

CITY OF DETROIT

OFFICE OF INSPECTOR GENERAL

REQUEST TO CLOSE INVESTIGATION MEMORANDUM

DATE:

7/9/2019

TO: Ellen Ha
Inspector General

Approved 

FROM: Jacqueline Hendricks-Moore
File Manager

CASE NAME: Retaliation

OIG # 18-0057-INV

COMPLAINANT INFORMATION: Bridget Lamar, Employee Services Manager II, Police HR

I. Introduction

On December 14, 2018, the next day after the complainant, Bridget Lamar, refused a request by Dr. Marcella Anderson, Director of the Detroit Police Human Resource Bureau (Police HR), to provide a summary of her interview with the Office of Inspector General (OIG); Ms. Lamar was verbally told by Dr. Anderson her position was being eliminated from the police budget.

The Complainant, Bridget Lamar is an Employee Service Manager II (ESM II) for Police HR.¹ She currently oversees HR matters concerning Police Medical. Prior to Dr. Anderson's appointment as the Director of Police HR, Ms. Lamar served the Police HR as its Interim Personnel Director. The OIG contacted Ms. Lamar for background information for an OIG investigation pertaining to the hiring practices of the Detroit Board of Police Commissioners (BOPC).

On December 13, 2018, when Dr. Anderson was made aware that Ms. Lamar had participated in the OIG's investigation, Dr. Anderson requested, via email, that Ms. Lamar provide her with a summary of her interview with the OIG. Ms. Lamar responded to Dr. Anderson's email, basically stating that she felt uncomfortable sharing the information. Several additional emails were exchanged between them that day, however, Ms. Lamar did not share any OIG information with Dr. Anderson.

The next day, on Friday, December 14, 2018, Dr. Anderson verbally informed Ms. Lamar that her position was being eliminated from the Detroit Police Department (DPD)/ BOPC, effective January 2, 2019. Dr. Anderson further advised Ms. Lamar, that in the event she would like to continue to work for the DPD, she could do so, however, she would have to take a double demotion pursuant to the civil service rules.

¹ ESM II is classified as a civil service position.

Based on the OIG's investigation, we conclude Dr. Anderson retaliated against Ms. Lamar in violation of the 2012 City of Detroit Charter Section 7.5-315.

II. Background Information

Open Investigation: OIG Case No# 18-0050-INV

On November 15, 2018, the OIG opened Case No. 18-0050-INV to investigate the hiring practices of the BOPC. As part of the investigation, certain BOPC and DPD personnel, including Ms. Lamar, was interviewed by the OIG.

Charter Bound Duties of Public Servants

The 2012 Detroit Charter, Chapter 3, Sec. 7.5-310, states in part

It shall be the duty of every Public Servant...to cooperate with the Inspector General in any investigation pursuant to this Article. Any Public Servant who willfully and without justification or excuse obstructs an investigation of the Inspector General by withholding documents or testimony is subject to forfeiture of office, discipline, debarment or any other applicable penalty.

Ms. Lamar was simply performing her duty as a public servant under the Charter when she cooperated with the OIG's investigation. Therefore, Ms. Lamar was engaged in a protected activity under the City's Charter.

In addition, the 2012 Detroit Charter, Chapter 3, Sec. 7.5-315, states

No person shall retaliate against, punish or penalize any other person for complaining to, cooperating with or assisting the Inspector General in the performance of his or her duties. Any person who violates this provision shall be subject to a fine of not less than \$300 and not more than \$500 for each violation and any other penalties under applicable law.

Definition: Retaliation

Nolo Plain English Law Dictionary defines retaliation as "Punishment of an employee by an employer for engaging in legally protected activity such as making a complaint of harassment or participating in workplace investigations." Based on our review of the records, it appears that the elimination of Ms. Lamar's position was already in the works, before Dr. Anderson was made aware of Ms. Lamar's participation in the OIG's investigation. However, what is clear is that Dr. Anderson verbally told Ms. Lamar her position was being eliminated only after her participation in the protected activity. Ms. Lamar refused to divulge any information she shared with the OIG as part of her interview. The evidence gathered by the OIG clearly shows the causal relationship between the protected activities and the subsequent action taken by Dr. Anderson.

III. Investigation Summary

Interviews

- Bridget Lamar, ESM II for Police HR, the complainant²
- Marcella Anderson, Director of Police HR³
- Ursula Holland, Deputy Director of the City of Detroit Human Resource Department (City HR)⁴

The following is a synopsis of the facts gathered in this investigation through the review of documents, emails, and statements provided by the above interviewees as it relates to Ms. Lamar's allegation against Dr. Anderson.

Elimination of the ESM II Position

On October 23, 2018, Dr. Anderson was appointed to the position of Director of Police HR by the BOPC. Soon after she took office, Dr. Anderson reviewed the current positions held by her staff and decided to hire a new manager to oversee Police Medical, a position that was being held by Ms. Lamar. Dr. Anderson contacted the City HR to obtain information as to how she may eliminate the ESM II position (a civil service position) and replace the position with the EM-Police position (an appointive position).

On November 27, 2018, Ursula Holland, Deputy Director for the City HR, provided Dr. Anderson with a sample displacement letter identified as "Notice of Reduction in Force Rights" and a copy of the City's HR Rule 10 policy.⁵ The displacement letter is generally presented by a supervisor to the affected employee which notifies him/her that the position has been eliminated; and provides the employee with his/her displacement rights and options in accordance with the civil service rules.

Thereafter, on November 29, 2018, Dr. Anderson submitted a budget amendment to Detroit Police Chief Craig requesting that the ESM II position be eliminated and be replaced with the EM-Police position. The memo submitted by Dr. Anderson states: "there is no need for an Employee Services Manager II for Police Medical or the Human Resources Bureau."⁶ She also notes that the EM-Police position is an appointed position that serves at the pleasure of the Chief of Police.⁷ Dr. Anderson continued to receive updates about the status of the budget amendment request while it was being processed.⁸

² On December 12, 2018, the complainant was interviewed by the OIG.

³ On January 25, 2019, Dr. Anderson was interviewed by the OIG.

⁴ On March 6, 2019, Ms. Holland was interviewed by the OIG.

⁵ City of Detroit HR Rule 10 policy: Reduction in Force.

⁶ Memo from Dr. Anderson to Chief Craig, dated November 29, 2018.

⁷ *Id.*

⁸ Emails from 1) Lawana Ducker, HR Generalist, with Police HR; 2) Kim Williams, Budget Analyst IV, with Office of Dept. Financial Services; 3) Charleta McInnis, Budget Analyst IV, with Detroit Budget Department; and Tanya Stoudemire, Deputy CFO.

Ms. Holland explained she advised Dr. Anderson on or about November 30, 2018 that Dr. Anderson should inform Ms. Lamar that her position was being eliminated, before Ms. Lamar finds out about it on her own. See attached timeline of events. Ms. Holland also informed Dr. Anderson that she should inform Ms. Lamar sooner than later, as Ms. Lamar would need the additional time to exercise her employment options. Ms. Holland subsequently followed up with Dr. Anderson to inquire whether Dr. Anderson had informed Ms. Lamar of the event in case Ms. Lamar did not wish to continue her employment with the DPD, she would need time to apply for the open position(s) as soon as possible.⁹

Thursday, December 13, 2018 Email Exchanges

On December 13, 2018, Dr. Anderson requested a status update from the Budget Office concerning her request. She was advised that the budget amendment had not yet been processed.¹⁰ Meanwhile, Dr. Anderson was informed by Jermaine Wyrick, BOPC's attorney, that the OIG would be forwarding a 2nd document request to the BOPC. Mr. Wyrick also informed Dr. Anderson that the OIG had spoken with Ms. Lamar involving OIG Case No. 18-0050-INV.¹¹

Shortly thereafter, Dr. Anderson emailed Ms. Lamar requesting that she provide her with a summary of information and documents that she shared with the OIG.¹² Ms. Lamar responded to Dr. Anderson's email by confirming that she was interviewed by the OIG. Ms. Lamar further explained that she was not certain if she could share the information, but she would reach out to the OIG.¹³ Ms. Lamar ultimately informed Dr. Anderson that she would not be sharing any information with Dr. Anderson on the OIG's investigation.

While Dr. Anderson was exchanging emails with Ms. Lamar, she received an email from Tanya Stoudemire, Deputy Chief Financial Officer (CFO), advising her that the budget amendment would be approved and ready for pickup on Monday, December 17, 2018.¹⁴ That same day, Ms. Holland also emailed Dr. Anderson to inquire whether she had told Ms. Lamar about her position being eliminated. Ms. Holland told Dr. Anderson that she saw Ms. Lamar at a meeting and Ms. Lamar did not mention anything to her. Dr. Anderson responded to Ms. Holland's email saying, "It was my intention to inform her this week; however the budget amendment is not processed."¹⁵ Therefore, it appears that as of December 13, 2018, Dr. Anderson intended to notify Ms. Lamar about the elimination of her position after she received the written budget approval.

Friday, December 14, 2018 Notice of Elimination of ESM II Position

Rather than waiting till Monday, December 17, 2018, on Friday morning, December 14, 2018, Dr. Anderson emailed Ms. Lamar requesting to meet with her in the afternoon. Prior to the meeting, Dr. Anderson contacted Ms. Holland to discuss whether or not she should advise Ms. Lamar of the elimination of her position.

⁹ Email: November 30, 2018, from Ms. Holland to Ms. Anderson

¹⁰ Email: December 13, 2018, at 1:01 pm, from Ms. Anderson to Charleta.

¹¹ Email: December 13, 2018 at 2:13 pm, from Mr. Wyrick to Ms. Anderson.

¹² Email: December 13, 2018 at 2:22 pm, from Ms. Anderson to Ms. Lamar (complainant).

¹³ Email: December 13, 2018, at 3:56 pm, from Ms. Lamar (complainant) to Ms. Anderson.

¹⁴ Email: December 13, 2018, at 3:50 pm, from Ms. Stoudemire to Ms. Anderson.

¹⁵ Email: December 13, 2018, at 4:26 pm, from Ms. Holland to Ms. Anderson

Both Ms. Holland and Dr. Anderson admit that they did have a telephone discussion pertaining to this matter on the 14th. However, Dr. Anderson's account of what transpired during the telephone call differs from Ms. Holland's account. Dr. Anderson told the OIG that Ms. Holland advised her to tell Ms. Lamar that her position is being eliminated at the meeting on the 14th. Ms. Holland informed the OIG that Dr. Anderson told her the OIG was conducting an investigation involving her office and that she has to tell Ms. Lamar that her position would be eliminated when Dr. Anderson meets with Ms. Lamar on that day. Ms. Holland advised Dr. Anderson against notifying Ms. Lamar on Friday. According to Ms. Holland, she advised Dr. Anderson to wait and notify Ms. Lamar on Monday, December 17, 2018, when the budget amendment would be approved.

Contrary to Ms. Holland's advice, later that day, Dr. Anderson met with Ms. Lamar and informed her that her position was being eliminated from the DPD budget, effective January 2, 2019. At the meeting, Dr. Anderson also explained to Ms. Lamar that should she wish to remain employed at the DPD, she may do so by accepting a double demotion. Ms. Lamar asked Dr. Anderson for a written notice pertaining to the elimination of her position. Dr. Anderson did not provide any written notice to Ms. Lamar on that day, as she did not have the formal budget approval document.

There is no reasonable explanation why Dr. Anderson chose to ignore Ms. Holland's advice. Ms. Holland advised Dr. Anderson to notify Ms. Lamar in November 2018, when Dr. Anderson initiated the process to eliminate Ms. Lamar's position. Although, Ms. Holland advised her to notify Ms. Lamar sooner than later, Dr. Anderson waited and told Ms. Holland she would notify Ms. Lamar when she has the budget approval.

Likewise, there is no reasonable explanation why Dr. Anderson chose to notify Ms. Lamar on the 14th, when she knew she did not have a formal budget approval at the time.

Retaliation: Elimination of the Position

Based on the above information, the OIG finds:

- 1) Dr. Anderson began the process to eliminate the ESM II position held by Ms. Lamar prior to her knowledge of Ms. Lamar's participation in the OIG investigation.
- 2) The memo authored by Dr. Anderson to Chief Craig, dated November 29, 2018 seems to suggest that the primary purpose of the elimination of ESM II position was to replace a civil service position with an appointive position.
- 3) Dr. Anderson told the OIG during her interview that she wanted to eliminate Ms. Lamar's position to hire a new manager for Police Medical who has the expertise in that field. The OIG's investigation revealed that Ms. Lamar has a graduate degree in Health Administration and has been employed in Police Medical for 4 years. This information seems to contradict the rationale provided by Dr. Anderson to eliminate Ms. Lamar's position. Therefore, the OIG had concerns about the creditability of Dr. Anderson's statement and reasons.

- 4) Dr. Anderson had ample time to inform Ms. Lamar of the elimination of her position, at least since November 29, 2018 when she authored the memo to Chief Craig. Instead, for some reason she waited to inform Ms. Lamar of the elimination of her position until December 14, 2018, the day after Dr. Anderson and Ms. Lamar exchanged a flurry of contentious emails about the OIG investigation.
- 5) Dr. Anderson claimed she consulted Ms. Holland (City HR) before she notified Ms. Lamar; and that, in fact, she notified Ms. Lamar on Friday, December 14, 2018, at the advice of Ms. Holland. However, Ms. Holland's recollection of the event differs from Dr. Anderson.
- 6) Ms. Holland confirmed Dr. Anderson did consult her on Friday, December 14, 2018. According to Ms. Holland, Dr. Anderson informed her about an OIG investigation involving the BOPC and appeared to be in a rush to tell Ms. Lamar about the elimination of her position. Contrary to Dr. Anderson's claims, Ms. Holland advised Dr. Anderson not to notify Ms. Lamar of the elimination of the ESM II position until the formal approval from the Budget which was that Monday, December 17, 2018.
- 7) Had Dr. Anderson waited until budget approval, it would have appeared less likely that her actions against Ms. Lamar was retaliatory. However, her statement to Ms. Holland about the OIG investigation and her decision to go against Ms. Holland's advice strongly suggest she was retaliating against Ms. Lamar for her participation in the OIG investigation.
- 8) By all accounts, it appears that Dr. Anderson initially did not intend to notify Ms. Lamar that her position was being eliminated until after the budget amendment had been approved. However, she quickly changed her mind, when Ms. Lamar refused Dr. Anderson's request to share with her what information/record Ms. Lamar provided to the OIG.

Although Dr. Anderson is a new employee, based on her employment background, she should have known that Ms. Lamar was engaged in a protected activity. Rather than distancing herself from Ms. Lamar, Dr. Anderson took swift action informing Ms. Lamar that her position was being eliminated, just a day after she and Ms. Lamar exchanged emails pertaining to the OIG investigation, before she had all the paperwork from Budget.

IV. Conclusion

For the reasons stated above, the OIG concludes Dr. Anderson's action against Ms. Lamar on December 14th was retaliatory in nature. Dr. Anderson knew or should have known that Ms. Lamar was engaged in a protected activity pursuant to the City's Charter. Therefore, we recommend the following:

- 1) The BOPC should dispense appropriate discipline against Dr. Anderson, including but not limited to receiving additional training pertaining to retaliation; and
- 2) Pursuant to Section 7.5-315 of the 2012 Charter of City of Detroit, Dr. Anderson pay the "City of Detroit," \$300 in fine for violation of Sections 7.5-310.

Timeline of Events

- Oct 23 Dr. Anderson is appointed as the Director of Police HR by the BOPC
- Nov 27 Email: Per Dr. Anderson's request, Ms. Holland (City HR) emails a sample displacement letter "Notice of Reduction in Force Rights" to Dr. Anderson. Ms. Holland advises Dr. Anderson that the letter needs to be updated to reflect the City's HR Rule 10 policy. Ms. Holland advises Dr. Anderson she would update the sample letter to reflect the City's HR Rule 10 policy and forward a copy to her.
- Nov 29 Department Memo entitled "Budget Amendment Request Memo" from Dr. Anderson to Detroit Police Chief Craig: Dr. Anderson is proposing to eliminate the ESM II position and replace it with an EM-Police position. Dr. Anderson cites there is no need for an ESM II position in Police HR or Police Medical. Also, the proposed EM-Police would be an appointed position, which would provide more flexibility in hiring.
- Nov 30 Email: Dr. Anderson asks Ms. Holland if she has updated the displacement letter. Ms. Holland forwards Dr. Anderson an updated sample displacement letter, which accurately reflects the City's HR Rule 10 policy. Ms. Holland also suggests Dr. Anderson to inform Ms. Lamar about the ESM I opportunity she had, so Ms. Lamar could apply if she was interested in the position.
- Dec 13 (1:01) Email: Dr. Anderson emails Charleta McInnis recapping their conversation that the Budget Office is in receipt of Dr. Anderson's proposed budget amendment. Dr. Anderson tells Ms. McInnis if there is anything that Ms. McInnis can do to expedite the process it would be appreciated.
- Dec 13 (2:13) Email: Mr. Wyrick informs Dr. Anderson that the OIG would be submitting a 2nd document request. Mr. Wyrick also informs Ms. Anderson that he was advised by the OIG that they talked to Ms. Lamar early on in the investigation.
- Dec 13 (2:22) Email: Dr. Anderson requests Ms. Lamar to provide a summary of information and documents that she shared with the OIG.
- Dec 13 (3:47) Email: Ms. Holland asks Dr. Anderson if she told Ms. Lamar her position was being cut, because she saw Ms. Lamar at a meeting earlier and Ms. Lamar did not mention it to Ms. Holland.
- Dec 13 (3:50) Email: Dr. Anderson is informed by Tanya Stoudemire (Budget), per their conversation, the amendment was being reviewed and will be ready on Monday, morning.
- Dec 13 (3:56) Email: Ms. Lamar advises Dr. Anderson that her interview was part of an investigation and she wasn't certain if that information can be shared. However, she would contact the OIG.
- Dec 13 (4:26) Email: Dr. Anderson responds to Ms. Holland that it was her intentions to inform Ms. Lamar this week, however, the budget amendment has not yet been processed.

Continued - Timeline of Events

- Dec 13 (4:38) Email: Dr. Anderson asks Ms. Holland if she could inform Ms. Lamar before the budget amendment was approved.
- Dec 14 Dr. Anderson had a phone conversation with Ms. Holland regarding when Ms. Lamar should be notified that her position is being eliminated.
- Dec 14 Ms. Lamar is notified by Dr. Anderson that she wants a meeting with her that day.
- Dec 14 Meeting: Dr. Anderson informs Ms. Lamar her position is being eliminated from the DPD budget. Although requested by Ms. Lamar, Dr. Anderson provides no written documentation pertaining to the elimination of the position to Ms. Lamar.
- Dec 17(9:09) Email: Dr. Anderson is copied in an email from Lawana Ducker to Ms. McInnis, inquiring if the budget amendment is ready for pickup.
- Dec 17 The budget amendment is picked up.
- Dec 17 Dr. Anderson prepares a displacement letter entitled "Notice of Reduction in Force Rights" for Ms. Lamar, dated December 17, 2018.

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TO: Ellen Ha, Inspector General,
City of Detroit

FROM: Attorney Leonard Mungo
On behalf of Marcella Anderson, Ph.D

RE: Written Response to OIG's Investigation and Report
Case No. 2018-0057-INV Retaliation

DATE: June 7, 2019

INTRODUCTION

Please be advised that this response is being submitted under protest for reasons that upon numerous occasions Dr. Anderson via her Attorneys has requested from the Office of the Inspector General (OIG) the documents, records and other evidence in its possession which it relied upon in arriving at its conclusion that Dr. Anderson retaliated against Ms. Bridget Lamar in violation of the 2012 City of Detroit Charter Section 7.5-315.

The people of the City of Detroit adopted its "Home Rule Charter" for purposes of providing for their continuing control of municipal government of the City of Detroit (Article 1, Section 1-101, Detroit City Charter). Said authority is conferred upon the city by the State Constitution (Article 1, Section 1-102, Detroit City Charter). By way of said authority the City of Detroit created the "Office of Inspector General" (Article 7.5, Section 7.5-301, Detroit City Charter). The exercise of authority vested in the OIG is subject to the limitations placed on it by the State Constitution (Article 1, Section 1-102, Detroit City Charter). The OIG is required to afford Dr. Anderson "Due Process" in these proceedings. The refusal of the OIG to provide the documents, records and other evidence in its possession which it relied upon in reaching its conclusion that Dr. Anderson violated the City Charter has impaired this constitutionally protected right. As such, the OIG is not operating within the constitutional constraints placed upon it by the laws that authorized its creation. Therefore, Dr. Anderson reserves her right to present a more informed response to the OIG's charges on appeal to the Circuit Court (Michigan Const. 1963 art 6, Section 28; MCR 7.123) should the OIG, as a result of the additional information and evidence presented by Dr. Anderson, not dismiss this matter in its entirety.

BACKGROUND AND FACTS

Dr. Anderson is a diligent public servant and consummate professional. Dr. Anderson worked for the Wayne County Sheriff's Office from 1990 to 2008. During that time she served as Court Officer/Deputy and Detective Sergeant. Dr. Anderson holds the following degrees; (1) Associate of Applied Science, 1992 (2) Bachelor of Interdisciplinary Studies, 1998 (3) Masters in Criminology and Criminal Justice, 2002 (4) Ph.D., Public Policy and Administration 2014. Dr. Anderson has served as Instructor and or administrator for several Institutions of higher learning. Finally, Dr. Anderson serves on the Board of Directors for "Still Standing Against Domestic Violence" a faith based non-profit organization dedicated to addressing domestic violence issues.

As such, It is a high priority of Dr. Anderson that she protect her hard earned reputation and respected standing in the professional community and community in general from unsupported, unwarranted, unjust and gratuitous blemishing, as in this instant case.

Dr. Anderson Hired By DPD

On October 23, 2019 Dr. Anderson was hired as Human Resource Director (HRD) for the Detroit Police Department (DPD). Dr. Anderson replaced Complainant Bridget Lamar who at the time was serving as interim Human Resource Director (IHRD) for the DPD from **January 2018** to **October 2018**. Ms. Lamar had applied for the HRD position for DPD but was not selected, Dr. Anderson was selected to fill the position. **On October 23, 2018**, Commissioner Daryl Brown informed Dr. Anderson that he did not believe that she should have been selected as HRD for the DPD, that Bridget Lamar should have been selected to fill the position.

Dr. Anderson begins the process to eliminate Bridget Lamar's position

On November 6, 2018, Dr. Anderson sent an e-mail to Denise Starr, Director of Central Personnel for the City of Detroit inquiring about the city's policy for moving an appointee to a civil service position (see first page of exhibit "A"). **On November 19, 2018** Dr. Anderson sent an e-mail to Ursula Holland, HR Deputy Director/Chief Employee Services Officer for the City of Detroit requesting the Standard Operating Procedure (SOP) for the process of transitioning an employee from an appointed position to a civil service position (see second page of exhibit "A"). **On November 30, 2018** Ursula Holland sent Dr. Anderson an e-mail with an attached template letter outlining Bridget Lamar's rights during the process of eliminating her current job. The e-mail also suggested that Dr. Anderson verbally share with Ms. Lamar that Ms. Holland had an ES Manager I opportunity if Lamar was interested (see exhibit "B" e-mail from Holland dated November 30, 2018). Dr. Anderson did not share said information with Bridget Lamar at the time as Dr. Anderson did not know whether the Budget Amendment which, if approved, would result in the elimination of Lamar's job would in fact be approved. The SOP Ursula Holland provided to Dr. Anderson also referenced the provisions of Human Resource rule 10 as part of the SOP for said process (see exhibit "C" Human resource Rule 10). **On November 29, 2018** Dr. Anderson hand delivered the written request for the Budget Amendment to Chief Craig and on **December 5, 2018** Chief Craig forwarded said request to Budget (see exhibit "D" Inter-Office Memorandum dated November 29 and December 5, 2018 respectively).

OIG Requested Additional Information From The BOARD OF POLICE COMMISSIONERS (BOPC) Which Dr. Anderson Would Be Responsible for providing

On December 13, 2018 the BOPC Attorney Jermaine Wyrick sent an e-mail to Dr. Anderson requesting her assistance in gathering documents to be provided to the OIG. The e-mail indicated that the OIG was requesting any job descriptions for Executive Level positions in the BOPC. The e-mail also stated that Bridget Lamar had already spoken with the OIG earlier on in the investigation (see exhibit "E" e-mail from Jermaine Wyrick dated December 13, 2018). **On December 13, 2018** Dr. Anderson requested that Bridget Lamar provide a summary of information and documents that was shared with the OIC Investigator Ms. Hendricks-Moore as it was not Dr. Anderson's desire to duplicate information or documents (see exhibit "F" e-mail from Dr. Anderson to Bridget Lamar dated December 13,

2019). **ON December 13, 2018** Bridget Lamar sent an e-mail to Dr. Anderson stating that she was not sure the information she provided to the OIG could be shared with Dr. Anderson and that she would reach out to OIG Investigator a inquire. Dr. Anderson, in her reply e-mail to Bridget Lamar, stated in part, that if the OIG has directed her not to share that information with her supervisor that she should get that in writing (see exhibit "G" e-mail exchange between Anderson and Lamar dated December 13, 2018).

Dr. Anderson receives Notice That The Budget Amendment Request Resulting In The Elimination Of Bridget Lamar's Job would be ready Monday Morning December 17, 2018

On December 13, 2018 Dr. Anderson received an e-mail from Tanya Stoudemire, Deputy CFO/Director- Office of Budget that the Budget Amendment would be ready on Monday December 17, 2018 (see page first page of exhibit "H" e-mail from Stoudemire to Dr. Anderson). **On December 13, 2018** Dr. Anderson updates Ursula Holland on the progress of the Budget Amendment and Ursula Holland Thanks Dr. Anderson for keeping her in the loop. Ursula asks Dr. Anderson whether she has informed Bridget Lamar about the position cut yet and Dr. Anderson replied **"It was my intention to inform her this week; however the budget amendment is not processed"** (see second page of exhibit "H" e-mail exchange between Dr. Anderson and Ursula Holland dated December 13, 2018). Since Budget advised Dr. Anderson that the amendment would be **ready** that upcoming Monday December 17, 2018 Dr. Anderson decided to inform Bridget Lamar of same on Friday December 14, 2018. Dr. Anderson met with Lamar and informed Ms. Lamar that, in accordance with Human Resources rule 10 she would have a right to (1) Select layoff (2) Select a demotion or (3) Reach out to Ursula Holland at Central Personnel to discuss possible opportunities and that the change will tentatively take effect on Wednesday January 2, 2019 (see exhibit "I" outline of agenda for meeting with Bridget Lamar). **On Monday December 17, 2018** Dr. Anderson had prepared the notice of Reduction In Work Force Rights to give to and review with Lamar (see First page of exhibit "J" Notice of Reduction In Work Force Rights Form). However, Dr. Anderson never had an opportunity to provide Bridget Lamar with said Notice of Rights form because she received an e-mail from the Inspector General "highly Recommending that DPD/the BPOC reconsider the Lamar lay off issue (see second page of exhibit "J" e-mail from Ha to Anderson).

It is clear from the above narrative that Dr. Anderson did not retaliate against Bridget Lamar (Lamar) when she informed Lamar of the elimination of her current job and her available options. It is also clear that Dr. Anderson's timing in informing Lamar about the elimination of her current job can substantively nor procedurally constitute retaliation. Dr. Anderson, prior to informing Lamar of the elimination of her current job, had finally received notice from Budget that the amendment would be ready that upcoming Monday. Prior to Thursday December 13, 2018 Dr. Anderson had received no notice as to when the Budget Amendment would be ready. Having been informed by Budget on Thursday December 13, 2018 that upon return to work on Monday December 17, 2018 the Budget Amendment would be ready, Dr. Anderson believed it would be safe to inform Lamar of same on that Friday December 14, 2018. Dr. Anderson carefully prepared an outline to follow during her meeting with Lamar to ensure that she adhered to the SOP required under those circumstances.

The Inspector General, Ms. Ha has made it clear in her June 7, 2019 e-mail that the basis for its finding that Dr. Anderson retaliated against Lamar was **"the timing of Dr. Anderson's decision to inform Ms. Lamar of the same is the**

question here" (see exhibit "K" Ms. Ha's e-mail dated June 7, 2019). The above narrative and supporting documentation makes any such allegations incredible.

Standard of Review

In an Article 6, §28 appeal, review is limited to whether the decision was "**authorized by law**" and whether the findings were "**supported by competent, material, and substantial evidence on the whole record.**" *Mich Const* 1963 art 6, Section 28; *MCR* 7.123.

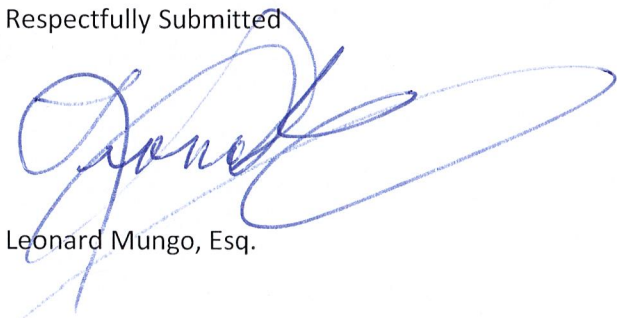
To establish a prima facie case of retaliation, the plaintiff must put forth evidence demonstrating that **(1)** he or she engaged in protected activity, **(2)** the defendant knew of the protected activity, **(3)** the defendant took a materially adverse employment action against the plaintiff, and **(4)** a causal connection existed between the protected activity and the adverse employment action. *Blizzard v Marion Tech Coll*, 698 F3d 275, 283 (6th Cir 2012), *cert denied*, 569 US 975 (2013); *Lindsay v Yates*, 578 F3d 407, 418 (6th Cir 2009); *Ladd v Grand Trunk WRR*, 552 F3d 495, 502 (6th Cir 2009); *Nguyen v City of Cleveland*, 229 F3d 559, 563 (6th Cir 2000).

To show a causal connection, a plaintiff must produce sufficient evidence from which an inference can be drawn that the protected activity motivated the adverse employment action. *Allen v Michigan Dep't of Corr*, 165 F3d 405, 413 (6th Cir 1999). The employee must show that the protected activity was a but-for cause of the adverse employment action, which means that the adverse employment action would not have occurred without the protected activity. *University of Texas Southwestern Med Ctr v Nassar*, 570 US 338 (2013)

Lamar cannot produce competent, material and substantial evidence on the whole record that Dr. Anderson retaliated against her whether styling such allegations on the basis of initiating the process of terminating Lamar's job or the timing of Dr. Anderson informing Lamar of same.

Dr. Anderson, based on the above, respectfully request that the OIG reverse its findings and conclusion that Dr. Anderson retaliated against Bridget Lamar and dismiss this matter against Dr. Marcella Anderson in its entirety with prejudice.

Respectfully Submitted



Leonard Mungo, Esq.

AFFIDAVIT OF DR. MARCELLA ANDERSON

STATE OF MICHIGAN)

)SS

COUNTY OF WAYNE)

I, **Dr. Marcella Anderson**., being first duly sworn, state that the following is true and accurate to the best of my knowledge and belief, and if called to testify will state the following:

1. That my attached written response to the Office of Inspector General's (OIG) completed investigation and report pertaining to OIG Case Number 2018-0057-INV Retaliation is true and accurate to the best of my knowledge and belief.

FURTHER AFFIANT SAYETH NOT

Subscribed and Sworn to before

Me this 17th day of June, 2019 by

Felicia Antoinette Jewell
WAYNE COUNTY, STATE OF MICHIGAN

My Commission Expires: 8/25/2024

Marcella Anderson
Marcella Anderson, Ph.D

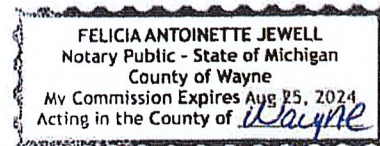


EXHIBIT “A”

Marcella Anderson - Appointee / Civil Service

From: Marcella Anderson
To: Denise Starr
Date: 11/6/2018 3:21 PM
Subject: Appointee / Civil Service

Greetings Ma'am,

My name is Marcella Anderson, I am the new Director of Police Personnel. I have a quick question. What is the policy for moving an appointee into a civil service position? Looking forward to your help.

Best Regards,

Marcella

Marcella D. Anderson, PhD,
Human Resources Director-Police
Detroit Public Safety Headquarters
1301 Third Street - Suite 655
Detroit, Michigan 48226
[313-596-2671](tel:313-596-2671) (Direct)
Andersonm848@detroitmi.gov

Mike Duggan, Mayor

"The Detroit Police Department is a model of sustained policing excellence that places our neighborhoods and people first.

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Marcella Anderson - SOP

From: Marcella Anderson
To: Ursula Holland
Date: 11/19/2018 11:21 AM
Subject: SOP

Morning Ursula,

Would you happen to have an SOP outlining the process of transitioning an employee from an appointed position to a civil service position? ✓

I would also like to further discuss the appointment of my Deputy. Looking forward to chatting with you soon. :)

Best regards,
Marcella

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EXHIBIT “B”

From: Ursula Holland
Sent: Friday, November 30, 2018 4:53 PM
To: Marcella Anderson 848
Subject: Notification of RIF Rights [FORM9053] v.2

Marcella,

Attached find the template letter that outlines Bridget's rights. I would verbally share with her that I have an ES Manager I opportunity and if she is interested that she can potentially be status changed.

I will give you a call.

Ursula Holland,
HR Deputy Director/Chief Employee Services Officer
Human Resources Department
316 Coleman A. Young Municipal Center
Detroit, Michigan 48226
Office: (313) 224-1345
Fax: (313) 224-1698
Email: hollandu@detroitmi.gov

Mike Duggan, Mayor

"Change the Conversation, Let's fix it Together"

City of Detroit Human Resources Department
Notice of Reduction in Force Rights

TO: Employee's Name
 Address
 Phone

FROM:

DATE:

SUBJECT: Notice of Reduction in Force Rights

Your position of Employee Services Manager II has been reached for layoff due to Lack of Funding. In accordance with Human Resources Rule 10 and/or applicable contract provision(s), you have the following rights within The Police Department to:

SECTION 1 – (To be completed by Human Resources)

1. A Demotion in Series to the title of **Employee Services Consultant III** at a salary of **\$85,515.**

The status change to your new title will be effective _____.

2. A Demotion or Transfer to the formerly held class of _____ at a salary of **\$**_____

The status change to your new title will be effective _____.

SECTION 2 – (To be completed by Employee)

In accordance with Human Resources Rule 10 and/or applicable contract provision(s), I understand that my failure to select one of the above-mentioned options shall result in layoff and may affect my citywide displacement and recall rights. I understand that by waiving my right ***to a demotion or transfer***, I may be deemed ineligible for unemployment benefits by the Michigan Unemployment Insurance Agency.

☐ I select # _____ OR ☐ I select layoff _____ (Initial)

Employee Signature _____ Date _____

Notice of Reduction in Force Rights

Purpose

The *Notice of Reduction in Force Rights* is used to inform an employee of the rights associated with a reduction in force and the options available **within the Department** during a reduction in force.

Usage

A *Notice of Reduction in Force Rights* is completed whenever an employee has options other than layoff within the Department.

Attributes

The *Notice of Reduction in Force Rights* is a one page electronic form. To access this form, go to the HR web site or type <http://cityweb/humanresources>, select HR DOCUMENTS/HR FORMS/Notice of Reduction in Force Rights[FORM9053].

Completion and Filing

The *Notice of Reduction in Force Rights* is completed by the employee to indicate his/her selection of the options available based on the employee's reduction in force rights. Both the employee and the Human Resources Consultant (at Employee Services) signatures are required. It is filed in the Human Resources Department Employee Services Offices.

Distribution

Human Resources Consultant (at Employee Services)*

Employee*

Labor Association*

Supervisor*

Ownership

The General Manager (at Employee Services) is responsible for ensuring that this document is necessary, it reflects actual practice and supports City policy. Questions concerning this form should be directed to the person holding the position listed above.

EXHIBIT “C”

HUMAN RESOURCES DEPARTMENT

RULE 10

REDUCTION IN FORCE

SECTION OUTLINE

- Section 1 Reduction in Force Terms Defined
- Section 2 Order and Manner of Reduction
- Section 3 Reemployment Procedures
- Section 4 Effect of Jurisdictional Lines
- Section 5 Employees Holding Multiple Titles
- Section 6 Conditional Waiver of Employee Rights
- Section 7 Preemptive Lay off Requests
- Section 8 Status Changes in Anticipation of Lay Offs

HUMAN RESOURCES DEPARTMENT

RULE 10

REDUCTION IN FORCE

SECTION 1. Reduction In Force Terms Defined

- a. A reduction in force is a reduction in the number of employees in a given class in a department of the City for lack of work, lack of funds, restructuring, or reasons other than the acts or delinquencies of employees.

The expiration of a limited-term certification or change of status shall not be considered a reduction in force.

- b. A lay off due to reduction in force is the removal of an employee from a position in a department and from the classified service of the City of Detroit, subject to the recall rights provided under this Rule.
- c. A demotion due to reduction in force is the removal of an employee from a position in a class in a department by change of status to a position in a lower class and/or lower pay grade.
- d. A transfer due to reduction in force is the removal of an employee from a position in a class in a department by change of status to a position in another class which is at the same level and/or same pay grade.
- e. A voluntary lay off is a removal of an employee from the classified service of the City of Detroit, which is made at the request of and for the convenience of the employee.
- f. Unless otherwise indicated, seniority shall mean total city seniority as determined in accordance with Human Resources Department Rules.
- g. An employee acquires status in the classified service by certification in accordance with Section 6-410 of the City Charter and Human Resources Department Rules 3 and 4.
- h. An employee who is certified, promoted, transferred, or demoted to a position in a class on a regular permanent basis or permanent-subject to continuing availability of program funding, acquires permanent status in the class, provided he has satisfied all qualification requirements of the class including completion of any required probation period. An employee can have permanent status in only one class at a time.

- i. An employee who is certified, promoted, transferred, or demoted to a position in a class only for a specified term or conditional event, or where the certification or status change states that such employment is limited to assignment on a particular project, acquires limited-term status in the class.
- j. The Human Resources Department shall maintain preferred eligible registers (i.e., special registers) for given classifications in accordance with HR Rule 3, Section 6.

Employees may be placed on a special register as a

(a.) **“blocker”** said placement on the **“blocking list”** for the class from which they were demoted, transferred or laid off, or any lower class in the same series as a result of a reduction in force and shall be eligible for reemployment pursuant to Section 4 of this rule.

(b) **“preferred”** for all other classes in which they have held permanent status and are eligible for reemployment pursuant to Section 4 of this rule.

SECTION 2. ORDER AND MANNER OF REDUCTION

Reduction in force shall be by class in a department and shall be made from among all employees in the same class in that department.

- a. Within the department, for the following categories of employees, the order of removal shall be as follows:
 - 1. Provisional employees shall be separated by terminating their services; provided, however, that employees provisionally employed in the class who hold permanent status in some other class shall revert to the class in the department from which they were provisionally promoted or transferred.
 - 2. Employees who have not completed their initial probationary period shall be laid off in accordance with their seniority, the least senior employee being laid off first.
 - 3. Employees hired on a seasonal, temporary or other limited-term basis shall be laid off in accordance with their seniority, the least senior employee being laid off first.
- b. In the event it is necessary to reduce the number of permanent status employees in the class, the order of removal shall be as follows:
 - 1. Employees in the class on a limited-term basis and employees in the class on a permanent basis who have not completed the required probationary period,

but who hold permanent status in some other class, shall revert to the class in the department from which they were promoted or transferred. Removal shall be in accordance with their total City seniority, the least senior employee to be removed first.

2. Employees in the class on a permanent basis shall be removed in accordance with their total City seniority, the least senior employee to be removed first. Such employees shall be laid off subject to the following demotion or transfer rights within the department.

(a) Demotion in Series

If the employee is in a class in an occupational series, the employee shall have the right to be demoted to a position in a lower class in the series, provided there are one or more employees in the lower class in the department having less total city seniority. (The least senior employee displaced as a result shall be subject to demotion, transfer or layoff in accordance with applicable provisions of this Rule.)

An employee who waives his/her right to demotion to the next lower class in series and is laid off, shall lose all rights to restoration as provided for in Section 3, Paragraph a of this rule.

(b.) Demotion or Transfer to a Formerly-Held Class

If the employee has previously held permanent status in another class not in series which is at the same or lower level, the employee may elect demotion or transfer to such class, provided there are one or more employees in the class in the department having less total city seniority. (The least senior employee displaced as a result shall be subject to demotion, transfer or layoff in accordance with applicable provisions of this Rule.)

An election to accept a demotion or transfer to a formerly held class is optional for employees who also have a right to a demotion in series.

(c.) Change of Status to Vacant Positions in Other Classes

If the employee has exhausted his/her rights to demotion or transfer under (a) and (b) above, the department may propose transfer or demotion of the employee to an available vacant position in any other class in the department for which the department, in partnership with Human Resources, determines the employee is qualified and able to perform the essential functions of the position with or without accommodation(s). Such proposed change of status shall be subject to the approval of the Human Resources Director

SECTION 3. REEMPLOYMENT PROCEDURES

- a. Employees with permanent status in the class who were laid off, demoted, transferred, or laid off and certified to a lower class as a result of a reduction in force shall have their names maintained in order of their total city seniority on a preferred eligible list (special register) in the Human Resources Department pursuant to Human Resources Rule 3, Section 6, with a status of "blocker". Such employees shall be entitled to recertification, promotion or transfer from the register to any vacancy in the class from which they were demoted, transferred or laid off, or any lower class in the same series in any city department, provided the employee is qualified and able to perform the essential functions of the position with or without accommodation(s), as determined by the department in partnership with the Human Resources Department before any such vacancy can be filled by certification, promotion, or transfer,

An employee's name shall remain on the special register until the register expires or he/she is restored to the classification (or equivalent level) from which he/she was demoted, transferred or laid off, or waives an offer of such restoration.

- b. Laid off employees who elect layoff in lieu of demotion in series shall be placed on the preferred eligible list for the class in which they were laid off and shall be recertified to available vacancies in this class in the order of their total seniority from the list.
- c. Laid off employees shall be placed on preferred eligible lists with a status of "preferred" and in accordance with Human Resources Rule 3, Section 6 for all other classes in which they have held permanent status. These employees shall be offered certification to available vacancies in these classes in the order of their total city seniority from such lists, provided the employee is qualified and able to perform the essential functions of the position with or without accommodation(s), as determined by the department in partnership with the Human Resources Department.

Should a laid off employee on a preferred eligible list waive an offer of employment to a position in the class, his/her right to remain on that list shall immediately terminate.

- d. In the absence of a preferred eligible employee for a class, laid off employees may be certified to requisitions for positions in such class from higher, equivalent or allied lists which have been determined to be appropriate by the Human Resources Director.

SECTION 4. EFFECT OF JURISDICTIONAL LINES

The order of lay off, demotion and reemployment shall not be altered by bargaining unit jurisdictional lines and employees shall carry their total city seniority across jurisdictional lines for reduction in force purposes.

SECTION 5. EMPLOYEES HOLDING MULTIPLE TITLES

In determining an employee's rights under this Rule, an employee can have permanent status in only one class at a time. An employee who carries a multiple title shall have permanent status in the lowest class of his/her multiple title or the class in which he last held permanent status on a single title basis, unless there is a contractual agreement which otherwise identifies the class in which the employee has permanent status, or official action is taken designating such class based upon the nature and history of the employment. Such agreement or official action must be completed at least ninety (90) days prior to the announcement of the reduction in force.

SECTION 6. CONDITIONAL WAIVER OF EMPLOYEE RIGHTS

Where the City anticipates that a reduction in force will not exceed thirty (30) days, an employee in a class subject to reduction in force and his/her employing department may agree to a conditional waiver of the employee's seniority rights for a specified period not to exceed thirty (30) days. This conditional waiver must be in writing and be approved by the Human Resources Director. It is recognized that an out-of-seniority lay off resulting from such waiver is for the benefit of the City and the employee retains the right to exercise all rights to restoration, demotion, transfer and displacement at the end of the specified period.

SECTION 7. PREEMPTIVE LAY OFF REQUESTS

If a reduction in force in a department is imminent or taking place over an extended period of time, any employee who has been identified as being subject to layoff, may request in writing that he/she be laid off prior to the date when he/she would be reached for such layoff. Such request is subject to approval of the employing department and the Human Resources Director.

Employees who are granted an effective date of layoff earlier than the scheduled layoff date shall retain the same rights which they would have had had they been laid off as scheduled.

SECTION 8. STATUS CHANGES IN ANTICIPATION OF LAY OFFS

Where the Human Resources Department Director shall find that any status change made six (6) months or less prior to the announcement of a reduction in force, was made either to avoid the layoff or cause the layoff of any employee, or any reasons other than the good of the service; such status change shall be set aside and proper layoff made.

