:20  
 51:13,14  
**regardless** 41:7  
**regards** 33:19  
 48:23  
**REGULAR** 1:3 2:13  
 2:14,15  
**reinvigorate**  
 14:24  
**reject** 44:14,15  
 44:16 45:9,10  
 45:12  
**rejected** 31:24  
 32:10 33:14  
 34:23 45:2  
**rejecting** 44:22  
**related** 5:21  
 39:9  
**relates** 34:11  
 53:18  
**relationship**  
 23:5  
**remain** 10:2  
**remains** 13:7  
**remember** 12:21  
 12:23 13:1,11

22:8  
**reminded** 9:21  
**rendering** 30:25  
**repeat** 54:8  
**report** 5:18 9:18  
 9:20  
**reported** 56:9  
**REPORTER** 56:1  
**Reporting** 4:2  
**reprimand** 36:10  
 36:21 38:1,19  
 38:20,22,23  
 39:16 40:5  
 41:7,25 42:2  
 42:16 46:17,23  
 47:2,6,12,15  
 48:2 49:2  
 50:15,20 51:1  
 51:7,13,14,15  
 51:22,23,23  
 52:2,6,11,13  
 52:16 53:10,19  
 54:14  
**request** 10:11  
 31:20 36:2,6  
 40:11,13,17  
 44:2  
**requested** 10:10  
**requests** 30:20  
 31:9  
**require** 13:9  
**required** 31:19  
**requirements** 14:7  
**reschedule** 11:13  
**rescheduled** 11:2  
 11:4  
**research** 47:11  
**researching** 6:8  
**resolution** 13:23  
 14:24 16:10  
**resolve** 15:6  
**resolved** 28:23  
**respect** 26:6  
 27:12,13,17  
**response** 28:4  
**responsibilities**  
 35:22  
**responsive** 29:9  
**restore** 16:11  
**result** 40:15  
 45:22  
**retired** 15:20

retirement 8:16  
 review 34:3  
     54:11  
 reviewing 52:12  
 revoke 53:25  
 Rhonda 11:8,9  
 ride 24:24  
 right 6:16 9:10  
     10:24 11:14  
     16:18,23,24  
     18:2,6 25:25  
     26:21 28:7  
     35:14 38:12  
     42:6,10,15  
     43:1,24 47:7  
     52:19  
 rights 49:14  
     51:6,8  
 Robert 3:24 6:16  
 robust 25:12  
 Rodney 20:22  
 roll 25:5  
 rolling 25:8  
 Roman 16:19,21  
 Ron 12:17  
 room 1:17 2:5  
     17:2 20:14  
     36:20  
 rule 37:19  
 run 10:1

---

**S**

---

sad 22:8  
 safer 25:14  
 Sal 26:8  
 saw 19:4 24:9  
 saying 26:25,25  
     28:12 35:11  
     41:5 47:5  
 says 16:6 29:13  
     37:19 52:6  
 scale 15:12  
 scenario 40:2  
 scene 6:9  
 scheduled 11:7  
     31:22,23  
 school 22:7  
     26:11  
 schools 22:5  
 scope 51:4  
 Scott 12:17,17  
     14:20 15:13

16:15,18,21  
 17:12 26:8  
 28:12,16,19  
 29:22  
 search 19:16  
 seated 3:21  
 second 17:3  
     31:20 35:20  
     40:12 41:8  
     44:12 45:18,19  
     46:1 55:6  
 seconds 15:17  
 Secretary 2:19  
     3:15,18,19  
     8:25 9:3 30:11  
     30:16,17 32:12  
     33:1,13,15,18  
     33:24,25 44:19  
     46:7 47:24  
     48:21 49:5  
     53:12,16,21,23  
     54:4  
 section 18:11  
 see 9:6,7 14:16  
     14:22 15:11,24  
     16:5 18:6 20:4  
     23:19 27:15  
     52:11,23 53:9  
     54:8  
 seeing 18:11  
     19:10 32:20  
     33:8 45:11  
     48:11 52:21,24  
 seen 25:13 52:20  
 segment 21:3  
 senior 17:18  
     50:15  
 sense 40:20  
 separate 30:20  
     31:9 41:4 47:2  
 separately 41:19  
 Sergeant 3:25  
     9:25  
 serious 10:4  
 serve 13:4  
 service 4:2,9  
     8:16  
 services 28:4  
 Serving 3:9  
 session 8:24  
     9:14 30:8,14  
     31:3,5,10,14

