

**BY COUNCIL MEMBER JAMES TATE:**

**RESOLUTION URGING THE MAYOR TO FOLLOW THE INSPECTOR GENERAL'S  
RECOMMENDATION OF APPROPRIATE DISCIPLINE OF EMPLOYEES**

**WHEREAS,** The OIG was established under the revised 2012 Charter of the City of Detroit to address real and perceived failures to govern transparently, to “ensure honesty and integrity in City government by rooting out waste, abuse, fraud, and corruption.” (Charter Sec. 7.5-301.) As the IG stated, “Democracy is based on public trust which demands transparency from those who govern and serve the public. Building trust takes great effort and time, while losing trust takes little in effort or time”; and

**WHEREAS,** Following public questioning that City support for Wayne State University's Make Your Date (MYD) program, an effort to reduce infant mortality, was the result of preferential treatment by the Mayor's Office, the Office of Inspector General (OIG) initiated an investigation in April 2019; and

**WHEREAS,** During the course of the investigation, the OIG reviewed voluminous documents and interviewed City officials and staff, concluding that MYD was promoted to provide these services to the possible exclusion of other competent candidates; and

**WHEREAS,** Although the OIG is careful to emphasize its lack of jurisdiction over legal matters, the OIG's report concluded that “Mayor Duggan provided preferential treatment to MYD” but his behavior “did not rise to the level of abuse of power.” Further, while he “did not violate any City policies, procedures, or laws in providing preferential treatment to MYD, such treatment was not best practice or good governance.” Finally, the OIG found that “the selection of MYD to partner with the City of Detroit as well as to be the recipient of City resources was done in a manner that lacked fairness, openness, and transparency”; and

**WHEREAS,** In the course of its investigation, the OIG became aware that the Mayor's Chief of Staff abused her authority, when prior to and after the received Freedom of Information Act (FOIA) requests, she ordered staff of the Office of Development and Grants (ODG) to delete email communications relative to assisting MYD in raising grant funds; and further, the Chief Development Officer and Deputy Chief Development Officer were complicit in relaying this order to ODG staff under their authority – all actions amounting to abuse of authority; and

**WHEREAS,** Even though many of the deleted emails were eventually recovered, the intentional deception of directing deletion of an estimated 200 pages of email communications undermines public confidence in transparency in government as well as this Administration. Despite the articulated rationale of “protecting” staff, neither this nor any other reasoning justifies the deletion of emails to avoid transparency and in anticipation of a FOIA request. Therefore, the OIG concluded that staff “abused their authority by ordering subordinates to delete emails related to MYD” . . . showing “a blatant disregard for transparency and good governance” and “a profound lack of judgment by all involved”; and

October 31, 2019

**WHEREAS,** The OIG made several recommendations including the establishment of “policies and procedures for the selection of organizations, agencies, and non-profits that will partner with the City of Detroit and receive any type of City resource”; providing “training to ODG staff as well as the Mayor’s Chief of Staff regarding Michigan Record Retention Policy”; issuing “appropriate discipline” to the Mayor’s Chief of Staff for ordering ODG staff to delete MYD emails as well as providing misleading public statements regarding MYD funding; and issuing appropriate discipline to ODG’s Chief Development Officer and Deputy Chief Development Officer for ordering the deletion of emails; and

**WHEREAS,** Since the issuance of the OIG report, the Mayor has made repeated public statements in conflict with the essence of the OIG’s report, downplaying the significance of the findings and recommendations, and indicating only that the emails were ultimately recovered (as if the ultimate recovery somehow absolves the deliberate attempt to destroy the information), and that he would require training for his staff members implicated by the findings of the report; and

**WHEREAS,** Additional training for high level Administration employees to impart the importance of preserving email communications – information that should be ingrained – does not amount to “appropriate discipline”. **NOW THEREFORE BE IT**

**RESOLVED,** The Detroit City Council urgently requests that the Mayor take actions that are more appropriate to the gravamen of the underlying acts to help reinstate trust and integrity to the City’s processes by respecting the findings and recommendations of the OIG and issuing an appropriate level of discipline, beyond needed training, to effectively restore public confidence in City government. **AND BE IT FURTHER**

**RESOLVED,** That this resolution be forwarded to Mayor Mike Duggan.