C.S.C. Adopted: 3/14/78

Revised: 3/26/85

Revised: 5/19/04 (Deleted Residency Requirements)

Revised: 1/ 21/2009

Revised: 6/11/2010

Revised: 7/20/2010

Revised: 10/17/2012


Revised: 11/17/2015

EXHIBIT “D”

INTER-OFFICE MEMORANDUM
Human Resources Bureau

Date

November 29, 2018

To: Chief James E. Craig, Office of the Chief of Police (Through Channels) 

Subject: **BUDGET AMENDMENT REQUEST**

From: Director of Police Personnel, Marcella D. Anderson, Ph.D, Human Resources Bureau

ISSUE:

The current budgeted position of Employee Services Manager II (11-99-22), BU (9097) was once budgeted as an Executive Manager – Police (01-18-05), BU (9030), Appropriation 37000, Cost Center 00115, 370210 Medical. Can the position be reestablished back to Executive Manager – Police?

DISCUSSION:

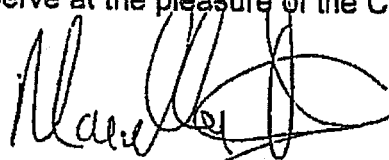
The Employee Services Manager II position is a Civil Service, classified title, and the Executive Manager – Police position is an appointed, at-will position. The Executive Manager - Police position provides much more flexibility in hiring and serves at the pleasure of the Chief of Police. I am requesting that the Executive Manager – Police position be reestablished to solely manage the activities of Police Medical, and that permission be granted to fill the position pending budget amendment approval.

Per PL #78 (attached), the Employee Services Manager II position as well as several other positions were aligned with classifications adopted by the Human Resources Department. It provided for titles more suitable to the work being performed and an increased pay range.

However, at this time, there is no need for an Employee Services Manager II for Police Medical or the Human Resources Bureau.

RECOMMENDATION:

It is recommended that the DPD budget be amended to reflect an Executive Manager – Police in the Human Resources Bureau - Police Medical Section, in an appointed and at-will capacity to serve at the pleasure of the Chief of Police, which was the original intent.



MARCELLA D. ANDERSON, Ph.D
Director of Police Personnel
Human Resources Bureau

Attachment: PL #78



CITY OF DETROIT
POLICE DEPARTMENT
DETROIT PUBLIC SAFETY HEADQUARTERS

1301 THIRD STREET, SUITE 7S - 751
DETROIT, MICHIGAN 48226
(313) 596-1803 • TTY:711
WWW.DETROITMI.GOV

December 5, 2018

Tanya Stoudemire, Deputy CFO
Office of Budget
City of Detroit
Coleman A. Young Municipal Center
2 Woodward Avenue, Suite 1106
Detroit, Michigan 48226

Dear Deputy CFO Stoudemire:

The Detroit Police Department requests to amend its 2018-2019 Budget. The Department is re-aligning its civilian staff in order to meet the mission and goals of the department. The budget amendment requested below will provide the Human Resources Bureau with the expertise needed to accomplish its objectives.

Action	# of Positions	Title	Appropriation	Cost Center	Salary	Fringes	Salary & Fringes
Delete	(1)	Employee Services Manager II	0115	370210	\$ (63,190.00)	\$ (23,690.00)	\$ (86,880.00)
	(1)	Total			\$ (63,190.00)	\$ (23,690.00)	\$ (86,880.00)
Add	1	Executive Manager - Police	0115	370210	\$ 53,667.00	\$ 20,120.00	\$ 73,787.00
		Inc Salary for Admin Spec Serv II	0115	370140	\$ 14,186.00	\$ 5,318.00	\$ 19,504.00
	1	Total			\$ 67,853.00	\$ 25,438.00	\$ 93,291.00
	0	Net Decrease			\$ 4,663.00	\$ 1,748.00	\$ 6,411.00
Decrease		Tuition Reimbursement (Object Code 628208)		370140			\$ (6,411.00)
		Total Appropriation Change					\$ -

Your consideration of our requested budget amendment is appreciated. If you have any questions or concerns regarding this matter, please feel free to contact Deputy Pamela Scales, of The Office of Departmental Financial Services at (313) 224-3379, Monday through Friday, 9:00 a.m. to 5:00 p.m.

Sincerely,


JAMES E. CRAIG
Chief of Police

JEC/kw

EXHIBIT “E”

Re: Inspector General Case No 2018-0050

From: Marcella Anderson
To: JERMAINE WYRICK
BC:
Date: Thursday - December 13, 2018 2:23 PM
Subject: Re: Inspector General Case No 2018-0050

Thanks. ✓

>>> JERMAINE WYRICK 12/13/2018 2:13 PM >>>

Dear Dr. Anderson:

I spoke with Investigator Hendricks-Moore regarding this matter again. She will be sending me a written letter requesting more documents tomorrow, which she thinks will come from your department. She is interested in any job descriptions for Executive Level positions in the BOPC. I already forwarded a copy of your position, which I had a copy of via-email, but no others, because I just started here myself in July 2017.

She said that early on in the investigation, she spoke with Bridgette Lamar.

Attorney, Detroit Board
of Police Commission
(313) 596-2815
Cell: (313) 920-4086.

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EXHIBIT “F”

12/18/2018

Re: Inspector General Case no 2018 -0050

----- Original message -----

From: Marcella Anderson <ANDERSONM848@detroitmi.gov>
Date: 12/13/18 2:22 PM (GMT-05:00)
To: Bridget Lamar <LamarBD@detroitmi.gov>
Cc: WILLIE BELL <BELLW4BOPC@detroitmi.gov>, JERMAINE WYRICK <WYRICKJ590@detroitmi.gov>
Subject: Inspector General Case no 2018 -0050

>>> "Marcella Anderson" 12/13/2018 14:23 >>>
Hi Bridget,

✓ 2:23.

Please provide a summary of information and documents that was shared with Investigator Hendricks-Moore. The investigator is seeking additional information from HR and it is not my desire to duplicate information or documents. Also do you recall when you spoke with the investigation ?

Best regards,

/MA

Marcella D. Anderson, PhD,
Human Resources Director-Police
Detroit Public Safety Headquarters
1301 Third Street - Suite 655
Detroit, Michigan 48226
313-596-2671 (Direct)
Andersonm848@detroitmi.gov

Mike Duggan, Mayor

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EXHIBIT “G”

12/18/2018

Re: Inspector General Case no 2018 -0050

Re: Inspector General Case no 2018 -0050

From: Marcella Anderson
To: Bridget Lamar
CC: WILLIE BELL; JERMAINE WYRICK
BC:
Date: Thursday - December 13, 2018 4:41 PM
Subject: Re: Inspector General Case no 2018 -0050

Interesting.

As the Director of Police Personnel it is my intent to ensure that all requested information is submitted for the investigation. However there is no need for me to duplicate forms ; as you and I represent the same department. Nonetheless if you are informed that you cannot share with me the documents that you have submitted; please be-sure to get that in writing. Thank you.

Best regards,
/MA

Marcella D. Anderson, PhD,
Human Resources Director-Police
Detroit Public Safety Headquarters
1301 Third Street - Suite 655
Detroit, Michigan 48226
313-596-2671 (Direct)
Andersonm848@detroitmi.gov

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>>> Bridget Lamar <lamarbd@detroitmi.gov> 12/13/2018 3:56 PM >>>
Good Afternoon,

The interview was a part of an investigation. I'm not certain if that information can be shared. I will reach out to the investigator and inquire.

Sent from my Verizon, Samsung Galaxy smartphone

EXHIBIT “H”

Re: Budget Amendment

Marcella Anderson 848

Thu 12/13/2018 4:26 PM

To: Charleta Mcinnis <mcinnisc@detroitmi.gov>; Tanya Stoudemire <tanya@detroitmi.gov>;

Cc: Pamela Scales <scalesp@detroitmi.gov>; LAWANA DUCKER 454 <DUCKERL@detroitmi.gov>; LASHINDA STAIR 042 <STAIRL042@detroitmi.gov>;

Thank you.

>>> Tanya Stoudemire 12/13/2018 3:50 PM >>>

Per our conversation, amendment is being reviewed and will be ready on Monday morning.

Tanya Stoudemire, J.D.
Deputy CFO/Director - Office of Budget
City of Detroit
Coleman A. Young Municipal Center
2 Woodward Ave, Suite 1106
Detroit, MI 48226
313-224-3386
tanya@detroitmi.gov

>>> Marcella Anderson 12/13/2018 1:01 PM >>>

Charleta,

As a recap to our conversation the Office of Budget is in receipt of the Chiefs request to delete the Employee Services Manager II position in Police Medical and restore the Executive Manager - Police position.

Anything that you can do to expedite the Chiefs request would be appreciated. Thank You.

Best regards,

/MA

Re: Budget Amendment

Marcella Anderson 848

Thu 12/13/2018 4:26 PM

To: Ursula Holland <hollandu@detroitmi.gov>;

It was my intention to inform her this week ; however the budget amendment is not processed.

>>> Ursula Holland 12/13/2018 3:47 PM >>>

Hi Marcella,

Thanks for looping me in. Have you advised Bridget about the position cut yet. I saw her at a meeting today and she didn't mention anything? Let me know.

Thanks

Ursula Holland,
HR Deputy Director/Chief Employee Services Officer
Human Resources Department
316 Coleman A. Young Municipal Center
Detroit, Michigan 48226
Office: (313) 224-1345
Fax: (313) 224-1698
Email: hollandu@detroitmi.gov

Mike Duggan, Mayor

"Change the Conversation, Let's fix it Together"

>>> Marcella Anderson 12/13/2018 1:01 PM >>>

Charleta,

As a recap to our conversation the Office of Budget is in receipt of the Chiefs request to delete the Employee Services Manager II position in Police Medical and restore the Executive Manager - Police position.

Anything that you can do to expedite the Chiefs request would be appreciated. Thank You.

Best regards,

/MA

EXHIBIT “I”

Thank you for meeting with me today. I wanted to have an preliminary conversation to inform you that the Employee Services Manger II position is being eliminated from the HR budget.

In Accordance with Human Resources Rule 10 you will have a right to

1) Select layoff

2) Select a demotion to the title of Employee Services Consultant III

Or

3) Reach out the Ursula Holland at Central Personnel to discuss possible opportunities.

Teatari

Wednesday, January 2, 2019

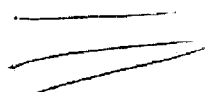


EXHIBIT “J”

City of Detroit Human Resources Department
Notice of Reduction in Force Rights

TO: Ms. Bridget Lamar

FROM: Marcella Anderson, PhD, Director of Police Personnel

DATE: December 17, 2018

SUBJECT: Notice of Reduction in Force Rights

Your position of Employee Services Manager II has been reached for layoff due to Lack of Funding. In accordance with Human Resources Rule 10 and/or applicable contract provision(s), you have the following rights within The Police Department to:

SECTION 1 – (To be completed by Human Resources)

1. A Demotion in Series to the title of Employee Services Consultant III at a salary of \$85,515.

The status change to your new title will be effective January 2, 2019.

2. A Demotion or Transfer to the formerly held class of _____ at a salary of \$_____

The status change to your new title will be effective _____.

SECTION 2 – (To be completed by Employee)

In accordance with Human Resources Rule 10 and/or applicable contract provision(s), I understand that my failure to select one of the above-mentioned options shall result in layoff and may affect my citywide displacement and recall rights. I understand that by waiving my right **to a demotion or transfer**, I may be deemed ineligible for unemployment benefits by the Michigan Unemployment Insurance Agency.

☐ I select # _____ OR ☐ I select layoff _____ (Initial)

Employee Signature _____ Date _____

>>> Ellen Ha <HaE@detoig.org> 12/17/2018 10:55 AM >>>

Dr. Anderson:

It is our understanding that Bridget D. Lamar, Employee Services Manager II, DPD Human Resources Bureau, was notified by you late Friday afternoon, December 14, 2018, that:

- 1) Ms. Lamar's position was being eliminated from the budget effective January 2, 2019;
- 2) Ms. Lamar was not provided with any paperwork for the lay-off; and
- 3) Ms. Lamar was offered a demotion of two (2) levels down from her current position in lieu of the lay-off.

As you are aware, the Office of the Inspector General (OIG) is currently investigating certain matters pertaining to the BOPC. Ms. Lamar was recently interviewed by the OIG earlier last week pertaining to OIG File No. 18-0050. It is our understanding that she was asked by you to provide a summary of her interview with the OIG and Ms. Lamar refused to divulge the information.

Just from the above-referenced timeline perspective, Ms. Lamar's lay-off notice appears to be a retaliatory action.

In that regard, please note Section 7.5-315 of the 2012 Charter of the City of Detroit states:

"No person shall retaliate against, punish or penalize any other person for complaining to, cooperating with or assisting the Inspector General in the performance of his or her duties. Any person who violates this provision shall be subject to a fine of not less than \$300 and not more than \$500 for each violation and any other penalties under applicable law."

Therefore, the OIG has initiated another investigation pertaining to Ms. Lamar's lay-off/demotion. OIG Investigator Jacqueline Hendricks-Moore will be the lead investigator for this matter.

As such, we highly recommend that the DPD/the BPOC reconsider the decision to lay-off Bridget Lamar; if not, at least the suspend her lay-off with pay until the pending resolution of this matter.

In the interim, kindly submit:

- 1) A copy of the DPD Human Resources (HR) Bureau's most recent budget submitted to the Budget Department and the date when the DPD HR budget was submitted to the Budget Department; and
- 2) A document which shows that Ms. Lamar's position was being eliminated and the date when the document was prepared.

If Item No. 2 is inclusive in the above-referenced OIG's record request, kindly let us know.

Lastly, please be advised because we believe this matter may turn into a legal matter, I am copying: BOPC Commissioner Willie Bell; Jermaine Wyrick, Attorney for the BOPC; Grant Ha, Police Legal Advisor to the Chief; Lawrence Garcia, Corporation Counsel; Charles Raimi, Deputy Corporation Counsel; and June Adams, Chief Administrative Legal Counsel who also supervises the Law Department's Labor and Employment Division.

Please let me know if you should have any questions or concerns regarding this matter.

Thank you,

Ellen

Ellen Ha

Inspector General

313-628-2517

HaE@detoig.org

EXHIBIT “K”

From: Ellen Ha <HaE@detoig.org>

Sent: Friday, June 7, 2019 3:42 PM

To: LEONARD MUNGO

Cc: Kamau Marable; Jennifer Bentley; Jacqueline Hendricks-Moore

Subject: RE: Witness List (Re; Dr. Marcella Anderson) For OIG Hearing

Mr. Mungo:

Thank you for the attached witness list.

In the event you are not familiar with our administrative hearing process, please note that we typically begin the hearing with the Inspector General making an introduction of the file and the purpose of the hearing. The person, agency or the legal representative who is requesting the hearing then typically makes an opening statement by providing a response to the OIG's draft report.

You may then introduce your witnesses and solicit questions or they may speak on their own to explain why they believe our findings are not correct and present any evidence in support of their testimony. As we've previously pointed out to you, court rules and rules of evidence do not apply in our hearings. It is not an adversarial process. It is your client's opportunity to present any testimony and supporting information in response to the OIG's findings and to show why our findings are not correct or that your client disagrees with our findings in the "draft report."

While we can ask questions from the witnesses and/or from the attorney, we do not present our case or present rebuttal witnesses. This is not a trial.

After completion of the administrative hearing, based on what is presented to us, we may or may not ask for additional documents from your client or from your witnesses.

Thereafter, once we close the record, we may amend our report to supplement any additional findings, if any, and/or revise and/or reverse our findings.

In this instance, as stated in our draft report, we are fully mindful that Bridget Lamar's position was in the process of being eliminated before Dr. Anderson informed Ms. Lamar of the same. As such, it is the timing of Dr. Anderson's decision to inform Ms. Lamar of the same that is in question here.

I hope this is helpful.

Thank you,

Ellen

Ellen Ha

Inspector General

City of Detroit

65 Cadillac Square, Suite 3210

Detroit, Michigan 48226

HaE@detoig.org

Office: 313-628-2517

CITY OF DETROIT
OFFICE OF THE INSPECTOR GENERAL

- - - - -
In the Matter of:

OIG Case No. 2018-0057 INV
Matter
- - - - -

The proceedings had and testimony taken in the
above-entitled matter before me, Diane L. Szach,
CSR-3170, a Notary Public, within and for the County
of Oakland, acting in Wayne County, State of Michigan,
at 65 Cadillac Square, Suite 3210, Detroit, Michigan,
on Friday, June 14, 2019 at 10:10 a.m.

PRESENT:

OFFICE OF INSPECTOR GENERAL
65 Cadillac Square, Suite 3210
Detroit, Michigan 48226
(By Ellen Ha, Kamau Marable, Jennifer
Bentley, Esq., and Jacqueline Hendricks-Moore,
Investigator)
Appearing on behalf of OIG.

THE MUNGO LAW FIRM, P.L.C.
333 West Fort Street, Suite 1500
Detroit, Michigan 48226
(By Leonard Mungo, Esq.)
Appearing on behalf of Dr. Marcella Anderson.

ALSO PRESENT:
Dr. Marcella Anderson

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1 Detroit, Michigan

2 June 14, 2019

3 10:10 a.m.

4 * * *

5 MS. HA: Today is Friday, June 14th,
6 2019, and this is an administrative hearing for OIG
7 File Number 18-0057-INV. We are holding this hearing
8 pursuant to a request made by Dr. Marcella Anderson in
9 accordance with Section 7.5-311 of the 2012 Charter of
10 the City of Detroit; and, two, pursuant to a written
11 notice sent to Dr. Anderson's attorney, Mr. Leonard
12 Mungo, on May 1st of this year.

13 The record should reflect Bridget Lamar
14 filed a complaint with the City of Detroit Office of
15 Inspector General that Dr. Anderson retaliated against
16 her for participating in an OIG investigation. Based
17 on our investigation of Ms. Lamar's allegations, we
18 concluded Dr. Anderson did retaliate against
19 Ms. Lamar. Therefore in accordance with the charter,
20 a copy of the draft of the OIG's request to close
21 investigation memorandum, also herein referred to as
22 the draft report for File Number 18-0057-INV, was
23 provided to Dr. Anderson.

1 Pursuant to Rule 3 of the OIG's
2 administrative hearing rules, the purpose of this
3 hearing is to permit Dr. Anderson with an opportunity
4 to present testimony and any supporting information in
5 response to the OIG's finding as stated in the draft
6 report dated April 17th, 2019. Therefore, everyone in
7 this room is reminded this hearing is not an
8 adversarial proceeding, and as such will be heard in a
9 manner pursuant the OIG's administrative hearing
10 rules, a copy of which was provided to Mr. Mungo prior
11 to today's hearing.

12 It is also important to note that the
13 hearing is not for the OIG to present its evidence or
14 its witnesses for the case. The purpose of the
15 hearing is solely for Dr. Anderson to provide the OIG
16 with testimony or evidence which would show that the
17 OIG's findings outlined in the draft report against
18 Dr. Anderson is incorrect or inaccurate.

19 May I have appearances.

20 MR. MUNGO: Thank you. Leonard Mungo for
21 Dr. Marcella Anderson.

22 DR. ANDERSON: Dr. Marcella Anderson.

23 MS. BENTLEY: Jennifer Bentley, OIG

1 attorney.

2 MR. MARABLE: Kamau Marable, Deputy
3 Inspector General.

4 MS. HENDRICKS-MOORE: Jacqueline
5 Hendricks-Moore, Investigator for the OIG.

6 MS. HA: Ellen Ha, Inspector General.

7 So Mr. Mungo, the floor is yours.

8 MR. MUNGO: Okay. I have just a couple of
9 preliminary questions that relate more to procedural
10 issues than to the substantive concerns.

11 MS. HA: And if I can't answer them, I'm
12 sure our attorney would be more than happy to answer
13 them.

14 MS. BENTLEY: Absolutely.

15 MR. MUNGO: And if you can't, we still
16 proceed, right?

17 MS. HA: Yes.

18 MR. MUNGO: But I'm duty bound to do this,
19 because this is also an opportunity to create a record
20 for appeal purposes should that be necessary. And you
21 guys are in agreement with that, correct?

22 MS. HA: Yes.

23 MR. MUNGO: Very good.

1 MS. HA: When you say appeal, there is no
2 appeal of this appeal. I assume you're talking
3 about --

4 MR. MUNGO: Circuit court.

5 MS. HA: Yes. Okay.

6 MS. HENDRICKS-MOORE: Your other witness is
7 here.

8 MR. MUNGO: Was that plural?

9 MS. HENDRICKS-MOORE: Mr. Wyrick.

10 MR. MUNGO: Okay. That was a singular
11 witness. Just Mr. Wyrick?

12 MS. HENDRICKS-MOORE: Yes.

13 MR. MUNGO: Okay. Thank you very much.

14 MS. HA: I just wanted to not mislead you
15 to think that there was another appeal to this like
16 City Council debarment.

17 MR. MUNGO: Thank you, Ms. Ha. In fact,
18 that was one of my questions, as the charter does
19 reference the authority of the OIG to articulate
20 procedural or appellate procedures for your office,
21 and that would be laid out in the city code, and I
22 just searched and searched, and I could not find any
23 reference to appeals from this office's decisions,

1 final decisions of this. And thank you for that.

2 Thank you for that.

3 The other procedural question I have is I
4 just want to make sure, and I know we've exchanged
5 emails with regard to Dr. Anderson having an
6 opportunity based upon her rights to due process and
7 opportunity to be heard, that she -- that it is your
8 office's position because I never in my opinion got a
9 real clear answer to my question as to whether or not
10 we could have copies of any and all documents that
11 contain any inferences or references to support or
12 facts to support the conclusions that were arrived at
13 by the OIG with regard to my client allegedly
14 retaliating against Ms. Lamar. And the reason for
15 that is that it's in my opinion inherent in our
16 constitution and the principle of due process and
17 opportunity to be heard that Dr. Anderson has a right
18 to confront her accusers and to see what those
19 accusations are so that we can address those
20 accusations specifically to refute them. Otherwise
21 she's kind of shooting in the dark, you know. And so
22 I wanted to make sure that you understood that was my
23 request and those documents were --

1 MS. HA: Not provided to you or your
2 client.

3 MR. MUNGO: Yes, I know they weren't
4 provided, and I wanted to be clear, Ms. Ha. And I
5 know your position is your position, and I respect
6 that.

7 MS. HA: Okay.

8 MR. MUNGO: And I want to be very, very
9 clear that I have great respect for your office and
10 for you and your staff. So it's about the law and
11 it's about representing my client zealously, okay, as
12 I would with you if I was representing you.

13 MS. HA: Why thank you.

14 MR. MUNGO: You would be most welcome if
15 you every reach out, okay.

16 MS. HA: All right.

17 MR. MUNGO: So I don't believe my client
18 was afforded that. And I just want to be clear on the
19 record that it is your office's position that my
20 client is not entitled to any evidence that would
21 support the accusations against her that this office
22 used and relied upon as a foundation for finding that
23 my client retaliated against Ms. Lamar. Your office

1 is saying I'm not entitled to that, my client is not
2 entitled to those documents, correct?

3 MS. BENTLEY: So all evidence that is
4 relied upon is clearly articulated in the report. So
5 we don't have anything that is extra or anything that
6 would be a surprise. Everything that we learned is in
7 the report. But because this investigation is not
8 closed, we don't give out any evidence that we've
9 collected at this point.

10 MR. MUNGO: But that would now contradict
11 your letter that you sent Dr. Anderson saying that it
12 was.

13 MS. BENTLEY: It's a draft.

14 MR. MUNGO: Whatever your answer is,
15 believe me I'm going to accept it, because, you know,
16 this is your operation, and I respect it. I just have
17 to make a clear record.

18 MS. BENTLEY: I understand. And it is a
19 draft. So until the report is finalized, it is not
20 closed. The purpose of this hearing is for you to
21 give us anything that we didn't consider or that you
22 think that we perhaps misunderstood, and any
23 clarifying information you can provide. And if that

1 is provided to us, we will change this report, and
2 this draft will never go out to anyone for any reason.
3 It's a draft, it goes away. So that, you know, is why
4 we don't consider this investigation closed. We have
5 a preliminary recommendation, but it's not final.

6 MR. MUNGO: Okay. And I just want to make
7 sure that this was not just an inadvertent oversight
8 on your part rather than an intentional
9 representation. So this is a paper intensive
10 operation, but you haven't seen anything until you've
11 seen my cases wherein I represent federal air
12 marshals. The federal government, we're killing a lot
13 of trees. But it says here in your letter, and I've
14 just got to find it. It's the last letter that I
15 thought that I would need to reference. It was a
16 cover letter to the report. So where is that? If you
17 have a copy, then -- but you're not inclined to help
18 me out.

19 MS. HENDRICKS-MOORE: No, no, I can go
20 print it out. It's not a problem.

21 MR. MUNGO: I can't believe it. I was just
22 looking at it this morning. That's one of the
23 problems with having too much paperwork.

1 MS. HA: Could that possibly be it?

2 MR. MUNGO: No, this is the one setting the
3 date for the hearing. I can't believe it.

4 MS. BENTLEY: So I don't know what the
5 letter says because I didn't read it, but I know one
6 thing we say is that if you don't respond or appeal
7 within ten days, then we consider it final.

8 MR. MUNGO: Yes, ma'am, that's correct, but
9 that's not the part that I'm concerned with.

10 MS. BENTLEY: Okay.

11 MR. MUNGO: I apologize.

12 MS. BENTLEY: No problem.

13 MR. MUNGO: Amazing, absolutely amazing.

14 DR. ANDERSON: I printed the draft and not
15 the letter.

16 MR. MUNGO: I have it here, it's definitely
17 here. It's just with this awesome crowd in here, I'm
18 nervous.

19 DR. ANDERSON: Imagine how I felt when I
20 came over here alone.

21 MR. MUNGO: I can imagine.

22 MS. HA: So just for the record, we
23 consider our file to be closed until you requested the

1 hearing then. So because of that, the case is still
2 open. And everything in the room stays confidential
3 until we conclude otherwise or we reaffirm our initial
4 recommendations. Then it will become a public record,
5 just so that you understand.

6 DR. ANDERSON: And placed on your website,
7 because that's what the document said.

8 MR. MUNGO: Praise the Lord.

9 MS. HA: You found it?

10 MS. BENTLEY: Some of our reports do appear
11 on the website, not all of them.

12 DR. ANDERSON: You know, one of your
13 documents said it goes on the website.

14 MR. MARABLE: One of our documents?

15 DR. ANDERSON: Mm-hmm.

16 MR. MARABLE: I'm not sure what document
17 that would be. That is a case-by-case decision.

18 MS. BENTLEY: Cases are referenced in our
19 quarterly report because that's our duty under the
20 charter, and then the full report is a case-by-case
21 basis.

22 MR. MUNGO: Okay. Here you are.

23 MS. BENTLEY: Do you want to tell us what

1 section you're referring to?

2 MS. HA: Okay. So what is your question?

3 MR. MUNGO: So it says -- it's not -- well,
4 I guess it could be a question depending upon how you
5 respond to how this compares with what Attorney
6 Bentley just stated that the investigation is still
7 open. The letter of April 17th, 2019 states that the
8 Office of Inspector General has completed its
9 investigation of this OIG case number. So I -- as you
10 can see, it could be a little confusing, and --

11 MS. BENTLEY: Well, it's completed in the
12 sense that we have everything that we need to do the
13 draft report, but we give you the opportunity to
14 respond. So in that sense it's not completed. So
15 we've done everything on our end that we felt needed
16 to be done to finish the investigation. But this
17 administrative hearing gives you the opportunity to
18 present evidence or testimony that we don't have or
19 that you think we misconstrued. So in that sense it's
20 still open. And so if we were to get a FOIA request
21 the day that came out, we still wouldn't release it to
22 people because you have ten days to respond if you
23 want an administrative hearing. So in that sense it's

1 not closed.

2 MR. MUNGO: Yes, ma'am, I understand, and I
3 accept what you're saying. It's just we still have a
4 problem here because consistent with the charter, you
5 guys are supposed to --

6 MS. BENTLEY: Complete and closed are also
7 two different matters, right. Investigations being
8 complete and closed are two separate, completed versus
9 closed.

10 MR. MUNGO: But that's not articulated.
11 And, again, whatever your answers are, I'm going to
12 accept them and we're going to go forward with this
13 hearing. I just want to -- I'm trying to create my
14 record for appeal purposes if necessary. I have a --

15 MS. HA: So, Mr. Mungo, right after the
16 first sentence it states attached is the draft copy of
17 the OIG report.

18 MR. MUNGO: Yes, ma'am, yes, ma'am. But
19 the part that I'm a little confused about is it says
20 that the investigation has been completed.

21 MS. HA: It says OIG has completed its
22 investigation.

23 MR. MUNGO: Well, who else is

1 investigating?

2 MS. HA: Nobody else, not that I'm aware
3 of.

4 MS. BENTLEY: I mean, I really feel like
5 we're getting hung up on semantics. Our investigation
6 is clearly complete because we issued the draft
7 report. However, we're telling you if you have
8 additional information that we should consider, we're
9 happy to do that.

10 MR. MUNGO: Okay. And I'm happy to move
11 on. I just -- please suffer me to make my record.
12 That's all I'm trying to do. And I'm going to
13 follow -- this is your shop, I'm in your home, I'm
14 going to follow your rules, okay. And in America, you
15 know, we don't violate the rules, we go to the appeal
16 court, right? That's how we do things. And that's
17 why our country is one of the more stable countries in
18 the world, regardless of all its flaws, in the checks
19 and balances that we have.

20 So my concern is I asked for help from the
21 Inspector General in securing witnesses, and it says
22 in the Charter, Section 7.5-307, Subpoena Powers, it
23 says the Inspector General may subpoena witnesses,

1 administer oaths, take testimony, require production
2 of evidence relevant to a matter under investigation.
3 And so this matter is still understand investigation.
4 And I understand your point, and I accept it, and I'm
5 going to move on, I'm just making my record, that that
6 is contrary -- what we're doing is contrary, and
7 failure to secure witnesses for this, just your
8 authority granted under the charter by way of our
9 state constitution for advancing and fulfilling the
10 mission of this office to make sure that honesty,
11 integrity, and waste is avoided and corruption is
12 avoided, to have witnesses here to seek the truth is
13 always the best thing for all of us.

14 I mean, we're -- at the end of the day
15 we're family, and we should treat each other with
16 those basic respects and regards and rights. And when
17 we fail to do that, we're in trouble, we're in
18 trouble. And I know that that's a commentary for
19 another day, maybe from the pulpit or something, but I
20 want to make that point, because I'm concerned that my
21 client is here at a hearing where she's going to
22 present evidence as she has an opportunity to be
23 heard, and she's just not heard through the written

1 instrument that we put forward or her verbal
2 representations here today, but she's heard through
3 witnesses who provide testimony in support of her
4 defense, and it's just fundamentally fair, that's all.
5 So I would suggest that if this investigation is still
6 open, that we get those witnesses here, all of those
7 witnesses that we identified on the witness list that
8 we provided to your office. Can we do that? Whatever
9 your answer is, I'm going to accept it.

10 MS. BENTLEY: Sure. We've talked to all
11 the witnesses that we felt were relevant for this
12 case. The information that they provided to us is in
13 the report, so you're aware of what they said, and you
14 have an opportunity to dispute that if you feel that
15 that is inaccurate. But this is not a trial, it's a
16 non-adversarial process. It's not about confronting
17 witnesses. It's about you presenting evidence to us
18 that tells us what we got wrong or if something needs
19 to be changed, or if there is something additional
20 that we didn't even consider. So that's the purpose
21 for this hearing. It's not a trial.

22 MR. MUNGO: Okay. So that's your answer to
23 what appears to be your violation of your own charter

1 and the provisions of your own office?

2 MS. BENTLEY: That's not a violation of our
3 charter.

4 MR. MUNGO: I understand.

5 MS. BENTLEY: First of all, it says we may
6 subpoena witnesses, and that is in regards to our
7 investigation. And we have spoken to the people and
8 received the documents for our investigation that we
9 felt were relevant. That charter does not reference
10 in any way the administrative hearing process, nor do
11 the administrative hearing rules suggest that we
12 subpoena witnesses.

13 MR. MUNGO: Do you think that this may be
14 as a result of not -- and by the way, your email to
15 those witnesses I believe was a way of discouraging
16 them from coming.

17 MS. BENTLEY: Absolutely not. All
18 witnesses are welcome to attend. You made it seem
19 like the directive was coming from our office and that
20 they were required to attend, which was incorrect, and
21 I merely made that clear on the record. Anybody can
22 come, they're welcome to attend. I provided my
23 contact information if people had questions. They

1 could have said, you know, can I come, do I have to
2 come, whatever it is. If they would have called me, I
3 would have said you are more than welcome to attend.
4 Nobody called me, but that's what the response would
5 have been.

6 So I just felt like your email
7 misrepresented that. You were kind of speaking for
8 our office, which you cannot do that. That's the
9 Inspector General's job. So that was merely a
10 clarification.

11 MR. MUNGO: Okay. And I want to be clear
12 on the record that if that is how that came off, that
13 would be inappropriate for me to do so, and if I -- if
14 it appeared to you that that's what I did, I apologize
15 for that.

16 MS. BENTLEY: Otherwise I would not have
17 responded to your email. You can tell people you'd
18 like them to be here. It doesn't matter to us. We'll
19 sit here all day and listen to witnesses.

20 MR. MUNGO: But what is troubling, what is
21 troubling is how you communicated the fact that it
22 wasn't your office mandating that they be here.
23 What's troubling is that the spirit and letter of the

1 charter with regard to the obligations of your office
2 with regard to witnesses and the investigation and
3 this hearing should have been more of in order to if
4 you appear, that you will facilitate the goals and
5 objectives of this office, however it is your decision
6 whether or not you want to come.

7 MS. BENTLEY: I started the email off by
8 telling them they were welcome to attend. I never in
9 any way discouraged their attendance. I just merely
10 let them know they are not required.

11 MR. MUNGO: You didn't encourage. But you
12 realize you didn't encourage, correct?

13 MS. BENTLEY: It's not my job to encourage.

14 MR. MUNGO: But that's an argument. I'm
15 sorry. I accept your rules.

16 MS. BENTLEY: When you tell them that
17 they're required to come pursuant to our charter, that
18 attaches other responsibilities to them. If they
19 don't show up, they can be disciplined, they could be
20 fired, and that was not appropriate for you to suggest
21 that that would be the case in this instance.

22 MR. MUNGO: I apologize for that.

23 MS. BENTLEY: And that was the only reason

1 for my clarification.

2 MR. MUNGO: I thought I had apologized for
3 that, because that certainly was not my intention. I
4 was following what I thought to be the spirit and
5 letter of this charter and this office's obligations
6 to have a fair hearing.

7 MS. BENTLEY: And Investigator
8 Hendricks-Moore told you on the phone that we didn't
9 require their attendance. So to then turn around and
10 quote it, it just seemed like you were misleading
11 them, and you had been told that that's not what we do
12 for these administrative hearings.

13 MR. MUNGO: But if I apologize for that
14 again, I'm going to sound like a parrot. I've already
15 apologized for that.

16 MS. BENTLEY: Well, I'm just explaining to
17 you why I sent the email.

18 MR. MUNGO: And right now I think what
19 we're doing is arguing, and I don't want to do that.
20 I'm going to follow your guide on this. I think that
21 this is -- this process is flawed, and I just want to
22 make my record.

23 MS. HA: That's fine. And your objection

1 is duly noted on the record.

2 MR. MUNGO: Okay.

3 MS. HENDRICKS-MOORE: And I just want to
4 put something on the record I think is important also,
5 and that is that I did have a conversation with you,
6 Mr. Mungo, in which you did ask me was our office
7 going to be contacting the witnesses. I did advise
8 you at that time that our offices would not be
9 contacting the witnesses because this was an
10 administrative hearing that you and your clients
11 requested, and that your office was responsible for
12 contacting the witnesses.

13 MR. MUNGO: Yes, ma'am, you certainly did,
14 you absolutely did, and I just disagree with that from
15 the standpoint of what you're mandated to do from the
16 charter. That's the only point I'm making. But
17 you're absolutely correct. What you said is
18 absolutely correct.

19 MS. HA: And you are entitled to your
20 interpretation of the charter as are we.

21 MR. MUNGO: And the courts are entitled to
22 review --

23 MS. HA: Absolutely.

1 MR. MUNGO: -- the final decisions of this
2 body, which is where we're going to go if in fact we
3 can't resolve this through the information that you
4 should already have, but apparently you don't, and/or
5 you didn't want in the process of the investigation
6 that we have some here today that may help I believe
7 with that. And I believe that you all are interested
8 in fulfilling the spirit and letter of the
9 constitutional oath that you took to serve in the
10 capacities that you're serving, you know, no less than
11 I am. And, you know, hopefully we can achieve that.

12 I believe this is mine, isn't it?

13 MS. HA: Yes.

14 Just so that we have a clear understanding,
15 we're not here to make a legal determination. We are
16 a fact-finding agency. And after we've gathered our
17 facts, we draw a conclusion. We do not enforce law.
18 Nobody has appointed me as an administrative law
19 judge. So this is just the Office of Inspector
20 General's report making a recommendation based on our
21 investigation, and this is your opportunity to present
22 why we drew the wrong conclusion.

23 MR. MUNGO: Ms. Ha, I understand that. And

1 I can only imagine that you have so many people that
2 come into your office at these hearings that don't
3 understand the difference between administrative
4 hearings and judicial processes, and I do respect
5 that, and I hear you.

6 So just to -- if I could, just a final
7 note, and then I'll put a period here and we'll move
8 on, with regard to my procedural concerns. This
9 process is flawed, and in terms of just making my
10 record, I know you're not going to agree with me, and
11 I'm not arguing with you, because my client's
12 constitutional rights of due process have been
13 violated thus far, and she was basically brought into
14 an ambush. There are statements, written statements
15 and recorded statements that you're relying on to draw
16 your conclusions, but you don't allow her the
17 privilege of looking at and listening to those
18 statements so she can see exactly what was said and
19 what really motivated you.

20 We have no clue what parts of what was said
21 motivated you to draw those conclusions. If
22 Dr. Anderson had an opportunity to hear those same
23 words and look at those same words, she may be able to

1 help you dispense the justice and ensure the level of
2 honesty that I'm sure that all of you are interested
3 in achieving in this process. And so inasmuch as
4 she's been deprived of that, there is no possible way
5 that this process that we're going through right here
6 could avail of anything that is really materially
7 helpful, substantively helpful because she's shooting
8 in the dark. You know, we have to -- we have to guess
9 at, well, what could possibly make them or support
10 them, make them feel so strongly under these facts
11 that Dr. Anderson was retaliating against her. So
12 it's much like -- and just by way of analogy, it's
13 much like the Mueller report where the Attorney
14 General summarized the report rather than giving
15 congress the report to look at themselves. It's the
16 same principle.

17 So inasmuch as that is the case, I want to
18 put on the record that we are proceeding obviously
19 today, but under protest, because my client's
20 constitutional rights have been violated, and it's
21 just fundamentally unfair, fundamentally unfair. So
22 with that said, my record is made.

23 But I think I want to do my witnesses

1 first, and then I want to ask questions of
2 Dr. Anderson.

3 MS. BENTLEY: Whatever order you want to do
4 it in.

5 MR. MUNGO: Thank you very much. So I
6 think I would like to speak with or have Ms. Ducker
7 come in.

8 MS. HA: Sure.

9 MR. MUNGO: Ms. Ducker, you have stated
10 your name, your full, correct legal name for the
11 record?

12 THE WITNESS: Yes, sir.

13 MR. MUNGO: All right. And what I'm doing
14 is creating a record in addition to providing the
15 OIG's office with the information that we believe will
16 assist them in deliberating and making decisions that
17 they make subsequent to these kinds of hearings as I'm
18 creating record for appeal.

19 L A W A N A D U C K E R
20 was thereupon called as a witness herein, and after
21 first being duly sworn to tell the truth, the whole
22 truth and nothing but the truth, testified as
23 follows:

EXAMINATION

BY MR. MUNGO:

Q. So far all we've gotten is your name, and I know that's the truth.

A. That's correct.

Q. So, Ms. Ducker, can you just for the record tell us what your current position is with the city?

A. My current position is an administrative special service staff II. It's an appointed position, contractual if you will. And in that role I support the human resources bureau in training employees, in hiring police assistance for the department, general human resources responsibilities.

Q. Yes, ma'am. And, Ms. Ducker, how long have you been working for the City of Detroit?

A. In this role, since 2014. But I previously retired from the City of Detroit.

Q. And prior to your retirement, what position did you hold with the City of Detroit?

A. Director of police personnel.

Q. Director of police personnel. Would that be the same position that Dr. Marcella Anderson currently holds?

A. Yes.

1 Q. And for how long did you work in that position?

2 A. Four years.

3 Q. Okay. And so you're fairly familiar with the
4 procedures and the missions and the dynamics of
5 accomplishing that mission for that office, correct?

6 A. Yes.

7 Q. And I'm going to fast forward now. Do you know a
8 Bridget Lamar?

9 A. I do.

10 Q. And can you tell me how you've come to know Bridget
11 Lamar?

12 A. I came to know Bridget Lamar from when she was
13 interviewed for a consultant position, so that was
14 probably in the 90's, and in her role as a human
15 resources professional as well. We did not work
16 closely together, but I know her from working on some
17 projects she may have been involved in, but we've
18 never worked in the office together.

19 Q. Okay. So you left that position, you retired as the
20 director of HR for the Detroit Police Department. Did
21 I say that correctly?

22 A. Yes, sir.

23 Q. Okay. And you were gone for how long prior to coming

1 back?

2 A. I left in 2009. So almost five years.

3 Q. Okay. And so you came back in 2014?

4 A. Correct.

5 Q. Okay. And who was the human resource director at that
6 time?

7 A. Gail Oxendine.

8 Q. Okay. And Gail Oxendine is no longer working for the
9 City of Detroit, correct?

10 A. Correct.

11 Q. And she left when, if you can recall.

12 A. I think it's January 2018 I want to say.

13 Q. January 2018, okay. So was Ms. Lamar working within
14 the HR department at that time as well?

15 A. Yes.

16 Q. And in what capacity?

17 A. She was the executive manager of police for a period.
18 And when Gail Oxendine left for another position, she
19 was appointed as the interim director of police
20 personnel.

21 Q. She being?

22 A. Bridget Lamar.

23 Q. Bridget Lamar, okay. At some point was Bridget

1 Lamar's position changed or modified in any way with
2 regard to the civil service rules and regulations and
3 procedures, if you know?

4 A. I guess that would depend on the time frame you're
5 talking about. What I know is is that a
6 recommendation was made and approved to amend the
7 budget to change her current position back to the
8 executive manager position.

9 Q. Okay. So you're talking now under Dr. Marcella
10 Anderson?

11 A. Correct.

12 Q. I'm speaking prior to that. If you know, was her
13 position --

14 A. Correct, it was.

15 Q. Okay. Can you share that with us, please?

16 A. When she, she being Bridget Lamar, was appointed to
17 come work for the police department, it was as an
18 executive manager police in the police medical unit.
19 There were -- I guess a request was made by the
20 previous director, Gail Oxendine to reclassify
21 positions in human resources that included her
22 position as well as several other classifications in
23 human resources maybe several months before she left

1 that were approved, and the folks' titles were changed
2 and their rates of pay was changed as well.

3 Q. So Ms. Ducker, how much detail can you give us on the
4 differences in the position that Bridget Lamar was
5 transitioned from and into, and rate of pay, if you
6 can. If you can't, don't sweat it.

7 A. The previous position, so the executive manager police
8 position is --

9 Q. That was Ms. Lamar's position, correct?

10 A. Yes, yes, the position she was appointed to and
11 originally hired to was an appointed position.

12 Q. Yes, ma'am.

13 A. The position that it was changed to was a classified
14 civil service position.

15 Q. I see. I see. Can you -- or what can you share with
16 us to delineate, if you can, the differences in terms
17 of stature, in terms of position, in terms of benefits
18 between those two positions?

19 A. The executive manager police position is appointed.
20 You serve at the pleasure of the chief of police, it's
21 at-will. The position is on the administrative roster
22 meaning that your time is not, you know, segregated
23 like you work a regular 9:00 to 5:00. It's, you know,

1 you have a general gist of how many hours you need to
2 work in order to get your work done.

3 Q. Okay.

4 A. Salary, no overtime.

5 Q. Okay.

6 A. You accrue your benefits like vacation, one every ten
7 days, a sick day a month.

8 The classified position of -- that
9 Ms. Lamar currently is in is a classified civil
10 service position which you compete for. It would be a
11 position that is posted, people apply for, go through
12 a selection process. And the position is still on
13 administrative roster because it's salary as well, but
14 you're not in an at-will position. You know, so
15 unlike the executive manager position, you're not like
16 serving at the pleasure of the chief.

17 Q. Yes, okay. Was there any difference in the pay when
18 that transition was made, if you know?

19 A. I believe that there is a difference in pay. The
20 employed services consultant -- employee services
21 manager II position makes more than the executive
22 manager police.

23 Q. I see. Do you have any idea how much?

1 A. No.

2 Q. Ball park?

3 A. No.

4 Q. Very good. And this change from an executive
5 appointed position to a civil service position was
6 affected by the prior HR director prior to
7 Dr. Anderson coming on board, is that correct?