31:17,19,24  
 32:2,4,8,15,23  
 33:2,6,7,20  
 35:9,22 36:1  
 sessions 30:18  
     31:7  
 set 14:7 56:10  
 seven 5:23 8:8  
     22:22  
 share 7:5,8  
     21:16 27:22  
 Short 32:25  
 shot 11:21 12:4  
     23:7  
 show 26:15,16  
     28:7  
 showing 38:17  
     50:6  
 side 13:18  
 simple 31:18  
 sir 3:12,13 4:3  
     4:6,12,24 7:18  
     8:19 9:2,4,5,5  
     9:8,18 10:7,9  
     10:16,21,21,22  
     10:23 11:5  
     16:12 17:2  
     30:15 33:15  
     34:16 35:18  
     39:19,25 40:25  
     41:14,19 42:8  
     43:23 44:2  
     45:4,18 46:6  
     48:4,6,7 49:22  
     51:18,21 54:24  
     55:3  
 sirs 17:1  
 sit 4:16 14:21  
     20:23  
 sitting 9:22  
 situation 13:16  
     13:16,18,23  
     25:21 34:15  
     47:13  
 sleeve 25:8  
 sleeves 25:5  
 Smith 17:7,7  
     18:7 29:25  
 solutions 28:3  
     29:17  
 solved 23:9  
 Somalian 23:4

somebody 7:25  
     8:2  
 somewhat 19:2  
     52:22  
 son 11:20 12:4,8  
 soon 28:7  
 sooner 27:8,16  
     27:18 28:11  
 sorry 9:18 30:9  
     35:2 36:14  
     38:4 44:14  
     51:18  
 south 22:3  
 Southwest 22:2  
 space 52:17  
 speak 26:22 27:3  
     28:14,16,21,25  
     46:3 52:9  
 SPEAKER 26:1  
 speaking 47:17  
 special 18:16  
 specific 31:4  
 specifically  
     5:21  
 spent 21:9  
 spoke 18:17  
     27:23  
 spoken 15:13  
 SS 56:5  
 staff 3:16 6:1,5  
     6:20,25 7:3  
     14:21  
 stand 13:8  
 standard 14:7,9  
     16:8  
 standards 34:10  
     34:11  
 standpoint 53:13  
 started 28:10  
 starting 9:23  
     28:11 44:1  
 state 1:1 27:23  
     32:6 56:4  
 statement 15:21  
     17:21  
 states 31:16,21  
     32:3  
 statute 32:6  
 stay 35:20 37:16  
     41:20  
 stayed 5:20  
 stenographically

56:9  
**step** 8:1  
**steps** 6:14 52:1  
**Stewart** 2:15 9:5  
 9:7 37:6,16  
 38:3,15,23  
 39:3,11,13,20  
 41:2,22 43:16  
 43:21 44:16  
 45:3,5 46:20  
 49:23,24 50:2  
 50:11,14,22  
 54:17 55:6  
**Stewart's** 39:22  
 40:3  
**Stolberg** 11:9  
**stop** 7:7  
**stopped** 20:10  
**straight** 9:10  
**stranger** 19:22  
**strategic** 19:6  
**strike** 39:9 49:7  
**structures** 21:22  
**struggle** 27:14  
**stuff** 6:2,13  
 29:16  
**subject** 30:21  
**subsequent** 43:6  
**substitute** 43:6  
**succeed** 25:24  
**successes** 25:7  
**successfully**  
 21:23 22:14  
**Sudanese** 23:4,7  
 23:8  
**sued** 6:12  
**suggest** 24:23  
 41:14  
**suggested** 29:1  
**summary** 18:20,23  
**Sunday** 26:15  
**Supervising**  
 31:12 32:9  
 36:1 44:4  
 45:20 46:12  
 48:12 50:20  
**supervision**  
 56:12  
**support** 5:3,11  
 5:12,19,25  
 32:17 33:4  
 35:5,6 39:21

