

David Whitaker, Esq.
Director
Irvin Corley, Jr.
Executive Policy Manager
Marcell R. Todd, Jr.
Senior City Planner
Janese Chapman
Deputy Director

John Alexander
LaKisha Barclift, Esq.
M. Rory Bolger, Ph.D., AICP
Elizabeth Cabot, Esq.
Tasha Cowen
Richard Drumb
George Etheridge
Deborah Goldstein

City of Detroit
CITY COUNCIL
LEGISLATIVE POLICY DIVISION
208 Coleman A. Young Municipal Center
Detroit, Michigan 48226
Phone: (313) 224-4946 Fax: (313) 224-4336

Christopher Gulock, AICP
Derrick Headd
Marcel Hurt, Esq.
Kimani Jeffrey
Anne Marie Langan
Jamie Murphy
Carolyn Nelson
Kim Newby
Analine Powers, Ph.D.
Jennifer Reinhardt
Sabrina Shockley
Thomas Stephens, Esq.
David Teeter
Theresa Thomas
Kathryn Lynch Underwood
Ashley A. Wilson

TO: HONORABLE DETROIT CITY COUNCIL

FROM: David Whitaker, Director
Legislative Policy Division Staff

DATE: March 29, 2019

RE: Amendments to the Slavery Ordinance

Council President Pro Tem Sheffield requested that the Legislative Policy Division (LPD) draft an amendment to the Slavery Era Disclosure Ordinance, City Code §18-5-91 *et seq.*, to address profit from the “Prison Industrial Complex,” by adding language which encompasses this issue. LPD proposes the following additions to the Slavery Era records section of the Detroit City Code. Proposed language is below.

DIVISION 7. - SLAVERY ERA RECORDS, PROFITS FROM THE PRISON INDUSTRY AND INSURANCE DISCLOSURE.

Sec. 18-5-91. - Scope.

(a) This division shall apply to each contractor for goods or services with which the City enters into a contract, whether or not the contract is subject to competitive bid.

(b) Each contractor shall be responsible for searching and disclosing records of the entity which proposes to enter into a contract with the City as well as all records of any predecessor entity that are within the possession or knowledge of the contractor regarding records of investments or profits from the slave industry, including records of any insurance policies issued to slave holders which provided coverage for injury, death, or other loss related to slaves who were held during the slavery era in the United States.

(c) Each contractor shall be responsible for searching and disclosing records of the entity which proposes to enter into a contract with the City as well as all records of any predecessor entity that are within the possession or knowledge of the contractor, evidencing investments or profits from the prison industry, including but not limited to supplying goods or services to prison facilities or using prisoner labor in the course of the entity's business.

Sec. 18-5-92. - Affidavit of disclosure required.

(a) As part of its contract package, each contractor with which the City enters into a contract shall submit to the Finance Department Purchasing Division prior to the submission to City Council for approval of such contract, an affidavit that discloses the information indicated in Subsections (b) and (c) of this section. The affidavit shall be on a form provided by the Finance Department Purchasing Division.

(b) The affidavit shall verify that the contractor has searched all records of the entity which proposes to enter into a contract with the City, as well as all records of any predecessor entity, that are within the possession or knowledge of the contractor regarding records of investments or profits from the slave industry, including records of any insurance policies issued to slave holders which provided coverage for injury, death, or other loss related to slaves who were held during the slavery era in the United States.

(c) The affidavit shall disclose any information discovered during the search regarding investments or profits from slavery or slave holder insurance policies which accrued to the current entity or to any predecessor entity, including the names of any slaves or slave holders that are described in such records or are otherwise within the knowledge of the contractor.

(d) The affidavit shall disclose any information discovered during the search regarding investments or profits from the prison industry, including but not limited to supplying goods or services to prison facilities or using prisoner labor in the course of the entity's business which accrued to the current entity or to any predecessor entity. The affidavit shall verify if the contractor has any current investments or profits derived from the prison industry.

If the suggested amendment is satisfactory, LPD recommends that it be referred to the Law Department for further review. Please contact us if we can be of any further assistance.