8 A. The change in classification from appointed to
9 classified?

10 Q. Of Ms. Lamar.

11 A. Of Ms. Lamar, yes.

12 Q. All right. Do you have any sense for the time frame,
13 and if you don't, don't worry about it, in which that
14 occurred prior to Ms. Lamar coming on board -- I'm
15 sorry, prior to Dr. Anderson coming on board as the HR
16 director?

17 A. Not really, not in terms of --

18 Q. That's okay.

19 A. Yes, not really.

20 Q. That's fine. Okay. So I want to fast forward now.
21 You look like you're saying that's good.

22 A. Oh, no.

23 Q. So do you know when Dr. Marcella Anderson was hired

1 into the position of HR director for the Detroit
2 Police Department? If you don't, don't sweat it.

3 A. I'm thinking September, October, something like that.

4 Q. Of which year?

5 A. Of last year.

6 Q. Last year?

7 A. Mm-hmm.

8 Q. All right. And do you -- are you aware of the process
9 and procedures that were used to affect the filling of
10 that position, how -- what process Dr. Anderson had to
11 go through in order to be hired as the HR director for
12 the Detroit Police Department?

13 A. I'm kind of familiar if they're what I had to go
14 through.

15 Q. Okay. Can you share that with us, please?

16 A. So the position was posted, applications submitted,
17 interviews held. I think I may have had two
18 interviews, one with the committee of the board, and
19 then with the full board along with the chief of
20 police. They asked her at the time, who was Ella
21 Bully-Cummings, they allowed her to also sit on the
22 interview.

23 Q. This is for your --

1 A. This was for mine. So if that was the same process, I
2 don't know.

3 Q. All right. Go ahead.

4 A. And a recommendation through the committee was made to
5 the board. The board took it to -- the committee took
6 it to the full board, they had a vote, and an offer
7 was made -- I guess after they approved it, an offer
8 was made, and I was appointed.

9 Q. Yes, ma'am. As far as you know, is that the same
10 process that was employed to hire Dr. Marcella
11 Anderson as the HR director for the Detroit Police
12 Department, as far as you know?

13 A. As far as I know.

14 Q. So fast forward a little bit more. Are you aware or
15 were you aware as to whether or not Dr. Marcella
16 Anderson after she was hired as the HR director for
17 the Detroit Police Department, whether she had engaged
18 in a process to retransition the position that Bridget
19 Lamar held back to the original position from a civil
20 service employee to an appointed employee?

21 A. Was I aware?

22 Q. Yes, ma'am.

23 A. Yes.

1 Q. Were you aware at the time that Dr. Anderson engaged
2 that process, when she first started, initiated that
3 process?

4 A. Like November I think, November 2018.

5 Q. Okay, okay. And how did you come to know this?

6 A. We talked. We talked about it, because she wanted to
7 understand the process, and she asked me, and I told
8 her what I knew.

9 Q. Okay. What did you tell her?

10 A. Well, I'm sorry.

11 Q. As much as you can remember.

12 A. That a request needed to be made to the chief with the
13 rationale as to why you want to change the position
14 back to executive manager. And I'm sure I probably
15 even added that the position was once a position that
16 served at the pleasure of the chief, and I don't know
17 why we would have eliminated that position to get a
18 classified position when you have much more
19 flexibility with staffing if you will by having the
20 position remain at-will at that level. So my thought
21 as well was that maybe the chief didn't even know that
22 the position that was -- that it was being changed to
23 was a classified civil service position as opposed to

1 it still remaining an at-will position.

2 Q. As far as you recollection, that would be the
3 preference of any chief to have that position?

4 A. Absolutely.

5 Q. And why would that be?

6 A. Because you have flexibility. So if folks are not
7 performing up to your expectations, you can just
8 simply say thank you.

9 Q. Would it make a difference as to the level of that
10 particular position, would make that flexibility more
11 valuable, the level of authority that that position
12 was, would make it more valuable to make it flexible
13 and to have that flexibility?

14 A. Well, yes, at that level, because that level reports
15 through his first assistant chief, who is the second
16 person in command to him. So, yes, he has lot of
17 positions where he still has that flexibility even at
18 the lower levels.

19 Q. As prior HR director, would you see any hindrance to
20 the efficiency of the operation of that department
21 were that position to remain a civil service position
22 rather than an appointed, at-will position, just your
23 opinion as the former HR director?

1 A. Can you ask it again?

2 Q. Absolutely. Would you see making that position an
3 at-will, appointed position rather than a civil
4 service position contributing to the efficiency of the
5 running of that department just based on your
6 experience as a former HR director? Did I -- is my
7 question clear?

8 A. It's clear.

9 Q. Okay. Well, let me put it to you like this. The fact
10 that you have more flexibility in terms of managing
11 that position, would you tend to think that that would
12 make the efforts to run the department more efficient?

13 A. If we're talking about this specific position.

14 Q. Absolutely.

15 A. I think that it is a -- it was a hindrance -- it is a
16 hindrance, because the flexibility to remove a person
17 who may not have what you're looking for at any given
18 time when visions and missions change. If you've got
19 to go through the classified civil service process in
20 order to remove them, yes, it's a hindrance to getting
21 something done when you need to get something done
22 when the position was originally at-will.

23 Q. Got it.

1 MS. HA: Mr. Mungo, if I may interrupt.
2 I'm not sure where this is going, but our report
3 specifically acknowledges that Ms. Lamar's position
4 was in the process of being eliminated, and we are not
5 questioning any business or professional decision as
6 to why an appointed position is being -- I'm sorry,
7 why a civil service position is being converted to an
8 appointed position. We do not have jurisdiction over
9 such matters. That's a strictly business decision.

10 MR. MUNGO: Yes. So my -- my response to
11 that would be that it's impossible to disconnect the
12 motivations or perceived motivations and how they
13 affect even your thinking in terms of the decisions
14 that were made and the timing of these decisions. And
15 I think this would afford all of us some additional
16 information and insights that would help to flavor and
17 color that kind of thing. So I know that that's not
18 where you are and that's what you were intending us to
19 address.

20 And I would point out for the record that
21 on Page 6 of 8 in the summary of your investigatory
22 report, Item Number 3.

23 MS. HA: Before we go on further, can you

1 mark this as Exhibit 1.

2 MR. MUNGO: Yes, we can. I didn't include
3 that as an exhibit in my -- I sure didn't, and I
4 should have -- in my written response, so -- but I do
5 have a blank one, yes.

6 MS. BENTLEY: He has a clean copy here, and
7 we'll share a copy of the report, and you can put this
8 one in the record.

9 DR. ANDERSON: Here, we have one.

10 MS. BENTLEY: Okay.

11 MR. MUNGO: What I was trying to figure out
12 is Ms. Ha wanted it to be part of the record as an
13 exhibit. Did I misunderstand you?

14 MS. HA: No.

15 MS. BENTLEY: That's what this is.

16 MR. MUNGO: Okay, either way, yes, ma'am,
17 right.

18 MS. HA: In the event there is a judicial
19 review.

20 MR. MUNGO: Absolutely. There was more to
21 it, though.

22 DR. ANDERSON: Is there Page 8 of 8?

23 MR. MUNGO: Yes, 8 of 8, but there were --

1 I guess my only question is I thought there were other
2 documents attached to this.

3 MS. BENTLEY: They were technically
4 separate, they weren't attached to the report, but if
5 you want to put them all in, you may do that.

6 MR. MUNGO: These were not --

7 MS. BENTLEY: They were separate
8 attachments.

9 MR. MUNGO: And just for the record,
10 Counsel Bentley was pointing out that the cover letter
11 for the report dated April 17th, 2019 was not part of
12 the report, it was just a cover letter, and that the
13 City of Detroit Office of Inspector General Rules for
14 the Conduct of Hearings Held Pursuant to Charter 3 of
15 Article 7.5 of the 2012 Detroit City Charter, which is
16 a three-page document, was not part of the summary
17 report of the investigation, okay, which we're going
18 to add into the record here as Exhibit 1 we can call
19 it 1.

20 (Exhibit No. 1 was marked
21 for identification.)

22 MR. MUNGO: Okay. So Exhibit 1, which is
23 summary and what has a huge stamp across the face of

1 each of these pages as draft. I'm going to refer you
2 to Page 6 of 8. So if you go to the section that has
3 a subtitle Retaliation, Elimination of the Position,
4 that is --

5 MS. BENTLEY: Page 5.

6 MR. MUNGO: Page 5. Thank you. So Item 3,
7 and this is in reference to Ms. Ha's comment that the
8 concerns about the position and the nature of the
9 position, correct me if I'm misquoting you, Ms. Ha,
10 was not of any concern to this committee in your
11 evaluation and the process that you engaged to arrive
12 at finding that Dr. Marcella Anderson had retaliated
13 against Bridget Lamar, you do address that kind of
14 concern in Item Number 3, Page 5 of 8, toward the
15 bottom of the page, which says Ms. Lamar, and I'll
16 just read the whole paragraph because otherwise it
17 will be disjointed and won't make sense. Dr. Anderson
18 claimed during her interview that she wanted to
19 eliminate Ms. Lamar's position to hire a new manager
20 for police medical who has the expertise in that
21 field. However, Ms. Lamar has a graduate degree in
22 health administration and has been employed in the
23 police medical for four years. This seems to

1 contradict the rationale provided by Dr. Anderson to
2 eliminate Ms. Lamar's position.

3 So apparently the motivations for
4 eliminating that position was taken under
5 consideration by this body in the process of arriving
6 at its conclusion that Ms. -- Dr. Marcella Anderson
7 retaliated against Bridget Lamar. I just want to put
8 that in there.

9 MS. BENTLEY: Okay.

10 MR. MUNGO: And that's Exhibit Number 1.

11 BY MR. MUNGO:

12 Q. So, Ms. Ducker, you said this civil service position
13 paid more than the executive appointed position,
14 correct?

15 A. Yes.

16 Q. You just didn't recall how much more?

17 A. Yes, I don't.

18 Q. Do you have any sense for why that would have been
19 done to begin with, why that transition would have
20 been made to begin with? And it seems to have been
21 during the period of time when the City of Detroit was
22 in financial trouble, correct, in it, going into it,
23 or heading out of it, right? As best you can recall.

1 A. I believe that the former director wanted to align the
2 human resources bureau with the general human
3 resources department of the city, city human resources
4 department. I believe that was her thought process.
5 That's just what I believe. I just did not understand
6 why that position got caught up -- an appointed
7 position got caught up with the rest of the classified
8 positions. All of the other positions were classified
9 positions, and I'm not sure that the chief nor the
10 first assistant chief was aware that the executive
11 manager position was being exchanged for a classified
12 civil service position, or that they realized that
13 they had given up their right to hire whoever they
14 want for that position.

15 Q. All right. As far as you know, did Ms. Lamar lobby
16 for that position?

17 A. Oh, I don't know if she lobbied for it. I know she
18 was recommended for it.

19 Q. By the former HR director?

20 A. Yes.

21 Q. By anyone else that you know of?

22 A. I don't know.

23 Q. All right. So with regard to the process that

1 Dr. Marcella Anderson after she was hired by the
2 Detroit Police Department as its HR director, she
3 began the process to reverse that classification for
4 that position, correct?

5 A. Yes.

6 Q. Okay. And what was the rationale given you by
7 Dr. Marcella Anderson, if you recall, for reversing
8 that position?

9 A. Just a business decision in that to have the ability
10 to have staff of your choosing that you can recommend
11 to the chief to appoint.

12 Q. I see, I see. And she had the freedom to do that as
13 the manager of that department, just as the former HR
14 director had the freedom to do that --

15 A. Yes.

16 Q. -- in just the opposite direction, correct?

17 A. Yes.

18 Q. Did anybody ever question the decision of the HR
19 director at that time when that position was
20 originally transformed from an appointed position to a
21 civil service position, that you recall?

22 A. Probably not.

23 Q. Okay. So as Dr. Anderson reached out to you when she

1 began the process of putting that position back to a
2 classification that it was originally, which was an
3 appointed position, and that is what you testified to
4 earlier?

5 A. Correct.

6 Q. When Dr. Marcella Anderson began that process, she
7 came to you and she asked you to help her with what
8 again, just to make sure the record is clear?

9 A. The steps to take in order to request that the
10 position be returned back to an appointed position.

11 Q. Okay. Were you able to help her with that?

12 A. Yes.

13 Q. What did you do by way of helping?

14 A. We prepared language to the chief in support of
15 requesting that the position be returned back to an
16 at-will position to maintain flexibility in staffing.

17 Q. Did you know at that time how Bridget Lamar's position
18 would be affected, her position or pay would be
19 affected if that transition, if that transformation
20 was completed?

21 A. Was I aware -- say that one more time, please.

22 Q. Yes, ma'am. Were you aware of the consequences on
23 Bridget Lamar's position and pay if that transition,

1 if that budget amendment was made and she was
2 transitioned out of that -- or if that position was
3 transitioned back into an appointed position?

4 A. Well, the possibility that she could be removed from
5 the position because we've eliminated -- the effect
6 would have been the elimination of her current title,
7 which is employee services manager II would no longer
8 have been needed, and that arrangements would need to
9 be made in order for her to either, one, maintain that
10 title, or maintain another title in that series.

11 Q. Okay. And the followup question to that would be
12 would Dr. Marcella Anderson have any say so in terms
13 of what Lamar's, Bridget Lamar's options would be in
14 terms of jobs to continue with the city, or would that
15 decisionmaking process be driven by civil service
16 rules?

17 A. That process is driven by civil service rules.

18 Q. So Dr. Lamar could not have -- I'm sorry, Dr. Marcella
19 Anderson could not have come up with her own sequence
20 and scenarios for what would happen to Bridget Lamar
21 and her job options, correct?

22 A. Correct.

23 Q. You attended a meeting with Dr. Anderson and Bridget

1 Lamar when Dr. Anderson informed Bridget Lamar about
2 this transition in her job circumstances, correct?

3 A. Correct.

4 Q. Do you recall when that was?

5 A. I believe it was December 14. It was a Friday.

6 Q. Okay. Did it ever come to your attention that Bridget
7 Lamar had knowledge of what her options would be as
8 well based on civil service rules if that position was
9 eliminated, if you know?

10 A. You mean before the meeting, during the meeting?

11 Q. During the meeting or at any point in time in which
12 you communicated with Bridget Lamar or got wind of any
13 communication or heard any communication coming from
14 Bridget Lamar regarding her concern about the
15 position? Had you ever heard her communicate or
16 express or articulate that she had knowledge that the
17 results if that position was eliminated, that her
18 options were driven by civil service?

19 A. I don't think I heard Bridget say anything. I just
20 assume she knows.

21 Q. Bridget Lamar was the acting interim director of HR,
22 correct?

23 A. Correct.

1 Q. So it is likely that she would have known that had she
2 not remained in that position, that she was going to
3 have to go back to the position that Dr. Anderson was
4 seeking to eliminate, correct? Would it stand to
5 reason that she would know that as interim HR
6 director, that if she was no longer serving as HR
7 director, that she would have to go back to that
8 position that she was in?

9 A. It would be her understanding through experience that
10 she would have a right to go back to positions that
11 she has qualified for in the classified service.

12 Q. Okay. So apparently -- and by the way, you were aware
13 that Bridget Lamar applied for the position, the
14 vacant position of HR director for the Detroit Police
15 Department, correct?

16 A. Yes.

17 Q. At the same time Dr. Marcella Anderson had applied for
18 that position, correct?

19 A. Yes.

20 Q. And did Bridget Lamar go through the interview process
21 as far as you know?

22 A. I'm assuming she did.

23 Q. Okay. Was she selected?

1 A. No.

2 Q. And this answer to this question you may or may not
3 have. Do you have any clue as to why Ms. Lamar was
4 not selected to fill the position of HR director for
5 the Detroit Police Department?

6 A. I do not.

7 Q. Okay. Do you know whether or not Bridget Lamar had
8 expressed any disappointment or any other kind of
9 negative response to not being appointed to that
10 position, not being selected as HR director for the
11 Detroit Police Department?

12 A. Not out of her mouth. Through others.

13 Q. Through others?

14 A. Yes.

15 Q. So when you say others, you mean two people or more
16 than two or three people?

17 A. Really just one person.

18 Q. Just one person?

19 A. Yes.

20 Q. This person was in a position superior to Ms. Lamar?

21 A. No, subordinate.

22 Q. Subordinate to Ms. Lamar?

23 A. Yes.

1 Q. So it takes a lot of courage to say something like
2 that about your boss. Oh, that wasn't her boss, that
3 was --

4 A. Yes.

5 Q. That was, okay.

6 A. Well, you do a lot of stuff the back, behind
7 somebody's back, right?

8 Q. That is correct. That is correct. And what had you
9 heard, ma'am?

10 A. Well, that the person wasn't going to -- that she
11 wasn't going to assist the new director at all. That
12 she would just do a transitional plan and that was
13 going to be that.

14 Q. Okay. Was there any truth or evidence to that
15 attitude reflected in Ms. Lamar's performance as far
16 as you were able to witness?

17 A. I would say yes.

18 Q. Okay. In what ways?

19 A. I guess in terms of assistance. Knowing pretty much
20 that you're like the second in charge if you will of
21 the command department, that you would be willing to
22 lend some assistance. I didn't see any of that at
23 all. But it didn't -- it didn't really surprise me

1 anyway, because we hardly saw her anyways, so.

2 Q. Meaning she was hardly at work?

3 A. I don't know about hardly at work. We just didn't see
4 her that much because we're in two different offices.
5 So she's in one office that's like next door to us,
6 and we're like in another office. And so we didn't
7 see her that often. It's not like she came in and
8 checked in on us that often. We didn't have meetings
9 or anything like that, so.

10 Q. Was it different -- was her conduct and behavior
11 different when she was the acting interim director?
12 Did you see her more then?

13 A. No.

14 Q. It was about the same, okay. All right. So I want to
15 ask you about the meeting that you attended when
16 Dr. Marcella Anderson informed Ms. Bridget Lamar about
17 her position being eliminated and it being
18 transitioned from a civil service position back to an
19 executive appointed position. You recall that day,
20 correct?

21 A. Yes.

22 Q. Okay. How did you come to learn of the meeting?

23 A. Dr. Anderson asked me to attend.

1 Q. Okay. And did she tell you why she wanted you to
2 attend?

3 A. Yes.

4 Q. Why? What did she say?

5 A. She indicated that she was going to inform Ms. Lamar
6 about the position being changed back to an appointed
7 position.

8 Q. Did she say why?

9 A. Why what?

10 Q. Did Dr. Anderson say why she was going to meet with
11 her and inform her of this transition?

12 A. I don't remember.

13 Q. If you recall.

14 A. I don't recall the why of it other than the position
15 had been approved to be changed back.

16 Q. Okay.

17 A. And she wanted to inform her.

18 Q. Okay. And at that meeting was Dr. Anderson possessed
19 of a chilling attitude or cold presence, unfriendly,
20 condescending?

21 A. No.

22 Q. Did she express any animosity? Did she seem to be
23 upset with Ms. Lamar?

1 A. No.

2 Q. Was her demeanor professional, Dr. Anderson's demeanor
3 professional?

4 A. It was professional.

5 Q. Ms. Lamar made a statement to the OIG investigator
6 that at that meeting that she was told that she was
7 being double demoted. Did Dr. Anderson say that to
8 Ms. Lamar?

9 A. No.

10 Q. She indicated -- she did not indicate that
11 Dr. Anderson indicated to her at that meeting not only
12 were there with two positions that she would be
13 eligible for transitioning into according to civil
14 service rules, which would be the services manager II
15 position -- oh, she informed her that the services
16 manager II position was no longer needed, Dr. Anderson
17 informed Ms. Lamar, and that it had been approved for
18 removal, and there were several options available to
19 her, and those options included being demoted to
20 employee service manager I. Do you recall
21 Dr. Anderson conveying that information to Ms. Lamar?

22 A. Yes.

23 Q. And the second one would be employee services

1 consultant III?

2 A. Yes.

3 Q. And do you also recall Dr. Anderson indicating to
4 Ms. Lamar at that time that she could also reach out
5 to Ursula Holland, deputy director of the city human
6 resources department to see if there was a manager
7 position available?

8 A. Yes.

9 Q. And she informed Ms. Lamar of all those things?

10 A. Yes.

11 Q. Did Dr. Anderson mention anything to her about
12 paperwork, as far as you can recall?

13 A. Bridget asked could she have some documentation, and
14 the director said you'll receive that shortly.

15 Q. Okay. And how did Ms. Lamar take that information, in
16 your opinion?

17 A. Of course kind of, you know, short. She kind of like
18 had short statements like, well, why are you doing
19 that? You know, very abrupt. The meeting was like
20 five minutes in total time, if that long. It wasn't
21 that long. And when Dr. Anderson told her, you know,
22 this is a business decision, she started, "Are you
23 going to give me any paperwork," you know. So she --

1 I guess if I was in that position I might feel the
2 same way, too, but Dr. Anderson was not anything less
3 than professional. And Bridget just said thank you,
4 and left out of the office, you have a great weekend,
5 and just left.

6 Q. And in your opinion was Bridget Lamar's behavior
7 insulting and unprofessional or in any way less than
8 what it should have been, in your opinion?

9 A. She didn't say anything improper. I mean, I guess,
10 you know, receiving that kind of information, you
11 know, it was almost like she was taken aback.

12 Q. Okay.

13 A. It was more so like that kind of a reaction, a being
14 taken aback.

15 Q. So she wasn't pleased with hearing that information?

16 A. No, she wasn't pleased with hearing the information.

17 Q. That was obvious in her responses?

18 A. Right, yes.

19 Q. But Dr. Anderson didn't do anything that was insulting
20 or unprofessional to her, correct?

21 A. No.

22 Q. Or mean?

23 A. No.

1 MR. MUNGO: Okay. Could you mark this
2 please.

3 (Exhibit No. 2 was marked
4 for identification.)

5 MR. MUNGO: Let the record reflect I'm
6 about to show Ms. Ducker Deposition Exhibit Number 2.

7 BY MR. MUNGO:

8 Q. This is a statement that you drafted and signed,
9 ma'am? Could you just confirm that for us for the
10 record and adopt that is your document?

11 A. Yes, sir.

12 Q. All right. And pretty much what you've testified to
13 here today with regard to attending that meeting with
14 Bridget Lamar and Dr. Marcella Anderson is consistent
15 with what you have in that statement, ma'am?

16 A. Yes, sir.

17 Q. Thank you. After the meeting, had you gotten or
18 received any information about Bridget Lamar and how
19 she was responding to the consequences of that
20 meeting?

21 A. Had I received anything?

22 Q. Or witnessed any conduct on the part of Ms. Lamar that
23 would be notable in any way?

1 A. Say that one more time.

2 Q. Okay. We're going to strike that one. We're going to
3 move on.

4 With regard to the procedures that were
5 followed by Dr. Anderson in informing Ms. Lamar about
6 the elimination of that position, as far as your
7 knowledge of the procedures in addressing and
8 affecting those kind of changes in transitioning one
9 position to another, in this case from a civil service
10 position back to an appointed executive position, as
11 far as you know did Dr. Anderson follow all of the
12 protocols, standard operating procedures as required
13 by the City of Detroit charter, ordinance, department
14 rules and regulations?

15 A. Yes. And also the guidance of the human resources
16 deputy director, Ursula Holland.

17 Q. What did Ursula Holland do as far as you know to
18 assist Dr. Marcella Anderson in affecting that
19 process?

20 A. As far as I know she provided her with the documents
21 that would be needed to effectuate the change in
22 status. She told her that she possibly has a position
23 over in the human resources department, which is why

1 Dr. Anderson indicated to Bridget to reach out to Ms.
2 or deputy director Ursula Holland. She would not have
3 done it if she wasn't advised to do so, because she
4 didn't know.

5 Q. Okay. Do you know that she did take that
6 recommendation and did she reach out to Ms. Holland,
7 Ms. Lamar?

8 A. Do I know if --

9 Q. Do you know whether or not Ms. Lamar actually reached
10 out to Ursula Holland to determine whether or not
11 there was such a position that she might fill?

12 A. I don't know.

13 Q. You don't know. Okay.

14 A. No, personally I don't know.

15 Q. Okay. Were you aware that Ms. Bridget Lamar alleged
16 that Dr. Anderson retaliated against her in informing
17 her of the process of eliminating her position? Did
18 you know that?

19 A. Yes.

20 Q. Okay. When did you learn of that?

21 A. You know, actually I think she -- I believe she even
22 said this as she was leaving out of the office, that
23 she felt like this was retaliation. This would be the

1 meeting of the 14th, that she -- so that piece of it
2 was kind of clueless to me, because I didn't know what
3 that meant.

4 Q. Okay. You didn't know whether it meant that it was
5 the timing in which she was told, or the fact that her
6 position was being eliminating? What would you based
7 upon the total -- the totality of the circumstances,
8 what would you surmise her feeling of being retaliated
9 against was premised on, the elimination of her
10 position, or the fact that she was told and how she
11 was told, just your opinion?

12 A. I didn't understand the retaliation piece of it,
13 period, because it was nothing personal about it.
14 When she made the statement, I had no connection to
15 why she was saying retaliation. It was nothing I
16 really could connect it to.

17 Q. Okay.

18 A. I just couldn't understand why retaliation even came
19 out of her mouth. So if I'm thinking now, if I've
20 been involved in some kind of investigation, now I
21 didn't know none of that anyway, so -- but I'm
22 thinking now that I know all this has gone out, then
23 maybe that's what she was referring to. I don't know.

1 But I didn't understand where retaliation came off at
2 because she had done nothing --

3 Q. She who?

4 A. The director.

5 Q. The director being Dr. Anderson?

6 A. There didn't appear to be any kind of an outward
7 conflict between the two, you know what I'm saying, to
8 say something like that. Dr. Anderson has always been
9 very professional and nice and just trying to do her
10 job. So the retaliation piece I just didn't
11 understand at the time where that came from.

12 Q. Did you ever learn that Bridget Lamar was alleging
13 that the retaliation was based on her providing
14 information to the OIG's office during their
15 investigation of the BOPC, Board of Police
16 Commissioners, and she wouldn't provide the
17 information to Ms. Anderson, to Dr. Anderson, and
18 Dr. Anderson therefore was retaliating against her by
19 removing her position and telling her at the time that
20 she told her?

21 A. That was later. That was later on when I found out
22 about that.

23 Q. I understand. I understand. Does that make sense to

1 you even?

2 A. That she was -- that the director would be retaliating
3 against her?

4 Q. Yes.

5 A. Because she was participating in an investigation?

6 Q. Yes, and she wouldn't provide the director with
7 information about the investigation, does that make
8 sense to you?

9 A. Not any retaliation, no.

10 Q. Okay. Do you believe that Dr. Anderson would have any
11 vested interest in interfering with the investigation
12 by the OIG's office of the Board of Police
13 Commissioners and their hiring practices?

14 A. No.

15 Q. Okay. Why would you think not?

16 A. One, because she's prior law enforcement, so no. And
17 I don't think she would retaliate against anybody for
18 participating in an investigation. That wouldn't make
19 sense.

20 MR. MUNGO: Okay. Can we have a moment?

21 MS. BENTLEY: Should we go off the record
22 briefly?

23 MR. MUNGO: Yes.

1 (Brief recess.)

2 MS. HA: Back on the record.

3 BY MR. MUNGO:

4 Q. Ms. Ducker, have you ever in the history of your
5 service in the HR department or even in the City of
6 Detroit witnessed the or had knowledge of a position
7 being transitioned, an executive appointed position
8 being transitioned to a civil service position?

9 A. I haven't seen it. I haven't seen it.

10 Q. Have you ever heard of that within the City of Detroit
11 Police Department?

12 A. I haven't seen it. I haven't heard of it. I mean, I
13 don't know why anybody would do that.

14 Q. Okay. You mean going from the executive to the civil
15 service?

16 A. Correct.

17 Q. You also participated in the process leading up to the
18 budget amendment. You communicated with the budget
19 department, correct, the budget staff regarding the
20 approval of that position or the approval of the
21 budget amendment?

22 A. Yes.

23 Q. Can you tell us, when did you come to learn that the

1 budget amendment had been approved, if you can recall?

2 A. I may not be able to recall the dates, but --

3 Q. Okay. So, yes, I'm going to let the record reflect
4 I'm going to share an email with Ms. Ducker that will
5 help to refresh your recollection.

6 A. Okay.

7 Q. And it would be one of the exhibits to Dr. Anderson's
8 written submission.

9 MS. BENTLEY: You can ask leading questions
10 if that's helpful.

11 MR. MUNGO: Okay. Thanks.

12 MS. HA: I believe it's Exhibit H.

13 MR. MUNGO: Thank you. You know my
14 documents better than I do.

15 MS. HA: Am I correct?

16 MR. MUNGO: Let's see.

17 MS. HA: Do you want to put the whole thing
18 as an exhibit, or did you want to just --

19 MR. MUNGO: Yes, yes, I think so. So the
20 entire document is an exhibit.

21 MS. HA: Okay.

22 MR. MUNGO: But I'm trying to find that one
23 here.

1 MS. HA: It's not H?

2 MR. MUNGO: It would be an email from
3 Ms. Ducker to the budget. So I think I'll have to use
4 one that is not in here.

5 (Discussion off the record.)

6 (Exhibit No. 3 was marked
7 for identification.)

8 BY MR. MUNGO:

9 Q. Ms. Ducker, I'm going to show you a document that has
10 been marked as Deposition Exhibit Number 3. Can you
11 take a look at that email trail, please, and tell me
12 if you're able to identify it?

13 A. Yes. It's an email from me to our budget analyst at
14 the budget department.

15 Q. What is the date of that email?

16 A. December 12th.

17 Q. What were you communicating to the personnel in the
18 budget department?

19 A. I just wanted to know what the status was on the
20 budget amendment, and if she was actually -- if she
21 still had it, or had it been given to her director for
22 approval. So before it goes to the director, the
23 budget director for approval, the department or budget

1 analyst has to review it first, and then it's
2 submitted to the director for approval. So I just
3 kind of wanted to know where was it, if you've got it,
4 or does the director, if she has it.

5 Q. Okay. And how many times did you communicate with the
6 budget department on this issue, on this budget
7 amendment?

8 A. Oh, maybe more than once if I sent this.

9 Q. Okay. And let the record reflect that the budget
10 amendment that Ms. Ducker was checking on with the
11 budget department as contained in Exhibit Number 3 was
12 pertaining to the amendment, the budget amendment that
13 would have effectively eliminated Bridget Lamar's job
14 as a result of the process that was initiated by
15 Dr. Marcella Anderson back in November of 2018, is
16 that correct, Ms. Ducker?

17 A. That would be correct.

18 Q. So was the -- did the budget department ever
19 communicate to you and/or Dr. Anderson that the budget
20 amendment had been approved?

21 A. They must have.

22 Q. Okay. I'm going to show you -- and why do you say
23 they must have?

1 A. Because the director would not have met with Ms. Lamar
2 on the 14th.

3 Q. Okay. And Exhibit H of, and I'm going to reference --

4 MR. MUNGO: We're going to mark
5 Dr. Anderson's copy of the written response as the
6 next exhibit.

7 (Exhibit No. 4 was marked
8 for identification.)

9 MS. HA: Dr. Anderson, can you just make
10 sure that that response does not contain your personal
11 notes.

12 DR. ANDERSON: It does not. Thank you.

13 BY MR. MUNGO:

14 Q. Let the record reflect that I'm about to show
15 Ms. Ducker Deposition Exhibit Number 4. Could you
16 reference Exhibit H, please, and it would be the first
17 email trail towards the top. Do you see the email
18 from Tanya Stoudemire? Do you see that email?

19 A. Yes, sir.

20 Q. Okay. And who was Tanya Stoudemire?

21 A. She was the budget director.

22 Q. For?

23 A. The City of Detroit.

1 Q. And it was her office, her department that had charge
2 of approving the budget amendment that would have
3 effected the eliminating of Bridget Lamar's job?

4 A. That's correct.

5 Q. Have you ever seen this email by the way? Do you
6 recall having seen it, or any communication from
7 Ms. Stoudemire to that effect?

8 A. I believe I have.

9 Q. And what does that email say? You can read it into
10 the record.

11 A. Dated 12/13?

12 Q. Yes.

13 A. Per our -- from Tanya Stoudemire. Per our
14 conversation, amendment is being reviewed and will be
15 ready on Monday morning.

16 Q. Monday morning?

17 A. Mm-hmm, yes.

18 Q. Okay. What does that mean to you in effect? What was
19 she communicating to you regarding the status of that
20 budget amendment being approved?

21 A. That it's going to be approved and be ready for pickup
22 on Monday.

23 Q. Okay. Had you ever received any communication of that

1 sort since Dr. Anderson had initiated the paperwork
2 for that budget amendment, in other words,
3 communicating that the documents will be ready on a
4 particular day?

5 A. I'm sure.

6 Q. You're sure?

7 A. I'm sure because I've been the one communicating with
8 budget, so they would have copied me, yes, sir.

9 Q. They would have copied you, but I'm saying this
10 particular communication here was definitive in terms
11 of saying it would be ready to be picked up, correct?

12 A. Correct.

13 Q. And do you recall -- although you may not recall
14 reading this email word for word, you do recall this
15 communication being sent to you and Dr. Anderson,
16 correct?

17 A. Yes.

18 Q. And did you have any reason to believe that those
19 documents would not be ready to be picked up on that
20 Monday?

21 A. No, I would have no reason not to believe that.

22 Q. All right. And there was -- and this email was to
23 who, if you look at the email trail?

1 A. To the director, with copies to me and Lashinda Stair
2 and Pam Scales.

3 Q. Okay. And this -- the date of this email, this
4 communication that the documents would be ready Monday
5 morning was dated what, December --

6 A. 13th.

7 Q. Of?

8 A. '18.

9 Q. 2018?

10 A. 2018.

11 Q. Was that the day after or the day before you and
12 Dr. Anderson met with Bridget Lamar to inform her that
13 the position had been or that the amendment had been
14 approved and that her job would be eliminated?

15 A. It was the day before.

16 Q. The day before. Now, can you remember whether or not
17 that was -- what day of the week the 13th was?

18 A. The Thursday, because the 14th was a Friday.

19 Q. Okay. So then it was your expectation that when you
20 returned to work Monday, that Dr. Anderson and
21 yourself would have the documents to present to
22 Ms. Lamar pertaining to the elimination of her
23 position? Was that the rationale and was that the

1 logical conclusion with regard to meeting with
2 Ms. Lamar on that Friday to inform her after you got
3 this message from budget?

4 A. Yes, the conclusion was that the position had been
5 about approved to be eliminated, that it was done.

6 Q. It was done?

7 A. That it was done, and now the employee can be informed
8 that the position has been eliminated.

9 Q. That's right. And so does it make sense logically to
10 you to inform Ms. Lamar of that on that Friday
11 afternoon towards the close of business, since Monday
12 the documents will be ready?

13 A. Yes.

14 Q. And as an HR professional, why does that make sense to
15 you to do it in that order and in that timing?

16 A. Well, because why delay. No sense in delaying
17 something that has already been delayed long enough.
18 The request was made in late October, early November,
19 something like that. And so they had already had it
20 long enough to -- for it to have been approved. So
21 there was no need to delay informing Ms. Lamar of what
22 was to come, and to let her know of what her options
23 were at the time. It was approved, that's why we were

1 following up on it.

2 Q. Very good.

3 A. So it can be done.

4 Q. Had Dr. Anderson ever expressed to you any anger or
5 animosity against Ms. Lamar?

6 A. No.

7 Q. Had she ever made any statements to you at any time
8 that would be disrespectful or denigrating or in any
9 way a put down or thinking lesser of Ms. Lamar at any
10 point in time for any reason?

11 A. No.

12 MR. MUNGO: I think that completes my
13 examination or questioning of Ms. Ducker as a witness
14 for Dr. Anderson. Thank you very much, Ms. Ducker. I
15 really appreciate it. I think they may have
16 questions.

17 MS. HENDRICKS-MOORE: Again, I really want
18 to thank you for coming in. I appreciate it. Just a
19 couple of questions.

20 Dr. Anderson had you come into the office
21 with her to -- when she notified Bridget?

22 A. Yes.

23 MS. HENDRICKS-MOORE: When did Dr. Anderson

1 let you know? When did she ask you to come into the
2 office?

3 A. It might have been maybe about 2:30 to meet in her
4 office at 3:30.

5 MS. HENDRICKS-MOORE: Oh, okay. And can
6 you just tell me how that conversation was?

7 A. I need you to sit in a meeting with myself. I'll be
8 letting Ms. Lamar know that the position has been
9 eliminated and what her options are at 3:30.

10 MS. HENDRICKS-MOORE: Okay. And you sat in
11 when she had that conversation with Ms. Lamar?

12 A. Yes, ma'am.

13 MS. HENDRICKS-MOORE: Can you just kind of
14 go over the conversation and what happened? I know it
15 probably was really brief, but I'm just kind of asking
16 to kind of refresh my memory on it.

17 A. The director -- I was already in there when Bridget
18 came, and the director informed her that the employee
19 services manager II position was being eliminated, and
20 that -- and Ms. Lamar said, well, why? And she said
21 it was a business decision. And she asked for some
22 documentation. And she said, you'll get it later.
23 And she said these will be your options, you can go

1 back to a previously held title in the series, or back
2 to employee -- well, really to employee services I in
3 the series, or employee services consultant III, which
4 is also in the series; and that you could reach out to
5 Ms. Ursula Holland at the human resources department,
6 they may have a position available.

7 MS. HENDRICKS-MOORE: Okay. And did you
8 have a conversation with Dr. Anderson prior to you
9 going in the office with her that she was going to be
10 presenting this information to Ms. Lamar?

11 A. A conversation.

12 MS. HENDRICKS-MOORE: Did you all discuss
13 anything prior? Because you mentioned that you had an
14 email that stated that the budget amendment was
15 already going to be approved, so I didn't know if you
16 all had a conversation prior to you going in the
17 office about the fact that she was going to be
18 presenting Ms. Lamar with that information that day.

19 A. I don't know if there was a meeting.

20 MS. HENDRICKS-MOORE: Or conversation,
21 discussion?

22 A. A conversation at 2:30, I'm going to talk to Ms. Lamar
23 at 3:30 about this position.

1 MS. HENDRICKS-MOORE: Oh, okay.

2 A. Being eliminated.

3 MS. HENDRICKS-MOORE: And did she give
4 Ms. Lamar any documentation?

5 A. Not at that time, no.

6 MS. HENDRICKS-MOORE: And you mentioned
7 that you were -- you mentioned that the first time
8 that you had heard that we were doing an
9 investigation, when was that? Do you remember the
10 date or the time?

11 A. That came up with this retaliation thing.

12 MS. HENDRICKS-MOORE: Okay.

13 A. I didn't know anything about nothing else. This
14 retaliation.

15 MS. HENDRICKS-MOORE: Okay. Do you
16 remember who you found out that information from, who
17 provided that information or how that came about?

18 A. About the retaliation charge?

19 MS. HENDRICKS-MOORE: No, how did you find
20 out the information that you found out from somebody?

21 A. About the retaliation? I guess I'm trying to -- about
22 what?

23 MS. HENDRICKS-MOORE: How did you come to

1 be aware that there had been an investigation
2 involving our office in the action of retaliation?

3 A. It was as a result of this retaliation.

4 MS. HENDRICKS-MOORE: Right.

5 A. Yes. It was a result of Director Anderson mentioned
6 that -- this retaliation charge. Retaliation relative
7 to what was the question. Then about some other
8 investigation that I still don't really know nothing
9 about, so -- but it was in regards to some other
10 investigation that she was involved in, I guess, which
11 is why she was claiming retaliation, Ms. Lamar.

12 MS. HENDRICKS-MOORE: Right. And I guess
13 what I'm trying to ask you, is there was a question
14 that was asked of you by Mr. Mungo as to when you had
15 became aware that there was information out there
16 regarding that we were doing an investigation. And
17 you said, yes, you had heard. I'm asking who did you
18 hear that from or how were you provided that
19 information? It could have been a rumor, I don't
20 know.

21 MR. MUNGO: I think my question was when
22 did she become aware of the allegation of retaliation,
23 not of an investigation.

1 MS. HENDRICKS-MOORE: So again when did you
2 become aware? Did you hear that from somebody? Did
3 somebody provide that information to you?

4 A. The director told me about the retaliation charge
5 against her.

6 MS. HENDRICKS-MOORE: Okay. When did the
7 director tell you that?

8 A. It must have been when she received notice from this
9 office.

10 MS. HENDRICKS-MOORE: Okay.

11 A. I don't know a date.

12 MS. HENDRICKS-MOORE: And that's fine.

13 A. Yes, I don't know a date, but when she received notice
14 from this office that a charge was alleged against her
15 for retaliation.

16 MS. HENDRICKS-MOORE: Okay. So that's just
17 how you became aware of it?

18 A. Yes.

19 MS. HENDRICKS-MOORE: And I was just trying
20 to find out how you became aware of it. And you
21 didn't know anything about it prior to that?

22 A. No.

23 MS. HENDRICKS-MOORE: Okay.

1 MS. HA: I just want to clarify the record,
2 and I don't want to assume the wrong things. So is it
3 safe to assume that before you met with Dr. Anderson
4 and Bridget Lamar, when Bridget said this is
5 retaliation, you did not know that Bridget had
6 participated in an OIG investigation, is that --

7 A. I didn't know what she -- I didn't know.

8 MS. HA: Okay. And you only found out what
9 Bridget meant when she said this is retaliation after
10 Bridget said this is retaliation?

11 A. Correct.

12 MS. HA: Okay.

13 BY MR. MUNGO:

14 Q. Then my question to follow up to that, would that make
15 sense to you?

16 A. Would what make sense to me, what she was saying?

17 Q. Yes.

18 A. It didn't make sense, because I didn't know what she
19 was talking about, what is she retaliating against her
20 for. So when you say retaliation, I'm thinking it's
21 because you've done -- she did something to her.

22 Q. So even after you found out about the allegations of
23 the investigation or whatever, it still didn't make

1 sense to you that that could constitute retaliation,
2 is that correct?

3 A. Right.

4 Q. The other question is, when Dr. Anderson spoke to you
5 about the retaliation charge allegations by Ms. Lamar,
6 did Dr. Anderson also ask you whether or not the OIG
7 had contacted you to get an interview?

8 A. Did she ask me if they contacted me?

9 Q. Yes.

10 A. I know they didn't contact me.

11 Q. Do you have any idea why they wouldn't talk to you?

12 A. No.

13 Q. Do you think that it would be -- you would be a
14 material witness to such allegations that that meeting
15 and what happened at that meeting, the timing of the
16 meeting constituting retaliation, don't you think that
17 your testimony, your statement would be very important
18 to such a serious charge if you were there?

19 A. If I was there, I would have thought that somebody
20 would have reached out since I was sitting in the
21 meeting.

22 Q. Do you think that the OIG had no clue that you were in
23 the meeting with Dr. Anderson and Bridget Lamar when

1 Dr. Anderson informed her about the elimination of her
2 position?

3 A. I would assume they didn't know.

4 Q. That's what you would assume?

5 A. That's what I would assume.

6 Q. You would assume they didn't see your email to budget,
7 the one that we covered here, Exhibit Number 3? Would
8 you assume that they didn't see that email?

9 A. I guess they didn't. My first thought is that I would
10 assume that they didn't know I was in the meeting
11 because maybe nobody told them I was in the meeting.
12 Whoever made the charge, if Ms. Lamar made the charge,
13 she didn't tell them I was in the meeting, so maybe
14 that's why I wasn't called.

15 Q. Does it make sense that if Ms. Lamar would make such a
16 charge, that she would have told them, that she would
17 have been morally obligated to tell them you were in
18 the meeting?

19 A. Or at least I was there in the meeting.

20 Q. Would you expect that it would have been reasonable
21 and that she would have been responsible for letting
22 folks to know that you were in the meeting?

23 A. That there was a witness, yes.

1 Q. That there would have been a witness to this so-called
2 retaliation, which would have been you, right?

3 A. Right, yes.

4 MS. HA: But you didn't know what she meant
5 when she said retaliation at the meeting, correct?

6 A. As she was walking out, I didn't know what she was
7 relating it to.

8 MS. HA: Or that Bridget had communicated
9 or participated in an OIG investigation pertaining to
10 BOPC, you didn't know any of that?

11 A. No, I didn't know any of that.

12 MS. HA: Okay. That's it.

13 BY MR. MUNGO:

14 Q. But even had you known, would it make sense to you
15 that that would constitute retaliation what
16 Dr. Anderson told Lamar?

17 A. I don't know how it would have constituted
18 retaliation, one, because this was being done before
19 the retaliation charge was even made. It had nothing
20 to do with anything. It was a business decision to
21 eliminate the position. It wasn't tied to anything
22 other than a business decision.

23 Q. Would it have been somewhat suspicious in terms of

1 Dr. Anderson trying to do something evil or wicked or
2 retaliatory to Ms. Lamar for whatever reason if
3 Dr. Anderson's informing, informing Bridget Lamar
4 about the elimination of her position somehow violated
5 the procedures in which the timing of Dr. Anderson
6 informing her would have violated those procedures,
7 would that have created a little bit more suspicion
8 about whether or not there was retaliation?