41:23 42:20,21  
 44:21,22,23,24  
 46:10 50:16,21  
 50:22 53:25  
 55:8  
**supported** 5:5,14  
 5:14 32:19  
 33:6 35:8  
 42:19 43:13  
 45:1 46:14  
 50:24 54:15  
**supposed** 6:8,19  
**sure** 5:20 6:8,18  
 17:9 37:8  
 47:21 50:1,19  
 51:4 52:1,3  
 53:9,13  
**surprise** 24:11  
**surrounding** 34:2  
 34:5  
**suspension** 31:17  
 36:12,12,18,19  
 36:23,23,25  
 37:23 39:17  
 40:12 42:6,10  
 44:4 45:10,12  
**swell** 15:3  
**sworn** 37:13  
**synopsis** 52:14

---

**T**


---

**table** 3:15  
**take** 10:5 16:2,8  
 17:18 24:25  
 25:1,4 33:16  
 39:7 40:22  
 50:7  
**taken** 1:17 11:24  
 29:2 39:18  
 42:17  
**takes** 6:12  
**talk** 14:25 21:12  
 24:19 27:7  
 29:16  
**talked** 17:17  
 27:24 36:19  
**talking** 15:15,21  
 23:3 36:22  
**task** 5:20  
**Taylor** 2:14 3:10  
 5:2,12 15:10  
 15:14 32:17

33:4 35:6 38:5  
 38:6,20,25  
 41:25 42:12  
 44:24 46:10  
 48:20  
**teaching** 15:5  
**tell** 23:15 24:23  
**temper** 4:18  
**ten** 21:14 23:3  
**tenacity** 13:9  
 27:3  
**tenure** 8:15  
**tenured** 24:20  
**terms** 27:22  
 34:20 47:11  
 52:5,14  
**terribly** 17:17  
**territories** 22:7  
**testament** 25:15  
**thank** 3:18 4:4  
 4:12,13,14,16  
 4:20,24 5:18  
 5:24 6:15,21  
 7:2,3,13 8:13  
 8:18,20 9:4,16  
 10:7,21,21,24  
 11:13 12:6,13  
 12:14 16:12,15  
 16:25 18:7  
 20:6 29:22,24  
 30:14 32:12,24  
 33:23 34:14,22  
 35:14,15,16,17  
 35:18 37:2  
 38:12 39:5  
 40:8 45:18  
 49:8 55:3,3,10  
**thing** 13:2 23:1  
 25:10 27:5,22  
 27:25 28:12  
 29:10 38:7  
 54:7  
**things** 4:18  
 14:20 16:5  
 18:22 20:22  
 21:24 27:4  
 51:5  
**think** 14:18,20  
 15:17 16:7  
 17:11 18:2  
 19:11,13 25:24  
 26:2 27:12,18

28:25 29:19,20  
 38:10 43:8,10  
 47:2,15,18,24  
 49:10 52:15  
 54:2  
**thinking** 6:14  
**third** 23:2  
**thirteenth** 24:3  
**thought** 17:25  
 24:7  
**thousand** 21:14  
 23:4  
**three** 22:5 35:15  
 35:16 46:25  
**Thursday** 1:21  
 3:7 5:10 31:10  
 31:22  
**time** 4:6,15 8:22  
 9:9 11:19  
 12:24 13:7,11  
 13:22 17:6,10  
 18:15 20:2  
 21:25 22:13  
 24:1 25:5 26:2  
 26:5,7 28:4  
 37:14 39:18  
 42:17 43:15,17  
 45:13 47:23  
 49:18 54:5  
 55:1,4,11  
 56:10  
**times** 13:12  
 15:23 21:24  
**today** 3:9 4:5,21  
 4:25 9:20,22  
 9:22 11:7 12:6  
 20:23 26:14  
 29:3  
**told** 13:12 20:12  
**Toledo** 20:17,17  
**Toliver** 10:17  
**Toney** 2:15 9:5  
**totality** 41:12  
**trail** 49:4 50:6  
**transcription**  
 56:12,13  
**transit** 11:22  
**trees** 20:18  
**tremendous** 21:11  
**trenches** 6:25  
**Trial** 11:7,10  
 37:12