9 A. There would have been suspicion. Dr. Anderson acted
10 to me appropriately in accordance with the civil
11 service rules in accordance with what she was trying
12 to do for business purposes. She would not have
13 notified her prior to knowing that the position had
14 been approved to be changed back to the appointed
15 position. She would not have made notification. She
16 would not have even known what to do if she had not
17 received guidance from the city's human resources
18 department as well. She just would not have known any
19 of that. So there is -- I don't -- the retaliation, I
20 just don't understand that at all, period.

21 Q. And were there any requirements by way of the standard
22 operating procedures or policies that Dr. Anderson was
23 not supposed to share the elimination -- share with

1 Lamar that her position was being eliminated at that
2 time? Were there any rules saying that Dr. Anderson
3 could not do that at that time?

4 A. There are no rules saying that she couldn't do it.

5 Q. So doing so didn't violate any rules, right?

6 A. No, no.

7 Q. And did -- that thought just blew away from me. So
8 give me just a moment.

9 MS. BENTLEY: I have one question. Do you
10 mind if I go ahead and ask it while you're thinking?

11 MR. MUNGO: Go ahead.

12 MS. BENTLEY: I'll have you turn back to
13 Exhibit H. I believe you read on the record this
14 email from Tanya Stoudemire on December 13th at 2018.
15 Can you tell me what time that email was?

16 A. 3:50 p.m.

17 MS. BENTLEY: And would you just read it
18 one more time?

19 A. Per our conversation, amendment is being reviewed and
20 will be ready on Monday morning, Tanya Stoudemire.

21 MS. BENTLEY: Thank you. And then just
22 continuing in that email strand, so this email here,
23 it's to who?

1 A. That's to Ursula from the director.

2 MS. BENTLEY: Can you also tell us the date
3 and time of that?

4 A. 12/13/2108, 4:26 p.m.

5 MS. BENTLEY: And will you just read what
6 that says?

7 A. It was my intention to inform her this week, however
8 the budget amendment is not processed.

9 MS. BENTLEY: So not processed, what does
10 that mean to you?

11 A. Not approved.

12 MS. BENTLEY: Okay. Thank you. I don't
13 have any other questions.

14 BY MR. MUNGO:

15 Q. So with regard to it being processed, what does that
16 mean to you, Ms. Ducker, in terms of being processed?
17 What does that mean to you?

18 A. Not approved at that point.

19 Q. Okay.

20 A. Because it's being processed.

21 Q. So do you see a difference between that email and the
22 one you just read, the one here, per our conversation
23 the amendment is being reviewed and will be ready on

1 Monday.

2 A. No difference, not to me.

3 Q. Okay. So what does that --

4 A. This means that Tanya has it -- to me, Tanya has it,
5 she's reviewing it, and it will be ready on Monday
6 morning approved.

7 Q. That's what it means?

8 A. That's what it means to me.

9 Q. Okay. So counsel just asked you a statement --

10 MS. BENTLEY: Are you speculating on that,
11 though?

12 A. If it wasn't going to be approved, they would have
13 told us. If they needed more information, they would
14 have told us.

15 MS. BENTLEY: Reviewed, though, it doesn't
16 necessarily say approved or not approved?

17 A. That's true, that's true.

18 BY MR. MUNGO:

19 Q. So you've dealt with budget before in processes like
20 this, correct?

21 A. Yes.

22 Q. Typically when you get a message saying it's going to
23 be ready on a certain day, whatever word they used,

1 whether it's processed or reviewed, if they said it
2 it's going to be ready on a certain day, the fact that
3 they said it's going to be ready, it obviously means
4 they've approved it, correct?

5 A. Right.

6 Q. And counsel just asked you a question that that's
7 something that you can't be sure about, but in this
8 particular case would you be sure that after receiving
9 a message from budget saying that it's being reviewed
10 and will be ready on Monday, is there any question in
11 your mind that that means it was approved?

12 A. No question, it's approved.

13 Q. Okay. All right. And the other question that I have
14 for you is were you aware that Ursula Holland had
15 recommended to Dr. Anderson on more than one occasion
16 to inform Bridget Lamar that her position was being
17 eliminated before you received approval that it was?
18 Were you aware of that?

19 A. Was I aware -- say that one more time.

20 Q. Ursula Holland had urged Dr. Anderson to inform
21 Bridget Lamar that her position was being eliminated
22 on previously occasions, on more than one occasion in
23 fact? Were you aware that Ursula Holland advised and

1 encouraged Dr. Anderson to tell Bridget Lamar that her
2 position was being eliminated long before the 13th and
3 the 14th? If you don't recall that, that's fine. But
4 if you do, tell us what you know about that.

5 A. I recall Ursula being engaged in this process and
6 indicating that she possibly had a position for her
7 over there. In terms of encouraging the --
8 encouraging her to be notified, I don't know if I can
9 say that, because the position hadn't been changed
10 yet, so.

11 Q. It hadn't been approved yet?

12 A. It hadn't been approved yet. So why say something to
13 her if a thing is not going to be approved yet.

14 Q. Okay. So why would it be inappropriate or not a good
15 business decision to inform an employee that their
16 position is going to be eliminated before you have
17 some reasonable assurance that it was approved? Why
18 would that not be wise or good or healthy or
19 comfortable or in the best interest of the employee?

20 A. Because you're making assumptions that you have no
21 control over.

22 Q. Okay. So if Ursula urged Dr. Anderson to do so, that
23 would have been inappropriate in your opinion?

1 A. It would have been inappropriate, because it still has
2 to go through an approval process.

3 MR. MUNGO: All right. I'm done.

4 MS. HA: No questions.

5 MS. HENDRICKS-MOORE: No questions.

6 MS. BENTLEY: Thank you very much for your
7 time.

8 (Brief recess.)

9 J E R M A I N E W Y R I C K

10 was thereupon called as a witness herein, and after
11 first being duly sworn to tell the truth, the whole
12 truth and nothing but the truth, testified as
13 follows:

14 EXAMINATION

15 BY MR. MUNGO:

16 Q. Mr. Wyrick.

17 A. Yes.

18 Q. Good afternoon to you. So Mr. Wyrick, could you state
19 for the record what your occupation is, sir?

20 A. My full name is Jermaine Wyrick. I'm currently the
21 attorney for the Board of Police Commissioners.

22 Q. Do you know Dr. Anderson?

23 A. Yes, in her capacity when she became the personnel

1 director last fall, I think around October last fall.

2 Q. Okay. So you were serving as the attorney for the
3 Board of Police Commissioners at that time?

4 A. Yes, since July of 2017 is when I started.

5 Q. Okay. And do you recall the process that she had gone
6 through in order to be selected for that position?

7 A. I recall the board -- I didn't actually participate in
8 the interviews, but there were interviews in a board
9 room similar to this room that some of the board
10 members conducted of several candidates. In fact, I
11 remember Dr. Anderson, although I didn't know her
12 specifically. She had a very nice smile, you know,
13 sitting outside the room one day, and I kind of recall
14 her from that.

15 Q. But you're familiar with the process that was engaged
16 by the city in order to -- that resulted in the
17 selection of Dr. Anderson for the position as director
18 of HR?

19 A. Yes. Mainly I think by the personnel committee of the
20 Board of Police Commission. I think they were the
21 ones that actually more or less took in the candidates
22 as far as interviews and reviewing resumes. I believe
23 Mr. Hicks also participated as well.

1 Q. How many candidates applied for that position to fill
2 that position, if you recall?

3 A. Off the top of my head I don't -- I want to be precise
4 with the number. I believe at least 10 or 11, but I
5 could be wrong.

6 Q. Among the 10 or 11, the number of applicants that
7 applied for that position, HR director for the City of
8 Detroit Police Department, was Ms. Bridget Lamar one
9 of those candidates?

10 A. Yes, she was.

11 Q. And was she selected?

12 A. No.

13 Q. Okay. Was she serving as interim director of HR at
14 the time she applied?

15 A. Yes, she was. In fact, she became the interim
16 director after the prior permanent director, Ms. Gail
17 Oxendine left, which was actually around the same time
18 I started. I think she became the interim director
19 probably in 2017.

20 Q. All right. So did you notice any change in
21 Ms. Lamar's attitude or any reactions good or bad
22 after she was not selected as the HR director for the
23 City of Detroit Police Department?

1 A. I know when Dr. Anderson first started, she was more
2 or less giving her -- you know, I heard a lot of
3 things that I probably don't really want to get into
4 just by virtue of it might be hearsay or speculative
5 or that kind of thing, but I heard that it was more or
6 less kind of a -- at the time there was kind a toxic
7 environment not only towards Dr. Anderson, but even
8 some of the things amongst board members and other
9 staff, that type of thing.

10 Q. So would it be fair to say that Ms. Lamar was
11 displeased with the fact that she was not selected as
12 the director for the Detroit Police Department, HR
13 director?

14 A. From what I understand, yes.

15 MR. MUNGO: So I'm going to -- let the
16 record reflect that I'm about to show Attorney Wyrick
17 Deposition Exhibit Number 5, and I believe you all
18 made copies of it. Very good.

19 (Exhibit No. 5 was marked
20 for identification.)

21 BY MR. MUNGO:

22 Q. So Attorney Wyrick, I'm going to ask you to review
23 that document, and after you've had an opportunity to

1 do so, would you so indicate, please?

2 A. I've reviewed it.

3 Q. Okay. Attorney Wyrick, do you recognize that
4 document?

5 A. Yes.

6 Q. And for the record, what is that document, please?

7 A. It's more or less a compilation of the information
8 that we, and by we I mean the BOPC and Dr. Anderson
9 were more or less compiling related to the initial IG
10 investigation of Mr. Robert Brown's promotion.

11 Q. So you were requested by the OIG, Office of Inspector
12 General, to provide documents to their investigators?

13 A. Yes. Specifically, Ms. Hendricks-Moore was the person
14 that I was more or less communicating with.

15 Q. Okay. And so the documents that you just reviewed
16 that are part of Deposition Exhibit Number 5 would be
17 documents that Dr. Anderson provided you with in
18 response to OIG's request for documents pursuant to
19 their investigation, correct?

20 A. Yes. I mean, including like some email exchanges
21 between me and her on that subject matter.

22 MR. MUNGO: Okay. And let the record
23 reflect that, that the first three or four pages

1 consist of email chain communications between Attorney
2 Wyrick and Dr. Anderson pursuant to Dr. Anderson
3 providing those documents to Attorney Wyrick.

4 BY MR. MUNGO:

5 Q. Attorney Wyrick, did Dr. Anderson herself personally
6 engage in producing these particular documents that
7 are part of Deposition -- I'm sorry, Exhibit Number 5?

8 A. Yes, absolutely. In fact, the documents reflect that.

9 Q. Okay. And did you ever at any point in time
10 experience any reluctance by Dr. Anderson to provide
11 information to you or to the OIG pursuant to their
12 investigation?

13 A. No. She was fully cooperative.

14 Q. So at no time was she reluctant or tardy in supplying
15 documents or anything of that a sort?

16 A. No.

17 Q. Okay. Very good. Did there come a time in which
18 there was a subsequent request for documents that you
19 received from the OIG that you forwarded to
20 Dr. Anderson to participate in and to assist in
21 providing to you so that you could respond to OIG's
22 request?

23 A. Yes. There was actually communication either by phone

1 or email or both from Investigator Moore more or less
2 saying that the documentation that we provided, which
3 would include the exhibit that you just referenced,
4 was not sufficient, and that the BOPC would be
5 required to submit more information. And based upon
6 that, Investigator Hendricks-Moore also suggested that
7 I talk to personnel about it, that they had talked to
8 Ms. Lamar, and so then naturally I re-sent that to
9 Dr. Anderson with her being the personnel director.

10 Q. And before we move forward, the first document
11 requests that were fulfilled seem to be during the
12 time period of early December, December 3rd according
13 to the dates on the email trail that are attached to
14 Exhibit 5. Would that be right around the same period
15 of time in which the documents were provided to you by
16 Dr. Anderson pursuant to OIG's request?

17 A. Yes.

18 Q. December 3rd. Then the second request came
19 December 13th I believe, would that be correct?

20 A. Yes, as I recall.

21 (Exhibit No. 6 was marked
22 for identification.)

23 MR. MUNGO: Let the record reflect I'm

1 about to show Attorney Wyrick Exhibit Number 6.

2 BY MR. MUNGO:

3 Q. Could you take a look at that document and tell me if
4 you recognize that, please?

5 A. Yes.

6 Q. What is that document for the record, please?

7 A. It appears to be an email communication from
8 Dr. Anderson to myself.

9 Q. Okay. And the communication would be regarding what?

10 A. Our response, and by our, I mean the BOPC response to
11 the IG investigation.

12 Q. And this would be pursuant to the request that was
13 received by you from OIG on December 13th, correct?

14 A. Yes.

15 Q. Okay. And so can you take us -- walk us through this
16 exchange and kind of fill in the blanks and tell us
17 what occurred?

18 A. This isn't really the complete exchange, but what it
19 does is this more or less explains Dr. Anderson's
20 position as she was just trying to work together with
21 Ms. Lamar and not duplicate the same documents that
22 she was under the impression that Ms. Lamar had
23 already tendered in order to cooperate with the

1 investigation pursuant to the city charter.

2 Q. So there are emails in the portion of this email trail
3 that is not reflected in Exhibit 6?

4 A. Yes. There is an initial series of emails. Because
5 the initial series of emails was actually on
6 December 13th, and this communication was on the 14th.

7 Q. On the 14th?

8 A. Right, which I brought a copy of just --

9 Q. Okay. I think we may have it in the written response.
10 Okay. So I'm going to refer you to Exhibit 4, and if
11 you can look at the Exhibit E attached to Exhibit 4.
12 Would that be the communication that you were
13 referencing as part of the earlier chain in which you
14 were requested a second time by OIG for documents, and
15 you forwarded that request to Dr. Anderson?

16 A. Yes. This is actually the one email that I initially
17 sent to Dr. Anderson that day.

18 Q. Okay. And just for the record, what does that email
19 communicate?

20 A. It said I spoke with Investigator Hendricks-Moore
21 regarding this matter. She will be sending me a
22 written letter requesting more documents tomorrow,
23 which she thinks will come from your department.

1 She's interested in any job descriptions for executive
2 level positions in the BOPC. I've already forwarded a
3 copy of your position, which I had a copy of via
4 email, but no others, because I just started here
5 myself in July of 2017.

6 Q. Very good. And subsequent to sending that email,
7 which is Exhibit E attached to Dr. Anderson's written
8 response, which is part of Exhibit 4, subsequent to
9 that email, what occurred?

10 A. There was an exchange -- there was more exchange -- I
11 think as a direct result of this, and I don't want to
12 speak for Dr. Anderson, she naturally reached out to
13 Bridget Lamar in light of this, because there was some
14 communication to, and I don't know if this was via
15 email or -- I think it's via email, that I have on the
16 13th that more or less Ms. Lamar had -- actually this
17 emails says that early on in the investigation she
18 spoke with Bridget Lamar. This says it right there.
19 As a result of that, Dr. Anderson reached out to Ms.
20 Lamar.

21 Q. So just to make sure that the record is really clear,
22 who was it that communicated that someone had spoken
23 to Bridget Lamar regarding the OIG's request for

1 documents pursuant to their investigation?

2 A. Investigator Hendricks-Moore.

3 Q. Hendricks-Moore communicated to you that they had
4 already spoken and gotten documents and information
5 from Bridget Lamar?

6 A. Yes.

7 Q. Okay. In pursuit of their investigation?

8 A. Yes.

9 Q. And you conveyed that information to Dr. Anderson?

10 A. Yes.

11 Q. Okay. And the reason you conveyed the information
12 about Bridget Lamar having provided the information to
13 the OIG previously pursuant to your being informed by
14 Hendricks-Moore, the OIG investigator, you provided --
15 you forwarded that information to Dr. Anderson letting
16 her know that Bridget Lamar has been participating and
17 already provided documents and information to OIG,
18 correct?

19 A. Yes.

20 Q. Okay. And why did you do that? Why did you reference
21 that to -- the fact that Bridget Lamar had already
22 participated in providing information and documents to
23 Dr. Anderson?

1 A. Because under the charter we, and by we I mean
2 individually and collectively I as the Board's
3 attorney, Dr. Anderson as the personnel director, and
4 just the overall BOPC are required to cooperate with
5 an IG investigation. So in terms of meeting that
6 obligation and duty, I felt compelled to let
7 Dr. Anderson know that. I just thought it would help
8 her, help assist her cooperation and due diligence in
9 terms of cooperating.

10 Q. Okay. So it just made sense for the sake of
11 efficiency that whatever documents were coming,
12 because they were all coming from the same group,
13 right, the HR group?

14 A. Yes, the HR department.

15 Q. That Dr. Anderson was overseeing, she was director of?

16 A. Yes. And with Ms. Lamar being more or less in some
17 respects as the interim, Dr. Anderson's predecessor.

18 MR. MUNGO: Would you mark this, please.

19 (Exhibit No. 7 was marked
20 for identification.)

21 BY MR. MUNGO:

22 Q. Would you take a look at Deposition -- I'm sorry,
23 Exhibit Number 7. I do too many depositions. And

1 then after you've been able to identify that document,
2 please so indicate?

3 A. This is more or less an email exchange between the
4 three of us, and by the three of us I mean myself,
5 Dr. Anderson, and Bridget Lamar. It seems as though
6 the date was on December 13th after 5:00 p.m.

7 Q. Okay. I'm going to ask you to hold that document in
8 abeyance for just a moment, and I'm going to have this
9 marked.

10 (Exhibit No. 8 was marked
11 for identification.)

12 BY MR. MUNGO:

13 Q. So Attorney Wyrick, I'm going to direct your attention
14 to Exhibit 8, and I want you to take a look at that
15 document, and then we're going to keep 7 handy here
16 because we're going to go back to that in a moment.

17 Once you're able to identify that document,
18 would you please indicate that you have?

19 A. This is similar to Exhibit 7 in that it's another
20 email communications, I would say that plural, between
21 myself and Dr. Anderson and Ms. Lamar. I think the
22 timing is different in that this was earlier in time
23 that day, and by that I mean before 5:00.

1 Q. Okay. I want you to go to the second to the last
2 page. And the emails are somewhat overlapping, and to
3 some extent you may see a duplicate email on a
4 different page, but simply because of some of the
5 email trail is not on the other page as it happens to
6 be sometimes. But I want you to take a look at the
7 second to the last page. It's a communication from
8 Ms. Anderson to Ms. Lamar. Are you there?

9 A. Yes, I'm there.

10 Q. Have you had an opportunity to read that email from
11 Dr. Anderson to Bridget Lamar?

12 A. Yes.

13 Q. Okay. And do you have any recollection of this
14 communication occurring between Dr. Anderson and
15 Ms. Lamar?

16 A. Yes. From what I could discern, and I was CC'd on
17 this email, it says that it was sent at 14:23, which
18 would be 2:23 that day on December 13th. And more or
19 less this would have been the initial email that
20 Dr. Anderson sent to Ms. Lamar in response to the
21 additional information that was requested of myself
22 from the IG's office.

23 Q. Okay. And there was -- if you go to the next page, I

1 believe you see Ms. Lamar responding. When I say the
2 next page, the next page towards the front.

3 A. Okay.

4 Q. And at the very bottom there you'll see an email from
5 Bridget Lamar on 12/13 of '18 at 3:56 p.m. And I
6 notice how some of these times are military times and
7 others are regular time. But are you there?

8 A. Yes.

9 Q. Okay. Do you see the communication from Ms. Lamar
10 back to Dr. Anderson?

11 A. Yes.

12 Q. And do you recall this communication sent by Bridget
13 Lamar to Dr. Anderson pursuant to her request for
14 Ms. Lamar to provide a summary?

15 A. Yes.

16 Q. Can you tell us about that? What do you know about
17 this particular exchange?

18 A. That was when Ms. Lamar more or less opposed
19 Dr. Anderson's request for additional information.

20 Q. Was this the very first expression of resistance by
21 Ms. Lamar to providing Dr. Anderson with any
22 information regarding her participation in the OIG
23 investigation?

1 A. Yes.

2 Q. Okay. This would be the first instance of that. And
3 so just for the record, what is she saying in essence?

4 A. When you say "she," you mean Ms. Lamar?

5 Q. Yes, yes, Ms. Lamar.

6 A. It says, "The interview was part of an investigation.
7 I'm not certain that that information can be shared.
8 I will reach out to the investigator and inquire."

9 Q. What did you learn, if anything, that Ms. Lamar meant
10 by communicating this message to Dr. Anderson?

11 A. Well, to resolve it, I more or less looked at the
12 charter and the charter specifically says that
13 information given within an IG investigation is
14 considered confidential information, and then I
15 communicated that both to Dr. Anderson and Ms. Lamar.

16 Q. Okay.

17 A. And I also had my own response to it at 5:00 as well
18 as reflected there.

19 Q. And for the record, what was your response to Bridget
20 Lamar's message to Dr. Anderson regarding
21 Dr. Anderson's request for a summary of her
22 participate in the investigation?

23 A. Well, I responded directly to Ms. Lamar myself.

1 "Please don't, we understand if you cannot share the
2 information. We were just trying to coordinate
3 information and give to them in an effective and
4 efficient manner."

5 Q. Okay. And then was there a response to your email by
6 Dr. Anderson?

7 A. Yes. She said thank you both for your help, and
8 that's directed to me and Ms. Lamar.

9 Q. So this is right on the heels and in direct sequence
10 to Ms. Lamar's communication that she didn't believe
11 that she should share information that she provided
12 pursuant to the OIG investigation, correct?

13 A. Yes, because I sent that communication at 5:00, and
14 then Dr. Anderson thanked me at 5:08, and she thanked
15 both of us at 5:26.

16 Q. And you mean she thanked Ms. Lamar, too?

17 A. Yes. She said thank you for both your help, and it's
18 directed to Bridget Lamar and myself.

19 Q. Does that sound like Dr. Anderson was upset with
20 Ms. Lamar for not providing the summary?

21 A. No, not at all.

22 Q. And it's certainly not apparent from this
23 communication, is it?

1 A. No.

2 Q. All right. And then I want you to look at the next
3 page going towards the front, Page 1 of 4. There is
4 an email from Dr. Anderson, and I notice you were
5 copied on that email as well, correct?

6 A. Yes.

7 Q. And what happened there? What is Dr. Anderson
8 communicating to Bridget?

9 A. It says, "I'm sorry that you took the email that way
10 as it was not my intent. My intent was as Attorney
11 Wyrick said to effectively gather information. You
12 and I represent the same department. I have no
13 interest or intent to impede an investigation. I am
14 willing to meet with the IG and his or her supervisor
15 to provide clarification. I also have no problem not
16 being a part of this investigation." And she CC'd our
17 commissioners on that as well.

18 Q. She CC's the commissioners. So does this appear to be
19 sour grapes from Dr. Anderson that she's upset with
20 Ms. Bridget Lamar for not providing the information
21 about her participation in the investigation?

22 A. No.

23 Q. It doesn't sound like it, does it? It's apparent, and

1 the document obviously speaks for itself. And what is
2 the time on this apology, please?

3 A. 5:48 p.m. the same day.

4 Q. 5:48 p.m., all right. Now, I want you to -- so at
5 this point did you consider things resolved?

6 A. Yes.

7 Q. That issue resolved?

8 A. Yes.

9 Q. At 5:48 that evening on the 13th, you considered this
10 whole issue regarding the request for the summary made
11 by Dr. Anderson to Bridget Lamar regarding her
12 participation in the OIG investigation and Bridget
13 Lamar resisting it because she thought there was
14 something inappropriate about it, and you informed
15 her, yes, that's right, don't do it, and Dr. Anderson
16 thanked you and thanked her for it, did you consider
17 this matter resolved at that point?

18 A. Yes.

19 Q. Now let's take a look at something else. I'm going to
20 direct your attention to Exhibit 7. In particular I
21 want you to turn to the second page -- maybe not the
22 second page. Yes, the second page. Attorney Wyrick,
23 do you see the email from Bridget Lamar toward the top

1 of the page, from Bridget Lamar to both you and -- she
2 says good evening all. And I'm assuming that --

3 A. That's not what I have.

4 Q. I'm sorry?

5 A. That's the first page?

6 Q. The second.

7 A. The second page is different.

8 Q. Oh, wait a minute. Is that 7?

9 A. Yes.

10 Q. Actually it's the third page. I'm sorry, I didn't
11 finish my hooked on phonics.

12 Could you all excuse me for one quick
13 moment, please.

14 (Brief recess.)

15 BY MR. MUNGO:

16 Q. So as I stated prior to the break, that at a little
17 after 5:00 you considered that entire issue of
18 Ms. Lamar's resistance to provide this information to
19 Dr. Anderson resolved?

20 A. Yes.

21 Q. And now you're looking at the third page of Exhibit 7
22 towards the top where Ms. Lamar fires off another
23 email, correct?

1 A. Yes.

2 Q. And she's firing it off sending it to both you and
3 Dr. Anderson, is that correct?

4 A. Yes.

5 Q. And what is she stating here in this email? After
6 this issue was resolved, what is she stating?

7 A. She sends it at 6:33 and she says, "I want to be
8 absolutely clear, I have not provided the IG's office
9 with any documents. I felt it was highly
10 inappropriate to be asked to provide a summary of
11 information that was provided as part of an
12 investigation."

13 Q. Now hold on just a minute, stop right there. Do you
14 consider this necessary, or is this viewed as an
15 obvious act of fanning the fire and escalating
16 unnecessarily a situation that should be forgotten
17 about?

18 A. Perhaps escalation.

19 Q. Continue reading the rest of her message long after
20 this problem was resolved.

21 A. "How do you know I was contacted? Was probing
22 involved? I don't know exactly what is going on nor
23 do I need to know. Therefore I respectfully ask not

1 to be contacted by the BOPC or its representatives
2 regarding this matter again. Additionally, I want the
3 emails regarding this matter to stop. All of this is
4 very uncomfortable and causing undue stress."

5 Q. Okay. How do you interpret such an email after an
6 apology has been made by essentially you, too, and
7 Dr. Anderson about the entire matter, and made it
8 clear, you made it very clear to her that she doesn't
9 have to respond and you didn't expect her to respond,
10 you didn't expect Dr. Anderson to respond. But yet
11 she sends an email like this as though she was egging
12 you on and egging someone on to keep the -- to build
13 the flame out of something that was nothing? How do
14 you interpret that?

15 A. As hostility really.

16 Q. Did she seem to have like sour grapes towards
17 Dr. Anderson as a result of not getting that position?

18 A. You can interpret --

19 Q. In your opinion.

20 A. You can interpret it that way, but I think it even
21 went beyond that, because she's mentioning the BOPC
22 and the representatives. So I think at that point
23 she's directing it toward me and other people within

1 the BOPC as well.

2 Q. So she sort of had this bitter agenda going?

3 A. Yes, you could say that.

4 Q. So it's just wasn't -- it wasn't just limited to
5 yourself and Dr. Anderson, it was others?

6 A. No, I mean, she said BOPC or its representatives. So,
7 that's a pool.

8 Q. Now, I know there were emails subsequent to that that
9 you sent in response to this email as well as
10 Dr. Anderson, but they were all of the same nature,
11 correct?

12 A. When you say subsequent to?

13 Q. Well, after that email, yes.

14 A. I don't recall off the top of my head. I'm pretty
15 sure that I did, but, you know, I would have to see
16 it.

17 Q. But in any event, in any event, you will not find any
18 of those emails subsequent to that instigating
19 antagonistic communication after everything that had
20 been involved from either yourself or Dr. Anderson
21 that would in any way suggest to anybody that you or
22 Dr. Anderson had a problem with following the rules
23 and not pursuing trying to get any documents or

1 information from Bridget Lamar, correct?

2 A. No. I mean, especially after 5:30 after I cited the
3 specific section of the charter pertaining to an IG
4 investigation.

5 Q. And what page are you looking at now? That would be
6 what, the third or fourth page of is that Exhibit 7 or
7 8?

8 A. I think it was Exhibit 7, the second page.

9 Q. The second page?

10 A. Yes.

11 Q. Yes, down at the bottom. Please don't, we understand
12 if you cannot share the information, we're just trying
13 to coordinate the information and give it to them in
14 an effective and efficient manner.

15 A. That's what I was referencing earlier, but at the top
16 is when I referenced the Article 7.5.

17 Q. There you go. That was at 5 p.m., and this is at 5:30
18 you respond again to her and say Article 7.5 Chapter 3
19 of the Charter discussed the Office of Inspector
20 General under Section 7.5-313, Confidentiality?

21 A. Yes.

22 Q. All investigative files of the Office of Inspector
23 General shall be confidential and shall not be

1 divulged to any person except the U.S. Attorney,
2 Michigan Attorney General, or Wayne County
3 Prosecutors, and you sent that to Ms. Anderson as
4 well?

5 A. Dr. Anderson and Ms. Lamar.

6 Q. Yes, Dr. Anderson. Thank you. And Bridget Lamar?

7 A. Yes.

8 Q. So where is the problem here? Where is the pursuit of
9 Ms. Lamar about this information that has already been
10 determined and agreed that she -- that it was
11 inappropriate to ask her for it, and that no one is
12 now pursuing it? How does this thing continue? How
13 did Ms. Lamar continue this train, this trail of email
14 communications expressing hostility as though you,
15 Attorney Wyrick, and Dr. Anderson were in pursuit of
16 her and agitating her and still trying to get this
17 information out of her? Didn't you perceive her
18 response to be as such?

19 A. I definitely perceived it to be hostile.

20 Q. Yes. And she continued to pursue this issue that was
21 resolved?

22 A. I mean, because she did, she probed deeper, and by
23 that I mean she asked more questions and that type of

1 thing, and we didn't. And by she, I mean Ms. Lamar.

2 Q. Are you familiar with the process for transitioning in
3 this case Bridget Lamar's job from a civil service
4 position back to an executive appointed position?

5 A. My understanding of that factually is that Ms. Lamar's
6 predecessor, Gail Oxendine, made Ms. Lamar's position
7 a civil service position, but prior to that and under
8 the charter, very specifically I think 7-811, the
9 personnel director appoints at their pleasure a deputy
10 director to serve in an appointed position. But from
11 what I understand, that was changed by Ms. Oxendine
12 from an appointed position that Ms. Lamar was in to a
13 civil service position.

14 Q. Okay. Is that under the provisions that pertain --
15 oh, that's 7 --

16 A. 7-811 pertains specifically to the personnel director
17 position, and a deputy director that services under
18 the personnel director.

19 Q. Got it. And as a result, Dr. Anderson had the
20 authority to in fact make that transition of Bridget
21 Lamar's position from a civil service position to an
22 executive appointed position, correct?

23 A. Yes. I think -- the actual civil service from what I

1 understand status itself made it more difficult to do
2 that, but under the charter itself, her deputy
3 director is an appointee that serves at her pleasure,
4 and by her I mean the personnel director.

5 Q. Absolutely, absolutely. So there was nothing so far
6 as you knew as the attorney for the Board of Police
7 Commissioners wherein Dr. Anderson's choosing to
8 eliminate Bridget Lamar's position that was contrary
9 to the city charter, the city code, or any policies or
10 procedures and/or laws?

11 A. No.

12 Q. Okay. And the OIG has made a point on more than one
13 occasion, Attorney Wyrick, that their focus in this
14 matter in alleging that Dr. Anderson had committed the
15 or had engaged in retaliation against Bridget Lamar
16 was because of the timing in which Dr. Anderson chose
17 to disclose to Bridget Lamar that her position was
18 being eliminated, that is on the 14th of December
19 right after on the 13th of December this email
20 exchange about the sharing of information pursuant to
21 the Board's -- pursuant to the OIG's request for
22 information regarding their investigation that we just
23 discussed that we agreed was resolved, and yet Bridget

1 Lamar comes back again almost an hour later with
2 continued inflammatory emails. This particular point
3 and the gravamen that has been articulated to
4 Dr. Anderson through her attorney, me, that their
5 focus is not so much that Dr. Anderson had began to
6 eliminate her position prior to Ms. Lamar's alleged
7 protected activity, that's not what the OIG is
8 focusing on, okay. In other words, Dr. Anderson
9 didn't start the process of eliminating Ms. Lamar's
10 position after she engaged in the protected activity.
11 The OIG has acknowledged that Dr. Anderson started
12 that process prior to Ms. Lamar engaging in her
13 protected activity. They're saying that
14 Dr. Anderson -- evidence of Dr. Anderson retaliating
15 against Ms. Lamar is the timing in which Dr. Anderson
16 chose to share with Ms. Lamar that her position was
17 being eliminated, and that would be the day after the
18 email exchange about her providing information to
19 Dr. Anderson pursuant to the OIG's request for
20 additional information. Sir, do you have any opinion
21 at all as to whether or not that stands scrutiny in
22 light of the charter, city ordinance, any policies or
23 procedures or laws?

1 A. Well, I don't see where Dr. Anderson retaliated even
2 from a factual standpoint, and I think you just
3 referenced this. She had already begun a series of
4 processes from what I understand working with the
5 central human resources department at KMAC and within
6 the chief's office with AC Stair, assistant chief
7 Stair to more or less get approval to do so prior to
8 this communication on December 13th.

9 Q. Let the record show I'm about to show Attorney Wyrick
10 Exhibit 6. Can you take a look at that document, sir,
11 and after you've done so, if you can so indicate I
12 would appreciate it.

13 A. I've reviewed it.

14 Q. Okay. Attorney Wyrick, do you recognize that
15 document, sir?

16 A. Yes.

17 Q. And the content -- the subject matter, could you
18 articulate for the record, sir, what that document
19 addresses, the content of that document?

20 A. This communication is between me and Dr. Anderson
21 mainly on -- actually it begins if you look at the
22 last page December 13th going into December 14th,
23 between December 13th at 5:38 p.m. to December 14th at

1 3:06 p.m. Her initial, by her I mean Dr. Anderson's,
2 initial communication was asking me for the email
3 address and she's saying AG, but I think she meant to
4 say IG. And then in response to that I told her that
5 we could talk about it at the 6:30 p.m. meeting or she
6 could call me on my cell. And then I said that I was
7 formulating a response to Ms. Lamar's latest email,
8 does she still work in HR for you. I know you said
9 she is transferring.

10 Q. Okay. And then her response, Dr. Anderson's response,
11 do you see that?

12 A. On the very first page it says, "I asked for a summary
13 document so I could begin to gather related
14 information and documents. Again, as HR, I thought we
15 could work together and not duplicate the same
16 documents. My apologies for misunderstanding the
17 process."

18 Q. What does that represent to you, a director of HR that
19 has sour grapes about not having gotten the documents,
20 or a sober recognition and responsible response to a
21 prohibition based upon the rules that she readily
22 acknowledged and is willing to abide by?

23 A. I interpret it her more or less cooperating per the

1 charter with her duties to cooperate, coupled with
2 just more or less due diligence in doing so, making
3 sure that she could do everything she can to gather
4 information. Once she found out she was prohibited
5 from such, then it seems as though she had backed off.
6 And the only thing I neglected to mention, on the
7 bottom of that page, in response to my question about
8 does Ms. Lamar still work for you, on December 14th at
9 1:57 she says, "Yes, and she has not been told of the
10 transfer."

11 Q. And that was as of 1:57 p.m. on the 14th, correct?

12 A. Yes.

13 Q. Which was approximately an hour and a half prior to
14 her meeting with Ms. Lamar and Ms. Ducker?

15 A. I wasn't part of that.

16 Q. You wouldn't know that. We can't have you knowing
17 everything, right?

18 A. Right.

19 Q. You can't be everywhere at one time. Okay.

20 MR. MUNGO: I need to take a quick break
21 and go off the record for just a moment, please.

22 (Brief recess.)

23 BY MR. MUNGO:

1 Q. Attorney Wyrick, is there any additional information
2 that you might have that you think would be helpful to
3 this tribunal in providing insight as to their
4 concern, and that is specifically not so much whether
5 or not Dr. Anderson began the process of eliminating
6 Ms. Lamar's position as a response to her engaging in
7 protected activity, but that the timing, the time in
8 which Dr. Anderson shared information with Ms. Lamar
9 about the elimination of her position being an act of
10 retaliation, is there anything that you have to share
11 with this tribunal that would help them to soberly
12 assess the facts as they are or were on that issue, on
13 that point, or anything else you want to add that you
14 think would be helpful?

15 A. Yes. From what I recall Dr. Anderson was being very,
16 very careful in terms of how she handled that. And
17 even in terms of her consultations with me with me not
18 being a litigator for the City of Detroit, I suggested
19 that we contact the law department, which we did. And
20 then that put us in communication with June Adams who
21 handles labor and employment relations for the City of
22 Detroit, and we also spoke with IG Ellen Ha, who more
23 or less said -- told us basically don't take any --

1 and by us, I mean more or less Dr. Anderson more so
2 than myself, but as a consultant attorney, we were
3 more or less told from both Inspector General Ha and
4 June Adams for Dr. Anderson not to take any adverse
5 action against Ms. Lamar, and by that I mean a
6 demotion, transfer, termination, anything of that
7 nature, to more or less to just keep her in the
8 position as she is.

9 Q. This was after Ms. Lamar brought her allegations
10 against Dr. Anderson?

11 A. Yes.

12 Q. And not prior to?

13 A. And Dr. Anderson cooperated with that 100 percent.

14 Q. Anything else that you would like to share with us,
15 sir?

16 A. No.

17 MR. MUNGO: With that said, I don't have
18 any further questions.

19 MS. HA: I just have a couple. I just have
20 two questions, and it's really not even a question.
21 So your Exhibit Number 7, if you would turn to the
22 second page. So on December 13th at 5:30 p.m., that's
23 your email to Bridget Lamar and Marcella Anderson,

1 Dr. Anderson, and you advise them that Article 7.5
2 Chapter 3 of the charter discusses the Office of
3 Inspector General, and you tell them that all
4 investigative files of the OIG shall be confidential
5 and shall not be divulged to any person except those
6 three entities, right?

7 A. Yes.

8 MS. HA: And that is your email to both
9 Bridget and Dr. Anderson?

10 A. Yes.

11 MS. HA: Correct?

12 A. Yes.

13 MS. HA: So if we go to the same exhibit
14 the last page, Dr. Anderson at 5:48 at the bottom of
15 the page?

16 A. On the last page?

17 MS. HA: Yes?

18 A. Yes. Okay.

19 MS. HA: So same date, December 13 at 5:48
20 p.m., that's like 18 minutes after you told her --
21 after you told Dr. Anderson and Bridget that
22 everything is to remain confidential, then
23 Dr. Marcella Anderson on December 13th, 2018 at 5:48

1 p.m., she sends an email to Bridget Lamar and to you,
2 but she also copies several BOPC commission members,
3 is that correct?

4 A. Yes.

5 MS. HA: And it starts with, "Bridget, I'm
6 sorry that you took the email that way, it was not my
7 intent. My intent was as Attorney Wyrick stated to
8 effectively gather information. You and I represent
9 the same department. I have no interest or intent to
10 impede an investigation. I am willing to meet with
11 the IG and his or her supervisor to provide
12 clarification."

13 So do commission members read their emails?
14 A. I don't profess to speak for commission members, other
15 than I know all of these commissioners were made aware
16 of this investigation on November 30th even preceding
17 Dr. Anderson's involvement in it.

18 MS. HA: Okay. But did they know that
19 Bridget had participated in an OIG investigation on
20 November 30th?

21 A. I can't speak for them on that.

22 MS. HA: But as of December 13th, 2018,
23 5:48, these commissioners, Willie Bell, Darryl Brown,

1 Lisa Carter, and Eva Dewaelsche at least received
2 email notice that Bridget had some part to do with an
3 investigation of BOPC, doesn't it?

4 A. So what is your question?

5 MS. HA: Is that correct?

6 A. That they received notice?

7 MS. HA: Notice that Bridget participated
8 in an investigation involving -- with the IG's office?

9 A. Well, when you say received notice, that's tenuous to
10 me by virtue of the fact that I don't know -- with me
11 not being a commissioner and not being able to speak
12 for what their knowledge is of this investigation, I
13 don't know if this would have been their first notice
14 of Ms. Lamar or not quite frankly.

15 MS. HA: All right. Thank you. I don't
16 have anything further. Does anyone else?

17 MS. HENDRICKS-MOORE: I do. I just want to
18 kind of clarify. Do you remember when you first
19 contacted our office regarding an investigation that
20 we were conducting based on the information involving
21 Robert Brown?

22 A. Yes. That would have been the beginning of December
23 of last year.

1 MS. HENDRICKS-MOORE: Can you explain why
2 you contacted our office?

3 A. I was more or less told very specifically by
4 Chairperson Bell that your office had contacted
5 Commissioner Dewaelsche asking -- pertaining to an
6 investigation of the BOPC, and Chairperson Bell more
7 or less with me being a legal counsel there made me
8 the point person in terms of coordinating the
9 communication and information back and forth.

10 MS. HENDRICKS-MOORE: And you made a
11 request to our office. Do you remember what that
12 request was?

13 A. I think it was -- I was specifically -- I think my
14 initial request was for a copy of the complaint or
15 something of that nature, yes.

16 MS. HENDRICKS-MOORE: Was it your request
17 that our office contact or communicate through you for
18 anything involving BOPC concerning documents and
19 interviews. Was that your request to our office?

20 A. Yes, because that's actually how Chairperson Bell had
21 delegated me -- that's what he more or less delegated
22 me to do with me being a full-time attorney there,
23 yes.

1 MS. HENDRICKS-MOORE: And from that point
2 on, did we contact you regarding interviews and
3 documents that our office needed?

4 A. Yes, as far as I know.

5 MS. HENDRICKS-MOORE: Do you remember the
6 memo request that was submitted to you by me -- well,
7 by Investigator Jacqueline Hendricks-Moore regarding
8 the documents that we requested from the Board of
9 Police Commissioners?

10 A. Yes. There was more than one request.

11 MS. HENDRICKS-MOORE: Okay. And I just
12 wanted to go back. There was an email that was given
13 in the document, and I just wanted to do a
14 clarification if you can just read that. It was an
15 email that I did send to you that you --

16 MR. MUNGO: Which number is that?

17 MS. HA: Exhibit 8.

18 MS. HENDRICKS-MOORE: I just want to make
19 sure. I'm looking for it. It was an exhibit that you
20 guys submitted to us regarding an email that you got
21 from me.

22 MR. MUNGO: Does that have to do with the
23 request for documents, you requesting documents and

1 communicated that Ms. Lamar had provided some
2 previously? Is that the one you're looking for?

3 MS. HENDRICKS-MOORE: No. I apologize, I
4 should have kept it out. Here it is. So this would
5 be --

6 A. What exhibit are you referring to?

7 MS. HA: Exhibit 6.

8 A. Regarding employment of Robert Brown?

9 MS. HENDRICKS-MOORE: Yes.

10 A. I think that's 5.

11 MS. HENDRICKS-MOORE: Exhibit 5.

12 A. Is this the third page you're referring to?

13 MS. HENDRICKS-MOORE: Yes. If you could, I
14 just wanted you -- there is an email that was sent to
15 you on December 7th, 2018. I think this was regarding
16 the first --

17 MR. MUNGO: Which page would that be on?

18 MS. HENDRICKS-MOORE: December 7th. This
19 would probably be the third page to the back. It will
20 say at the top 1 of 2. It's like it's the third page
21 from the last. Do you see where it says Good Morning,
22 Mr. Wyrick?

23 A. Yes.

1 MS. HENDRICKS-MOORE: Could you read that
2 whole email, please?

3 A. "Good morning, Mr. Wyrick. Thank you for your
4 information and documents forwarded to OIG on
5 December 6th, 2018. However, the information and
6 documents provided was incomplete. I was not sure if
7 the BOPC was still in the process of gathering the
8 requested information because your email and letter
9 did not mention it. Please be advised the OIG is
10 still looking for the following requested
11 information." And there is a list. "Official (HR)
12 job posting, please no email (Executive Manger);
13 include HR job analysis and job description, executive
14 manager; names of persons on the interview panel for
15 the executive manager; questions asked during the
16 interview for the executive manager; BOPC personnel
17 committee during the period of 2016 to 2017 (please
18 provide the names of the commissioners and time
19 periods they served); a list of job positions
20 hired/filled by the BOPC in 2016 to 2018 (include, job
21 posting, job description, interview panel members,
22 etc.)":

23 "I have provided further clarification of

1 the information to assist you in facilitating the
2 OIG's request. Should you have any questions or need
3 further clarification, do not hesitate to contact me.
4 Per the OIG's first request, forward the following
5 requested information to the OIG no later than
6 Tuesday, December 11, 2018."

7 MS. HENDRICKS-MOORE: And I just want to
8 draw attention, would you say based on the email that
9 I sent you, it states in the second paragraph that the
10 information that you provided was incomplete?

11 A. Yes.

12 MS. HENDRICKS-MOORE: Okay. And so I just
13 wanted to state that because you stated that the
14 information that you provided for us was insufficient,
15 and that wasn't it. The email was just basically
16 telling you that information requested was incomplete.
17 That the Board of Police Commissioners based on the
18 information that you were providing pursuant to the
19 request, we did not get the completed information that
20 we had requested.