**troops** 6:25  
**true** 56:13  
**try** 16:8 39:12  
**trying** 21:15  
 28:24 40:7  
 42:25 43:11  
 49:24 51:4  
**turn** 23:14 28:2  
 47:17  
**TV** 17:15  
**twice** 8:16  
**two** 11:18 20:17  
 23:25 27:20  
 30:18 31:9  
 40:10 41:7,11  
 41:19 43:25  
 53:21  
**two-part** 40:17  
**two-pronged**  
 40:19  
**type** 19:18

**U**

**ultimately** 28:22  
 46:18  
**unanimous** 45:17  
**uncomfortable**  
 52:22  
**understand** 18:15  
 21:19 26:24  
 28:18 41:18  
**understands**  
 11:23  
**unique** 25:10  
**unrest** 20:21  
 23:23  
**unusual** 22:12  
**use** 16:8 22:25  
 28:19,20  
**usual** 36:4  
**U.S.C** 22:2,4

**V**

**vacation** 20:7  
 27:19 29:20,21  
**various** 15:4  
 30:20  
**verbiage** 52:12  
**Vice** 3:10  
**view** 41:7  
**viewed** 21:1  
**violating** 51:6,8

**violence** 21:16  
 21:21 28:2  
**violent** 15:7  
 25:20  
**vision** 14:16,18  
 16:23  
**visit** 24:14  
**volunteer** 25:12  
**vote** 31:19 34:17  
 35:10 41:19  
 43:4,19 44:18  
 45:12 49:10  
 51:18 52:21  
 53:10,22,23  
 54:3,9  
**voted** 41:1 49:11  
 53:8  
**voting** 41:10,11  
 42:3,6,10  
 52:25

**W**

**wait** 12:11  
**waiting** 11:24  
**want** 4:7 5:18,25  
 6:6,15,20 7:2  
 7:5,17,18 8:5  
 9:9,12,14,17  
 12:20 13:11  
 14:9,13,21  
 15:8,11 16:16  
 17:1 19:16,17  
 24:17 26:6,8  
 27:22 28:1,1,2  
 28:3 29:9,10  
 29:22 41:20  
 44:17 49:6,14  
 49:15 50:9  
 52:23 53:13  
 54:7,7  
**wanted** 12:18  
 14:16 16:2  
 18:21 20:13,15  
 26:11  
**wants** 20:4  
**Warfield** 2:12  
 3:4,8,14 4:4  
 4:24 5:4,8,13  
 5:17 7:17 8:22  
 9:2,4,8 10:6  
 10:20,24 11:12  
 12:5,14 14:19

16:12,14,25  
 18:7 26:4 30:3  
 32:12,18,22  
 33:5,11,16  
 34:14,22 35:5  
 35:7,13,19  
 36:14,24 37:22  
 37:25 38:4,8  
 38:12 39:1,5,8  
 39:12,21,25  
 41:17,23 42:4  
 42:9,13 43:2  
 43:16,22,24  
 44:9,12,17,21  
 44:25 45:4,8  
 45:16,25 46:6  
 46:11 48:5,8  
 48:15 49:6,21  
 50:1,9,12,19  
 50:23 51:12,21  
 52:19,24 53:12  
 53:17,22 54:2  
 54:5,18,20,25  
 55:7,10

**warm** 3:7 24:15

**warning** 37:8  
 50:3,5

**Warren** 19:6

**Washington** 2:2

3:23 6:11

10:25 11:5,6

33:21,23 34:17

35:18,24,25

36:17 37:10,18

37:24 40:8,25

41:6,13 42:8

42:22 43:8,23

44:2 45:19

46:21 47:7,10

47:22 48:4

49:1 51:9,25

52:8,23 53:3

54:24

**wasn't** 41:1

**watching** 18:5

**way** 18:16 19:24

54:3

**Wayne** 15:19 56:6

56:20

**ways** 13:15 53:21

**weather's** 9:16

**week** 7:14 10:10

10:19 11:11  
 54:22,22

**weeks** 7:14

**welcome** 3:5 20:7  
 24:15 27:6

**went** 18:16 20:20  
 23:11

**West** 11:20,20,21  
 12:5,9,10,13  
 12:14

**we'll** 11:13,14

16:9 17:20

42:1 52:2 53:8  
 54:21

**we're** 6:8,19

8:23 11:16

13:12 15:14

17:3,16 19:13

23:3,14 28:4

30:12 35:22

36:15,21,25

37:14 42:9,14

43:10 47:22

49:18 51:5

**we've** 6:23 7:19

27:14 35:8

47:12

**wherewithal** 8:3

**white** 2:13 3:11

5:3,11 15:10

15:14 24:24

28:19 32:14

33:3 34:25

38:10,19,21

39:23 40:1,21

41:1,10,15

42:24 43:3,10

44:23 46:2,8

46:15 47:4,8

47:21 48:7

50:18,25 51:11

51:19,22 52:5

52:18 55:5

**who've** 8:9

**wife** 14:13

**Williams** 24:9

**Willie** 24:9

**wisdom** 4:17,18

4:19

**wish** 11:15 12:15

17:4 18:8,9

29:25

**wishes** 49:11  
**withdraw** 43:17  
 43:18  
**women** 25:1  
**wonderful** 24:12  
**words** 7:8 37:22  
**work** 6:7,9,10,22  
 16:9 19:24  
 22:14 23:11,13  
 24:7,10,12  
 27:1 28:1,3  
 52:2  
**worked** 19:23,24  
**working** 20:8  
 21:2 23:13,25  
**works** 25:13  
**world** 18:19  
**worse** 8:12  
**wrap** 49:25  
**wrapped** 42:25  
**write-up** 37:8  
 38:16,21  
**writing** 6:7  
**written** 36:10,21  
 38:1,19,20,21  
 38:23,24 39:16  
 40:4 41:25  
 42:2,15 46:17  
 47:1,6,12,13  
 47:15,19 48:2  
 50:3,5,15,20  
 51:1,6,13,14  
 51:15,22 52:2  
 52:10,13,16  
 53:9 54:14  
**wrong** 39:14  
 51:16  
**wrote** 18:20

---

**Y**

---

**Yeah** 37:6  
**year** 6:23  
**years** 9:21,22  
 10:21 12:22  
 13:10 14:15  
 16:17 18:25  
 20:21 21:10  
 22:23 24:4,19  
 24:20  
**young** 13:13  
 14:16 16:16,23  
 17:11,20

**youth** 23:13

---

**1**

---

**1** 1:14 56:21  
**1300** 1:17 2:5  
**16** 1:21 3:2  
 31:10  
**16th** 5:1 31:22

---

**2**

---

**2001** 23:23  
**2013** 1:21 3:2  
 5:10 31:11,22  
**2018** 56:21  
**209** 24:4  
**23rd** 9:11  
**234** 23:17

---

**3**

---

**3:00** 9:12  
**3:11** 1:20 3:3  
**30** 15:17  
**313** 2:7  
**328** 2:5  
**328A** 1:17  
**38** 24:20

---

**4**

---

**40** 24:19  
**44** 9:21,22 10:21  
 12:22 14:15  
**48226** 1:19 2:6

---

**5**

---

**5:34** 55:12  
**56** 1:14  
**596-1835** 2:7

---

**7**

---

**7th** 13:13  
**7042** 56:18

---

**8**

---

**80s** 22:9

---

**9**

---

**9th** 5:10  
**911** 28:4