21 A. But I interpret those verbs the same way. If you say
22 it's incomplete, I'll convey to somebody else it's not
23 sufficient.

1 MS. HENDRICKS-MOORE: And the other thing
2 that I wanted to point out, so based on this first
3 email, which was December 7th, 2018, this was the
4 first time that we had requested information from the
5 Board of Police Commissioners, because I had submitted
6 a memo to you requesting the information because per
7 your conversation with our office, it was requested
8 and we gave the courtesy that any information that we
9 wanted we would be going through you, is that correct?

10 A. So is your question was this the first time you
11 requested information?

12 MS. HENDRICKS-MOORE: Is that the first
13 memo that you got from us requesting documentation?

14 A. It may be, but I'm not absolutely certain, just
15 because I don't have, you know, everything together.
16 But it may have been the first time, I'm not sure.

17 MS. HENDRICKS-MOORE: Okay.

18 A. I just know everything started November 30th.

19 MS. HENDRICKS-MOORE: November 30th?

20 A. 30th, yes, as far as me being notified of this
21 investigation.

22 MS. HENDRICKS-MOORE: November 30th,
23 because you contacted us. I believe the email, I can

1 pull it up, was December 1st.

2 A. Right.

3 MS. HENDRICKS-MOORE: And I just want to
4 ask you when it came time for -- and not just
5 disclosing everything, but we did conduct some
6 interviews of some commissioners, is that correct?

7 A. Yes.

8 MS. HENDRICKS-MOORE: Did we contact you to
9 set that up for us to be able to interview those
10 commissioners?

11 A. Yes, but the commissioners themselves actually set the
12 schedules and that type of thing.

13 MS. HENDRICKS-MOORE: No more questions.

14 MS. BENTLEY: No questions.

15 MR. MARABLE: I had one. In Exhibit 6, the
16 email to Dr. Anderson indicating that you're
17 formulating a response to Bridget Lamar's last email,
18 "Does she still work for HR under you? I know you
19 said she is transferring." So a couple of questions
20 here. Was this the last email she sent on the evening
21 of the 13th?

22 A. Like this was -- this was the email you're asking
23 about was one I sent to her, correct?

1 MR. MARABLE: Yes, on the second page.

2 A. Okay. So that was an email that I sent December 14th
3 it looks like at 12:31.

4 MR. MARABLE: But you were referring to
5 Bridget Lamar's last email.

6 A. Right. So I think that would have been referring to
7 the last email as you stated that Lamar sent on the
8 13th.

9 MR. MARABLE: Okay.

10 A. Perhaps around 6:33 I think or something.

11 MR. MARABLE: And that's the email when she
12 asked not to be talked to about the investigation
13 again?

14 A. The 6:33 email -- I'm not sure. I know there was one
15 Attorney Mungo asked me about earlier where -- it's
16 actually on Exhibit 7, the last page. It said she,
17 and by she I mean Ms. Lamar, she had not been provided
18 with any documents. It was highly inappropriate, I
19 don't know what's going on. So that's where she's
20 kind of elaborating a lot for lack of a better word.

21 MR. MARABLE: Yes. But she also asked not
22 to be contacted in regards to, yet again you said you
23 were formulating a response. Did you ever send that

1 response?

2 A. Did I ever send what response?

3 MR. MARABLE: Did you ever send a response?
4 You said in this email you were formulating a response
5 to Bridget Lamar's last email. Did you ever send --

6 MR. MUNGO: Where is that at, which one?

7 MR. MARABLE: It's Exhibit 6, the second
8 page, 2 of 3, starting Jermaine Wyrick, 12/14/2018,
9 12:31.

10 A. So you're asking me did I ever respond to Ms. Lamar's
11 email on this would be the December 13th, 6:33?

12 MR. MARABLE: Yes. So we believe that to
13 be her last email. Was that the email you were
14 referring to?

15 MR. MUNGO: Well, that's on the 14th.

16 A. Right, but --

17 MR. MUNGO: That's on the 14th at 12:30.

18 MR. MARABLE: So I guess which email were
19 you referring to when you said I am formulating a
20 response to Bridget Lamar's last email?

21 A. As I sit here right now I can't say definitively if
22 it's the one from December 13th, or if Mr. Lamar sent
23 another one on the 14th. Whatever I was referring to

1 would have been whatever Ms. Lamar's last email would
2 have been.

3 MR. MARABLE: Do you remember actually
4 sending a response?

5 A. I probably did, but I don't -- without me specifically
6 having it in front of me, I can't speak to, you know,
7 what it says or anything of that nature.

8 MR. MARABLE: And that was after she stated
9 in her email that she respectfully asked not to be
10 contacted by the BOPC or its representatives regarding
11 this matter again?

12 MR. MUNGO: Where is that?

13 MR. MARABLE: That is on Exhibit 7.

14 MS. BENTLEY: Last page.

15 MR. MARABLE: Last page.

16 DR. ANDERSON: Can I say something?

17 MS. BENTLEY: Can we answer this question
18 first and then --

19 MR. MUNGO: Which one was that?

20 MR. MARABLE: The one that says good
21 evening all.

22 A. I know what you're talking about, but we're just
23 trying to find it.

1 MS. HA: Right above where Dr. Anderson
2 sent an email to Bridget saying I'm sorry, and then
3 she copied all the commissioners.

4 MR. MUNGO: I want to be absolutely --
5 6:33 p.m. on the 13th, and so you're saying that there
6 is another email from either --

7 MS. BENTLEY: From Mr. Wyrick, and we're
8 talking about Exhibit 6, Page 2.

9 MR. MARABLE: I'm asking him if that's the
10 email that he's referring to formulating a response
11 to.

12 A. And what I'm saying by way of response is that I'm not
13 sure whether or not that was the email that I'm
14 responding to, or if there was another email sent
15 after that by Ms. Lamar.

16 MR. MUNGO: Well, certainly Dr. Anderson
17 hadn't sent out anything.

18 MR. MARABLE: So, we'll leave that alone.
19 So you also say in that same email in parentheses, I
20 know you said she is transferring. At what point did
21 you become aware that Ms. Lamar was transferring out
22 of the department?

23 A. I don't remember the exact date per se, but it was

1 well before the 13th when me and Dr. Anderson
2 especially initially we started having communication
3 probably around December 3rd, you know, in terms of
4 responding to the IG's office and probably even
5 preceding that. It was well known under the charter
6 that she was trying to bring in her own "deputy
7 director," and that there was no use for Ms. Lamar to
8 continue to serve in that role considering that she
9 had been essentially the deputy director under
10 Ms. Oxendine.

11 MR. MARABLE: So you don't remember the
12 exact time frame that you became aware?

13 A. Probably not too long after Dr. Anderson started in
14 October.

15 MR. MARABLE: So it was just in a casual
16 conversation, or was it in your capacity as the
17 counsel for BOPC?

18 A. It was definitely in my capacity as counsel for BOPC
19 once this investigation started, which like I said I
20 was made aware of November 30th. At the point though
21 when I start communicating with Dr. Anderson, she made
22 it very clear even preceding requesting information
23 from Ms. Lamar that she was trying to hire her deputy

1 director.

2 MR. MARABLE: So you say that that was in
3 the context of our investigation that you had a
4 conversation about the transfer of Ms. Lamar?

5 A. Yes. But like I said, even preceding that it was well
6 known that she was, you know, looking for a new deputy
7 director.

8 MR. MARABLE: Okay.

9 MS. HA: Dr. Anderson, you wanted to speak?

10 DR. ANDERSON: Yes. I just wanted to
11 state, and I don't have the email with me, but I know
12 that I provided it when I did my interview on
13 January 21st, that initially when Bridget Lamar
14 starting sending back her emails that were a bit
15 contentious, she copied Commissioner Darryl Brown. So
16 I copied other commissioners so that everyone would be
17 privy, and not just Commissioner Darryl Brown. So I
18 just wanted to clarify that for you, that I saw that
19 it was a one-sided political thing, and I wanted to
20 make sure that all of the commissioners were involved
21 and not just Commissioner Darryl Brown. I just want
22 that to be on the record.

23 MR. MUNGO: Okay, all right.

1 MR. WYRICK: I'm off the hot seat?

2 MR. MUNGO: I'm just a little bit --

3 DR. ANDERSON: Can I say one more thing?

4 Also that I know that there is this thing with the OIG
5 in their investigation with the issue with Robert
6 Brown as it related to the BOPC that --

7 MR. MARABLE: I don't believe that she's
8 been sworn in?

9 DR. ANDERSON: That's fine. I can repeat
10 it.

11 MR. MUNGO: She's up next.

12 MR. MARABLE: But she's providing testimony
13 now.

14 DR. ANDERSON: I can repeat once I'm sworn
15 in.

16 M A R C E L L A A N D E R S O N
17 was thereupon called as a witness herein, and after
18 first being duly sworn to tell the truth, the whole
19 truth and nothing but the truth, testified as
20 follows:

21 A. So to go back to make sure that my testimony is on the
22 record, that the reason why I included all of the
23 commissioners on the email was because Bridget Lamar

1 when she originally came back -- first she was like
2 let me find out -- when Bridget Lamar originally sent
3 that, she said that she couldn't -- she wasn't sure if
4 she could tell me, and that she would find out. That
5 to me that wasn't contentious at all. I was like,
6 okay, she's going to find out, and I'm thinking -- in
7 my mind I'm thinking, well, if you can't tell me, get
8 that in writing and let me know because I'm trying to
9 make sure you get what you need, when I say you,
10 meaning the OIG's office.

11 So when she responded back to us and all of
12 a sudden it was a problem, Commissioner Darryl Brown's
13 name was in the email thread and she was CC'ing him.
14 And it was evident when I was voted in that
15 Commissioner Darryl Brown had a problem with me
16 because he came and spoke to personally telling me
17 that I should not have gotten this position, that the
18 position belonged to Bridget Lamar. So when I saw his
19 name included CC'd with her, I'm saying, okay, they're
20 working in concert together. And so then I felt a
21 need to ensure that the rest of the commissioners were
22 privy to what was going on because the commissioners
23 are my employer. So I just want to make that clear

1 under oath for the record.

2 MS. HENDRICKS-MOORE: Okay.

3 MS. HA: When you say Commissioner Brown
4 and Bridget Lamar were working together, you felt that
5 way?

6 A. Absolutely.

7 MS. HA: What do you mean by working
8 together? Working together for what?

9 A. As they were disgruntled because I was hired as the
10 director of personnel. Commissioner Darryl Brown on
11 my first day of work came into my office and told me
12 to my face -- now keep in mind, he is my employer, I
13 serve at the pleasure of the board, and told me that I
14 should not have gotten the job, that the job belonged
15 to Bridget Lamar. And he told me that I should
16 have -- that he had spoken to some of my former
17 colleagues, and told them to tell me not to take the
18 job. And each time I met with Commissioner Darryl
19 Brown, he was -- there was tension. He was upset, he
20 didn't like me, and I had never met him before. I had
21 never met any of the commissioners before. When I
22 accepted this position, to be honest I had no idea the
23 dynamics that centered around it as it related to the

1 commissioners. But when I realized that I had this
2 one commissioner who felt bold enough as a politician
3 to come sit in my office and tell me that this job
4 should not have been mine, then I know that there is
5 some contention there.

EXAMINATION

7 BY MR. MUNGO:

8 Q. Did he say who it should be?

9 A. He told me that the job should have been Bridget
10 Lamar's.

11 Q. And this was the commissioner that Bridget Lamar was
12 copying her emails to only, and but not the other
13 commissioners?

14 A. Yes. So I felt that I needed to include the other
15 commissioners, because in my mind something is going
16 on here, and it's not ethical. He's abusing his power
17 as a commissioner to come to my office and tell me
18 that I should not have gotten that job, because he's
19 my employer. That's like your boss coming to say to
20 you, you should not have gotten this job, but you're
21 sitting in that seat. So I want to make sure that
22 that is on the record.

23 And I also think that I'm being viewed as

1 this -- as part of the BOPC. I provided everything
2 that Attorney Wyrick asked of me for this
3 investigation. I withheld not one thing. So there is
4 no reason -- why would I want to retaliate against
5 Bridget Lamar for participating in an investigation
6 that I had been participating in. I just wanted to
7 make sure that the documents were received. Ms. Lamar
8 has a reputation for not doing the things that she's
9 supposed to do, not following up, and I did not want
10 that to happen in this case. So I asked for a
11 summary. I asked for when did you meet with them
12 because I needed to know, did it predate me, was it
13 recent. I had no idea when she had met with the OIG's
14 office.

15 So my thing is that I'm trying to get you
16 the information that you need, but because I'm caught
17 up in this BOPC foolishness, and I'm going to call it
18 foolishness, because I'm doing my job. And because
19 Commissioner Darryl Brown doesn't want me in my job,
20 then I have to be subjected to this? To me that is
21 unethical.

22 MR. MUNGO: Okay. Got it off your chest.
23 All right, that's okay. I just want to make a point

1 that in Exhibit 4, which is the written response, and
2 Exhibit G to Exhibit 4.

3 MS. HENDRICKS-MOORE: What page are you
4 looking at?

5 MR. MUNGO: Exhibit G, the first email, the
6 first page of Exhibit G. Dr. Anderson made reference
7 to when she had her conversation with -- or she sent
8 an email to Bridget Lamar earlier on during the email
9 trail, which is dated December 13th, and the time is
10 4:41, long before the last email that Ms. Lamar sent
11 out at 6:30 something, when she indicated to her that
12 she just wanted her to get it in writing if in fact,
13 but later on obviously she found out through Wyrick
14 that there wasn't -- she's not supposed to share that
15 information, and she was fine with that and she
16 apologized after that. I don't know what else you
17 folks want. There is clearly no ranker, no animosity
18 demonstrated. There is nothing objectively evidencing
19 that Dr. Anderson expressed any animosity, certainly
20 no written documents. I mean, there would be
21 summations or conclusions drawn subjectively based
22 upon what? I mean, we don't really know what you guys
23 have. I mean, we're unable to effectively -- to be

1 effective in helping you to adjudicate this matter
2 because we don't know what you know, and -- yes, go
3 right ahead.

4 MS. HA: Let me ask this question, the
5 question. I would like to know why Dr. Anderson told
6 Bridget that her position was going to be eliminated
7 on Friday as opposed to Monday when you knew for sure
8 you were going to have the amended budget approval?

9 A. So I knew for sure on Friday that I was going to have
10 the amended budget approval, because I got that
11 clarification from the CFO. Additionally, we were
12 coming up on the Christmas break, and my thing was if
13 I tell her Monday -- I got the final approval, I'm
14 going to tell her today. She has the entire weekend
15 and she has all next week to make a decision on what
16 she is going to do, because we're going on Christmas
17 break for two weeks.

18 So my thing was I felt that I was trying to
19 give due diligence in giving her ample enough time to
20 try to think about her decision. In my mind I'm
21 thinking she's going to go over to central personnel.
22 That's my thought, that she's going to take the
23 position as employee service consultant I over with

1 Ursula Holland at central personnel. That's why I
2 looked at she is just going to take a transfer. I
3 later found out from Ursula when Bridget reached out
4 to Ursula Holland, that she did not want that job, but
5 that she had applied for a job that she wanted Ursula
6 to look into for her.

7 So my reason for not -- my reason for
8 telling her was so that she would have ample enough
9 time. I knew the budget amendment was coming. Ursula
10 and I had talk in length about providing a preliminary
11 conversation, and that's how I prefaced it, this is a
12 preliminary conversation just to let you know the
13 documents are forthcoming. And that's why I had the
14 conversation with her, so she could have additional
15 time to make a decision. Because you've got to decide
16 do you want to take layoff. Absolutely not, I
17 wouldn't take -- well, me, I wouldn't take a layoff if
18 I had an opportunity to go be a manager downtown. But
19 again as well, Ursula had told me before, Bridget may
20 not want to come work for her because she had problems
21 with Bridget's performance in the past. And when I
22 spoke with Ursula after the fact, Ursula said, no, she
23 doesn't want to come here. She wants me to look into

1 a position, she's already applied for another
2 position. Okay. So we waited to see. But I thought
3 I was giving her ample enough time.

4 It had nothing to do with what happened the
5 day before, because in my mind the day before I hadn't
6 done anything wrong. I misunderstood the concept of
7 the OIG office's investigation. I'm thinking Bridget
8 is just representing HR. I'm not knowing that Bridget
9 is an individual going to give an interview. So I'm
10 asking her what did you give them from HR's
11 perspective, not that she had some information for you
12 all as an individual that no one else had.

13 So I think that that was -- and again I
14 apologized at length for me misinterpreting and
15 misunderstanding. But to say that I retaliated
16 against her is an absolute stretch in my opinion. If
17 I had went to the chief on that day and said, hey,
18 could we eliminate this position, then, yeah, that's
19 retaliation. But I even went to the CFO, Lisa Jones,
20 who was our former CFO, I asked her on December 3rd,
21 please let me know when executive manager positions
22 appear in the budget so that I can onboard the deputy
23 director. Thank you. The charter says I can have a

1 deputy director. Again, this is something that Ursula
2 said as well, that what Gail Oxendine did was
3 calculated. She made Bridget's position a civil
4 service position because she knew that the person who
5 came in after she left could not replace her, which
6 was unfair to me, because the charter gives me a right
7 to have a deputy director, so I did what I could
8 according to policy. I didn't violate any policy.
9 Even telling her on Friday, I didn't violate a policy,
10 I'm sorry.

11 MS. HA: But the charter says you can
12 appoint --

13 A. Appoint.

14 MS. HA: -- a deputy director, you can
15 appoint anyone you want.

16 A. I can.

17 MS. HA: So I don't understand.

18 MR. MUNGO: It wasn't in the budget.

19 A. The funds that was allotted for the deputy director
20 position -- the deputy director typically was an
21 executive manager, right, but the person served as a
22 deputy director, but their title was executive
23 manager. When Gail Oxendine converted that position

1 to employee service manager II, there was no money for
2 the deputy director. That was the money. That was
3 the monies in the budget for that position. So right
4 now I can't go to the chief and say, oh, hey, I want
5 my deputy director position, where is the money for
6 the position. It's been reallocated to the employee
7 service manager II position. That's the business part
8 of it that --

9 MR. MARABLE: I just want to be clear. So
10 this is not the first time that that question has been
11 asked of you in this office, is that correct?

12 A. Say that again, or did I miss something?

13 MR. MARABLE: This is not the first time
14 that you've been asked that question in this office?
15 You had a previous interview in the office?

16 A. Yes.

17 MR. MARABLE: Do you believe that the
18 answer that you just gave is consistent with the
19 answer that you gave back when was the interview?

20 A. The interview was January 25th. And I believe I made
21 it very clear that we made a business decision. I
22 know that you asked me -- specifically you sat here
23 and you asked me could I have told her another day or

1 something to that effect. And I told you, yes, I
2 could have. And you said something to the effect,
3 well, the appearance of it -- I can remember -- I
4 remember that.

5 And on consistency again, you all failed to
6 provide my attorney with my previous interview, so
7 again not allowing us to prepare properly. When I met
8 with you all the last time, it was -- to me it was
9 clear from the day I received the email from you that
10 you all had already made your mind up, and that was
11 December 17th. The bottom of your email you stated
12 there would be litigation, and in my mind there was no
13 due process, you had already made up your mind on what
14 your decision was going to be before an interview had
15 even started.

16 MR. MUNGO: So let me say this, if I could,
17 please. The question that you just asked her is
18 really not fair because -- and it's like it's not due
19 process because -- and it's not a legitimate and
20 sincere seeking of the truth. It's like trickery. I
21 could run circles around you -- if I sit you down one
22 day and come back another day and read the transcript
23 even and you don't read it, I could make you look like

1 a liar, okay, I know that. This is my profession. I
2 see it happen all the time. You talked to her some
3 while back, and then you ask her -- look, you know,
4 how she interpreted that, sir, is that she told you it
5 was a business decision, and now for whatever reason
6 based upon what Ms. Ha had shared and the questions
7 that she asked, she's explaining the nuts and bolts of
8 that business decision, that it was a budget issue.
9 There was no way she could have that position without
10 taking the money that was taken for that position.

11 So I'm just -- I -- you know, this just
12 ain't right. It just is not right. It's not right.
13 We've got to start treating each other right. We
14 don't gain anything from getting some slick advantage
15 over each other. We've got to stop doing this, we do,
16 we do. I know I sound like your preacher man, but
17 this is true. I mean, you know -- and I know you feel
18 it, too. You know that's not right.

19 MS. BENTLEY: Let's stop, let's stop.

20 MR. MARABLE: Let me say this, and then
21 I'll be done with it. If you asked me is the sky blue
22 six months from now, and if you ask me is the sky blue
23 today, the answer is going to be the same. The truth

1 is the truth. And all I asked her was the answer that
2 she gave --

3 A. Are you calling me a liar?

4 MR. MARABLE: Was the answer she gave in
5 that interview consistent with the answer that she
6 just gave today, that's all. And to me that's a yes
7 or no question.

8 MS. BENTLEY: Let's not lecture each other
9 on this. You have his answer. You already went on
10 the record. And let's please just move on to what the
11 administrative hearing is.

12 MR. MUNGO: Now, he just said something
13 contentious.

14 MS. BENTLEY: I'm just saying let's move
15 on.

16 MR. MUNGO: He and I are communicating.
17 You're characterizing it in a way that you shouldn't.
18 This is a search for truth, okay. All I'm trying to
19 do -- and he communicated to me, and I respect that,
20 okay, because, you know, he took it to heart enough to
21 be concerned enough about the truth to share that.

22 MS. BENTLEY: Let's move on.

23 MR. MUNGO: And you characterized -- this

1 is what we're missing. This is what we're missing in
2 this country, I'm telling you. I represent federal
3 air marshals. They have this very problem with their
4 supervisors. It's like we're not a family. It's like
5 we've got to do something to each other in order to
6 get some kind of strange fulfillment.

7 A. I knew from day one. Let's go through with this.

8 MR. MUNGO: So, look. Here is the deal,
9 let me finish my exam.

10 A. Absolutely.

11 MR. MUNGO: But I do want to respond to
12 your -- what you just said, because I respect what you
13 just said, and it's -- to me it's one of the few
14 expressions of really trying to get at the truth here,
15 you know, where you said about the two different
16 representations. And you know as well as I know that
17 you're going to ask the question -- the same question,
18 it depends upon the context in which you ask that
19 question and what has transpired prior to asking that
20 question, such as what happened here today. She
21 elicited, Ms. Ha elicited that response from her about
22 the budget being the problem, that's why she couldn't
23 just appoint someone.

1 So I don't want you to take -- you know,
2 please, now you have to consider yourself -- I'm going
3 to tell you, you know, there is a law of the harvest,
4 and you guys can look at me in any way you want. I'm
5 going to tell you, if you think you can get away with
6 treating people unfair and it doesn't come back on you
7 or your family in some other tribunal with other
8 decision makers, you are wrong. Listen, we have no
9 investment in treating each other less than fair. We
10 do not. We've got to stop dehumanizing each other.
11 We don't have any investment in that, I'm telling you.
12 It's bankrupt already. Please don't do that. I would
13 like to finish my session here, and then leave you all
14 to what you're going to do, because it's in your hands
15 to make your decision, but I would just like to finish
16 off if we could. Is that okay?

17 MS. HENDRICKS-MOORE: Go ahead.

18 MR. MUNGO: Thank you. Why don't you come
19 down here, just sit a little closer so that it will be
20 quicker for the court reporter and we'll be done.

21 But as I do, the written response, you can
22 see in Exhibit J that she had -- and you've seen this
23 already, you've looked at the written responses,

1 Exhibit J, where Dr. Anderson had put the -- she had
2 filled out the notice of reduction in work force that
3 she had prepared. She even has Bridget Lamar's name
4 on there, and she has it dated December 17th, but you
5 can see, Ms. Ha, your email came in on December 17th
6 at 10:55 a.m. prior to an opportunity for her to
7 present this, and out of the consideration of your
8 request not to do anything with Bridget Lamar, she
9 didn't even give her this document. And she did tell
10 her by the way, and I was just looking at -- I was
11 just looking at that email where Dr. Anderson told
12 Ms. -- here we are, mark this.

13 (Exhibit No. 9 was marked
14 for identification.)

15 MR. MUNGO: She told -- on the 14th she
16 told Ms. Lamar -- that was the preliminary
17 conversation, and that the documentation would be
18 forthcoming. I don't know if you all have ever seen
19 this. Have you seen this? Does this ring a bell,
20 Ms. Hendricks-Moore?

21 MS. HENDRICKS-MOORE: Yes.

22 MR. MUNGO: You've seen this?

23 MS. HENDRICKS-MOORE: Yes.

1 MR. MUNGO: So here on the second page
2 Dr. Anderson writes to Bridget. She says thank you
3 for the email for meeting with me today, Friday,
4 December 14th. It was imperative that I held a
5 preliminary conversation with you to explain upcoming
6 changes. I stated during the meeting more official
7 documentation will be forthcoming as well recommending
8 that you reach out to Ursula Holland to discuss
9 employment opportunities at central personnel. That
10 was at 5:04. And it was subsequent to if you look at
11 the first page Ms. Lamar's email to Dr. Anderson where
12 she says based on our 3:30 conversation, my permanent
13 classified civil service position is being eliminated
14 from the budget effective January 2nd. You gave me
15 the option of being laid-off -- option be laid off,
16 and I guess she meant or be demoted rather than of, to
17 HRA III, which is not true. I mean, Ms. Ducker,
18 testified what was said at that meeting. She's
19 misrepresenting this, what happened at that meeting.
20 You also refused to provide information on when the
21 decision to eliminate my position was reached or why
22 the position was being eliminated, even though the
23 position remains in budget for the remain of the year

1 and is in budget for next year.

2 Now, there is a question whether or not
3 Dr. Anderson was required to as part of Ms. Lamar's
4 rights to respond in detail to that kind of
5 information or whether she simply says it's a business
6 decision. I don't know anything in the policies that
7 require Dr. Anderson to respond in that kind of
8 detail. Her notice of rights is in J. That's what
9 Dr. Anderson is held to, it's in J. Why should she be
10 held to a standard that nobody else is held to, that
11 you're not held. If it's not the rules, why should
12 you be held to it. It could happen to you and you,
13 too, and you, too. And I see it happen all the time,
14 folk in law enforcement and folk in your position. If
15 we let this stuff go down the way this is going down
16 and not give it a fair airing, a fair airing, God help
17 us all. You know, who is next?

18 MS. HA: Well, I appreciate your zealous
19 representation of Dr. Anderson.

20 MR. MUNGO: I'm not done yet.

21 MS. HA: Okay.

22 MR. MUNGO: I just -- we just talked about
23 the exhibit I just introduced, right, the one we just

1 marked or no? Did we talk about this one yet? I
2 think we did. Yes, we did. Okay. So that's done.

3 Then Exhibit 9, I want to pay particular
4 attention to the fact that Ms. Lamar misrepresented
5 what happened at that meeting in terms of what
6 information was shared with her by Dr. Anderson.

7 So I have just a few questions for -- that
8 I believe is important for the record that
9 Dr. Anderson needs to respond to in order to
10 facilitate what you need to do.

11 Before I forget to do this, could you mark
12 this, please.

13 (Exhibit No. 10 was marked
14 for identification.)

15 BY MR. MUNGO:

16 Q. I want the record to reflect, Dr. Anderson, can you
17 take a look at Exhibit 10, and what is that document
18 in your hand?

19 A. It states that it is from your law office, and it's a
20 witness list for the hearing on the OIG investigation
21 and report.

22 Q. Okay. And of those witnesses that were listed, how
23 many showed up today?

1 A. Two.

2 Q. Two. Okay. And were you aware that the office of the
3 OIG sent out an email to those other witnesses
4 informing them that they could -- if they chose to, if
5 they desired to, that they could come and testify at
6 this hearing upon your request as a witness? Are you
7 aware of that?

8 A. Yes, I was aware that they -- the witnesses were
9 informed that they did not have to come because the
10 OIG was not requesting them, and because the OIG
11 wasn't requesting them, that it was voluntary, totally
12 their discretion if they wanted to come.

13 Q. And do you believe that those witnesses, their
14 testimony in light of questions that I may have asked
15 them could help provide this tribunal with additional
16 information that may help them adjudicate this matter
17 fairly?

18 A. Absolutely.

19 Q. Okay. Do you believe that you're losing an
20 opportunity for a fair hearing as a result of those
21 witnesses not being here today?

22 A. I feel that the process does not present any type of
23 due process.

1 Q. Okay. Do you feel that your due process rights and
2 right to be heard has been violated by this tribunal
3 thus far?

4 A. From day one.

5 Q. Okay. What is your educational background?

6 A. I have a Ph.D in public policy and administration from
7 Water University. I have a Master's in criminal
8 justice -- in criminology from Eastern Michigan
9 University. My Bachelor's degree was from Wayne State
10 University.

11 Q. Okay.

12 A. My background is in law enforcement.

13 Q. And what is your current occupation?

14 A. I'm the director of police personnel for the Detroit
15 Police Department.

16 Q. And when were you selected for that position?

17 A. October of 2018.

18 Q. Okay. What was the selection process used by the
19 Detroit Police Department in selecting you for that
20 position?

21 A. Well, I was interviewed by the Board of Police
22 Commissioners. I had maybe two interviews. I applied
23 for the position. I was selected for interview. I

1 came back, was selected again for a followup
2 interview. And then there was a vote, there had to be
3 a vote, and the Board of Police Commissioners voted
4 for me to take the position.

5 Q. Do you know what that vote was in terms of how many
6 yays and how many nays?

7 A. There were no nays.

8 Q. No nays. So it was unanimous?

9 A. Yes.

10 Q. Were you aware that Bridget Lamar had applied for that
11 same position?

12 A. I was aware that Ms. Lamar had applied for the
13 position once I received the position that she was
14 serving as interim. So I didn't know that prior to.

15 Q. Oh. So what you're saying is that you didn't know
16 that she had applied for the position at the time that
17 you had applied?

18 A. That's right.

19 Q. But you subsequently learned that she had applied for
20 that position?

21 A. Yes.

22 Q. And how did you learn that Bridget Lamar had applied
23 for that position?

1 A. On the day that I was voted in for the position, she
2 was there, and she had given a report, and -- yes, she
3 had given a report stating that she was interim,
4 thanking the Board. And then after the meeting, she
5 and another employee from the HR department waited for
6 me outside, and it was an unpleasant experience, but
7 that's --

8 Q. You mean Bridget Lamar waited for you outside?

9 A. Ms. Bridget Lamar, who was the employee services
10 consultant II, and then Mr. Brian Tinnel (ph) who was
11 the employee services consultant I.

12 Q. So I need you to state for the record, even though it
13 may be an unpleasant recall, I need you to state for
14 the record what happened.

15 A. It was just very brief. It was more uncomfortable.
16 And Mr. Brian Tinnel introduced himself, but Ms. Lamar
17 did not. So it was brief. It was nothing really to
18 share.

19 Q. And there was no negative insinuations or innuendoes
20 or anything like by Ms. Lamar or Mr. Tinnel?

21 A. No, not by Ms. Lamar.

22 Q. All right. Okay. And does Ms. Lamar report to you?

23 A. She does.

1 Q. Okay. Who is your immediate supervisor?

2 A. The BOPC.

3 Q. And what is the date of your first day on the job as
4 director of human resources for the Detroit Police
5 Department?

6 A. I believe it was either October 22nd or October 23rd.

7 Q. Of?

8 A. October 2018, yes.

9 Q. Okay. All right. And did you make any decisions
10 regarding organizational changes to the HR department?

11 A. No, I didn't make any decisions immediately. I
12 started inquiring about how I could onboard my deputy
13 director. I was told that I could hire a deputy
14 director. That was one of the reasons why I took the
15 job, because I was told I can bring in someone that
16 can work side-by-side with me, and I have been in
17 executive administration for a long time, and that was
18 appealing, that worked for me.

19 Q. Okay.

20 A. But then I learned that I couldn't do that because the
21 monies had been reallocated to a different position.

22 Q. And what did you do in response to facing that
23 situation?

1 A. I reached out to Denise Star, the director of HR.

2 Q. Okay.

3 A. For central HR for the City of Detroit.

4 Q. Okay. And what did you ask her for?

5 A. I asked her -- the first thing I asked her was how do
6 you change an appointed position to a civil service
7 position, and also asked her how do you revert it
8 back.

9 Q. Okay. Did you get any response?

10 A. Yes. Denise put me in contact with Ursula Holland and
11 she told me that she could assist me.

12 Q. And did Ursula Holland assist you?

13 A. She did.

14 Q. And what did she do to assist you, Ursula Holland?

15 A. We had several phone conversations. She provided me
16 with documents. She explained to me how the process
17 would look as far as I would need a budget amendment,
18 that I would need to provide the Rule 10, and I would
19 also have to provide the reduction in work force
20 rights document. And this all took place early
21 November.

22 Q. Okay. Did you follow all of those procedures?

23 A. I did.

1 Q. And did you effect the change or get the budget
2 amendment that was needed to make that change?

3 A. I did.

4 Q. Was that change ever made?

5 A. No.

6 Q. And why or why not?

7 A. Once we had the -- once the case was initiated and I
8 was contacted December 17th by Ellen Ha, it was
9 determined by the chief staff, Grant Ha, as well as --
10 I think it was Grant Ha, he's the chief's attorney,
11 that we would not -- and June Adams, I'm sorry, from
12 the law department downtown, that we would not make a
13 change until the OIG had completed their
14 investigation.

15 Q. Did the OIG complete their investigation?

16 A. I received notice that the investigation was completed
17 and I received a draft of the investigation stating
18 that I was responsible for retaliation, and there was
19 some recommendations for me to pay a \$300 fine as well
20 as to attend a training.

21 (Exhibit No. 11 was marked
22 for identification.)

23 BY MR. MUNGO:

1 Q. Dr. Anderson, I would like for you to take a look at
2 Deposition Exhibit 11.

3 A. Yes, sir.

4 Q. Exhibit 11. And once you have had an opportunity to
5 examine that document, please let me know.

6 A. Okay.

7 Q. Dr. Anderson, what is that exhibit, Exhibit Number 11?

8 A. It is a letter from Ellen Ha, the Inspector General.
9 Basically it states that the Office of Inspector
10 General has completed their investigation, and they
11 were providing me with a draft of the OIG's report.
12 If I disagreed with the analysis and their findings,
13 that I could submit a written response or -- and/or
14 have a hearing.

15 Q. Okay. That's sufficient. So then was it your
16 understanding at the time you got that letter that the
17 investigation of your matter was completed?

18 A. Yes. It was my understanding that I was being found
19 responsible and had to pay a \$300 fine, attend a
20 class, as well as this information would be placed on
21 the website, thus destroying everything that I worked
22 for.

23 Q. And you consider that to be defamatory?

1 A. Absolutely.

2 Q. Do you believe that the Office of Inspector General
3 has sufficient facts to support such allegations, the
4 allegations that you retaliated against Ms. Lamar?

5 A. I do not believe that they have sufficient facts to
6 totally support it. As I went through the draft, I
7 felt it very biased. I felt that it missed a lot of
8 emails that I provided on January 25th. It -- again I
9 felt from day one, from December 17th, that the
10 decision was made and determined, and when I received
11 the draft, as I noted different emails missing, it
12 just confirmed what I already knew.

13 Q. So you feel the process has been very unfair and
14 biased so far?

15 A. I do believe that the process is biased.

16 Q. Did the OIG contact you to make a statement?

17 A. Yes.

18 Q. Was that statement recorded or --

19 A. Yes.

20 Q. -- was it written? It was recorded. Have they
21 provided you with a copy of your written statement?

22 A. No.

23 Q. Or your recorded statement?

1 A. No.

2 Q. Have they provided you with a copy of the statements
3 that were made by anyone who was interviewed during
4 their investigation?

5 A. No.

6 Q. Okay. Have you requested that they provide you with
7 that information?

8 A. Via my attorney, yes.

9 Q. On more than one occasion or just one?

10 A. More than one.

11 Q. Did you seek to take any retributions and/or negative
12 actions against or toward Bridget Lamar for any
13 reasons at all during the process of your initiating
14 the procedures to eliminate her position and/or when
15 you informed her of the fact that her position was
16 going to be eliminated?

17 A. I did not take any -- did you say retaliatory?

18 Q. Retaliatory, negative.

19 A. I did not take any retaliatory actions against
20 Ms. Lamar. It is stated in my emails the beginning of
21 the week of December the 10th that it was my intent to
22 tell her that week, and that's what I did, I told her
23 that week. And that's what my emails state.

1 Q. Do you understand what the OIG is basing their
2 findings that you retaliated against Ms. Lamar on? Do
3 you understand their rationale for making such a
4 finding?

5 A. I do not.

6 Q. Okay. Do you understand what they have articulated
7 their rationale is for making --

8 A. I do.

9 Q. And what is your understanding?

10 A. My understanding is that their articulation is that
11 the day I told her was not a good day to tell her, or
12 I should not have told her on the day that I told her.

13 Q. Okay. And that the fact that you told her on that day
14 means that you were trying to effect or achieve what?

15 A. In their eyes?

16 Q. Yes, in their eyes.

17 A. In their eyes according to their statement is that
18 because I told her on that day, I retaliated against
19 her.

20 Q. Did you violate any policies by telling her on that
21 day?

22 A. No.

23 Q. Was your attitude or disposition towards Ms. Lamar

1 unprofessional or mean?

2 A. Never, no.

3 Q. Or in any way disrespectful?

4 A. No.

5 Q. Is there any reason -- rational reason that you can
6 think of that anyone could state based upon what
7 happened at that meeting with Ms. Lamar on
8 December 14th of 2018 when you informed her that her
9 position was going to be eliminated, is there any
10 rational basis that anyone in your mind in your
11 opinion could consider what you did to be in some way
12 offensive to Ms. Lamar?

13 A. I can speak for me and I can speak for the processes
14 that are outlined at DPD. I did not violate any
15 policies, processes. It was in the works. It was
16 something that we had been working on, it needed to be
17 done, and it had nothing to do with the prior day,
18 because the prior day in my mind I had not done
19 anything wrong. I made an error, I apologized for the
20 error. We still needed to go on with the business at
21 hand.

22 Q. What was the error?

23 A. The error was I asked her for information that she had

1 given to the OIG, but I asked her as a representative
2 from the HR, not knowing that she went over as an
3 individual person, and that whatever she gave was as
4 an individual witness, not as an HR representative. I
5 looked at it as we were HR employees, and she had
6 served in my capacity. So I didn't know if she had
7 provided this information while she was the interim
8 director or not. I didn't have a time span of when
9 the investigation had taken place as it related to
10 Mr. Brown, so --

11 Q. Why do you believe that Bridget Lamar made a complaint
12 against you for retaliating -- that you retaliated
13 against her?

14 A. I think that it was blown out of proportion, because
15 it is obvious that Ms. Lamar is disgruntled with me
16 because I got the job as personnel director and she
17 did not.

18 Q. Okay. You spoke of the relationship between Ms. Lamar
19 and Commissioner Brown?

20 A. Yes.

21 Q. How do you know that their relationship is such that
22 you are able to draw the conclusion that the two of
23 them were not pleased with you being selected for the

1 job?

2 A. On again the day, I stated this earlier, on the day,
3 my first day, Mr. Brown came into my office, and
4 it's -- this is kind of going off topic. No
5 commissioner has been to my office, even since that
6 day. No commissioner has come to my office. And he
7 came to my office and sat in my office and told me I
8 should have not taken that job, that I should not be
9 here, that the job belonged to Bridget Lamar.

10 Q. But didn't he vote for you? Did he vote in favor of
11 you?

12 A. He didn't -- he did not say -- he came late for the
13 vote, and he did not object, let me say that.

14 Q. I see, I see, okay. Is there anything else that you
15 want to share with the tribunal before we wrap up
16 today that you believe may be helpful to them as
17 objective assessors and decision makers in executing
18 their responsibilities that you would like to say?

19 A. I do want to state that in the draft, under the time
20 line of events, the time line of events literally
21 lists everything to invoke some sort of guilt for me.
22 There is nothing in this draft that shows anything
23 that would lean otherwise. Even if it was just an

1 email from me saying something positive, like when I
2 thanked Ms. Lamar and Mr. Wyrick because I didn't
3 understand the process. I was new there, I didn't
4 understand the process. I worked for a police
5 department -- I retired in 2008. I've been in
6 education since then. I'm not understanding that this
7 OIG investigation is as an individual. The request
8 was consistently for HR documents as we provided in an
9 exhibit. I had provided documents. I was cooperating
10 with the investigation. Every time Wyrick would send
11 me an email, I would send him documents, okay, this is
12 what I have, this is what I have. And for him to keep
13 coming to me and say, well, you know, Investigator
14 Hendricks-Moore, she's looking for something more, I'm
15 like, okay, let me reach out to Bridget to see what
16 was already given, because I know what I've given, so
17 what is missing. That was my thought process. And so
18 I look at this, and in this time line of events, it
19 says nothing about how I reached out to Denise Star to
20 inquire about the process of converting an appointed
21 position to a civil service position. It goes from my
22 hire date, October 23rd, and jumps all the way to
23 November 27th. When I left here on January 25th, I

1 left a pile of emails, and it seemed like nothing was
2 pulled from what I left but to prove their opinion of
3 guilt. The draft that I received in the mail is what
4 I'm referring to, and under of the time line of events
5 again there is tons of emails that are missing from
6 October 23rd to November 27th.

7 MS. BENTLEY: I'm sorry, just for the
8 record, that is also Exhibit 1.

9 A. Okay, Exhibit 1. Okay. So there is emails that were
10 missing that were presented to the OIG's office,
11 specifically that I reached out the first of November
12 to Denise Star asking her about the process of
13 converting over the position. Also, there is emails
14 missing December 12th, 2018 where Lawana Ducker
15 emailed Charleta following up on the budget amendment.
16 That was again the week that I had stated we were
17 going to make the change and we were going to inform
18 Bridget Lamar. December 12th I emailed Charleta
19 requesting a call, December the 12th at 12:58.
20 Investigator Hendricks-Moore just listed December 13,
21 again showing the biasness, because she wants to
22 highlight everything that happened on that
23 December 13th date, but what about the emails that

1 went back on December the 12th.

2 On December the 13th, it says
3 December 13th at 2:22, Dr. Anderson requests Ms. Lamar
4 to provide a summary of information and documents that
5 she shared with the OIG. Another important point that
6 was shared in that email was that I also stated that I
7 did not want to duplicate information and documents.
8 So it's not like I said, oh, hey, give me these
9 documents, I want to know what you gave the OIG. I
10 also stated that I didn't want to duplicate it, but
11 that's not added in here, again showing the biasness.

12 Going down to December 13th at 5:26, there
13 is an email missing where I thanked Ms. Lamar and
14 Mr. Wyrick for helping me. That's not in there. Of
15 course not.

16 December 13th at 5:45, an email that is
17 missing, Dr. Anderson emails Ms. Lamar apologizing
18 about the interpretation of the email. Anderson
19 states she was not attempting to impede an
20 investigation, but was seeking to learn what was
21 previously provided.

22 And then I want to go back to the initial
23 beginning under the background investigation to the

1 beginning. It says background information, and it
2 says that -- under the section where it says likewise
3 Ms. Lamar refused to share any information with
4 Dr. Anderson, refused. I looked at that word and I
5 thought you're trying to stretch something. She never
6 refused. She said she was going to check with the
7 OIG. She didn't say I'm not giving you anything. She
8 said let me check with the OIG and I'll let you know.
9 So to state that Ms. Lamar refused to share
10 information kind of gives the impression that she
11 refused and I got mad. She didn't refuse. She
12 informed me that she would check with the OIG as she
13 did not believe she was able to share the information.

14 Also under the retaliation definition that
15 is on that same page, if I was actively -- and I
16 actively participated in the investigation providing
17 everything that was asked of me to provide to the OIG,
18 why would I be upset because Ms. Lamar provided
19 information. I was participating. Jermaine Wyrick,
20 and I think that's another one of the exhibits, asked
21 me for information, and I gave him personnel -- PL
22 letters. I gave him everything that he asked for. So
23 I don't know what the motive was for me to not want

1 Ms. Lamar to participate.

2 And again under the investigative summary
3 piece, it states that on October 23rd, 2018
4 Dr. Anderson was appointed to the position of director
5 of police HR by the BOPC. Soon after she took office,
6 Dr. Anderson reviewed the current positions held by
7 her staff and decided to hire a new manager to oversee
8 police medical, a position that was held by Ms. Lamar.
9 Dr. Anderson contacted the city HR to obtain
10 information. Again, everybody is forgetting that
11 Ms. Lamar previously held an appointed position that
12 was changed by Gail Oxendine on her way out the door.
13 So she changed that job to a civil service position
14 taking away the appointed position. Ms. Lamar was an
15 appointee as well, and that's never identified in the
16 documents, again giving the impression that I'm trying
17 to do something that was never done. That wasn't the
18 case, I was trying to revert it back to its original
19 state.

20 And all of this stuff about what
21 Ms. Holland said, it baffles me because it is outright
22 untrue. Ms. Holland said from day one for me to
23 inform Bridget. She never said anything different.

1 Inform her, give her a preliminary conversation. On
2 the day of December 14th when I talked to Ursula,
3 Ursula was more concerned that people in budget who
4 knew Bridget was going to tell Bridget, and that I
5 needed to let her know because she was going to find
6 out by her former friends who had worked in the budget
7 department.

8 Under the retaliation, elimination of the
9 position, I found this very interesting. Number 3
10 where Hendricks-Moore states Dr. Anderson claimed
11 during her interview that she wanted to eliminate
12 Ms. Lamar's position to hire a new manager for police
13 medical who has expertise in that field. However,
14 Ms. Lamar has a graduate degree in health
15 administration and has been employed in police medical
16 for four years. This seems to contraindicate the
17 rationale provided by Dr. Anderson to eliminate
18 Ms. Lamar's position. I never said Ms. Lamar did not
19 have experience. And this is what this is insinuating
20 but not stated. Claimed during her interview that she
21 wanted to eliminate Ms. Lamar's position to hire a new
22 manager who had the expertise in the field.
23 Jacqueline Hendricks-Moore is stating here that there

1 is no other professional with more than a graduate
2 degree in health administration and four years of HR
3 health administration experience capable of overseeing
4 police medical. Again, it's just all biasness.

5 MR. MUNGO: Okay. I have one last
6 question, then I want to take a quick break and I
7 think we're done, just to make sure we haven't missed
8 anything that I think would be helpful for you all.

9 I'm going to direct Dr. Anderson's
10 attention to Exhibit 5, and it would be -- the page
11 that I'm going to look at would be the third from the
12 last page, third from the last page.

13 MS. BENTLEY: Which page?

14 MR. MUNGO: It has the identifier Office of
15 Inspector General Page Number, and then it says --
16 towards the middle you'll see an email from Jacqueline
17 Hendricks-Moore.

18 BY MR. MUNGO:

19 Q. So I want to direct your attention to the sort of in
20 the middle of the page, the Jacqueline Hendricks-Moore
21 email dated the 12/7 of 2018. Do you see that
22 Dr. Anderson?

23 A. Yes.

1 Q. And this email is Attorney Wyrick. And Attorney
2 Wyrick addressed this when he testified earlier, but
3 it says here, "Thank you for the information and
4 documents forwarded to the OIG on December 6th.
5 However, the information and documents," and this is
6 what you asked Ms. Lamar for at the beginning was
7 information and documents, right?

8 A. Yes, that's right.

9 Q. Because that is what was being asked of Mr. Wyrick
10 again, which he conveyed to you?

11 A. Yes.

12 Q. And it goes on to say, "I was not sure if the BOPC was
13 still in the process of gathering the requested
14 information, because your email and letter did not
15 mention it. Please be advised the OIG is stilling for
16 the following requested information and documents."
17 Then it has a star and it has six bullet points for
18 information. So it says the following requested
19 information and documents we're still looking for.
20 "Official HR job posting, please no email, executive
21 manager; include HR job analysis and job description,
22 executive manager; names of persons on the interview
23 panel for the executive manager; questions asked

1 during the inter executive manager; BOPC personnel
2 committee during the period of 2016 to 2017, please
3 provide the names of the commissioners and time period
4 they served; a list of the job positions hired/filed
5 by the BOPC in 2016 to 2018, include job posting, job
6 description, interview panel members," et cetera. And
7 then of particular note is that last paragraph where
8 Ms. Hendricks-Moore says I have provided further
9 clarification of the information to assist you in
10 facilitating the OIG's request. Should you have
11 questions or need further clarification, do not
12 hesitate to contact me. Per the OIG's first request,
13 forward the following requested information and
14 documents to the OIG no later than Tuesday.

15 So the consistent reiteration from
16 Ms. Hendricks-Moore that the information and documents
17 were incomplete, would it stand to reason, and I just
18 want to kind of reason here a little bit and kind of
19 pick your brain for your reasoning in terms of what
20 would motivate you to ask Ms. Lamar for a summary of
21 the information and documents that you gave them,
22 would it be because Ms. Hendricks-Moore said that the
23 information and documents that you provided was

1 incomplete, and if she provided the bulleted list of
2 items, you would be able to go back and see whether or
3 not the items that she requested was in fact complete
4 based upon what you had in your files and data base?

5 A. I wanted to make sure that everything that we had in
6 HR was provided. I knew what I had provided. But
7 also I had been on the job all of two months. So I'm
8 thinking Ms. Lamar may have previously provided
9 something additional. So then I can check and say,
10 okay, here is what I sent, here is what Ms. Lamar
11 sent, here is what is missing, we may not have it.
12 Additionally in this email I asked Jermaine did you
13 ask Mr. Hicks if he had any of the requested
14 documents. So I'm not just looking at Bridget for
15 documents, I'm looking at maybe BOPC has some of these
16 documents, because some of this stuff is not held in
17 HR. If the BOPC asked specific questions, we wouldn't
18 necessarily have that in HR, they would have that.

19 So my overall goal was to make sure that
20 we had provided all that we had to the OIG for their
21 investigation. I had been providing Jermaine
22 documents since like December the 3rd, and then he
23 came back and asked again, then he came back and asked

1 again. I was like, okay, what else do we have that
2 they're missing. So I reached out to her to see what
3 she had provided and how long ago it had been. So I
4 asked her a question like do you remember when you met
5 with them, because I didn't know how long it had been.
6 She was serving in that capacity for maybe like from
7 January 2018 until October 2018. When I did my
8 research, Mr. Brown had received a promotion July
9 2017. So I didn't know how far back this
10 investigation was going. I didn't know that it was a
11 new investigation.

12 Q. Okay. And if even if you look at the bulleted items
13 that Ms. Hendricks-Moore identified as areas where the
14 information was incomplete, how would you ever be able
15 to determine what items would complete her list if you
16 didn't know what was already provided?

17 A. Right.

18 Q. Was that one of your concerns?

19 A. Right. That's why I thought, okay, I'm going to ask
20 Bridget, give me a summary, what is going on, what has
21 happened, like basically bring me up to speed for this
22 investigation, because again I'm thinking from the HR
23 perspective we need to make sure that they get all

1 that they need.

2 Q. Would any of this information that is being requested
3 as identified in Ms. Hendricks-Moore's email, would
4 any of that information be confidential to you?

5 A. None of this information would be confidential to me.

6 Q. Whereas you wouldn't have access to it or knowledge of
7 what would be contained in those files?

8 A. The only thing is that I would -- may not know how to
9 pull it up, but it wouldn't be confidential to me.

10 Q. In other words, it's wouldn't be off limits for you to
11 have access to it?

12 A. No.

13 Q. It's not like you would be seeing information that you
14 wouldn't have lawful access to and shouldn't have
15 access to?

16 A. Right.

17 Q. So it wouldn't have been any offense to anyone for you
18 to have known or have a summary of what was already
19 provided?

20 A. No.

21 Q. It was like sending you back to the original canvas to
22 paint it all over again?

23 A. That's what I wanted, I just wanted a summary of what

1 had taken place.

2 Q. Did you consider that to be poorly worded, and then
3 you blamed for creating a mess and confusion in trying
4 to respond to a request that was poorly worded or
5 maybe even not reasonable or fair, possibly?

6 A. Possibly. And that I did not understand that
7 Ms. Lamar's piece that she shared with the OIG was
8 not -- was, you know, something that she couldn't
9 share with me. I did not understand that.

10 Q. You didn't understand that because everything she
11 shared with them was from the HR department that you
12 had lawful access to anyway, right?

13 A. Yes. So like I understood the email -- like I get
14 this, especially the bullet points. It wasn't that it
15 was poorly worded for me, it was that I thought that
16 whatever Ms. Lamar had shared was shared according to
17 HR, and that it was not something she could share with
18 me.

19 Q. Dr. Anderson, have you been slandered unfairly without
20 any rational, factual basis to support it?

21 MS. HA: Okay. Now, I'm going to have to
22 object on this, because this is not a legal tribunal,
23 and we don't get to make a legal decision or

1 determination.

2 MR. MUNGO: It's my record, my record, and
3 she's being defamed. And if this stuff is published
4 anywhere, there's going to be a lot of lawsuits going
5 on here, because you don't have any facts to support
6 what you're doing. This is unfair.

7 A. I just think that it was one-sided. That the things
8 that I did to show that I accepted that I should not
9 have asked her was not even considered. It was
10 automatically, oh, we're going to find her guilty.
11 The talk is that people on the BOPC has the inside
12 track over here with someone, and that's why they're
13 bringing all these cases and all that. I don't want
14 to get caught up in the politics. I've worked very
15 hard. I was trying to make sure that you got what you
16 needed and what you requested. I asked her for some
17 information that I should not have asked her because
18 she was an individual testifying or a witness for you
19 all. I didn't look at it that way. I didn't
20 understand it that way until Jermaine sent the
21 information. And I just wanted you to get what you
22 needed, that was it. Ms. Lamar is notorious for not
23 following up, not making sure things are done

1 properly. I wanted to make sure you got what you
2 needed, and for that this is what I get.

3 BY MR. MUNGO:

4 Q. And do you believe you're being defamed?

5 A. I believe that's done.

6 Q. Held out in a false light?

7 A. That's already been done.

8 Q. Slandered?

9 A. That's already been done.

10 Q. And the fact that you will be penalized \$300 and sent
11 to some special training would be suggesting that you
12 did something wrong and you were ill-equipped to do
13 your job as a professional?

14 A. That and more.

15 MR. MUNGO: Let's go off for just a moment,
16 please.

17 (Brief recess.)

18 MR. MUNGO: Thank you very much. We're all
19 done. If you all have questions.

20 MS. HA: So I'm curious why you would ask
21 Bridget what she provided or give you an update on the
22 investigation rather than just contact Investigator
23 Hendricks-Moore? I mean, if you're that concerned

1 about duplicating efforts, shouldn't you -- don't you
2 think it would have been better if you called the
3 source and say, hey, what are you missing?

4 A. No. Because to my understanding that we -- everything
5 was being filtered through Jermaine, the BOPC
6 attorney. So, no, I didn't feel like I needed to call
7 her. I needed to know what my person -- I don't know
8 her, but I know Ms. Lamar, we worked together. So why
9 can't I ask her what have you provided.

10 MS. HA: What about Mr. Wyrick? Why didn't
11 you just ask Mr. Wyrick what was provided? Why
12 Bridget?

13 A. Well, because she works in HR. He had provided this
14 list of things that were needed, and my thinking is
15 had Bridget already provided it, or what was missing,
16 or where can I get this stuff from. So Bridget was
17 my -- we worked together. I felt it okay to ask her.

18 MS. HA: But I thought you actually said
19 that you felt that she was being hostile to you, that
20 she resented you because you got the job and she
21 didn't?

22 A. Absolutely, but we still were functioning day-to-day.
23 Absolutely.

1 MS. HA: And did you think that Bridget
2 Lamar had given any information or record that
3 Mr. Wyrick didn't provide?

4 A. I didn't know what Bridget had given. That's why I
5 asked her. I wouldn't think that Mr. Wyrick would
6 withhold anything, no.

7 MR. MUNGO: He had to get it from them.

8 A. He came to me for it and I sent it him. So one of
9 those exhibits showed everything that I was sending to
10 him.

11 MS. HA: Okay.

12 MS. HENDRICKS-MOORE: Did Mr. Wyrick
13 provide you the memo that was sent from our office
14 requesting documentation so you could see what we
15 requested?

16 A. I have the email. I don't recall a memo. I recall
17 the list in the email. I think we were looking at
18 that.

19 MS. HENDRICKS-MOORE: That's what I was
20 asking, because there was memo that we provided.

21 A. I don't recall seeing a memo. I just got that email.

22 MS. HENDRICKS-MOORE: So he didn't provide
23 you with that, but you also stated that you knew that

1 all the information that our office was requesting,
2 that we were going through Mr. Wyrick. Did you reach
3 back out to him to ask him if there was some
4 additional information that he was aware of that was
5 provided by Ms. Lamar since he sent you that email
6 stating that he found out that we had talked to
7 Ms. Lamar? Did you talk to him regarding that?

8 A. I'm not understanding the question.

9 MS. HENDRICKS-MOORE: Okay. When you
10 received the email from Mr. Wyrick that stated, there
11 is a part of the email, that we had spoken to -- do
12 you want me to?

13 A. Yes. Because that's -- the email is what I received.

14 MR. MUNGO: Is this the one?

15 MS. HENDRICKS-MOORE: No, I'm talking about
16 the email that Mr. Wyrick sent to Dr. Anderson.

17 MR. MUNGO: Yes, saying that you had
18 requested --

19 MS. HENDRICKS-MOORE: That there would be
20 some more.

21 A. I don't remember a memo with it.

22 MS. HENDRICKS-MOORE: Oh, no, I know it
23 wasn't with the email. I'm just asking, you know,

1 with the email that he sent to you. My question is,
2 you know, just kind of why you didn't call him and ask
3 him, you know. If he said that he found out that we
4 had spoken to Bridget, my question is why --

5 A. I think he stated in there that you informed him that
6 you had met with Bridget, and that you were going to
7 be seeking additional information. So then I reached
8 out to Bridget because I'm trying to figure out what
9 additional information are you seeking. And, no, I
10 did not think to ask him what additional information,
11 because he's reaching out to me asking me for
12 information. Does that answer the question? I'm not
13 sure.

14 MS. HENDRICKS-MOORE: I hear you answering
15 the question, but I think he just stated the email was
16 that -- let me see, I would rather find the email. It
17 is in one of our -- in one of the exhibits.

18 MR. MUNGO: Perhaps in the written
19 responses? Look in E perhaps. This is from Jermaine
20 to Dr. Anderson, the first email. Would that be it?

21 MS. HENDRICKS-MOORE: That might be it.
22 Yes, that was it. He sent you an email, and in there
23 he just states that --

1 MS. BENTLEY: For the record, it's Exhibit
2 E within Exhibit 1?

3 MR. MUNGO: That's correct.

4 A. She said early on in the investigation she spoke with
5 Bridget Lamar. So then I reached out to Bridget. We
6 work in the same department, and I'm asking her, hey,
7 provide me a summary, when did you have this, because
8 he said early on in the investigation. I'm thinking
9 how long has this been. Mr. Brown had been in that
10 position for over a year, so I had no idea how long
11 ago it was or what you had received.

12 MS. HENDRICKS-MOORE: Okay. That's what I
13 was asking. I was wondering why you didn't just reach
14 out back to Mr. Wyrick, because we already
15 acknowledged that he had advised you that all requests
16 of information was going through him, he was our
17 contact person.

18 A. Yes.

19 MS. HENDRICKS-MOORE: Even when it came to
20 interviewing you, I contacted him, he reached out to
21 you, and then we were able to set up the timing.

22 A. I wouldn't go to him for HR documents. He wouldn't
23 have it.

1 MS. HENDRICKS-MOORE: No, but he would have
2 been the one that would have had the information. If
3 we're asking, requesting documents, we're going
4 through him per the request from BOPC that we submit
5 our requests through him, and his job my understanding
6 was to filter that information to all BOPC agencies or
7 entities under him, which would have been HR to make
8 sure that again they get that information filtered
9 back up through him, and then that information is
10 given to us.

11 A. No, here the last thing he said was that she said
12 earlier on in the investigation she spoke with Bridget
13 Lamar, so I reached out to Bridget to say, hey, give a
14 summary, when did this happen, I don't want to
15 duplicate documents. And again, that was something
16 that was left off in the time line, that I stated I
17 did not want to duplicate documents.

18 MR. MUNGO: In all fairness --

19 MS. HENDRICKS-MOORE: No, I understand. I
20 mean, you can keep commenting, but I understand what
21 she's saying, and she's just clarifying things, and I
22 appreciate the clarification, because it's important.
23 But, I mean, you can go on to say what you want to

1 say, that's fine, but I'm just letting you know you
2 don't have to, you know, because I understand her
3 clarification, and that's important, because she is
4 clarifying this.

5 MR. MUNGO: What I was going to say was a
6 little less toxic than what you think it was going to
7 be, okay. I'm really not a bad guy, guys. I'm
8 really -- I am a humanitarian lawyer, you know. But I
9 really think that this is more about maybe a -- and
10 keep in mind, I work with law enforcement. All my
11 clients are law enforcement, practically all of them
12 from federal air marshals all the way down, all right.
13 And I know how law enforcement thinks, okay, I know
14 how they think. You're suspicious. You're paid to be
15 suspicious, okay. But there is a dropping of the ball
16 here in terms of bad communications and lack of
17 information that you guys are taking in the worst
18 possible light. And I think that it is easy to see
19 how that has been done here from my perspective as an
20 objective person. Can I be objective at this point?

21 MS. HA: No, I don't think so.

22 MR. MUNGO: Well, you guys did this to me.

23 MS. HA: You didn't have to take the case.

1 MR. MUNGO: You have to send me for some
2 therapy now, right.

3 But, I mean, even Attorney Wyrick, you
4 know, when he sent that email after he looked at the
5 charter regarding the confidentiality, you know,
6 Ms. Anderson didn't understand. I mean, it was
7 clearly communicated. But it's just being, you know,
8 held out and interpreted in the worst possibly light.
9 Wouldn't that be something if everybody treated us
10 like that. You know, this is subjective. It really
11 is subjective. This is not -- what you're accusing
12 her of is a specific intent crime when there is no
13 specific that you could ever establish. Give her the
14 benefit of the doubt, she's a professional.

15 A. Now, if you could document for the benefit of the
16 doubt. I specifically stated on the week of the 10th
17 that we were going to tell her that week, and that was
18 early on in the week, and that's in these exhibits.
19 So I just -- again, I look at it as it's a BOPC thing,
20 that's how I look at, because I work with the BOPC,
21 I'm caught in the midst of it. That's exactly how I
22 see it.

23 MR. MUNGO: That's how this thing started

1 out, wasn't it. She got caught in the tailspin at the
2 tail end. I'm done.

3 MS. HENDRICKS-MOORE: I want to speak with
4 my team for a second.

5 MR. MUNGO: Absolutely.

6 (Brief recess.)

7 MS. BENTLEY: Just a couple of final
8 questions.

9 Dr. Anderson, at any point did Ursula
10 Holland tell you that you should not inform Ms. Lamar
11 that her position was being eliminated before you
12 actually had the budget approval in hand?

13 A. Absolutely not. Ursula Holland never told me not to
14 tell Bridget Lamar. Ursula Holland from day one, she
15 kept pushing me to tell, pushing me to tell. And even
16 on the day -- there was an email communication, and
17 that's another thing, I'm glad you brought that up,
18 there is -- in this draft, I'm not -- Exhibit 1, it
19 kind of states that subsequently Ursula Holland
20 reached out to me. No, I had sent an email to the
21 CFO, and I think I blind copied Ursula, and then
22 Ursula responded and said something like, well, thank
23 you for keeping me in the loop. I saw Bridget over

1 here at a meeting, she doesn't know. So we end up
2 talking and not following up with email, and she said
3 you want to tell her because she's worked with some of
4 those girls that work up in budget, and they're going
5 to tell her. So you need to tell her. So when I read
6 that she had stated she told me not to tell Bridget, I
7 was appalled. But I know that they all used to work
8 together, so I'm not -- I'm not --

9 MS. BENTLEY: Let me ask some followup
10 questions.

11 MR. MUNGO: She doesn't report to Ursula
12 Holland.

13 MS. BENTLEY: That's fine. Let's mark this
14 as Exhibit 12. It's the affidavit of Ursula Holland.
15 I'm going to have you read Number 3, and then I wanted
16 to give you a chance to respond to what her statement
17 is.

18 (Exhibit No. 12 was marked
19 for identification.)

20 MS. BENTLEY: So again, I'm going to have
21 you read Number 3, and then I want you to be able to
22 respond to that.

23 A. Before I read it, there were some additional things

1 that were stated in this draft that Ursula Holland
2 also shared that she told me that she did not.

3 MS. BENTLEY: We'll start with that, and
4 then if you want to address the other issues.

5 A. "On Friday, December 14th" -- did you want me to read
6 it out loud?

7 MS. BENTLEY: Yes.

8 A. "On Friday, December 14, 2018, I had a telephone
9 conversation with Dr. Anderson pertaining to her
10 telling Bridget Lamar that her position is being
11 eliminated on that day. Dr. Anderson told me that the
12 OIG was conducting an investigation involving her
13 office, and that she has to tell Ms. Lamar that her
14 position is being eliminated on that day. I advised
15 Dr. Anderson to wait and notify Ms. Lamar on Monday,
16 December 17th, 2018 when the budget amendment would be
17 approved."

18 MS. BENTLEY: I want to give you a chance
19 to respond to that because you're saying that didn't
20 occur?

21 A. It did not.

22 MS. BENTLEY: So I want to give you a
23 chance to address that.

1 A. It did not occur. Ursula never told me not to share
2 with Bridget that her job was now being eliminated.
3 Again on this day she was more concerned with the
4 girls, Charleta McInnis in budget knowing Bridget, and
5 that they were going to share with her that her
6 position was being eliminated before I had an
7 opportunity to tell her.

8 And, again, the OIG was not investigating
9 my office. That is where this thing comes in. I
10 don't work in the BOPC. I work for the BOPC, but I
11 work in HR. Most of my dealings is with the chief of
12 police. So I never told her that there was an
13 investigation pertaining to my office, and that was
14 one of the things I noted on here as well.

15 And in here Exhibit 1, it is stated that
16 Ursula told me that I needed to share with Bridget the
17 elimination of her position so that she would have
18 enough time to apply for open positions. Ursula never
19 said that. The only thing Ursula stated was that let
20 Bridget know that she may have an opportunity because
21 she did have an employee services manager I position
22 open, that was it. So, no, that is not true.

23 MS. BENTLEY: Do you recall having a

1 conversation with her on the phone on that date?

2 A. We did talk on that day, yes.

3 MS. BENTLEY: On the phone?

4 A. Yes.

5 MS. BENTLEY: Do you recall -- what is your
6 recollection of that phone conversation?

7 A. My recollection of that is stated in the previous
8 documents that I shared with you all.

9 MS. BENTLEY: Which is what just for the
10 record so we can be clear.

11 A. We're already clear, because I already know the game,
12 the back and forth and, oh, you said this on the 25th
13 and you said something different. I have not had a
14 chance to review my statement, and being a police
15 officer for 20 years, I was always given an
16 opportunity to review a prior statement before I
17 testify. So I'm going to say that we're going to
18 refer back to the previous statement that I provided.

19 MS. BENTLEY: Okay. That's your right.

20 A. Yes.

21 MR. MUNGO: But the thing about it is the
22 OIG was not investigating --

23 A. My office.

1 MR. MUNGO: -- your office.

2 A. Yes. So this whole statement is inaccurate.

3 MR. MUNGO: I mean, you guys weren't
4 investigating her office, were you?

5 MS. BENTLEY: We weren't investigating HR.

6 MR. MUNGO: I'm sorry?

7 MS. BENTLEY: Not HR.

8 A. So that whole Line 3 is not accurate.

9 MS. HENDRICKS-MOORE: HR is up under the
10 Board of Police Commissioners.

11 A. No, they're not.

12 MS. BENTLEY: There is the reporting.

13 A. The police HR is not under the Board of Police
14 Commissioners. Police HR is under the chief's office.
15 The director of police personnel position according to
16 the charter reports to the BOPC, but police HR does
17 not fall under the BOPC. That is incorrect.

18 MR. MUNGO: That document --

19 A. Can I read the first two?

20 MS. BENTLEY: Yes, I'm going to make you
21 guys a copy.

22 MR. MUNGO: That's slander there.

23 (Discussion off the record.)

1 MS. BENTLEY: Back on the record.

2 A. Here also in Ms. Holland's statement she says during
3 the period of November 29th to November the 30th, that
4 Dr. Anderson, a newly appointed director of Detroit
5 Police human resources bureau, Police HR, requested
6 assistance from city HR regarding eliminating the
7 employee service II position and replacing it with an
8 executive manager position. My interaction with them
9 started November 6th, and I think my first
10 conversation with Ursula was like November the 7th,
11 but this says November 29th to November 30th, and my
12 interaction with her spanned past December 17th,
13 because I even spoke with her after December 17th
14 because she said that Bridget Lamar did reach out to
15 her as I had gave her that option to reach out to
16 Ursula for the employee service I position. So
17 this -- both of those statements are incorrect
18 according to my recollection and the emails that were
19 presented.

20 MR. MARABLE: So just in regards to what
21 type of investigation it was, in your conversation
22 with Ms. Holland on that day, do you recall the
23 existence of --

1 A. I'm not going to speak to that. Without reviewing my
2 statement from previous, I'm not going to speak to it.
3 I didn't have an opportunity to look at my statement
4 that I gave to you --

5 MR. MARABLE: Well, now I'm asking on that
6 statement here. On that statement there she mentions,
7 and we were talking about whether it was your office
8 or BOPC. Do you remember in that conversation with
9 Ms. Holland on that day an OIG investigation coming up
10 in the conversation?

11 A. I'll refer to my statement that I give you on
12 January 25th, because when I responded to Ellen Ha's
13 statement you immediately in my opinion called me a
14 lie, and so I'm not going to say something else to
15 give you that other opportunity. It's now July. The
16 truth is the truth. I provided you with all that I
17 have. If you want to let me look at my statement that
18 I provided, then I can --

19 MR. MUNGO: So she can explain why she
20 answered the way she answered.

21 MS. HENDRICKS-MOORE: And this is part of
22 why we're providing this, the contradiction.

23 A. You provided this. This is Ursula's statement. This

1 isn't my statement. You haven't provided me with the
2 transcript or the statement that I provided. Here I'm
3 telling you that I did not have this conversation with
4 Ursula as it states that the BOPC was investigating my
5 office -- I mean, the OIG was investigating my office.
6 The OIG was never investigating my office. That was
7 never the case. There was some issues about the
8 hiring practices with BOPC. I didn't handle hiring
9 for BOPC.

10 MS. HA: So I'm still stuck on Friday
11 versus Sunday -- I mean not Sunday, Monday. You said
12 that you wanted to give Bridget plenty of time so that
13 she would have --

14 A. I wanted to hold a preliminary conversation with her,
15 and that's what Ursula and I had discussed. She
16 stated preface it as a preliminary conversation to let
17 her know the documents will be forthcoming, and that's
18 what I did, I said this is a preliminary conversation.
19 I didn't have the documents to give her, and I made
20 that clear to Bridget that I didn't, that it was
21 forthcoming, but this is what is going to transpire.

22 MS. HA: But if that's -- if you were
23 concerned about Bridget having advanced notice so that

1 she could go and find another job or position, why
2 wouldn't you tell her like back in November?

3 A. Because I did not have the final approval from budget
4 that they had made the change. There was a document
5 where I had received a statement from Lisa -- I don't
6 think we put this in there on the record. Her name
7 was Lisa Jones and she was our former CFO. She told
8 me that it had been taken care of, and then at that
9 time I got ready to inform Bridget, but it wasn't
10 taken care of. So I would have informed her, but not
11 had all of the -- everything wouldn't have been
12 signed. So the reduction in force rights form I could
13 not give to her, and this was from Ursula, I could not
14 give to her until I had the signatures.

15 MS. HA: Right. And that's -- that was the
16 impression I got from the very beginning, you weren't
17 going to tell Bridget until you had something in your
18 hand.

19 A. Mm-hmm.

20 MS. HA: And then it seems you changed your
21 mind on Friday?

22 A. No, I didn't. If you look at the emails, I stated in
23 the emails that I was going to tell Bridget that week.

1 I even said that to Ursula. And that was sent like
2 December 10th or 11th, my plan is to tell her this
3 week. So it wasn't that after I had the conversation,
4 after the incident on the 13th. My goal was to tell
5 her that week. We were going to be out. I think that
6 she had put in some time off even for the following
7 week. My thing was I need to tell her this week, and
8 just so happened this thing happened on the 13th, but
9 I still told her on the 14th.

10 I know you -- I am -- I don't want to say
11 I'm an expert at body language, but I can read body
12 language very, very well, and I know that you all are
13 set on what you believe. My goal is to defend myself
14 and take it to however far I have to take it to clear
15 my name. That's my goal and that's my right is to
16 provide you with -- you said to come over here and
17 provide you with information you may not have had.
18 That's what I've done today. I hired an attorney so
19 that I could make sure I was represented because I
20 came over thinking January 25th that I was going to be
21 given a fair chance, and that has not happened. So I
22 knew that there was no way I could come and meet with
23 you all again without legal representation. So you

1 may not agree with it, but in my mind it does not mean
2 that I retaliated against her, because during that
3 week in emails it stated that I was going to give her
4 the notice that week.

5 MS. HA: Even without the approval?

6 A. What approval?

7 MS. HA: I thought you were -- I thought
8 you weren't going to tell Bridget until you had the
9 approval?

10 A. So I had the approval in the email from CFO Tanya
11 Stoudemire who could have come over and served as a
12 witness to state that she had given me that approval
13 that it was done and I would have it Monday. I have
14 emails to state that. So I have the approval. The
15 emails state that. We have to pull up what exhibit
16 that is. Is that in the exhibit that you brought
17 over?

18 MR. MUNGO: Yes, it's in the -- where it
19 says that it will be ready Monday?

20 MS. HA: Yes.

21 MS. HENDRICKS-MOORE: Yes, we have that.

22 A. So she gave us the approval that it was done and the
23 physical document could be picked up, that it was

1 approved.

2 MS. BENTLEY: So I think part of the
3 confusion for us is still in, and this is Exhibit H as
4 part of Exhibit 1, and we talked about this earlier
5 when Ms. Ducker was here, there was -- if you turn to
6 Exhibit H in Exhibit -- I'm sorry, not Exhibit 1,
7 Exhibit 4, I apologize. Exhibit 4 H. So again --

8 A. So here I say to her it was my intention to inform her
9 this week, however the budget amendment had not been
10 processed. I also sent Ursula another email, and I
11 think that that is outlined in the time line, and I
12 said can I inform her before the budget amendment is
13 processed.

14 MR. MUNGO: You guys saw that, right?

15 MS. HENDRICKS-MOORE: Yes.

16 MR. MUNGO: And her question to Ursula was
17 actually more in response to Ursula's continuing to
18 press her to share that information.

19 A. Because they're all friends down there, and someone is
20 going to see it, someone is going to tell her. I seen
21 her down here, she didn't say anything. And I'm
22 participating in the investigation, why would I not
23 want her to participate. That makes no sense to me.

1 I'm giving all of the documents, I'm trying to find
2 everything that I can so that the OIG's office can get
3 the documents, but in my opinion you all have this
4 preconceived notion that I'm the BOPC and I'm hiding
5 information from you all to protect them. That's the
6 impression that is being displayed. I don't protect
7 the BOPC. My integrity is more important than the
8 BOPC.

9 MS. HA: We understand that.

10 MR. MUNGO: So this notion -- who was it
11 that raised about the email -- Kamau, you raised that,
12 about the email, you sent an email to Ursula saying
13 can I do that.

14 A. Because I'm waiting --

15 MR. MUNGO: That was not a seeking
16 permission or authority to do so, she was asking
17 about -- it had more to do with the policies, does the
18 policy allow that, although it wasn't put it in those
19 words. Can be it done. Obviously she wasn't asking
20 her permission, right, because she doesn't report to
21 her. It was can it be done by way of policy. Of
22 course it could be.

23 A. Can we make this one an exhibit? This is my email

1 that I sent to our former CFO, and I was asking her
2 please let me know when executive manager positions
3 appear in the budget so that I can onboard the deputy
4 director. And then Lisa Jones says, Hi, Marcella, it
5 appears in Appropriation such and such, Cost Center
6 Medical. If you need additional information, please
7 don't hesitate to contact me. So then I go to move to
8 say, okay, I can now let Bridget know, but this
9 document that Lisa sent me, it wasn't complete,
10 everything wasn't done. So then that made me feel
11 like, okay, I need to make sure that everything is
12 done properly, because everybody is not talking to
13 everyone, if that makes sense, and I learned that that
14 is common in the city. I'm new to the city. I'm not
15 bashing the city, I love the city, I live in the city,
16 but Lisa told me I was okay to move forward, but I
17 wasn't. So when I showed this to Lawana, she said,
18 okay, we need to check everything. And when she
19 checked, she said, no, everything is not done. So
20 when we started following up again, my thing was to
21 make sure the CFO at central got it, and that our
22 people wasn't saying, oh, yes, you're good, because
23 then I present her with a document and it's not

1 approved. So I really wanted to wait until I heard
2 that I got an approval from the CFO.

3 Can we mark this an exhibit?

4 MR. MUNGO: Yes.

5 (Exhibit No. 13 was marked
6 for identification.)

7 BY MR. MUNGO:

8 Q. So the significance of that document is that that is
9 an example of the budget folks communicating that,
10 okay, hey, there is -- we don't see any light at the
11 end of the tunnel, you know, this thing is -- we
12 can't -- we don't know when this baby is go to be
13 birthed, so -- and that was -- what is the date on
14 that document?

15 A. This one is December 13th, but actually what she was
16 saying was that, oh, it's done, but it wasn't done.
17 And when I went to move forward, I found out it wasn't
18 done. It was police finance fiscal stating that it
19 was done, but it needed to go down to the city. So I
20 was waiting for Tanya Stoudemire to tell me it's
21 approved, and when Tanya Stoudemire told me it was
22 approved, that's when I told Bridget.

23 Q. That was not the Stoudemire.

1 A. This was not Stoudemire.

2 MS. BENTLEY: So I think you said on the
3 record it was dated the 13th, but it's --

4 A. I'm sorry, the 3rd. Thank you for your clarification.
5 December the 3rd.

6 MR. MUNGO: We're done.

7 MS. BENTLEY: All right. We'll go off the
8 record.

9 (Hearing concluded at 3:45 p.m.)

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C E R T I F I C A T E

I, Diane L. Szach, do hereby certify that I have recorded stenographically the proceedings had and testimony taken in the above-entitled matter at the time and place hereinbefore set forth, and I do further certify that the foregoing transcript, consisting of (211) pages, is a true and correct transcript of my said stenograph notes.



Diane L. Szach, CSR-3170
(Acting in Wayne County)
Oakland County, Michigan
My Commission Expires: 3/9/18

CITY OF DETROIT

OFFICE OF INSPECTOR GENERAL

REQUEST TO CLOSE INVESTIGATION MEMORANDUM

DATE:

4/17/2019

TO: Ellen Ha
Inspector General

Approved _____

FROM: Jacqueline Hendricks-Moore
File Manager

CASE NAME: Retaliation

OIG # 18-0057-INV

COMPLAINANT INFORMATION: Bridget Lamar, Employee Services Manager II, Police HR

I. Introduction

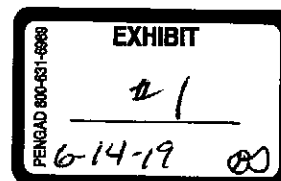
On December 14, 2018, the next day after the complainant, Bridget Lamar, refused a request by Dr. Marcella Anderson, Director of the Detroit Police Human Resource Bureau (Police HR), to provide a summary of her interview with the Office of Inspector General (OIG); Ms. Lamar was verbally told by Dr. Anderson her position was being eliminated from the police budget.

The Complainant, Bridget Lamar is an Employee Service Manager II (ESM II) for Police HR.¹ She currently oversees HR matters concerning Police Medical. Prior to Dr. Anderson's appointment as the Director of Police HR, Ms. Lamar served the Police HR as its Interim Personnel Director. The OIG contacted Ms. Lamar for background information for an OIG investigation pertaining to the hiring practices of the Detroit Board of Police Commissioners (BOPC).

On December 13, 2018, when Dr. Anderson was made aware that Ms. Lamar had participated in the OIG's investigation, Dr. Anderson requested, via email, that Ms. Lamar provide her with a summary of her interview with the OIG. Ms. Lamar responded to Dr. Anderson's email, basically stating that she felt uncomfortable sharing the information. Several additional emails were exchanged between them that day, however, Ms. Lamar did not share any OIG information with Dr. Anderson.

The next day, on Friday, December 14, 2018, Dr. Anderson verbally informed Ms. Lamar that her position was being eliminated from the Detroit Police Department (DPD)/ BOPC, effective January 2, 2019. Dr. Anderson further advised Ms. Lamar, that in the event she would like to continue to work for the DPD, she could do so, however, she would have to take a double demotion pursuant to the civil service rules.

¹ ESM II is classified as a civil service position.



Based on the OIG's investigation, we conclude Dr. Anderson retaliated against Ms. Lamar in violation of the 2012 City of Detroit Charter Section 7.5-315.

II. Background Information

Open Investigation: OIG Case No# 18-0050-INV

On November 15, 2018, the OIG opened Case No. 18-0050-INV to investigate the hiring practices of the BOPC. As part of the investigation, certain BOPC and DPD personnel, including Ms. Lamar, was interviewed by the OIG.

Charter Bound Duties of Public Servants

The 2012 Detroit Charter, Chapter 3, Sec. 7.5-310, states in part

It shall be the duty of every Public Servant...to cooperate with the Inspector General in any investigation pursuant to this Article. Any Public Servant who willfully and without justification or excuse obstructs an investigation of the Inspector General by withholding documents or testimony is subject to forfeiture of office, discipline, debarment or any other applicable penalty.

Ms. Lamar was simply performing her duty as a public servant under the Charter when she cooperated with the OIG's investigation. Therefore, Ms. Lamar was engaged in a protected activity under the City's Charter.

In addition, the 2012 Detroit Charter, Chapter 3, Sec. 7.5-313, states in part

Subject to any applicable state law, all investigative files of the Office of Inspector General shall be confidential and shall not be divulged to any person or agency...

Likewise, when Ms. Lamar refused to share any information with Dr. Anderson about her involvement with the OIG, she was simply complying with the above-referenced portion of the Charter. Again, Ms. Lamar was engaged in a protected activity under the Charter.

Definition: Retaliation

Nolo Plain English Law Dictionary defines retaliation as "Punishment of an employee by an employer for engaging in legally protected activity such as making a complaint of harassment or participating in workplace investigations." Based on our review of the records, it appears that the elimination of Ms. Lamar's position was already in the works, before Dr. Anderson was made aware of Ms. Lamar's participation in the OIG's investigation. However, what is clear is that Dr. Anderson verbally told Ms. Lamar her position was being eliminated only after her participation in the protected activity. Ms. Lamar refused to divulge any information she shared with the OIG as part of her interview. The evidence gathered by the OIG clearly shows the causal relationship between the protected activities and the subsequent action taken by Dr. Anderson.

III. Investigation Summary

Interviews

- Bridget Lamar, ESM II for Police HR, the complainant²
- Marcella Anderson, Director of Police HR³
- Ursula Holland, Deputy Director of the City of Detroit Human Resource Department (City HR)⁴

The following is a synopsis of the facts gathered in this investigation through the review of documents, emails, and statements provided by the above interviewees as it relates to Ms. Lamar's allegation against Dr. Anderson.

Elimination of the ESM II Position

On October 23, 2018, Dr. Anderson was appointed to the position of Director of Police HR by the BOPC. Soon after she took office, Dr. Anderson reviewed the current positions held by her staff and decided to hire a new manager to oversee Police Medical, a position that was being held by Ms. Lamar. Dr. Anderson contacted the City HR to obtain information as to how she may eliminate the ESM II position (a civil service position) and replace the position with the EM-Police position (an appointive position).

Ursula Holland, Deputy Director for the City HR, provided Dr. Anderson with a sample displacement letter identified as "Notice of Reduction in Force Rights" and a copy of the City's HR Rule 10 policy.⁵ The displacement letter is generally presented by a supervisor to the affected employee which notifies him/her that the position has been eliminated; and provides the employee with his/her displacement rights and options in accordance with the civil service rules.

Thereafter, on November 29, 2018, Dr. Anderson submitted a budget amendment to Detroit Police Chief Craig requesting that the ESM II position be eliminated and be replaced with the EM-Police position. The memo submitted by Dr. Anderson states: "there is no need for an Employee Services Manager II for Police Medical or the Human Resources Bureau."⁶ She also notes that the EM-Police position is an appointed position that serves at the pleasure of the Chief of Police.⁷ Dr. Anderson continued to receive updates about the status of the budget amendment request while it was being processed.⁸

² On December 12, 2018, the complainant was interviewed by the OIG.

³ On January 25, 2019, Dr. Anderson was interviewed by the OIG.

⁴ On March 6, 2019, Ms. Holland was interviewed by the OIG.

⁵ City of Detroit HR Rule 10 policy: Reduction in Force

⁶ Memo from Dr. Anderson to Chief Craig, dated November 29, 2018.

⁷ *Id.*

⁸ Emails from 1) Lawana Ducker, HR Generalist, with Police HR; 2) Kim Williams, Budget Analyst IV, with Office of Dept. Financial Services; 3) Charleta McInnis, Budget Analyst IV, with Detroit Budget Department; and Tanya Stoudemire, Deputy CFO.

Ms. Holland explained she advised Dr. Anderson on or about November 30, 2018 that Dr. Anderson should inform Ms. Lamar that her position was being eliminated, before Ms. Lamar finds out about it on her own. See attached timeline of events. Ms. Holland also informed Dr. Anderson that she should inform Ms. Lamar sooner than later, as Ms. Lamar would need the additional time to exercise her employment options. Ms. Holland subsequently followed up with Dr. Anderson to inquire whether Dr. Anderson had informed Ms. Lamar of the event in case Ms. Lamar did not wish to continue her employment with the DPD, she would need time to apply for the open position(s) as soon as possible.⁹

Thursday, December 13, 2018 Email Exchanges

On December 13, 2018, Dr. Anderson requested a status update from the Budget Office concerning her request. She was advised that the budget amendment had not yet been processed.¹⁰ Meanwhile, Dr. Anderson was informed by Jermaine Wyrick, BOPC's attorney, that the OIG would be forwarding a 2nd document request to the BOPC. Mr. Wyrick also informed Dr. Anderson that the OIG had spoken with Ms. Lamar involving OIG Case No. 18-0050-INV.¹¹

Shortly thereafter, Dr. Anderson emailed Ms. Lamar requesting that she provide her with a summary of information and documents that she shared with the OIG.¹² Ms. Lamar responded to Dr. Anderson's email by confirming that she was interviewed by the OIG. Ms. Lamar further explained that she was not certain if she could share the information, but she would reach out to the OIG.¹³ Ms. Lamar ultimately informed Dr. Anderson that she would not be sharing any information with Dr. Anderson on the OIG's investigation.

While Dr. Anderson was exchanging emails with Ms. Lamar, she received an email from Tanya Stoudemire, Deputy Chief Financial Officer (CFO), advising her that the budget amendment would be approved and ready for pickup on Monday, December 17, 2018.¹⁴ That same day, Ms. Holland also emailed Dr. Anderson to inquire whether she had told Ms. Lamar about her position being eliminated. Ms. Holland told Dr. Anderson that she saw Ms. Lamar at a meeting and Ms. Lamar did not mention anything to her. Dr. Anderson responded to Ms. Holland's email saying, "It was my intention to inform her this week; however the budget amendment is not processed."¹⁵ Therefore, it appears that as of December 13, 2018, Dr. Anderson intended to notify Ms. Lamar about the elimination of her position after she received the written budget approval.

Friday, December 14, 2018 Notice of Elimination of ESM II Position

Rather than waiting till Monday, December 17, 2018, on Friday morning, December 14, 2018, Dr. Anderson emailed Ms. Lamar requesting to meet with her in the afternoon. Prior to the meeting, Dr. Anderson contacted Ms. Holland to discuss whether or not she should advise Ms. Lamar of the elimination of her position.

⁹ Email: November 30, 2018, from Ms. Holland to Ms. Anderson

¹⁰ Email: December 13, 2018, at 1:01 pm, from Ms. Anderson to Charleta.

¹¹ Email: December 13, 2018 at 2:13 pm, from Mr. Wyrick to Ms. Anderson.

¹² Email: December 13, 2018 at 2:22 pm, from Ms. Anderson to Ms. Lamar (complainant).

¹³ Email: December 13, 2018, at 3:56 pm, from Ms. Lamar (complainant) to Ms. Anderson.

¹⁴ Email: December 13, 2018, at 3:50 pm, from Ms. Stoudemire to Ms. Anderson.

¹⁵ Email: December 13, 2018, at 4:26 pm, from Ms. Holland to Ms. Anderson

Both Ms. Holland and Dr. Anderson admit that they did have a telephone discussion pertaining to this matter on the 14th. However, Dr. Anderson's account of what transpired during the telephone call differs from Ms. Holland's account. Dr. Anderson told the OIG that Ms. Holland advised her to tell Ms. Lamar that her position is being eliminated at the meeting on the 14th. Ms. Holland informed the OIG that Dr. Anderson told her the OIG was conducting an investigation involving her office and that she has to tell Ms. Lamar that her position would be eliminated when Dr. Anderson meets with Ms. Lamar on that day. Ms. Holland advised Dr. Anderson against notifying Ms. Lamar on Friday. According to Ms. Holland, she advised Dr. Anderson to wait and notify Ms. Lamar on Monday, December 17, 2018, when the budget amendment would be approved.

Contrary to Ms. Holland's advice, later that day, Dr. Anderson met with Ms. Lamar and informed her that her position was being eliminated from the DPD budget, effective January 2, 2019. At the meeting, Dr. Anderson also explained to Ms. Lamar that should she wish to remain employed at the DPD, she may do so by accepting a double demotion. Ms. Lamar asked Dr. Anderson for a written notice pertaining to the elimination of her position. Dr. Anderson did not provide any written notice to Ms. Lamar on that day, as she did not have the formal budget approval document.

There is no reasonable explanation why Dr. Anderson chose to ignore Ms. Holland's advice. Ms. Holland advised Dr. Anderson to notify Ms. Lamar in November 2018, when Dr. Anderson initiated the process to eliminate Ms. Lamar's position. Although, Ms. Holland advised her to notify Ms. Lamar sooner than later, Dr. Anderson waited and told Ms. Holland she would notify Ms. Lamar when she has the budget approval.

Likewise, there is no reasonable explanation why Dr. Anderson chose to notify Ms. Lamar on the 14th, when she knew she did not have a formal budget approval at the time.

Retaliation: Elimination of the Position

Based on the above information, the OIG finds:

- 1) Dr. Anderson began the process to eliminate the ESM II position held by Ms. Lamar prior to her knowledge of Ms. Lamar's participation in the OIG investigation.
- 2) The memo authored by Dr. Anderson to Chief Craig, dated November 29, 2018 seems to suggest that the primary purpose of the elimination of ESM II position was to replace a civil service position with an appointive position.
- 3) Dr. Anderson claimed during her interview that she wanted to eliminate Ms. Lamar's position to hire a new manager for Police Medical who has the expertise in that field. However, Ms. Lamar has a graduate degree in Health Administration and has been employed in Police Medical for 4 years. This seems to contradict the rationale provided by Dr. Anderson to eliminate Ms. Lamar's position.
- 4) Dr. Anderson had ample time to inform Ms. Lamar of the elimination of her position, at least since November 29, 2018 when she authored the memo to Chief Craig. Instead, for some reason she waited to inform Ms. Lamar of the elimination of her position until December 14, 2018, the day after Dr. Anderson and Ms. Lamar exchanged a flurry of contentious emails about the OIG investigation.

- 5) Dr. Anderson claimed she consulted Ms. Holland (City HR) before she notified Ms. Lamar; and that, in fact, she notified Ms. Lamar on Friday, December 14, 2018, at the advice of Ms. Holland. However, Ms. Holland's recollection of the event differs from Dr. Anderson.
- 6) Ms. Holland confirmed Dr. Anderson did consult her on Friday, December 14, 2018. According to Ms. Holland, Dr. Anderson informed her about an OIG investigation involving the BOPC and appeared to be in a rush to tell Ms. Lamar about the elimination of her position. Contrary to Dr. Anderson's claims, Ms. Holland advised Dr. Anderson not to notify Ms. Lamar of the elimination of the ESM II position until the formal approval from the Budget which was that Monday, December 17, 2018.
- 7) Had Dr. Anderson waited until budget approval, it would have appeared less likely that her actions against Ms. Lamar was retaliatory. However, her statement to Ms. Holland about the OIG investigation and her decision to go against Ms. Holland's advice strongly suggest she was retaliating against Ms. Lamar for her participation in the OIG investigation.
- 8) By all accounts, it appears that Dr. Anderson initially did not intend to notify Ms. Lamar that her position was being eliminated until after the budget amendment had been approved. However, she quickly changed her mind, when Ms. Lamar refused Dr. Anderson's request to share with her what information/record Ms. Lamar provided to the OIG.

Although Dr. Anderson is a new employee, based on her employment background, she should have known that Ms. Lamar was engaged in a protected activity. Rather than distancing herself from Ms. Lamar, Dr. Anderson took swift action informing Ms. Lamar that her position was being eliminated, just a day after she and Ms. Lamar exchanged emails pertaining to the OIG investigation, before she had all the paperwork from Budget.

IV. Conclusion

For the reasons stated above, the OIG concludes Dr. Anderson's action against Ms. Lamar on December 14th was retaliatory in nature. Dr. Anderson knew or should have known that Ms. Lamar was engaged in a protected activity pursuant to the City's Charter. Therefore, we recommend the following:

- 1) The BOPC should dispense appropriate discipline against Dr. Anderson, including but not limited to receiving additional training pertaining to retaliation; and
- 2) Pursuant to Section 7.5-315 of the 2012 Charter of City of Detroit, Dr. Anderson pay the "City of Detroit," \$300 in fine for violation of Sections 7.5-310 and 7.5-313.

Timeline of Events

- Oct 23 Dr. Anderson is appointed as the Director of Police HR by the BOPC
- Nov 27 Email: Per Dr. Anderson's request, Ms. Holland (City HR) emails a sample displacement letter "Notice of Reduction in Force Rights" to Dr. Anderson. Ms. Holland advises Dr. Anderson that the letter needs to be updated to reflect the City's HR Rule 10 policy. Ms. Holland advises Dr. Anderson she would update the sample letter to reflect the City's HR Rule 10 policy and forward a copy to her.
- Nov 29 Department Memo entitled "Budget Amendment Request Memo" from Dr. Anderson to Detroit Police Chief Craig: Dr. Anderson is proposing to eliminate the ESM II position and replace it with an EM-Police position. Dr. Anderson cites there is no need for an ESM II position in Police HR or Police Medical. Also, the proposed EM-Police would be an appointed position, which would provide more flexibility in hiring.
- Nov 30 Email: Dr. Anderson asks Ms. Holland if she has updated the displacement letter. Ms. Holland forwards Dr. Anderson an updated sample displacement letter, which accurately reflects the City's HR Rule 10 policy. Ms. Holland also suggests Dr. Anderson to inform Ms. Lamar about the ESM I opportunity she had, so Ms. Lamar could apply if she was interested in the position.
- Dec 13 (1:01) Email: Dr. Anderson emails Charleta McInnis recapping their conversation that the Budget Office is in receipt of Dr. Anderson's proposed budget amendment. Dr. Anderson tells Ms. McInnis if there is anything that Ms. McInnis can do to expedite the process it would be appreciated.
- Dec 13 (2:13) Email: Mr. Wyrick informs Dr. Anderson that the OIG would be submitting a 2nd document request. Mr. Wyrick also informs Ms. Anderson that he was advised by the OIG that they talked to Ms. Lamar early on in the investigation.
- Dec 13 (2:22) Email: Dr. Anderson requests Ms. Lamar to provide a summary of information and documents that she shared with the OIG.
- Dec 13 (3:47) Email: Ms. Holland asks Dr. Anderson if she told Ms. Lamar her position was being cut, because she saw Ms. Lamar at a meeting earlier and Ms. Lamar did not mention it to Ms. Holland.
- Dec 13 (3:50) Email: Dr. Anderson is informed by Tanya Stoudemire (Budget), per their conversation, the amendment was being reviewed and will be ready on Monday, morning.
- Dec 13 (3:56) Email: Ms. Lamar advises Dr. Anderson that her interview was part of an investigation and she wasn't certain if that information can be shared. However, she would contact the OIG.
- Dec 13 (4:26) Email: Dr. Anderson responds to Ms. Holland that it was her intentions to inform Ms. Lamar this week, however, the budget amendment has not yet been processed.

Continued - Timeline of Events

- Dec 13 (4:38) Email: Dr. Anderson asks Ms. Holland if she could inform Ms. Lamar before the budget amendment was approved.
- Dec 14 Dr. Anderson had a phone conversation with Ms. Holland regarding when Ms. Lamar should be notified that her position is being eliminated.
- Dec 14 Ms. Lamar is notified by Dr. Anderson that she wants a meeting with her that day.
- Dec 14 Meeting: Dr. Anderson informs Ms. Lamar her position is being eliminated from the DPD budget. Although requested by Ms. Lamar, Dr. Anderson provides no written documentation pertaining to the elimination of the position to Ms. Lamar.
- Dec 17(9:09) Email: Dr. Anderson is copied in an email from Lawana Ducker to Ms. McInnis, inquiring if the budget amendment is ready for pickup.
- Dec 17 The budget amendment is picked up.
- Dec 17 Dr. Anderson prepares a displacement letter entitled "Notice of Reduction in Force Rights" for Ms. Lamar, dated December 17, 2018.

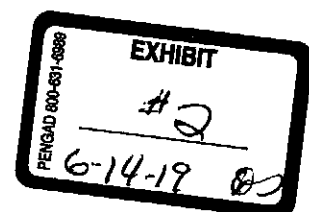
On December 14, 2018 at approximately 3:30 pm, a meeting was held with Director Marcella Anderson with Employee Services Manager II, Bridget Lamar concerning the status of her budgeted position. Director Anderson notified Ms. Lamar that the Employee Services Manager II position was no longer needed, and that it has been approved for removal. There were several options available to her. Those options included being demoted to Employee Services Manager I, Employee Services Consultant III and reaching out to Ursula Holland, Deputy Director of City Human Resources Department to see if there was a Manager position available.

Ms. Lamar asked why the position was being eliminated; and she was informed that it was a business decision. The meeting was about five (5) minutes in length. Ms. Lamar abruptly said, "Thank you and have a good weekend;" and she left the office.

This is my recollection of the meeting held with Ms. Lamar on December 14, 2018.

Lawana Ducker

Lawana Ducker



Marcella D. Anderson, PhD,
Human Resources Director-Police
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313-596-2671 (Direct)
Andersonm848@detroitmi.gov

Mike Duggan, Mayor

"The Detroit Police Department is a model of sustained policing excellence that places our neighborhoods and people first.

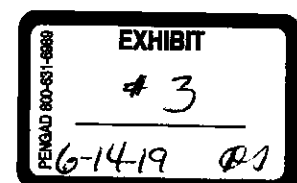
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>>> LAWANA DUCKER 12/12/2018 9:08 AM >>>
Hello Charleta,

I wanted to followup on a budget amendment from the Chief concerning deleting the Employee Services Manager II position in Police Medical and adding an Executive Manager - Police. I was wondering if you are still working on it or is it awaiting Deputy CFO T. Stoudemire review and approval.

Any assistance in processing with due diligence quickly is appreciated.

Lawana Y. Ducker, HR Generalist
Detroit Police Department
Human Resources Bureau, Suite 659
1301 Third Avenue
Detroit, MI 48226
313.596.5920 (phone)
313.596.2715 (fax)
DuckerL@detroitmi.gov



James E. Craig, Chief of Police

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LEONARD MUNGO

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TO: Ellen Ha, Inspector General,
City of Detroit

FROM: Attorney Leonard Mungo
On behalf of Marcella Anderson, Ph.D

RE: Written Response to OIG's Investigation and Report
Case No. 2018-0057-INV Retaliation

DATE: June 7, 2019

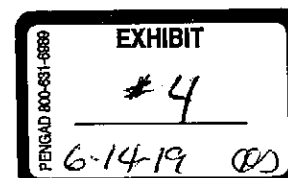
INTRODUCTION

Please be advised that this response is being submitted under protest for reasons that upon numerous occasions Dr. Anderson via her Attorneys has requested from the Office of the Inspector General (OIG) the documents, records and other evidence in its possession which it relied upon in arriving at its conclusion that Dr. Anderson retaliated against Ms. Bridget Lamar in violation of the 2012 City of Detroit Charter Section 7.5-315.

The people of the City of Detroit adopted its "Home Rule Charter" for purposes of providing for their continuing control of municipal government of the City of Detroit (Article 1, Section 1-101, Detroit City Charter). Said authority is conferred upon the city by the State Constitution (Article 1, Section 1-102, Detroit City Charter). By way of said authority the City of Detroit created the "Office of Inspector General" (Article 7.5, Section 7.5-301, Detroit City Charter). The exercise of authority vested in the OIG is subject to the limitations placed on it by the State Constitution (Article 1, Section 1-102, Detroit City Charter). The OIG is required to afford Dr. Anderson "Due Process" in these proceedings. The refusal of the OIG to provide the documents, records and other evidence in its possession which it relied upon in reaching its conclusion that Dr. Anderson violated the City Charter has impaired this constitutionally protected right. As such, the OIG is not operating within the constitutional constraints placed upon it by the laws that authorized its creation. Therefore, Dr. Anderson reserves her right to present a more informed response to the OIG's charges on appeal to the Circuit Court (Michigan Const. 1963 art 6, Section 28; MCR 7.123) should the OIG, as a result of the additional information and evidence presented by Dr. Anderson, not dismiss this matter in its entirety.

BACKGROUND AND FACTS

Dr. Anderson is a diligent public servant and consummate professional. Dr. Anderson worked for the Wayne County Sheriff's Office from 1990 to 2008. During that time she served as Court Officer/Deputy and Detective Sergeant. Dr. Anderson holds the following degrees; (1) Associate of Applied Science, 1992 (2) Bachelor of Interdisciplinary Studies, 1998 (3) Masters in Criminology and Criminal Justice, 2002 (4) Ph.D., Public Policy and Administration 2014. Dr. Anderson has served as Instructor and or administrator for several Institutions of higher learning. Finally, Dr. Anderson serves on



the Board of Directors for "Still Standing Against Domestic Violence" a faith based non-profit organization dedicated to addressing domestic violence issues.

As such, It is a high priority of Dr. Anderson that she protect her hard earned reputation and respected standing in the professional community and community in general from unsupported, unwarranted, unjust and gratuitous blemishing, as in this instant case.

Dr. Anderson Hired By DPD

On October 23, 2019 Dr. Anderson was hired as Human Resource Director (HRD) for the Detroit Police Department (DPD). Dr. Anderson replaced Complainant Bridget Lamar who at the time was serving as interim Human Resource Director (IHRD) for the DPD from **January 2018** to **October 2018**. Ms. Lamar had applied for the HRD position for DPD but was not selected, Dr. Anderson was selected to fill the position. **On October 23, 2018**, Commissioner Daryl Brown informed Dr. Anderson that he did not believe that she should have been selected as HRD for the DPD, that Bridget Lamar should have been selected to fill the position.

Dr. Anderson begins the process to eliminate Bridget Lamar's position

On November 6, 2018, Dr. Anderson sent an e-mail to Denise Starr, Director of Central Personnel for the City of Detroit inquiring about the city's policy for moving an appointee to a civil service position (see first page of exhibit "A"). **On November 19, 2018** Dr. Anderson sent an e-mail to Ursula Holland, HR Deputy Director/Chief Employee Services Officer for the City of Detroit requesting the Standard Operating Procedure (SOP) for the process of transitioning an employee from an appointed position to a civil service position (see second page of exhibit "A"). **On November 30, 2018** Ursula Holland sent Dr. Anderson an e-mail with an attached template letter outlining Bridget Lamar's rights during the process of eliminating her current job. The e-mail also suggested that Dr. Anderson verbally share with Ms. Lamar that Ms. Holland had an ES Manager I opportunity if Lamar was interested (see exhibit "B" e-mail from Holland dated November 30, 2018). Dr. Anderson did not share said information with Bridget Lamar at the time as Dr. Anderson did not know whether the Budget Amendment which, if approved, would result in the elimination of Lamar's job would in fact be approved. The SOP Ursula Holland provided to Dr. Anderson also referenced the provisions of Human Resource rule 10 as part of the SOP for said process (see exhibit "C" Human resource Rule 10). **On November 29, 2018** Dr. Anderson hand delivered the written request for the Budget Amendment to Chief Craig and on **December 5, 2018** Chief Craig forwarded said request to Budget (see exhibit "D" Inter-Office Memorandum dated November 29 and December 5, 2018 respectively).

OIG Requested Additional Information From The BOARD OF POLICE COMMISSIONERS (BOPC) Which Dr. Anderson Would Be Responsible for providing

On December 13, 2018 the BOPC Attorney Jermaine Wyrick sent an e-mail to Dr. Anderson requesting her assistance in gathering documents to be provided to the OIG. The e-mail indicated that the OIG was requesting any job descriptions for Executive Level positions in the BOPC. The e-mail also stated that Bridget Lamar had already spoken with the OIG earlier on in the investigation (see exhibit "E" e-mail from Jermaine Wyrick dated December 13, 2018). **On December 13, 2018** Dr. Anderson requested that Bridget Lamar provide a summary of information and documents that was shared with

the OIG Investigator Ms. Hendricks-Moore as it was not Dr. Anderson's desire to duplicate information or documents (see exhibit "F" e-mail from Dr. Anderson to Bridget Lamar dated December 13, 2019). **ON December 13, 2018** Bridget Lamar sent an e-mail to Dr. Anderson stating that she was not sure the information she provided to the OIG could be shared with Dr. Anderson and that she would reach out to OIG Investigator to inquire. Dr. Anderson, in her reply e-mail to Bridget Lamar, stated in part, that if the OIG has directed her not to share that information with her supervisor that she should get that in writing (see exhibit "G" e-mail exchange between Anderson and Lamar dated December 13, 2018).

**Dr. Anderson receives Notice That The Budget Amendment Request Resulting In The Elimination Of
Bridget Lamar's Job would be ready Monday Morning December 17, 2018**

On December 13, 2018 Dr. Anderson received an e-mail from Tanya Stoudemire, Deputy CFO/Director- Office of Budget that the Budget Amendment would be ready on Monday December 17, 2018 (see page first page of exhibit "H" e-mail from Stoudemire to Dr. Anderson). **On December 13, 2018** Dr. Anderson updates Ursula Holland on the progress of the Budget Amendment and Ursula Holland Thanks Dr. Anderson for keeping her in the loop. Ursula asks Dr. Anderson whether she has informed Bridget Lamar about the position cut yet and Dr. Anderson replied **"It was my intention to inform her this week; however the budget amendment is not processed"** (see second page of exhibit "H" e-mail exchange between Dr. Anderson and Ursula Holland dated December 13, 2018). Since Budget advised Dr. Anderson that the amendment would be **ready** that upcoming Monday December 17, 2018 Dr. Anderson decided to inform Bridget Lamar of same on Friday December 14, 2018. Dr. Anderson met with Lamar and informed Ms. Lamar that, in accordance with Human Resources rule 10 she would have a right to (1) Select layoff (2) Select a demotion or (3) Reach out to Ursula Holland at Central Personnel to discuss possible opportunities and that the change will tentatively take effect on Wednesday January 2, 2019 (see exhibit "I" outline of agenda for meeting with Bridget Lamar). **On Monday December 17, 2018** Dr. Anderson had prepared the notice of Reduction In Work Force Rights to give to and review with Lamar (see First page of exhibit "J" Notice of Reduction In Work Force Rights Form). However, Dr. Anderson never had an opportunity to provide Bridget Lamar with said Notice of Rights form because she received an e-mail from the Inspector General "highly Recommending that DPD/the BPOC reconsider the Lamar lay off issue (see second page of exhibit "J" e-mail from Ha to Anderson).

It is clear from the above narrative that Dr. Anderson did not retaliate against Bridget Lamar (Lamar) when she informed Lamar of the elimination of her current job and her available options. It is also clear that Dr. Anderson's timing in informing Lamar about the elimination of her current job can substantively nor procedurally constitute retaliation. Dr. Anderson, prior to informing Lamar of the elimination of her current job, had finally received notice from Budget that the amendment would be ready that upcoming Monday. Prior to Thursday December 13, 2018 Dr. Anderson had received no notice as to when the Budget Amendment would be ready. Having been informed by Budget on Thursday December 13, 2018 that upon return to work on Monday December 17, 2018 the Budget Amendment would be ready, Dr. Anderson believed it would be safe to inform Lamar of same on that Friday December 14, 2018. Dr. Anderson carefully prepared an outline to follow during her meeting with Lamar to ensure that she adhered to the SOP required under those circumstances.

The Inspector General, Ms. Ha has made it clear in her June 7, 2019 e-mail that the basis for its finding that Dr. Anderson retaliated against Lamar was **"the timing of Dr. Anderson's decision to inform Ms. Lamar of the same is the question here"** (see exhibit "K" Ms. Ha's e-mail dated June 7, 2019). The above narrative and supporting documentation makes any such allegations incredible.

Standard of Review

In an Article 6, §28 appeal, review is limited to whether the decision was “**authorized by law**” and whether the findings were “**supported by competent, material, and substantial evidence on the whole record.**” *Mich Const* 1963 art 6, Section 28; *MCR* 7.123.

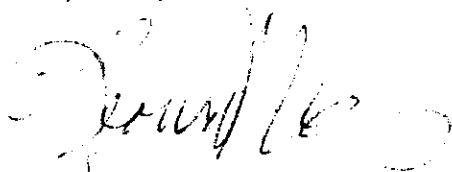
To establish a prima facie case of retaliation, the plaintiff must put forth evidence demonstrating that **(1)** he or she engaged in protected activity, **(2)** the defendant knew of the protected activity, **(3)** the defendant took a materially adverse employment action against the plaintiff, and **(4)** a causal connection existed between the protected activity and the adverse employment action. *Blizzard v Marion Tech Coll*, 698 F3d 275, 283 (6th Cir 2012), *cert denied*, 569 US 975 (2013); *Lindsay v Yates*, 578 F3d 407, 418 (6th Cir 2009); *Ladd v Grand Trunk WRR*, 552 F3d 495, 502 (6th Cir 2009); *Nguyen v City of Cleveland*, 229 F3d 559, 563 (6th Cir 2000).

To show a causal connection, a plaintiff must produce sufficient evidence from which an inference can be drawn that the protected activity motivated the adverse employment action. *Allen v Michigan Dep’t of Corr*, **165 F3d 405, 413 (6th Cir 1999)**. The employee must show that the protected activity was a but-for cause of the adverse employment action, which means that the adverse employment action would not have occurred without the protected activity. *University of Texas Southwestern Med Ctr v Nassar*, **570 US 338 (2013)**.

Lamar cannot produce competent, material and substantial evidence on the whole record that Dr. Anderson retaliated against her whether styling such allegations on the basis of initiating the process of terminating Lamar’s job or the timing of Dr. Anderson informing Lamar of same.

Dr. Anderson, based on the above, respectfully request that the OIG reverse its findings and conclusion that Dr. Anderson retaliated against Bridget Lamar and dismiss this matter against Dr. Marcella Anderson in its entirety with prejudice.

Respectfully Submitted

A handwritten signature in black ink, appearing to read "Leonard Mungo", written over a horizontal line.

Leonard Mungo, Esq.

AFFIDAVIT OF DR. MARCELLA ANDERSON

STATE OF MICHIGAN)

)SS

COUNTY OF WAYNE)

I, **Dr. Marcella Anderson**., being first duly sworn, state that the following is true and accurate to the best of my knowledge and belief, and if called to testify will state the following:

1. That my attached written response to the Office of Inspector General's (OIG) completed investigation and report pertaining to OIG Case Number 2018-0057-INV Retaliation is true and accurate to the best of my knowledge and belief.

FURTHER AFFIANT SAYETH NOT

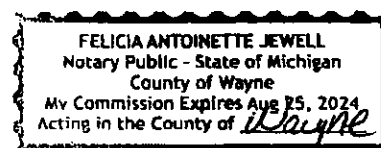
Subscribed and Sworn to before

Me this 17th day of June, 2019 by

Felicia Antoinette Jewell
WAYNE COUNTY, STATE OF MICHIGAN

My Commission Expires: 8/25/2024

Marcella Anderson
Marcella Anderson, Ph.D



AFFIDAVIT OF DR. MARCELLA ANDERSON

STATE OF MICHIGAN)

COUNTY OF WAYNE)

I, **Dr. Marcella Anderson**., being first duly sworn, state that the following is true and accurate to the best of my knowledge and belief, and if called to testify will state the following:

1. That my attached written response to the Office of Inspector General's (OIG) completed investigation and report pertaining to OIG Case Number 2018-0057-INV Retaliation is true and accurate to the best of my knowledge and belief.

FURTHER AFFIANT SAYETH NOT

Subscribed and Sworn to before

Me this 7th day of June, 2019 by

Felicia Antoinette Jewell
WAYNE COUNTY, STATE OF MICHIGAN

My Commission Expires: 8/25/2024

Marcella Anderson

Marcella Anderson, Ph.D

FELICIA ANTOINETTE JEWELL
Notary Public - State of Michigan
County of Wayne
My Commission Expires Aug 25, 2024
Acting in the County of Wayne

EXHIBIT "A"

Marcella Anderson - Appointee / Civil Service

From: Marcella Anderson
To: Denise Starr
Date: 11/6/2018 3:21 PM
Subject: Appointee / Civil Service

Greetings Ma'am,

My name is Marcella Anderson, I am the new Director of Police Personnel. I have a quick question. What is the policy for moving an appointee into a civil service position? Looking forward to your help.

Best Regards,

Marcella

Marcella D. Anderson, PhD,
Human Resources Director-Police
Detroit Public Safety Headquarters
1301 Third Street - Suite 655
Detroit, Michigan 48226
313-596-2671 (Direct)
Andersonm848@detroitmi.gov

Mike Duggan, Mayor

"The Detroit Police Department is a model of sustained policing excellence that places our neighborhoods and people first.

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Marcella Anderson - SOP

From: Marcella Anderson
To: Ursula Holland
Date: 11/19/2018 11:21 AM
Subject: SOP

Morning Ursula,

Would you happen to have an SOP outlining the process of transitioning an employee from an appointed position to a civil service position? ✓

I would also like to further discuss the appointment of my Deputy. Looking forward to chatting with you soon. :)

Best regards,
Marcella

Marcella D. Anderson, PhD,
Human Resources Director-Police
Detroit Public Safety Headquarters
1301 Third Street - Suite 655
Detroit, Michigan 48226
313-596-2671 (Direct)
Andersonm848@detroitmi.gov

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EXHIBIT “B”

From: Ursula Holland
Sent: Friday, November 30, 2018 4:53 PM
To: Marcella Anderson 848
Subject: Notification of RIF Rights [FORM9053] v.2

Marcella,

Attached find the template letter that outlines Bridget's rights. I would verbally share with her that I have an ES Manager I opportunity and if she is interested that she can potentially be status changed.

I will give you a call.

Ursula Holland,
HR Deputy Director/Chief Employee Services Officer
Human Resources Department
316 Coleman A. Young Municipal Center
Detroit, Michigan 48226
Office: (313) 224-1345
Fax: (313) 224-1698
Email: hollandu@detroitmi.gov

Mike Duggan, Mayor

"Change the Conversation, Let's fix it Together"

City of Detroit Human Resources Department
Notice of Reduction in Force Rights

TO: Employee's Name
 Address
 Phone

FROM:

DATE:

SUBJECT: Notice of Reduction in Force Rights

Your position of Employee Services Manager II has been reached for layoff due to Lack of Funding. In accordance with Human Resources Rule 10 and/or applicable contract provision(s), you have the following rights within The Police Department to:

SECTION 1 – (To be completed by Human Resources)

1. A Demotion in Series to the title of Employee Services Consultant III at a salary of \$85,515.

The status change to your new title will be effective _____.

2. A Demotion or Transfer to the formerly held class of _____ at a salary of \$_____

The status change to your new title will be effective _____.

SECTION 2 – (To be completed by Employee)

In accordance with Human Resources Rule 10 and/or applicable contract provision(s), I understand that my failure to select one of the above-mentioned options shall result in layoff and may affect my citywide displacement and recall rights. I understand that by waiving my right **to a demotion or transfer**, I may be deemed ineligible for unemployment benefits by the Michigan Unemployment Insurance Agency.

☐ I select #_____ OR ☐ I select layoff _____ (Initial)
Employee Signature _____ Date _____

Notice of Reduction in Force Rights

Purpose

The *Notice of Reduction in Force Rights* is used to inform an employee of the rights associated with a reduction in force and the options available **within the Department** during a reduction in force.

Usage

A *Notice of Reduction in Force Rights* is completed whenever an employee has options other than layoff within the Department.

Attributes

The *Notice of Reduction in Force Rights* is a one page electronic form. To access this form, go to the HR web site or type <http://cityweb/humanresources>, select HR DOCUMENTS/HR FORMS/Notice of Reduction in Force Rights[FORM9053].

Completion and Filing

The *Notice of Reduction in Force Rights* is completed by the employee to indicate his/her selection of the options available based on the employee's reduction in force rights. Both the employee and the Human Resources Consultant (at Employee Services) signatures are required. It is filed in the Human Resources Department Employee Services Offices.

Distribution

Human Resources Consultant (at Employee Services)*

Employee*

Labor Association*

Supervisor*

Ownership

The General Manager (at Employee Services) is responsible for ensuring that this document is necessary, it reflects actual practice and supports City policy. Questions concerning this form should be directed to the person holding the position listed above.

SECTION 8. STATUS CHANGES IN ANTICIPATION OF LAY OFFS

Where the Human Resources Department Director shall find that any status change made six (6) months or less prior to the announcement of a reduction in force, was made either to avoid the layoff or cause the layoff of any employee, or any reasons other than the good of the service; such status change shall be set aside and proper layoff made.

C.S.C. Adopted: 3/14/78

Revised: 3/26/85

Revised: 5/19/04 (Deleted Residency Requirements)

Revised: 1/ 21/2009

Revised: 6/11/2010

Revised: 7/20/2010

Revised: 10/17/2012

Revised: 11/17/2015

EXHIBIT "C"

HUMAN RESOURCES DEPARTMENT

RULE 10

REDUCTION IN FORCE

SECTION OUTLINE

- Section 1 Reduction in Force Terms Defined
- Section 2 Order and Manner of Reduction
- Section 3 Reemployment Procedures
- Section 4 Effect of Jurisdictional Lines
- Section 5 Employees Holding Multiple Titles
- Section 6 Conditional Waiver of Employee Rights
- Section 7 Preemptive Lay off Requests
- Section 8 Status Changes in Anticipation of Lay Offs

HUMAN RESOURCES DEPARTMENT

RULE 10

REDUCTION IN FORCE

SECTION 1. Reduction In Force Terms Defined

- a. A **reduction in force** is a reduction in the number of employees in a given class in a department of the City for lack of work, lack of funds, restructuring, or reasons other than the acts or delinquencies of employees.

The expiration of a limited-term certification or change of status shall not be considered a reduction in force.
- b. A **lay off** due to reduction in force is the removal of an employee from a position in a department and from the classified service of the City of Detroit, subject to the recall rights provided under this Rule.
- c. A **demotion** due to reduction in force is the removal of an employee from a position in a class in a department by change of status to a position in a lower class and/or lower pay grade.
- d. A **transfer** due to reduction in force is the removal of an employee from a position in a class in a department by change of status to a position in another class which is at the same level and/or same pay grade.
- e. A **voluntary lay off** is a removal of an employee from the classified service of the City of Detroit, which is made at the request of and for the convenience of the employee.
- f. Unless otherwise indicated, **seniority** shall mean total city seniority as determined in accordance with Human Resources Department Rules.
- g. An employee acquires **status** in the classified service by certification in accordance with Section 6-410 of the City Charter and Human Resources Department Rules 3 and 4.
- h. An employee who is certified, promoted, transferred, or demoted to a position in a class on a regular permanent basis or permanent-subject to continuing availability of program funding, acquires **permanent status** in the class, provided he has satisfied all qualification requirements of the class including completion of any required probation period. An employee can have permanent status in only one class at a time.

- i. An employee who is certified, promoted, transferred, or demoted to a position in a class only for a specified term or conditional event, or where the certification or status change states that such employment is limited to assignment on a particular project, acquires limited-term status in the class.
- j. The Human Resources Department shall maintain preferred eligible registers (i.e., special registers) for given classifications in accordance with HR Rule 3, Section 6.

Employees may be placed on a special register as a

(a.) "blocker" said placement on the "blocking list" for the class from which they were demoted, transferred or laid off, or any lower class in the same series as a result of a reduction in force and shall be eligible for reemployment pursuant to Section 4 of this rule.

(b) "preferred" for all other classes in which they have held permanent status and are eligible for reemployment pursuant to Section 4 of this rule.

SECTION 2. ORDER AND MANNER OF REDUCTION

Reduction in force shall be by class in a department and shall be made from among all employees in the same class in that department.

- a. Within the department, for the following categories of employees, the order of removal shall be as follows:
 1. Provisional employees shall be separated by terminating their services; provided, however, that employees provisionally employed in the class who hold permanent status in some other class shall revert to the class in the department from which they were provisionally promoted or transferred.
 2. Employees who have not completed their initial probationary period shall be laid off in accordance with their seniority, the least senior employee being laid off first.
 3. Employees hired on a seasonal, temporary or other limited-term basis shall be laid off in accordance with their seniority, the least senior employee being laid off first.
- b. In the event it is necessary to reduce the number of permanent status employees in the class, the order of removal shall be as follows:
 1. Employees in the class on a limited-term basis and employees in the class on a permanent basis who have not completed the required probationary period,

but who hold permanent status in some other class, shall revert to the class in the department from which they were promoted or transferred. Removal shall be in accordance with their total City seniority, the least senior employee to be removed first.

2. Employees in the class on a permanent basis shall be removed in accordance with their total City seniority, the least senior employee to be removed first. Such employees shall be laid off subject to the following demotion or transfer rights within the department.

(a) Demotion in Series

If the employee is in a class in an occupational series, the employee shall have the right to be demoted to a position in a lower class in the series, provided there are one or more employees in the lower class in the department having less total city seniority. (The least senior employee displaced as a result shall be subject to demotion, transfer or layoff in accordance with applicable provisions of this Rule.)

An employee who waives his/her right to demotion to the next lower class in series and is laid off, shall lose all rights to restoration as provided for in Section 3, Paragraph a of this rule.

(b.) Demotion or Transfer to a Formerly-Held Class

If the employee has previously held permanent status in another class not in series which is at the same or lower level, the employee may elect demotion or transfer to such class, provided there are one or more employees in the class in the department having less total city seniority. (The least senior employee displaced as a result shall be subject to demotion, transfer or layoff in accordance with applicable provisions of this Rule.)

An election to accept a demotion or transfer to a formerly held class is optional for employees who also have a right to a demotion in series.

(c.) Change of Status to Vacant Positions in Other Classes

If the employee has exhausted his/her rights to demotion or transfer under (a) and (b) above, the department may propose transfer or demotion of the employee to an available vacant position in any other class in the department for which the department, in partnership with Human Resources, determines the employee is qualified and able to perform the essential functions of the position with or without accommodation(s). Such proposed change of status shall be subject to the approval of the Human Resources Director

SECTION 3. REEMPLOYMENT PROCEDURES

- a. Employees with permanent status in the class who were laid off, demoted, transferred, or laid off and certified to a lower class as a result of a reduction in force shall have their names maintained in order of their total city seniority on a preferred eligible list (special register) in the Human Resources Department pursuant to Human Resources Rule 3, Section 6, with a status of "blocker". Such employees shall be entitled to recertification, promotion or transfer from the register to any vacancy in the class from which they were demoted, transferred or laid off, or any lower class in the same series in any city department, provided the employee is qualified and able to perform the essential functions of the position with or without accommodation(s), as determined by the department in partnership with the Human Resources Department before any such vacancy can be filled by certification, promotion, or transfer,

An employee's name shall remain on the special register until the register expires or he/she is restored to the classification (or equivalent level) from which he/she was demoted, transferred or laid off, or waives an offer of such restoration.

- b. Laid off employees who elect layoff in lieu of demotion in series shall be placed on the preferred eligible list for the class in which they were laid off and shall be recertified to available vacancies in this class in the order of their total seniority from the list.
- c. Laid off employees shall be placed on preferred eligible lists with a status of "preferred" and in accordance with Human Resources Rule 3, Section 6 for all other classes in which they have held permanent status. These employees shall be offered certification to available vacancies in these classes in the order of their total city seniority from such lists, provided the employee is qualified and able to perform the essential functions of the position with or without accommodation(s), as determined by the department in partnership with the Human Resources Department.

Should a laid off employee on a preferred eligible list waive an offer of employment to a position in the class, his/her right to remain on that list shall immediately terminate.

- d. In the absence of a preferred eligible employee for a class, laid off employees may be certified to requisitions for positions in such class from higher, equivalent or allied lists which have been determined to be appropriate by the Human Resources Director.

SECTION 4. EFFECT OF JURISDICTIONAL LINES

The order of lay off, demotion and reemployment shall not be altered by bargaining unit jurisdictional lines and employees shall carry their total city seniority across jurisdictional lines for reduction in force purposes.

SECTION 5. EMPLOYEES HOLDING MULTIPLE TITLES

In determining an employee's rights under this Rule, an employee can have permanent status in only one class at a time. An employee who carries a multiple title shall have permanent status in the lowest class of his/her multiple title or the class in which he last held permanent status on a single title basis, unless there is a contractual agreement which otherwise identifies the class in which the employee has permanent status, or official action is taken designating such class based upon the nature and history of the employment. Such agreement or official action must be completed at least ninety (90) days prior to the announcement of the reduction in force.

SECTION 6. CONDITIONAL WAIVER OF EMPLOYEE RIGHTS

Where the City anticipates that a reduction in force will not exceed thirty (30) days, an employee in a class subject to reduction in force and his/her employing department may agree to a conditional waiver of the employee's seniority rights for a specified period not to exceed thirty (30) days. This conditional waiver must be in writing and be approved by the Human Resources Director. It is recognized that an out-of-seniority lay off resulting from such waiver is for the benefit of the City and the employee retains the right to exercise all rights to restoration, demotion, transfer and displacement at the end of the specified period.

SECTION 7. PREEMPTIVE LAY OFF REQUESTS

If a reduction in force in a department is imminent or taking place over an extended period of time, any employee who has been identified as being subject to layoff, may request in writing that he/she be laid off prior to the date when he/she would be reached for such layoff. Such request is subject to approval of the employing department and the Human Resources Director.

Employees who are granted an effective date of layoff earlier than the scheduled layoff date shall retain the same rights which they would have had had they been laid off as scheduled.

SECTION 8. STATUS CHANGES IN ANTICIPATION OF LAY OFFS

Where the Human Resources Department Director shall find that any status change made six (6) months or less prior to the announcement of a reduction in force, was made either to avoid the layoff or cause the layoff of any employee, or any reasons other than the good of the service; such status change shall be set aside and proper layoff made.

C.S.C. Adopted: 3/14/78

Revised: 3/26/85

Revised: 5/19/04 (Deleted Residency Requirements)

Revised: 1/ 21/2009

Revised: 6/11/2010

Revised: 7/20/2010

Revised: 10/17/2012

Revised: 11/17/2015

EXHIBIT “D”




O.P.D. 556 (rev. 9/97)

INTER-OFFICE MEMORANDUM
Human Resources Bureau

Date

November 29, 2018

To: Chief James E. Craig, Office of the Chief of Police (Through Channels) 

Subject: **BUDGET AMENDMENT REQUEST**

From: Director of Police Personnel, Marcella D. Anderson, Ph.D, Human Resources Bureau

ISSUE:

The current budgeted position of Employee Services Manager II (11-99-22), BU (9097) was once budgeted as an Executive Manager - Police (01-18-05), BU (9030), Appropriation 37000, Cost Center 00115, 370210 Medical. Can the position be reestablished back to Executive Manager - Police?

DISCUSSION:

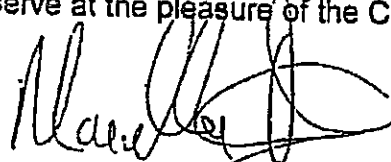
The Employee Services Manager II position is a Civil Service, classified title, and the Executive Manager - Police position is an appointed, at-will position. The Executive Manager - Police position provides much more flexibility in hiring and serves at the pleasure of the Chief of Police. I am requesting that the Executive Manager - Police position be reestablished to solely manage the activities of Police Medical, and that permission be granted to fill the position pending budget amendment approval.

Per PL #78 (attached), the Employee Services Manager II position as well as several other positions were aligned with classifications adopted by the Human Resources Department. It provided for titles more suitable to the work being performed and an increased pay range.

However, at this time, there is no need for an Employee Services Manager II for Police Medical or the Human Resources Bureau.

RECOMMENDATION:

It is recommended that the DPD budget be amended to reflect an Executive Manager - Police in the Human Resources Bureau - Police Medical Section, in an appointed and at-will capacity to serve at the pleasure of the Chief of Police, which was the original intent.



MARCELLA D. ANDERSON, Ph.D
Director of Police Personnel
Human Resources Bureau

Attachment: PL #78



CITY OF DETROIT
POLICE DEPARTMENT
DETROIT PUBLIC SAFETY HEADQUARTERS

1301 THIRD STREET, SUITE 7S - 751
DETROIT, MICHIGAN 48226
(313) 596-1803 • TTY:711
WWW.DETROITMI.GOV

December 5, 2018

Tanya Stoudemire, Deputy CFO
Office of Budget
City of Detroit
Coleman A. Young Municipal Center
2 Woodward Avenue, Suite 1106
Detroit, Michigan 48226

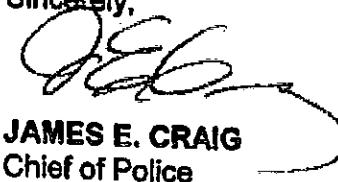
Dear Deputy CFO Stoudemire:

The Detroit Police Department requests to amend its 2018-2019 Budget. The Department is re-aligning its civilian staff in order to meet the mission and goals of the department. The budget amendment requested below will provide the Human Resources Bureau with the expertise needed to accomplish its objectives.

Action	# of Positions	Title	Appropriation	Cost Center	Salary	Fringes	Salary & Fringes
Delete	(1)	Employee Services Manager II	0115	370210	\$ (63,190.00)	\$ (23,690.00)	\$ (86,880.00)
	(1)	Total			\$ (63,190.00)	\$ (23,690.00)	\$ (86,880.00)
Add	1	Executive Manager - Police	0115	370210	\$ 53,687.00	\$ 20,120.00	\$ 73,787.00
		Inc Salary for Admin Spec Serv II	0115	370140	\$ 14,186.00	\$ 5,318.00	\$ 19,504.00
	1	Total			\$ 87,853.00	\$ 25,438.00	\$ 93,291.00
	0	Net Decrease			\$ 4,663.00	\$ 1,748.00	\$ 6,411.00
Decrease		Tuition Reimbursement (Object Code 628208)		370140			\$ (6,411.00)
		Total Appropriation Change					\$ -

Your consideration of our requested budget amendment is appreciated. If you have any questions or concerns regarding this matter, please feel free to contact Deputy Pamela Scales, of The Office of Departmental Financial Services at (313) 224-3379, Monday through Friday, 9:00 a.m. to 5:00 p.m.

Sincerely,


JAMES E. CRAIG
Chief of Police

JEC/kw

EXHIBIT "E"

12/18/2018

Re: Inspector General Case No 2018-0050

Re: Inspector General Case No 2018-0050

From: Marcella Anderson
To: JERMAINE WYRICK
BC:
Date: Thursday - December 13, 2018 2:23 PM
Subject: Re: Inspector General Case No 2018-0050

Thanks.

>>> JERMAINE WYRICK 12/13/2018 2:13 PM >>>

Dear Dr. Anderson:

I spoke with Investigator Hendricks-Moore regarding this matter again. She will be sending me a written letter requesting more documents tomorrow, which she thinks will come from your department. She is interested in any job descriptions for Executive Level positions in the BOPC. I already forwarded a copy of your position, which I had a copy of via-email, but no others, because I just started here myself in July 2017.

She said that early on in the investigation, she spoke with Bridgette Lamar.

Attorney, Detroit Board
of Police Commission
(313) 596-2815
Cell: (313) 920-4086.

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EXHIBIT "F"

12/18/2018

Re: Inspector General Case no 2018 -0050

----- Original message -----

From: Marcella Anderson <ANDERSONM848@detroitmi.gov>

Date: 12/13/18 2:22 PM (GMT-05:00)

To: Bridget Lamar <LamarBD@detroitmi.gov>

Cc: WILLIE BELL <BELLW48OPC@detroitmi.gov>, JERMAINE WYRICK <WYRICKJ590@detroitmi.gov>

Subject: Inspector General Case no 2018 -0050

>>> "Marcella Anderson" 12/13/2018 14:23 >>>

Hi Bridget,

Please provide a summary of information and documents that was shared with Investigator Hendricks-Moore. The investigator is seeking additional information from HR and it is not my desire to duplicate information or documents. Also do you recall when you spoke with the investigation ?

Best regards,

/MA

Marcella D. Anderson, PhD,
Human Resources Director-Police
Detroit Public Safety Headquarters
1301 Third Street - Suite 655
Detroit, Michigan 48226
313-596-2671 (Direct)
Andersonm848@detroitmi.gov

Mike Duggan, Mayor

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EXHIBIT "G"

12/18/2018

Re: Inspector General Case no 2018 -0050

Re: Inspector General Case no 2018 -0050

From: Marcella Anderson
To: Bridget Lamar
CC: WILLIE BELL; JERMAINE WYRICK
BC:
Date: Thursday - December 13, 2018 4:41 PM
Subject: Re: Inspector General Case no 2018 -0050

Interesting.

As the Director of Police Personnel it is my intent to ensure that all requested information is submitted for the investigation. However there is no need for me to duplicate forms ; as you and I represent the same department. Nonetheless if you are informed that you cannot share with me the documents that you have submitted; please be-sure to get that in writing. Thank you.

Best regards,
/MA

Marcella D. Anderson, PhD,
Human Resources Director-Police
Detroit Public Safety Headquarters
1301 Third Street - Suite 655
Detroit, Michigan 48226
313-596-2671 (Direct)
Andersonm848@detroitmi.gov

Mike Duggan, Mayor

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>>> Bridget Lamar <lamarbd@detroitmi.gov> 12/13/2018 3:56 PM >>>
Good Afternoon,

The interview was a part of an investigation. I'm not certain if that information can be shared. I will reach out to the investigator and inquire.

Sent from my Verizon, Samsung Galaxy smartphone

EXHIBIT "H"

Re: Budget Amendment

Marcella Anderson 848

Thu 12/13/2018 4:26 PM

To: Charleta Mcinnis <mcinnisc@detroitmi.gov>; Tanya Stoudemire <tanya@detroitmi.gov>;
Cc: Pamela Scales <scalesp@detroitmi.gov>; LAWANA DUCKER 454 <DUCKERL@detroitmi.gov>; LASHINDA STAIR 042 <STAIRL042@detroitmi.gov>;

Thank you.

>>> Tanya Stoudemire 12/13/2018 3:50 PM >>>

Per our conversation, amendment is being reviewed and will be ready on Monday morning.

Tanya Stoudemire, J.D.
Deputy CFO/Director - Office of Budget
City of Detroit
Coleman A. Young Municipal Center
2 Woodward Ave, Suite 1106
Detroit, MI 48226
313-224-3386
tanya@detroitmi.gov

>>> Marcella Anderson 12/13/2018 1:01 PM >>>

Charleta,

As a recap to our conversation the Office of Budget is in receipt of the Chiefs request to delete the Employee Services Manager II position in Police Medical and restore the Executive Manager - Police position.

Anything that you can do to expedite the Chiefs request would be appreciated. Thank You.

Best regards,

/MA

Re: Budget Amendment

Marcella Anderson 848

Thu 12/13/2018 4:26 PM

To: Ursula Holland <hollandu@detroitmi.gov>;

It was my intention to inform her this week ; however the budget amendment is not processed.

>>> Ursula Holland 12/13/2018 3:47 PM >>>

Hi Marcella,

Thanks for looping me in. Have you advised Bridget about the position cut yet. I saw her at a meeting today and she didn't mention anything? Let me know.

Thanks

Ursula Holland,
HR Deputy Director/Chief Employee Services Officer
Human Resources Department
316 Coleman A. Young Municipal Center
Detroit, Michigan 48226
Office: (313) 224-1345
Fax: (313) 224-1698
Email: hollandu@detroitmi.gov

Mike Duggan, Mayor

"Change the Conversation, Let's fix it Together"

>>> Marcella Anderson 12/13/2018 1:01 PM >>>

Charleta,

As a recap to our conversation the Office of Budget is in receipt of the Chiefs request to delete the Employee Services Manager II position in Police Medical and restore the Executive Manager - Police position.

Anything that you can do to expedite the Chiefs request would be appreciated. Thank You.

Best regards,

/MA

EXHIBIT “I”

Thank you for meeting with me today. I wanted to have an preliminary conversation to inform you that the Employee Services Manger II position is being eliminated from the HR budget.

In Accordance with Human Resources Rule 10 you will have a right to

1) Select layoff

2) Select a demotion to the title of Employee Services Consultant III

Or

3) Reach out the Ursula Holland at Central Personnel to discuss possible opportunities.

T. Hartman

Wednesday, January 2, 2019




EXHIBIT "J"

City of Detroit Human Resources Department
Notice of Reduction in Force Rights

TO: Ms. Bridget Lamar
[REDACTED]

FROM: Marcella Anderson, PhD, Director of Police Personnel

DATE: December 17, 2018

SUBJECT: Notice of Reduction in Force Rights

Your position of Employee Services Manager II has been reached for layoff due to Lack of Funding. In accordance with Human Resources Rule 10 and/or applicable contract provision(s), you have the following rights within The Police Department to:

SECTION 1 – (To be completed by Human Resources)

1. A Demotion in Series to the title of Employee Services Consultant III at a salary of \$85,515.

The status change to your new title will be effective January 2, 2019.

2. A Demotion or Transfer to the formerly held class of _____ at a salary of \$ _____

The status change to your new title will be effective _____.

SECTION 2 – (To be completed by Employee)

In accordance with Human Resources Rule 10 and/or applicable contract provision(s), I understand that my failure to select one of the above-mentioned options shall result in layoff and may affect my citywide displacement and recall rights. I understand that by waiving my right **to a demotion or transfer**, I may be deemed ineligible for unemployment benefits by the Michigan Unemployment Insurance Agency.

☐ I select # _____ OR ☐ I select layoff _____ (Initial)
Employee Signature _____ Date _____

>>> Ellen Ha <HaE@detoig.org> 12/17/2018 10:55 AM >>>

Dr. Anderson:

It is our understanding that Bridget D. Lamar, Employee Services Manager II, DPD Human Resources Bureau, was notified by you late Friday afternoon, December 14, 2018, that:

- 1) Ms. Lamar's position was being eliminated from the budget effective January 2, 2019;
- 2) Ms. Lamar was not provided with any paperwork for the lay-off; and
- 3) Ms. Lamar was offered a demotion of two (2) levels down from her current position in lieu of the lay-off.

As you are aware, the Office of the Inspector General (OIG) is currently investigating certain matters pertaining to the BOPC. Ms. Lamar was recently interviewed by the OIG earlier last week pertaining to OIG File No. 18-0050. It is our understanding that she was asked by you to provide a summary of her interview with the OIG and Ms. Lamar refused to divulge the information.

Just from the above-referenced timeline perspective, Ms. Lamar's lay-off notice appears to be a retaliatory action.

In that regard, please note Section 7.5-315 of the 2012 Charter of the City of Detroit states:

"No person shall retaliate against, punish or penalize any other person for complaining to, cooperating with or assisting the Inspector General in the performance of his or her duties. Any person who violates this provision shall be subject to a fine of not less than \$300 and not more than \$500 for each violation and any other penalties under applicable law."

Therefore, the OIG has initiated another investigation pertaining to Ms. Lamar's lay-off/demotion. OIG Investigator Jacqueline Hendricks-Moore will be the lead investigator for this matter.

As such, we highly recommend that the DPD/the BPOC reconsider the decision to lay-off Bridget Lamar; if not, at least the suspend her lay-off with pay until the pending resolution of this matter.

In the interim, kindly submit:

- 1) A copy of the DPD Human Resources (HR) Bureau's most recent budget submitted to the Budget Department and the date when the DPD HR budget was submitted to the Budget Department; and
- 2) A document which shows that Ms. Lamar's position was being eliminated and the date when the document was prepared.

If Item No. 2 is inclusive in the above-referenced OIG's record request, kindly let us know.

Lastly, please be advised because we believe this matter may turn into a legal matter, I am copying: BOPC Commissioner Willie Bell; Jermaine Wyrick, Attorney for the BOPC; Grant Ha, Police Legal Advisor to the Chief; Lawrence Garcia, Corporation Counsel; Charles Raimi, Deputy Corporation Counsel; and June Adams, Chief Administrative Legal Counsel who also supervises the Law Department's Labor and Employment Division.

Please let me know if you should have any questions or concerns regarding this matter.

Thank you,

Ellen

Ellen Ha

Inspector General

313-628-2517

HaE@detoig.org

EXHIBIT “K”

From: Ellen Ha <HaE@detoig.org>

Sent: Friday, June 7, 2019 3:42 PM

To: LEONARD MUNGO

Cc: Kamau Marable; Jennifer Bentley; Jacqueline Hendricks-Moore

Subject: RE: Witness List (Re; Dr. Marcella Anderson) For OIG Hearing

Mr. Mungo:

Thank you for the attached witness list.

In the event you are not familiar with our administrative hearing process, please note that we typically begin the hearing with the Inspector General making an introduction of the file and the purpose of the hearing. The person, agency or the legal representative who is requesting the hearing then typically makes an opening statement by providing a response to the OIG's draft report.

You may then introduce your witnesses and solicit questions or they may speak on their own to explain why they believe our findings are not correct and present any evidence in support of their testimony. As we've previously pointed out to you, court rules and rules of evidence do not apply in our hearings. It is not an adversarial process. It is your client's opportunity to present any testimony and supporting information in response to the OIG's findings and to show why our findings are not correct or that your client disagrees with our findings in the "draft report."

While we can ask questions from the witnesses and/or from the attorney, we do not present our case or present rebuttal witnesses. This is not a trial.

After completion of the administrative hearing, based on what is presented to us, we may or may not ask for additional documents from your client or from your witnesses.

Thereafter, once we close the record, we may amend our report to supplement any additional findings, if any, and/or revise and/or reverse our findings.

In this instance, as stated in our draft report, we are fully mindful that Bridget Lamar's position was in the process of being eliminated before Dr. Anderson informed Ms. Lamar of the same. As such, it is the timing of Dr. Anderson's decision to inform Ms. Lamar of the same that is in question here.

I hope this is helpful.

Thank you,

Ellen

Ellen Ha
Inspector General
City of Detroit
65 Cadillac Square, Suite 3210
Detroit, Michigan 48226
HaE@detoig.org
Office: 313-628-2517

Re: Documents regarding employment - Robert Brown

Marcella Anderson 848

Mon 12/3/2018 1:50 PM

To: JERMAINE WYRICK 590 <WYRICKJ590@detroitmi.gov>;

Cc: WILLIE BELL <BELLW4BOPC@detroitmi.gov>; LISA CARTER <CARTERL6BOPC@detroitmi.gov>; EVA DEWAELSCHE <DEWAELSCHEE017@detroitmi.gov>;

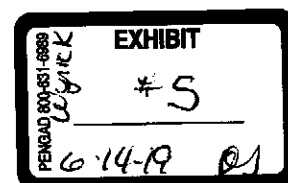
2 attachments (180 KB)

Rbrown_Promotion.pdf; RBrown _ reallocation of position.pdf;

Greetings Jermaine,

The requested documents are attached.

Best regards,
/MA



Marcella D. Anderson, PhD,
Human Resources Director-Police
Detroit Public Safety Headquarters
1301 Third Street - Suite 655
Detroit, Michigan 48226
313-596-2671 (Direct)
Andersonm848@detroitmi.gov

Mike Duggan, Mayor

"The Detroit Police Department is a model of sustained policing excellence that places our neighborhoods and people first.

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>>> JERMAINE WYRICK <wyrickj590@detroitmi.gov> 12/3/2018 11:33 AM >>>
Mainly the promotion.

Sent from my Verizon, Samsung Galaxy smartphone

----- Original message -----

From: Marcella Anderson <ANDERSONM848@detroitmi.gov>
Date: 12/3/18 11:26 AM (GMT-05:00)
To: JERMAINE WYRICK <WYRICKJ590@detroitmi.gov>
Subject: Re: Documents regarding employment - Robert Brown

>>> "Marcella Anderson" 12/03/2018 11:27 >>>
Hi Jermaine,

Are you looking for documents associated with Mr. Brown's promotion or his entire HR file ?

/MA

>>> JERMAINE WYRICK <wyrickj590@detroitmi.gov> 12/3/2018 11:07 AM >>>
Dear Dr. Anderson:

I need any documentation you have regarding this matter. Thanks in advance for your assistance.

Sent from my Verizon, Samsung Galaxy smartphone

In addition, I will reach out to Commissioners who served on the Personnel Committee at the time in question to arrange the interviews you want to conduct.

Attorney, Detroit Board
of Police Commission
(313) 596-2815
Cell: (313) 920-4086.

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>>> Jacqueline Hendricks-Moore <Hendricks-MooreJ@detoig.org> 12/4/2018 2:42 PM >>>
Good Afternoon Mr. Wyrick,

Per our conversation today, I have attached a letter requesting documents from the BOPC. In addition, I would like to interview the members on the BOPC Personnel Committee earlier next week. Thank you for your assistance and cooperation in this matter it is greatly appreciated.

Respectfully

--
Jacqueline Hendricks-Moore
Investigator
City of Detroit - Office of Inspector General
Office: (313) 628-2551

--
Jacqueline Hendricks-Moore
Investigator
City of Detroit - Office of Inspector General
Office: (313) 628-2551



CITY OF DETROIT
BOARD OF POLICE COMMISSIONERS

RECEIVED

1301 THIRD AVE., SUITE 767
DETROIT, MICHIGAN 48226
(313) 596-1830 • TTY:711
(313) 596-1831 FAX
WWW.DETROITMI.GOV

MAR 07 2017

March 6, 2017

DIRECTOR OF POLICE
Human Resources

Gail Oxendine, Director
Police Personnel
1301 Third St, 6th Fl.
Detroit, MI 48226

RE: REQUEST FOR STATUS CHANGE & APPOINTMENTS

Dear Director Oxendine:

The Detroit Board of Police Commissioners ("Board") has appointed Mr. Robert Brown, Pension Number [REDACTED], to the position of Executive Manager, Class 011805, Barg Unit 9030, and effective February 27, 2017. This appointment increases Mr. Brown's salary to \$80,500.00 per year.

The Detroit Board of Police Commissioners ("Board") has appointed Ms. Angela Cox, Pension Number [REDACTED], to the position of Administrative II, Class 012271, Barg Unit 9000, and effective February 27, 2017. This appointment increases Ms. Cox's salary to \$42,000.00 per year.

Please change the aforementioned person to the Payroll effective February 27, 2017.

Effective March 27, 2017, the Board of Police Commissioners appointed Daniel Callaway as a Civilian Investigator for the Board of Police Commissioners. The Board of Police Commissioners requests your authorization to process one employee in the classification of the Civilian Investigator (Class Code 93-25-03), for Pension [REDACTED]. His annual rate of pay will be \$48,000.00.

Effective March 27, 2017, the Board of Police Commissioners appointed Sean Kirksey as a Civilian Investigator for the Board of Police Commissioners. The Board of Police Commissioners requests your authorization to process one employee in the classification of the Civilian Investigator (Class Code 93-25-03), for Pension [REDACTED]. His annual rate of pay will be \$48,000.00.

Please add the aforementioned persons to the Payroll effective March 27, 2017.

If you have any questions, please contact me at 596-1830.

Sincerely,

GREGORY HICKS
Secretary to Board
Board of Police Commissioners



CITY OF DETROIT
BOARD OF POLICE COMMISSIONERS

1301 THIRD AVE., SUITE 767
DETROIT, MICHIGAN 48226
(313) 596-1830 • TTY: 711
(313) 596-1831 FAX
WWW.DETROITMI.GOV

June 28, 2017

RECEIVED

JUN 28 2017

Gail Oxendine, Director
Police Personnel
1301 Third St, 6th Fl.
Detroit, MI 48226

DIRECTOR OF POLICE PERSONNEL
JUNE 28 2017

RE: REQUEST FOR STATUS CHANGES, APPOINTMENTS & SALARY INCREASE

Dear Director Oxendine:

The Detroit Board of Police Commissioners has appointed Mr. Robert Brown, Pension Number [REDACTED] to the position of Executive Manager, Class 011805, and Barg Unit 9030. This appointment increases Mr. Brown's salary to \$80,500.00 per year.

The Detroit Board of Police Commissioners is requesting an increase in the salary of Ms. Tiffany Stewart, Pension Number [REDACTED]. This increases Ms. Stewart's salary to \$51,918.28.00 per year.

Please change the aforementioned persons to the Payroll effective July 1, 2017.

If you have any questions, please contact me at 596-1830.

Sincerely,

GREGORY HICKS
Secretary to Board
Board of Police Commissioners

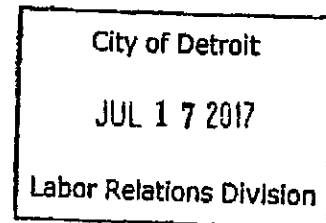


CITY OF DETROIT
POLICE DEPARTMENT

#6563
JUL 13 2017

July 6, 2017

Tanya Stoudemire
Deputy CFO, City of Detroit
Coleman A. Young Municipal Center
2 Woodward Avenue, Suite 1106
Detroit, MI 48226



PERSONNEL LETTER #002

Dear Deputy CFO Stoudemire:

Effective Monday, July 3, 2017 The Board of Police Commissioners authorized the appointment of Robert Brown (REDACTED) to the position of Executive Manager-Police. The annual salary for the position is \$80,500. All other pertinent information is as follows:

Name: Robert Brown
Title: Executive Manager-Police
Social Security Number: (REDACTED)
Pension Number: (REDACTED)
Classification Code: 93-14-40
Bargaining Unit: 9030
Position Control Number: 48-0010-005
Annual Pay Rate: \$80,500
Effective Date: July 3, 2017


Gail A. Oxendine

Human Resources Bureau
Director of Police Personnel

GAO/mem

Attachment

cc: Lisa Jones, Agency CFO
Police Payroll
Personnel Letter File-HRB


Lisa Jones, Agency CFO


Tanya Stoudemire, Deputy CFO


Anita Berry, Labor Relations

for 7/17/17 CW
7/13/17

CITY OF DETROIT
PERSONNEL DEPARTMENT
EMPLOYEE HISTORY FILE

DATE 11/07/2018
PAGE NO 55573
ENP PAGE NO 1

EMPLOYEE DESCRIPTION

SOC SEC NO. ENP STATUS NAME
01 [REDACTED]
HOSP. DENT. ADDRESS [REDACTED]

CITY
DETROIT

ST
MI

ZIP

TELEPHONE

BIRTH DATE

SEX
M

RACE
2

PENSION NO
[REDACTED]

APPT DATE AUG SEN DATE LAST DAY WKD BANK OUT DATE VET STATUS
[REDACTED] [REDACTED] 0/00/0000 0/00/0000

CLASS INFORMATION

CLASS TITLE	CLASS CODE	TYPE	EFF DATE	APPT AGY	SPEC	SEQ	ACTION	ACT DATE	FR FLOW	FLW DATE
INVESTGR-POLICE COM	93-25-03		3/28/2005	07	48	001	APPOINTMENT TO UNCLASS SERVICE	6/18/2005(FN)		0/00/0000
EXEC SEC II	01-33-66		3/28/2005	07	48	002	CHANGE IN BARGAINING UNIT	9/16/2005(FN)		0/00/0000
EXEC SEC II	01-33-66		9/30/2005	01	48	003	INTERDEPARTMENTAL TRANS-TRANS	11/17/2005(FN)		0/00/0000
EXEC SEC II	01-33-66		9/30/2005	01	48	004	RATE/SALARY CORRECTION	4/09/2009(FN)		0/00/0000
EXEC SEC II	01-33-66		9/30/2005	07	48	005	CHANGE IN BARGAINING UNIT	6/14/2013(FN)		0/00/0000
ADM ASST GDII-POLICE	01-22-51	2	6/30/2011	01	48	006	OUT OF CLASS TITLE ADDED	8/06/2010(FN)		0/00/0000
EXEC MGR - POLICE	01-18-05		8/18/2014	07	48	007	CHANGE IN CLASS EFFECTIVE DATE	8/18/2017(FN)		0/00/0000
EXEC MGR - POLICE	01-18-05		8/18/2014	07	48	008	RATE/SALARY CORRECTION	11/02/2018(FN)		0/00/0000
ADM ASST-BOPC	93-14-40		8/18/2014	07	48	009	PROMOTION-PERMANENT	9/05/2014(FN)		0/00/0000
ADM ASST-BOPC	93-14-40		8/18/2014	07	48	010	RATE/SALARY CORRECTION	1/22/2016(FN)		0/00/0000
ADM ASST-BOPC	93-14-40		4/04/2016	07	48	011	CHANGE IN CLASS EFFECTIVE DATE	5/13/2016(FN)		0/00/0000
ADM ASST-BOPC	93-14-40		4/04/2016	07	48	012	RATE/SALARY CORRECTION	5/06/2016(FN)		0/00/0000
ADM ASST-BOPC	93-14-40		7/03/2017	07	48	013	RATE/SALARY CORRECTION	5/06/2016(FN)		0/00/0000
EXEC MGR - POLICE	01-18-05		7/03/2017	07	48	014	CLASS CODE CHANGED	7/20/2017(FN)		0/00/0000
EXEC MGR - POLICE	01-18-05		7/03/2017	07	48	015	CHANGE IN CLASS EFFECTIVE DATE	8/11/2017(FN)		0/00/0000

RATE INFORMATION

CLASS CODE	BARG UNIT	RATE EFF	SAL/RATE	COLA	TYPE	SEQ	CLASS CODE	BARG UNIT	RATE EFF	SAL/RATE	COLA	TYPE	SEQ
93-25-03	9070	3/28/2005	40000	.00	NH	001	93-14-40	9070	4/04/2016	52500	.00	RA	011
93-25-03	3510	3/28/2005	40000	.00	PR	002	93-14-40	9070	8/18/2016	52500	.00	RA	012
01-33-66	9000	9/30/2005	40000	.00	PR	003	93-14-40	9070	4/04/2016	52500	.00	RA	013
01-33-66	9000	2/16/2009	43200	.00	RA	004	93-14-40	9070	7/01/2016	53013	.00	GI	014
01-22-51	0100	8/08/2010	50000	.00	PR	005	93-14-40	9070	9/26/2016	53913	.00	SI	015
01-33-66	9000	1/23/2012	30900	.00	GI	006	93-14-40	9070	7/01/2017	55261	.00	GI	016
01-33-66	9070	1/23/2013	30900	.00	PR	007	01-18-05	9030	7/03/2017	80500	.00	PR	017
01-33-66	9070	7/01/2014	40900	.00	GI	008	01-18-05	9030	7/03/2017	80500	.00	RA	018
93-14-40	9070	8/18/2014	50000	.00	PR	009	01-18-05	9030	7/03/2017	80500	.00	RA	019
93-14-40	9070	8/18/2014	50000	.00	RA	010	01-18-05	9030	7/03/2017	39,670	.00	RA	020



CITY OF DETROIT
POLICE DEPARTMENT

November 30, 2018

Robert Brown
Executive Manager-Police
5794 Bluehill
Detroit, Michigan 48224

Dear Executive Manager Brown:

This letter serves as official notification that the Detroit Board of Police Commissioners are exercising their authority to de-appoint you from the position of Executive Manager-Police, effective Friday, November 30, 2018.

In addition, the Board of Police Commissioners are exercising their authority to re-appointment you to the position of Administrative Specialist III, effective Monday, December 3, 2018. The annual salary for this position will be \$61,041.

Thank you for your services to the department and the citizens of Detroit.

Sincerely,

Willie Bell, Chairperson
Detroit Board of Police Commissioners

WB/cjb

Cc: Marcella D. Anderson, PhD, Director of Police Personnel
Lisa Jones, Agency CFO
Personnel File

INTER-OFFICE MEMORANDUM
Human Resources Bureau

Date

November 29, 2018

To: Chairman Willie E. Bell, Detroit Board of Police Commissioners

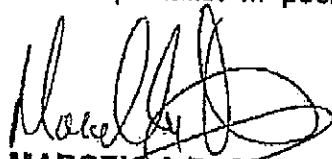
Subject: **BUDGET AMENDMENT REQUEST**

From: Director of Police Personnel, Marcella D. Anderson, Ph.D, Human Resources Bureau

Per the Detroit Board of Police Commissioners request, one (1) budgeted Executive Manager - Police position (01-18-05), BU (9030), currently occupied by Robert L. Brown, will be reallocated to an Administrative Specialist III (93-14-01), BU (9070). There is no need at this time for a managerial position at this level.

This will be a new position in the budget and requires a Position Control Number. All other pertinent budget information is as follows: Appropriation 37000, Cost Center 00111, 370010 Board of Police Commissioners.

It is recommended that the Detroit Board of Police Commissioners budget be amended to reflect an Administrative Specialist III position instead of an Executive Manager - Police.



MARCELLA D. ANDERSON, Ph.D
Director of Police Personnel
Human Resources Bureau

Marcella Anderson - Re: Meetings Follow-up _ Salary Ranges

From: WILLIE BELL
To: Marcella Anderson; LISA CARTER; EVA DEWAEELSCHÉ
Date: 11/27/2018 10:09 AM
Subject: Re: Meetings Follow-up _ Salary Ranges

Dr. Anderson, we approve the Administrative Specialist 111 at \$ 61, 041 for Robert Brown.

Thank you,

Commissioner Bell

>>> Marcella Anderson 11/26/18 6:04 PM >>>

Thank you.

Commissioner Bell

>>> Marcella Anderson 11/26/18 2:42 PM >>>

Greetings Commissioners,

Due to the salary range recommended for Mr. R. Brown, I suggest moving him to the title of Administrative Specialist III with the salary of \$61,041.00.

Please see below:

The salary range for Administrative Assistant - Police is \$38,768 - \$58,100

The salary range for Administrative Specialist III is \$61,041 - 69,971. This position is appointed

Best Regards,

/MA

Re: Attorney Report for Chairperson Briefing

Marcella Anderson 848

Wed 12/5/2018 11:54 AM

To: JERMAINE WYRICK 590 <WYRICKJ590@detroitmi.gov>;

Greetings,

Is it required for the entire board to vote on BOPC Executive Manager positions ? I am not in receipt of a document or memo that states such.

To my understanding the BOPC had 3 Executive Manager Positions; Did the board vote on the previous two positions ?

Best regards,
/MA

Marcella D. Anderson, PhD,
Human Resources Director-Police
Detroit Public Safety Headquarters
1301 Third Street - Suite 655
Detroit, Michigan 48226
313-596-2671 (Direct)
Andersonm848@detroitmi.gov

Mike Duggan, Mayor

"The Detroit Police Department is a model of sustained policing excellence that places our neighborhoods and people first.

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>>> JERMAINE WYRICK <wyrickj590@detroitmi.gov> 12/5/2018 8:35 AM >>>

Sent from my Verizon, Samsung Galaxy smartphone

----- Original message -----

From: JERMAINE WYRICK <wyrickj590@detroitmi.gov>
Date: 12/5/18 8:33 AM (GMT-05:00)
To: Willie Bell <webellcomm4@gmail.com>
Subject: Re: Attorney Report for Chairperson Briefing

>>> "JERMAINE WYRICK" 12/05/2018 08:33 >>>

I am gathering the information on my desk from Dr. Anderson and Mr. Hicks, will let you know as soon as possible.

Sent from my Verizon, Samsung Galaxy smartphone<div>
</div><div>

</div><!-- originalMessage --><div>----- Original message -----

</div><div>From: Willie Bell <webellcomm4@gmail.com> </div><div>Date: 12/5/18 8:23 AM (GMT-05:00) </div><div>To: JERMAINE WYRICK <WYRICKJ590@detroitmi.gov> </div><div>Subject: Re: Attorney Report for Chairperson Briefing </div><div>

</div>

>>> "Willie Bell" <webellcomm4@gmail.com> 12/05/2018 08:24 >>>

Good morning,

Do you have the date of appointment of Robert Brown to Executive Manager and was this appointment brought before the Board? My brief research indicated that he was introduced as Executive Manager on 9-28-17.

On Tue, Dec 4, 2018 at 6:33 PM JERMAINE WYRICK <WyrickJ590@detroitmi.gov> wrote:

>

>

> Attorney, Detroit Board

> of Police Commission

> (313) 596-2815

> Cell: (313) 920-4086.

>

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> The Board of Police Commissioners cannot accept responsibility for any
> viruses. Consequently, please ensure that all attachments are checked for
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>

> --

Commissioner Willie Bell

District 4

Accountability through Civilian Oversight

Re: Office of Inspector General Case NO 2018-0050

Marcella Anderson 848

Mon 12/10/2018 11:43 AM

To: JERMAINE WYRICK 590 <WYRICKJ590@detroitmi.gov>;

Jermaine,

I will see what I can find. Did you ask Mr. Hicks if he had any of the requested documents?

- *Include HR job analysis and job description (Executive Manager)
- *Names of persons on the interview panel for the (Executive Manager).
- *Questions asked during the interview (Executive Manager).
- *BOPC Personnel Committee during the period of 2016 to 2017 (Please provided the names of the commissioners and time period they served)
- *A list of the job positions hired/filed

>>> Jacqueline Hendricks-Moore <Hendricks-MooreJ@detoig.org> 12/7/2018 10:35 AM >>>

Good Morning Mr. Wyrick,

Thank you for the information and documents forwarded to the OIG on December 6, 2018. However, the information and documents provided was incomplete. I was not sure if the BOPC was still in the process or gathering the requested information, because your email and letter did not mention it. Please be advised the OIG is stilling for the following requested information and documents.

- *Official (HR) job posting, please no email (Executive Manager)
- *Include HR job analysis and job description (Executive Manager)
- *Names of persons on the interview panel for the (Executive Manager).
- *Questions asked during the interview (Executive Manager).
- *BOPC Personnel Committee during the period of 2016 to 2017 (Please provided the names of the commissioners and time period they served)
- *A list of the job positions hired/filed by the BOPC in 2016 to 2018. (Include, job posting, job description, interview panel members, etc).

I have provided further clarification of the information to assist you in facilitating the OIG's request. Should you have questions or need further clarification do not hesitate to contact me. Per the OIG's first request, forward the following requested information and documents to the OIG no later than Tuesday, December 11, 2018.

Thank you for your cooperation in this matter.

On Thu, Dec 6, 2018 at 12:07 PM JERMAINE WYRICK <WyrickJ590@detroitmi.gov> wrote:

Dear Investigator Hendricks-Moore:

Please be advised that attached you will find the BOPC Response to Case NO 2018-0050.

Re: OIG Response - BOPC Positions - 2016-2018

Marcella Anderson 848

Mon 12/10/2018 1:01 PM

To: JERMAINE WYRICK 590 <WYRICKJ590@detroitmi.gov>;

To my understanding this position was not posted. My staff is looking for language in our manual that supports us not posting the position. I hope to have that for you soon.

Marcella

>>> JERMAINE WYRICK 12/10/2018 11:57 AM >>>

Mainly I am looking for the job postings, descriptions, interview panel members. To be helpful, I remember my job was posted on Indeed. I know most are posted on the City website.

Attorney, Detroit Board
of Police Commission
(313) 596-2815
Cell: (313) 920-4086.

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Posting of Appointed Positions

Bridget Lamar

Fri 12/14/2018 2:24 PM

To: Marcella Anderson 848 <Andersonm848@detroitmi.gov>;

Good Afternoon Dr. Anderson,

The process regrading appointive positions are practices rather than policy. I was not able to locate written documentation.

Bridget D. Lamar
Employee Services Manager II
Human Resources Bureau
City of Detroit-Police Department
1301 Third Street
Detroit, Michigan 48226
Office: 313-237-2581
Email: blamarbd@detroitmi.gov

Mike Duggan, Mayor

Police Chief James E. Craig's vision: "The Detroit Police Department is a model of sustained policing excellence that places our neighborhoods and people first."

Re: Can you send me the email address for the AG ?

Marcella Anderson 848

Fri 12/14/2018 3:06 PM

To: JERMAINE WYRICK 590 <WYRICKJ590@detroitmi.gov>;

I asked for a summary and documents, so I could begin to gather related information and documents.

Again; as HR, I thought we could work together and not duplicate the same documents.

My apologies for misunderstanding the process.

Sent from my Verizon, Samsung Galaxy smartphone

----- Original message -----

From: JERMAINE WYRICK <WyrickJ590@detroitmi.gov>

Date: 12/14/18 14:33 (GMT-05:00)

To: Marcella Anderson <ANDERSONM848@detroitmi.gov>

Subject: Re: Can you send me the email address for the AG ?

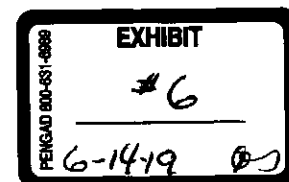
>>> "JERMAINE WYRICK" 12/14/2018 14:46 >>>

And know she is saying you asked her for a summary? You did not. You asked her for documents.

Attorney, Detroit Board
of Police Commission
(313) 596-2815
Cell: (313) 920-4086.

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>>> Marcella Anderson <Andersonm848@detroitmi.gov> 12/14/2018 1:57 PM >>>
Yes. And she has not been told of the transfer.



Sent from my Verizon, Samsung Galaxy smartphone

----- Original message -----

From: JERMAINE WYRICK <WyrickJ590@detroitmi.gov>
Date: 12/14/18 12:31 (GMT-05:00)
To: Marcella Anderson <ANDERSONM848@detroitmi.gov>
Subject: Re: Can you send me the email address for the AG ?

>>> "JERMAINE WYRICK" 12/14/2018 12:31 >>>

Formulating a response to Bridgette Lamar's last e-mail. Does she still work in HR under you? (I know you said she is transferring).

Attorney, Detroit Board
of Police Commission
(313) 596-2815
Cell: (313) 920-4086.

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>>> Marcella Anderson 12/13/2018 5:41 PM >>>
The person we are sending the documents to
>>> JERMAINE WYRICK 12/13/2018 5:40 PM >>>
AG or IG(Inspector General)?

You can call me on my cell - 313-920-4086, or we can confer at the 6:30 community meeting.

Attorney, Detroit Board
of Police Commission
(313) 596-2815
Cell: (313) 920-4086.

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>>> Marcella Anderson 12/13/2018 5:38 PM >>>
Can you send me the email address for the AG ?

Marcella D. Anderson, PhD,
Human Resources Director-Police
Detroit Public Safety Headquarters
1301 Third Street - Suite 655
Detroit, Michigan 48226
313-596-2671 (Direct)
Andersonm848@detroitmi.gov

Mike Duggan, Mayor

"The Detroit Police Department is a model of sustained policing excellence that places our neighborhoods and people first.

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>>> Bridget Lamar <lamarbd@detroitmi.gov> ~~12/13/2018 5:28 PM~~
Good Afternoon Mr.Wyrick,

I contacted IG's office before your email was read. I am very uncomfortable with the email Dr. Anderson sent. It gives the undertone of impeding the investigation.

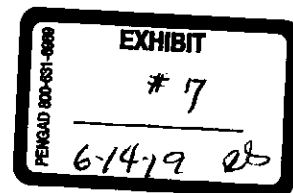
Sent from my Verizon, Samsung Galaxy smartphone

----- Original message -----

From: JERMAINE WYRICK <WyrickJ590@detroitmi.gov>
Date: 12/13/18 5:00 PM (GMT-05:00)
To: Bridget Lamar <LamarBD@detroitmi.gov>, Marcella Anderson <ANDERSONM848@detroitmi.gov>
Subject: Re: Inspector General Case no 2018 -0050

>>> "JERMAINE WYRICK" ~~12/13/2018 17:00~~

Please don't, we understand if you cannot share the information, we were just trying to coordinate information and give it to them in an effective and efficient manner.



Re: Inspector General Case no 2018 -0050

From: JERMAINE WYRICK
To: Bridget Lamar; Marcella Anderson
Date: Thursday - December 13, 2018 5:30 PM
Subject: Re: Inspector General Case no 2018 -0050
Attachments: TEXT.htm; JERMAINE WYRICK.vcf

Welcome.

Article 7.5, Chapter 3 of the Charter discusses the Office of Inspector General.

Under Section 7.5-313 Confidentiality. All investigative files of the Office of Inspector General shall be confidential and shall not be divulged to any person except the US Attorney, Michigan Attorney General, or Wayne County Prosecutor.

Attorney, Detroit Board
of Police Commission
(313) 596-2815
Cell: (313) 920-4086.

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>>> Marcella Anderson 12/13/2018 5:26 PM >>> ✓
Thank you both for your help.

>>> Marcella Anderson 12/13/2018 5:08 PM >>> ✕
Thank you Attorney Wyrick.

>>> JERMAINE WYRICK 12/13/2018 5:00 PM >>> ✓
Please don't, we understand if you cannot share the information, we were just trying to coordinate information and give it to them in an effective and efficient manner.

12/18/2018

Re: Inspector General Case no 2018 -0050

12-13-18

We wi

Attorney, Detroit Board
of Police Commission
(313) 596-2815
Cell: (313) 920-4086.

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>>> Bridget Lamar <lamarbd@detroitmi.gov> [REDACTED]
Good Evening All,

I want to be absolutely clear, I have not provided the IG's Office with any documents. I felt it was highly inappropriate to be asked to provide a summary of information that was provided as a part of an investigation. How did you know I was contacted? Was probing involved? I don't know exactly what's going on nor do I need to know. Therefore, I respectfully ask not to be contacted by the BOPC or its representatives regarding this matter again. Additionally, I want the emails regarding this matter to stop. All of this is very uncomfortable and causing undue stress.

Sent from my Verizon, Samsung Galaxy smartphone

----- Original message -----

From: Marcella Anderson <ANDERSONM848@detroitmi.gov>
Date: 12/13/18 5:48 PM (GMT-05:00)
To: Bridget Lamar <LamarBD@detroitmi.gov>, JERMAINE WYRICK <WYRICKJ590@detroitmi.gov>
Cc: WILLIE BELL <BELLW4BOPC@detroitmi.gov>, DARRYL BROWN <BROWND1BOPC@detroitmi.gov>, LISA CARTER <CARTERL6BOPC@detroitmi.gov>, EVA DEWAELSCHKE <DEWAELSCHKE017@detroitmi.gov>
Subject: Re: Inspector General Case no 2018 -0050

>>> "Marcella Anderson" 12/13/2018 17:48 >>> [REDACTED]
Bridget,

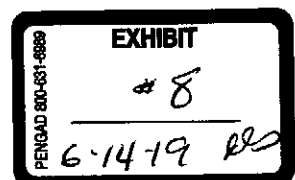
- Stalk -

I am sorry that you took the email that way as it was not my intent. My intent was as Attorney Wyrick stated to effectively gather information; you and I represent the same department.

I have no interest or intent to impede an investigation. I am willing to meet with the IG and his or her supervisor to provide clarification. I also have no problem ; not being apart of this investigation.

Best Regards,
/ MA

Dr. Anderson emails apologizing to Ms. Lamar for the misunderstanding.



Re: Inspector General Case no 2018 -0050

Marcella Anderson 848

Thu 12/13/2018 5:48 PM

To: Bridget Lamar <lamarbd@detroitmi.gov>; JERMAINE WYRICK 590 <WYRICKJ590@detroitmi.gov>;

cc: WILLIE BELL <BELLW4BOPC@detroitmi.gov>; DARRYL BROWN <BROWND1BOPC@detroitmi.gov>; LISA CARTER <CARTERL6BOPC@detroitmi.gov>; EVA DEWAELSCHE <DEWAELSCHEE017@detroitmi.gov>;

Bridget,

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Best Regards,
/ MA

Marcella Anderson 848

To: Bridget Lamar <lamarbd@detroitmi.gov>; JERMAINE WYRICK 590 <WYRICKJ590@detroitmi.gov>;

<https://outlook.office.com/owa/?ItemID=AAMkANDIkwNDNiMzkyI TRhZiE+NDM5NS1h> 6/13/2019

----- Original message -----

From: Marcella Anderson <ANDERSONM848@detroitmi.gov>

Date: 12/13/18 2:22 PM (GMT-05:00)

To: Bridget Lamar <LamarBD@detroitmi.gov>

Cc: WILLIE BELL <BELLW4BOPC@detroitmi.gov>, JERMAINE WYRICK <WYRICKJ590@detroitmi.gov>

Subject: Inspector General Case no 2018 -0050

>>> "Marcella Anderson" 12/13/2018 14:23 >>>

Hi Bridget,

Please provide a summary of information and documents that was shared with Investigator Hendricks-Moore. The investigator is seeking additional information from HR and it is not my desire to duplicate information or documents. Also do you recall when you spoke with the investigation ?

Best regards,

/MA

Marcella D. Anderson, PhD,
Human Resources Director-Police
Detroit Public Safety Headquarters
1301 Third Street - Suite 655
Detroit, Michigan 48226
313-596-2671 (Direct)
Andersonm848@detroitmi.gov

Mike Duggan, Mayor

"The Detroit Police Department is a model of sustained policing excellence that places our neighborhoods and people first.

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Sent from my Verizon, Samsung Galaxy smartphone

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Date: 12/13/18 5:00 PM (GMT-05:00)
To: Bridget Lamar <LamarBD@detroitmi.gov>, Marcella Anderson <ANDERSONM848@detroitmi.gov>
Subject: Re: Inspector General Case no 2018 -0050

>>> "JERMAINE WYRICK" 12/13/2018 17:00 >>>

Please don't, we understand if you cannot share the information, we were just trying to coordinate information and give it to them in an effective and efficient manner.

Position Elimination

Bridget Lamar

Fri 12/14/2018 4:29 PM

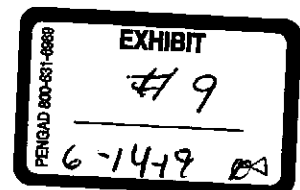
To: Marcella Anderson 848 <Andersonm848@detroitmi.gov>;

Good Afternoon,

Based on our 3:30 conversation, my permanent classified civil service position is being eliminated from the Budget effective, January 2, 2019. You gave me the option be laid-off or be demoted to HRA III. You also refused to provide information on when the decision to eliminate the position was reached or why the position was being eliminated even though the position remains in the budget for the remainder of the year and is in the budget for next year.

Bridget D. Lamar
Employee Services Manager II
Human Resources Bureau
City of Detroit-Police Department
1301 Third Street
Detroit, Michigan 48226
Office: 313-237-2581
Email: lamarbd@detroitmi.gov

Mike Duggan, Mayor
Police Chief James E. Craig's vision: "The Detroit Police Department is a model of sustained policing excellence that places our neighborhoods and people first."



Re: Preliminary Conversation

Marcella Anderson 848

Fri 12/14/2018 5:04 PM

To: Bridget Lamar <lamarbd@detroitmi.gov>;

Cc: Ursula Holland <hollandu@detroitmi.gov>; LASHINDA STAIR 042 <STAIRL042@detroitmi.gov>;

Greetings Bridget,

Thank you for the email and for meeting with me today, Friday December 14, 2018. It was imperative that I held a preliminary conversation with you to explain the upcoming changes. I stated during the meeting that more official documentation was forthcoming as well as recommending that you reach out to Ursula Holland to discuss employment opportunities at central personnel.

Best regards,

/MA

The Mungo Law Firm, PLLC

333. W. Fort St
Suite 1500
Detroit, MI 48226

Attorneys and Counselors
LEONARD MUNGO

Telephone: (313) 963-0407
Fax: (313) 963-0200
E-mail: mungol16@msn.com

TO: Ellen Ha, Inspector General,
City of Detroit

FROM: Attorney Leonard Mungo
On behalf of Marcella Anderson, Ph.D

RE: Witness List for Hearing on OIG's Investigation and Report
Case No. 2018-0057-INV Retaliation

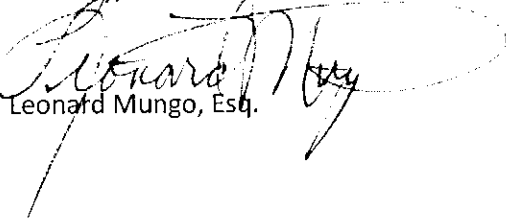
DATE: June 7, 2019

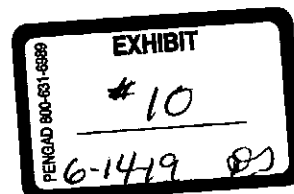
Please find below pursuant to OIG Administrative Rule #5 the list of witnesses Dr. Anderson plans to call at the June 14, 2019 Administrative Hearing that has been scheduled in this matter:

1. Chief James E. Craig
2. Attorney Jermaine Wyrick
3. Tanya Studemire
4. Charleta Mcinis
5. Kawana Ducker
6. Lashinda Stair
7. Pamela Scales
8. Bridget Lamar
9. Dr. Marcella Anderson

The above witnesses will be called upon to provide testimony that is relevant and proportional to and in support of Dr. Anderson's written Response to the OIG's Investigation and Report Case No. 2018-0057-INV Retaliation. Please advise as to your need for any additional information regarding The submission of this witness list. Thank you for your courtesies.

Sincerely,


Leonard Mungo, Esq.





**CITY OF DETROIT
OFFICE OF INSPECTOR GENERAL**

Ellen Ha, Esq.

Inspector General

April 17, 2019

Marcella Anderson, Ph.D
Human Resources Director - Police
Detroit Public Safety Headquarters
1301 Third Street – Suite 655
Detroit, MI 48226

RE: OIG Case No. 2018-0057- INV Retaliation

Dear Dr. Anderson:

The Office of Inspector General (OIG) has completed its investigation of OIG Case No. 2018-0057- INV. Attached is the draft copy of the OIG report. If you disagree with our analyses and findings, you may: 1) submit a written response; or 2) request an administrative hearing within fourteen (14) calendars days from the date of this letter.

In the event you choose to provide a written response, we will include your written response with our report. Otherwise, should you choose to request and administrative hearing, attached please find the OIG Rules for Administrative Hearing pursuant to Chapter 3 of Article 7.5 of the 2012 Detroit City Charter. The purpose of the hearing is to give you an opportunity to present testimony and any supporting information in response to the OIG findings. The hearing is not an adversarial process and shall not be conducted as such. If the Inspector General elects to issue a formal report based on the findings from the investigation, a copy of any written response and/or a transcript of the hearing shall accompany the report.

If you have any further questions or concerns regarding this process, please contact the investigator assigned to this matter, Jacqueline Hendricks-Moore, at Hendricks-moorej@detoig.org or (313) 628-2551.

Sincerely,

Ellen Ha, Esq.
Inspector General

